

GOVERNMENT OF <sup>1</sup>[Khyber Pakhtunkhwa],  
REVENUE DEPARTMENT

NOTIFICATION

1<sup>st</sup> June, 1995

No. 13700/Rev: VI.--- In pursuance of the provisions contained in section 4 of the <sup>2</sup>[Khyber Pakhtunkhwa] Muqarraridars (Conferment of Proprietary Rights) Ordinance, 1995 (<sup>3</sup>[Khyber Pakhtunkhwa] Ord. No I of 1995), the Government of the <sup>4</sup>[Khyber Pakhtunkhwa] is pleased to make the following rules:-

1. **Short title and commencement.**

(1) These rules may be called the <sup>5</sup>[Khyber Pakhtunkhwa] (Conferment of Proprietary Rights on Muqarraridars) Rules, 1995.

(2) They shall come into force at once.

2. **Definitions.**

In these rules, unless the context otherwise requires, the following expressions shall have the meaning hereby respectively assigned to them, that is to say:-

(a) “Act” means the <sup>6</sup>[Khyber Pakhtunkhwa] Teancy Act, 1950;

(b) “Collector” means the Collector as defined in the Act;

(c) “Ordinance” means the <sup>7</sup>[Khyber Pakhtunkhwa] Muqarraridars (Conferment of Proprietary Rights) Ordinance, 1995 (<sup>8</sup>[Khyber Pakhtunkhwa] Ord I of 1995); and

(d) “Revenue Officer” means the Revenue Officer as defined in the Act.

3. **Fixation of compensation.**

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<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.

<sup>6</sup> Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>7</sup> Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

<sup>8</sup> Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.

(1) For the purposes of section 3 of the ordinance a muqarraridar shall pay to Government an amount at the rate of Rs. one lac per kanal for commercial land and rupees 6,666 per kanal for Agricultural land as compensation to become owner of the land;

(2) The District Collector shall determine the nature of land (commercial and non-commercial) giving full justification of his act as such. The land determined as “commercial” by the District Collector shall however, also include the land under the ring Road.

(3) A Muqarraridar shall be entitled to claim ownership, subject to sub-rule (1) only in respect of the land held by him within the meaning of section 3 of the Ordinance.

(4) On payment of the compensation, a Muqarraridar shall become absolute owner of the land.

4. **Mode of Payment.**

The compensation shall be payable either in lump sum or in one year period on the basis of six monthly installments: provided that if the compensation is paid in installments, the total amount of compensation shall be payable within one year from the date of enforcement of the rules.

5. **Failure to apply for transfer of ownership rights/deposit compensation.**

(a) If the Muqarraridar fails to apply to the District Collector for the transfer of ownership rights of Muqarraridari land within one month from the date of publication of these rules in the official gazette his rights in the said land shall stand extinguished forthwith.

(b) If the Muqarraridar fails to deposit compensation within the stipulated period of one year from the date of publication of these rules in the official gazette his rights in the said land shall stand extinguished forthwith.

6. **Extinction of Government right in land.**

When compensation in full has been paid by a Muqarraridar, as provided in rule 4, the ownership right of Government in respect of the land concerned shall be extinguished forthwith.

7. **Entries in revenue record to be rectified.**

The Collector shall, on extinction of the right of Government, order that necessary entries be made in the revenue record and consequently the entries in the relevant revenue records shall forthwith be made accordingly.

8. **Maintenance of register.**

The Collector shall maintain a common register under the following particulars of all the lands covered under the Ordinance:

1. Serial No.
2. Khata number, if any.
3. Khatuni number, if any.
4. Khasra number.
5. Name of Muqarraridar.
6. Condition of Muqarraridar.
7. Area of the land.
8. Culturable or commercial.
9. If culturable, the quality of the land.
10. Change in the ownership with special reference to mutation or order of the authority by whom the change took place.
11. Amount of equal instalment fixed.
12. Dates of payment of instalments by the Muqarraridaes.
13. Signature of the Revenue Officer.

9. The amount of compensation will be deposited on the regular challan Form (to be provided for by the Tehsil Accountant) into the Government Treasury under the head "Revenue deposit", a copy of which will be passed on to the Tehsil Authority by the Treasury or Sub-Treasury Officer for making the necessary entries in the register maintained under rule-7.

KHALID MANSOOR  
Secretary to Government of <sup>9</sup>[Khyber Pakhtunkhwa],  
Revenue Department.

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<sup>9</sup> Sub by the Khyber Pakhtunkhwa Act No. IV of 2011.