



KHYBER PAKHTUNKHWA

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BOARD OF REVENUE, KHYBER PAKHTUNKHWA

NOTIFICATION

Peshawar dated the 15th September, 2021

No. LR-IV/LRR-1968/Amended/338.— In exercise of the powers conferred by section 182 read with sections 41A and 42A of the West Pakistan Land Revenue Act, 1967 (West Pakistan Act No. XVII of 1967), the Board of Revenue, Khyber Pakhtunkhwa, with the previous approval of Government, intends to amend the West Pakistan Land Revenue Rules, 1968 which in accordance with section 183 of the Act *ibid*, are hereby published for the information of persons likely to be effected thereby and notice is hereby given that the said amendments, together with any objection with respect thereto, which may be received by the Senior Member Board of Revenue, Khyber Pakhtunkhwa within fifteen (15) days of the publication of this notification in the official Gazette, shall be taken into consideration, after the expiry of the said period:

AMENDMENTS

1. In rule 2, -

- (i) after clause (a), the following new clauses shall be inserted, namely:
 - “(aa) “**digitized record**” includes revenue related documents, records, data, information, communications, transactions, reports and maps in electronic, digital or computerized form;
 - (ab) “**electronic signatures**” means any letter, thumb impression, number, symbol, image, character or combination thereof obtained through electrical, digital, magnetic, optical, biometric, electro-chemical, wireless or electromagnetic technology, applied to, incorporated in, or associated with, the digitized record, with the intention of authenticating or approving it, so as to establish authenticity or integrity or both;” and
- (ii) in clause (c), the word “and” occurring at the end shall be deleted and thereafter, the following new clause shall be inserted, namely:
 - “(ca) “**Service Delivery Centre In-Charge**” means the Service Delivery Center In-Charge appointed by the Board of Revenue from time to time;”.

2. After rule 36, the following new rule shall be inserted, namely:

“**36-A. Grant of certified copies of record or extracts at the Service Delivery Centre.**— (1) Any person may apply to a Service Delivery Centre for supply of a certified copy of the digitized record and the Service Delivery Centre shall, on receipt of fee as notified under sub-rule (2), supply a certified copy of the record or extract from the record under signatures of the service delivery centre official alongwith his official seal.

(2) The Board of Revenue shall notify fee for obtaining certified copies of the digitized record or extracts from the record.

(3) Notwithstanding anything contained in rule 36, from the date of issuance of notification by the Board of Revenue under sub-section (1) of section 41A of the Act, the Patwari shall not issue a copy of the record or extract from the record mentioned in sub-rule (1) of the rule 37-B.”.

3. After Part-IV, the following shall be inserted, namely:

“PART-IV-A

PREPARATION AND MAINTENANCE OF DIGITIZED RECORD

37-B. Preparation of digitized record of rights and periodical records.- (i) The record of rights or periodical record, currently under use, shall form the basis of preparation of digitized record in an estate.

(2) In the process of digitization, digitized record of the following documents of an estate shall be prepared, namely:

- (a) register Haqdarar Zamin (Form XXXIV) of the estate currently under use including:
 - (i) genealogical tree (Shajra Nasab) of owners (Form III);
 - (ii) register Haqdarar Nakhlistan in estates where Nakhlistan is maintained (Form VIII);
 - (iii) statement of rights in wells and tube-wells (Form IX); and
 - (iv) statement of distribution of water, where the lands are irrigated by means of karez or other similar source (Form X);
- (b) statement of customs respecting rights and liabilities in the estate (Wajib-u-Arz) (Form XXXVI);
- (c) register of mutations (Form XXXV) pertaining to the mutations decided during the currency of the register Haqdarar Zamin (Form XXXIV) mentioned under clause (a) above;
- (d) register Fard Badar (Form XV) during the currency of register Haqdarar Zamin (Form XXXIV) mentioned under clause (a) above;
- (e) crop inspection register (register Girdawari) (Form XXIV) and register Taghayurat-e-Kasht (Form XXIV-A) during the currency of the register Haqdarar Zamin (Form XXXIV) mentioned under clause (a) above;
- (f) field book of the estate including all the supplementary field books (Form XI); and
- (g) map of the estate including supplementary maps.

(3) After the commencement of preparation of digitized record in an estate, the Board of Revenue shall issue a notification under sub-section (5) of section 41A of the Act to prohibit manual preparation of periodical records as specified under rules 30 and 31 and the periodical records of the estate henceforth shall be prepared from the digitized records and copies of the same shall be provided to the Patwaris.

(4) During the preparation of digitized record, the service delivery centre official shall supply a list of errors for inconsistencies in revenue record of the estate to the Circle Revenue Officer through the Collector and the Circle Revenue Officer shall get the errors or inconsistencies corrected in the prescribed manner.

(5) A copy of the digitized register Haqdarar Zamin, prior to the entry of mutations, shall be supplied to the Circle Revenue Officer who shall cause it to be compared by the Patwari of the estate with his copy of manual register Haqdarar Zameen.

(6) The Patwari shall-

- (a) make corrections, if, any, in red ink and prepare a list of corrections under his signatures; and
- (b) fill in the remarks column of the copy of digitized register Haqdarar Zamin supplied to him in accordance with entries in manual register Haqdarar Zamin.

(7) The corrections and entries made under sub-rule (6), shall be verified and signed by field Kamungo and Circle Revenue Officer and the Circle Revenue Officer shall forward these to the Service Delivery Centre In-Charge, who shall cause these to be incorporated in the digitized record, verify the amended entries, save the amended version in the system and the corrected copy of the digitized register Haqdarar Zamin received from the Patwari shall be consigned to the Tehsil record room.

(8) The Collector shall cause to be maintained a list of all the mutations or Fard Badr sanctioned after the start of preparation of digitized record in an estate.

(9) After the data entry for preparation of digitized record of an estate under sub-rule (1), has been completed, the Collector shall supply the list of mutations or Fard Badr, along with all such mutations or Fard Badr (part sarkar) to the Service Delivery Centre In-Charge, who shall cause these mutations or Fard Badr to be entered in the digitized record.

(10) One copy of the digitized periodical record, after entering the mutations (part sarkar), shall be consigned to the District record room and another shall be supplied to the Patwari of the estate and the copies supplied as such shall be the periodical record of the estate from the date notified by the Board of Revenue under sub-section (1) of section 41A of the Act.

(11) The Patwari of the estate shall examine every entry in the periodical record, supplied to him for its correctness and get the errors rectified in the prescribed manner and intimate the Service Delivery Centre In-Charge regarding corrections made in the record through Field Kamungo and Circle Revenue Officer and if no such intimation is received at the Service Delivery Centre within one month or the period extended by the Collector, due to reasons to be recorded in writing, it shall be presumed that the record has been checked by the Patwari, field Kamungo and Circle Revenue Officer and found correct.

(12) The Board of Revenue may make digitized record available on its website for general information.

37-C. Making of records at Service Delivery Centre after the notified date.--- (1) At the expiration of the period specified under sub-section (1) of section 42A of the Act, the Circle Revenue Officer shall ensure that all bills of mutation or Fard Badr decided during the said period by him or his predecessor in office are submitted to the Service Delivery Centre In-Charge and provide a certificate to this effect to the Service Delivery Centre In-Charge and shall also supply a list of all pending mutations or Fard Badr along with all mutations or Fard Badr registers to the Service Delivery Centre In-Charge.

(2) After the issuance of the notification by the Board of Revenue under sub-section (1) of section 41A of the Act, any person, acquiring a right in an estate by inheritance, purchase, mortgage, gift or otherwise as a landowner or a tenant, for a term exceeding one year, shall report such acquisition to the service delivery centre official of the estate either orally or in writing in Form XXXV-B and details under taking in Form XXXV-C on stamp paper who, upon receipt of such report, shall enter it in the digitized record and request the person making the report to authenticate the same through his electronic signatures.

(3) If the information contained in the oral or written report does not match the existing digitized record, the service delivery centre official shall inform the person, making the report about the discrepancy and in case the person making the report states that there is an error in the existing digitized record, the matter shall be referred to the Service Delivery Centre In-Charge and-

- (a) the Service Delivery Centre In-Charge, upon receipt of such report, shall verify the entries from the scanned copies of record, available in the existing digitized record, and in case of any error in the data entry, he shall correct the same and electronically forward it to the Revenue Officer of the Service Delivery Centre, who after satisfying himself, shall approve the same through his electronic signatures; and
- (b) in case no discrepancy is found in the existing digitized record and the scanned copies of the record as mentioned in clause (a), the matter shall be referred to Circle Revenue Officer for his consideration and decision in accordance with the Act.

(4) In case the information provided by the person making the report matches the information available in the digitized record and there is no stay order of any competent forum upon alienation of rights in land reported to be acquired, the service delivery centre official shall provide the person making the report:

- (i) a bank challan containing the following details, namely:
 - (a) name and addresses of the person on whose behalf the amount is to be paid;
 - (b) amounts of taxes, duties, fees and cesses payable;
 - (c) heads of accounts under which the taxes, duties, fees, and cesses are to be deposited; and
 - (d) nature of mutation requested;

Provided that if the person making the report has any reservation against the assessed taxes, duties, fees or cesses payable, he may submit representation to the Circle Revenue Officer against such assessment who may, after on ground inspection of land reported to be acquired, alter the assessed amount;

- (ii) a receipt of the report containing the following details, namely:
 - (a) the date and time when the person making the report has to appear before the Revenue officer at the Service Delivery Centre;
 - (b) the name of person who have to appear before the Revenue Officer on the date given at clause (a), which shall include-
 - (i) the person whose right is being acquired, except in cases of inheritance, transfer by a registered deed or by an order of the court or competent authority or when such person has executed a power of attorney in favour of another person, then the person in whose favour the power of attorney has been executed, along with original and latest certified copy of power of attorney;
 - (ii) the person who is acquiring the right except when such person has executed a power of attorney in favour of another person, then the person in whose favour the power of attorney has been executed, along with original power of attorney and its certified copy; and
 - (iii) if in cases where the person acquiring the right is a minor or lunatic, his guardian, with the identity documents applicable as given in clause (c) below;
 - (c) a detail of the documents required for proving the identity of the parties and witnesses, which shall include-

- (i) in case of a citizen of Pakistan of the age of eighteen years or above, his original Computerized National Identity Card;
- (ii) in case of citizen of Pakistan below the age of eighteen years, the original Computerized National identity Card of his guardian and Form B of the minor;
- (iii) in case of non-resident Pakistani, his original Computerized National identity Card for Overseas Pakistanis;
- (iv) in case of foreign citizen, his original passport and permission of competent authority to acquire land, if required; and
- (v) in case of a legal person, proof of legal personality.
- (d) a detail of other documents required in certain cases, namely:
 - (i) in case of mutation based on a court decree or order of competent forum, recent certified copy of the decree; and
 - (ii) in case of mutation based on registered deed, the original and recent certified copy of registered deed.

(5) If the Revenue Officer has any doubt regarding the genuineness of any of the documents presented, as required above, he may, after recording reasons, get it re-verified from the relevant authority.

(6) If the preparation of a supplementary map (Tatima Shajra) or field book (Form XI) for sanctioning the requested mutation is required, a copy of the unapproved mutation shall be supplied to the Circle Revenue Officer along with the date on which such supplementary map or field book is required to be deposited back to the Service Delivery Centre In-Charge.

(7) The Circle Revenue Officer shall cause the supplementary map or field book to be prepared by the Patwari and verified by the Field Kanungo on ground and shall also verify the supplementary map or field book prepared as such and shall be responsible for its timely submission to the Service Delivery Centre In-Charge.

(8) The Revenue Officer at Service Delivery Centre, upon receipt of the supplementary map or field book, shall cause to scan and save it to the digitized record and pass such order as he may deem appropriate.

(9) If the requested mutation pertains to inheritance, a copy of the unapproved mutation shall be supplied to the Circle Revenue Officer and he shall also be given a date by which he has to deposit it back to the Service Delivery Centre.

(10) The Circle Revenue Officer shall make a summary enquiry regarding legal heirs of the right holders of the deceased, determine shares of each legal heir in the property left by the deceased in accordance with the law of inheritance by which the deceased was governed and prepare a Shajra Nasab (Form III-A) of the deceased in prescribed manner.

(11) The Circle Revenue Officer shall be responsible for the timely submission of the results of the inquiry along with the Shajra Nasab of the deceased prepared as such and the Revenue Officer at Service Delivery Centre, upon receipt of the report of such enquiry, shall cause to scan and save it to the digitized record and pass such order as he may deem appropriate.

(12) No order under sub-section (6) of section 42A of the Act shall be passed by the Revenue Officer at the Service Delivery Centre unless-

- (a) the person whose right is being acquired is present before him at the Service Delivery Centre, except in cases where-
 - (i) the mutation is a mutation of inheritance;
 - (ii) the mutation is based on registered deed;

- (iii) the mutation is based on decree or an order of the competent court or authority;
- (iv) the mutation is based upon registered power of attorney; and
- (v) the person whose rights are being altered is a legal person;

Provided that in case of (iv) or (v) above, the order shall only be passed in the presence of the authorized agent of the person whose right is being acquired;

- (b) he has ensured that the electronic signatures and digital photograph of the person whose right is being acquired or his authorized agent (in cases mentioned at clause (a) above) is obtained and stored in the digitized record in his presence;
- (c) except the cases of mutation of inheritance or mutation based upon a registered deed or an order or decree of a court or forum, he has examined and satisfied himself about the genuineness of-
 - (i) the documents of identity presented before him;
 - (ii) the identity of the person whose right is being acquired or his authorized agent;
 - (iii) the identity of the person acquiring the right or his authorized agent;

Provided that he shall require two residents of the estate one of whom, preferably Lambardar of the estate or an elected representative of the local government, to verify the genuineness of the persons mentioned in (i) and (ii) above:

Provided further that he shall satisfy himself that the electronic signatures and digital photographs of the persons mentioned above are saved in the digitized record;

- (d) he has caused-
 - (i) to store the scanned images of the identity documents in the digitized record; and
 - (ii) to verify the Computerized National Identity Card numbers of the persons mentioned in clause (c);
- (e) he has caused to save the scanned copy of the challan in the digitized record;
- (f) in case where sanctioning the mutation requires preparation of a supplementary map or field book, he has satisfied himself that supplementary map or field book has been prepared and its scanned copy saved to the digitized record;
- (g) in case of mutation of inheritance, he has satisfied himself that the report of Circle Revenue Officer including Shajra Nasab (Form III) has been prepared and saved in the digitized record;
- (h) the person, whose right is being acquired, affirms before him that he has alienated his right and received the consideration thereof; and
- (i) the person acquiring the rights affirms before him that he has received the possession.

(13) If the Revenue Officer at the Service Delivery Centre is satisfied that the above conditions have been fulfilled, he shall record his order in the digitized record and sanction the mutation under his electronic signatures.

(14) If the Revenue Officer at the Service Delivery Centre is not satisfied, he may either reject the mutation or give another date for inquiry and in either case he shall give reasons for rejection or postponement:

Provided that in case of rejection, he shall record his order in the digitized record under his electronic signatures.

(15) The Revenue Officer at the Service Delivery Centre shall provide, free of cost, to both parties, a copy of the decided mutation and a certified copy of the updated digitized register Haqdarar Zamin concerning the mutation.”

4. In rule 39, after sub-rule (2), the following sub-rules (3) and (4) shall be added:

“(3) After the issuance of the notification by the Board of Revenue under sub-section (1) of section 41A of the Act, the Patwari shall, within fifteen calendar days of completion of girdawari of Rabi Khareef each year, submit the register Taghayyurat-e-Kasht (Form XXIV-A), duly verified by the Field Kanungo and the Circle Revenue Officer to the Service Delivery Centre In-Charge of the estate, who shall cause it to be immediately scanned, saved in the digitized record and returned to the Patwari.

(4) The Service Delivery Centre In-Charge shall cause the Service Delivery Centre Official to update the digitized record of the estate on the basis of variations recorded in the register Taghayyurat-e-Kasht and the entries made as such shall be presented to the Service Delivery Centre Revenue Officer for his approval through his electronic signatures and after his approval, the changes shall become a part of the digitized register Haqdarar Zamin of the estate.”

5. In rule 72:-

(a) after clause (i), the following new clauses shall be inserted, namely:

(i-A) Mutation Register Dakhil Kharij (Form XXXV)

(i-B) Digitized Record of Mutation (Dakhil Kharij) (Form XXXV-A)

(b) after clause (xviii), the following new clause shall be inserted; namely:

“(xviii-A) Register showing the amount of fee realized at the Service Delivery Centre for grant of certified copies of digitized record (Form LI-A).”

6. In the APPENDIX A:-

(a) after Form III, the following new Form shall be inserted, namely:

Note: If land is being transferred in more than one village, applications may be submitted for each village separately."

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(see rule 72(i-B))

Digitized Record of Mutation (Dakhil Kharij)

The digitized record of mutation refer to in sub-section (4) of section 41-A of the Act shall be maintained in the form set forth below to be known as the digitized record Dakhil Kharij:

Estate: _____ No. Hadbast: _____ Tehsil: _____ Sub Tehsil: _____

District: _____ Dakhil-Kharij No: _____

Entry in Register Haqdarane Zamin or last entry in Register Dakhil Kharij which is proposed to be corrected		New entry which is proposed to be substituted	
1	Serial No.	1	No. of Khewat which will be substituted in the new Register Haqdaran zamin
2	No. Khewat/ Khatuni Register Hadaran Zamin	2	Name of owner, Father's/Husband's name, caste, address, CNIC number
3	Name of owner/ mortgagee if any etc, Father'/ Husband's name, address, CNIC number in case of mortgage name of mortgagee	3	Ownership status (owner, mortgager, mortgagee etc)
4	Ownership status (owner, mortgager, mortgagee etc)	4	Specific share in the joint <u>khewat</u>
5	Specific share in the joint <u>khewat</u>	5	Precise area according to the share
6	Precise area according to the share	6	Name of cultivator, Father'/ Husband's name, caste, address, CNIC number
7	Name of cultivator, Father'/ Husband's name, caste, address, CNIC number	7	Survey/ Khasra No. and name (if any)
8	Survey/ Khasra No. and name (if any)	8	Area and kind of soil
9	Area and kind of soil	9	No. of Khewat which will be substituted in the new Register Haqdaran zamin
10	No. of Khewat which will be substituted in the new Register Haqdaran zamin	10	Name of owner, Father's/Husband's name, caste, address, CNIC number
11	Name of owner, Father's/Husband's name, caste, address, CNIC number	11	Ownership status (owner, Mortgagor, mortgagee etc)
12	Ownership status (owner, Mortgagor, mortgagee etc)	12	Specific share in the joint <u>Khewat</u>
13	Specific share in the joint <u>Khewat</u>	13	Precise area according to the share
14	Precise area according to the share	14	Name of cultivator, Father'/Husband's name, caste, address, CNIC number
15	Name of cultivator, Father'/Husband's name, caste, address, CNIC number	15	Survey/ Khasra No. and name (if any)
16	Survey/ Khasra No. and name (if any)	16	Area and kind of soil
17	Area and kind of soil	17	

18. Nature of Dakhil Kharij: _____
19. Price in case of sale, amount of mortgage debt in case of mortgage: _____
20. Dakhil kharij Fee, Challan No(s) & Date of Challan(s): _____
21. Thumb impression of parties / witnesses with CNIC numbers: _____
22. Order of the Revenue Officer: _____

FORM XXXV-C
(see rule 37-C (2))
Land Transaction Information Form (LTIF)
(To be presented with a copy of RHEZ)

1. Tehsil _____ Mauza _____

Name of applicant _____	Father's Name _____
Cell No. _____	CNIC No. _____
Address _____	

2. **Particulars of Transferor**

Name: _____	Father's name _____	
CNIC No. _____	Cell No. _____	R/O _____
Particulars of All Transferor (In case more than one) _____		

3. **Particulars of Transferee**

Name: _____	Father's Name _____	
CNIC No. _____	Cell No. _____	R/O _____
Particulars of All transferees (In case more than one) _____		

4. **Particular of Land in transaction**

Nature of Land: _____	Total Land Under transaction _____
Transaction amount RS. _____	Outside of Committee area (Yes/No) _____
Distance from Main Road (in feet) _____	
Whether land in transaction is situated in township (Yes/No) _____	
Date on which Parties will appear for attestation of mutation _____	

5.

UNDERTAKING

I/We _____ S/O, D/O, w/o _____ (Seller), and _____ S/O, D/O, w/o _____ do hereby solemnly affirm that the information provided above is true and correct to the best of my/our knowledge. In case of any misinformation or concealment, we shall be liable for any proceedings under the law/rules. If deficient government taxes are deposited intentionally or unintentionally or due to buyer's mistake or by mistake of an official or pointed by an Authority/Agency /Auditor including revenue officers/officials at later stage, I/We shall be liable to deposit the remaining taxes; failing which I/We shall be liable for recovery of the balanced tax amount.

Name & Signature of Seller

Name & Signature of Buyer

6.

Witness No.1

Witness No.2

Name _____

Name _____

Father's name _____

Father's name _____

CNIC No. _____

CNIC No. _____

1. Report/Remarks by Patwari Halqa:

Name & Signature by Patwari Halqa

Remarks by the R.O"; and

(c) after Form LI, the following new Form shall be inserted, namely:

"FORM LI-A

(see rule 72 (xviii-A))

Register Showing the Amount of fee Realized by Service Delivery Centre Official for
Inspection of Records and Grant of Certified Copies therefrom Patwar Circle _____
Tehsil _____ District _____

Serial No	Date	Name of Estate	Name of Applicant	Nature of record of which copy of inspection is desired	Details of Work				Amount of fee realized from applicant			Signature of Service Delivery Official	Signature of Revenue officer	Amount Credited to Government with date and payment receipt	Attestation of officers	Remarks
					Khatuni numbers	Number of Pages	Survey/Khasra Nos.	Date of Entries	Service Delivery Center Official's Share	Government Share	Total					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17

Sd/-xxx-

SECRETARY TO

GOVERNMENT OF KHYBER PAKHTUNKHWA,
REVENUE & ESTATE DEPARTMENT

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