

From

Director, Land Records,
Haryana, Panchkula

To

All the Divisional Commissioners in the State.

Memo No. Kgo/138

Dated 6.1.26

Subject: Notification under section 32 of the Haryana Land Revenue Act, 1887 (Punjab Act XVII of 1887) for rectification of ownership entries in the Record-of-Rights (Jamabandi)

It has come to light that a practice has been prevalent in the State where sales or mortgages by co-sharers in joint holdings were recorded only in Column 5 (Cultivation) of the Jamabandi, without reflecting corresponding changes in Column 4 (Ownership).

While Para 7.41(5)(d) of the Haryana Land Record Manual (the "Manual") mandates keeping a *Khewat* intact until a formal partition is completed for administrative purposes, this provision was intended to balance revenue stability with the rights of the parties; it was never intended to preclude the updating of ownership records in Column 4. This practice has resulted in significant anomalies within the Record-of-Right (ROR) maintained under the Haryana Land Revenue Act, 1887 (the "Act"). As the ROR serves as the legal bedrock for property registration, land transaction, and securing credit, its accuracy is essential for ensuring legal security and ownership proof.

The Act and the Manual provide sufficient mechanisms to address these discrepancies. Specifically, Chapter IV of the Act governs the maintenance and integrity of revenue record. Under Section, 32, the Commissioner is empowered to direct a Special Revision of the ROR for any estate or local area if the existing records are found to be inadequate or inaccurate. Once revised, these records carry the legal presumption of truth, without prejudice to any existing rights of the Government.

Accordingly, it has been decided that all Commissioners shall exercise their authority under Section 32 of the Act to issue notifications (copy enclosed) for the Special Revision of revenue records for those estates within their jurisdiction where such ownership anomalies exist.

This issues with the approval of competent authority i.e. Financial Commissioner Revenue.

Hall Changuwal

District Revenue Officer (HQ)
for: Director, Land Records, Haryana.

Endst No. Kgo/139

Chandigarh, dated the 6.1.26

A copy is forwarded to all the Deputy Commissioners in the State for ensuring compliance of above.

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District Revenue Officer (HQ)
for: Director, Land Records, Haryana.

Notification

under section 32 of the Haryana Land Revenue Act, 1887(Punjab Act XVII of 1887)

No.

dated

Special Revision of the Record-of-Rights (Jamabandi) under Section 32 of the Haryana Land Revenue Act, 1887.

PREAMBLE & STATEMENT OF REASONS It has come to the notice of the undersigned that a prevalent practice of recording land transactions (sales or mortgages) by co-sharers in joint holdings solely in Column 5 (Cultivation/Khana Kasht) of the Jamabandi, without corresponding updates to Column 4 (Ownership), has created significant anomalies. While Para 7.41(5)(d) of the Haryana Land Record Manual (Manual) mandates keeping a *Khewal* intact until partitioned for revenue administration, this was never intended to preclude the accurate recording of ownership. As the Record-of-Rights (ROR) is the bedrock of property registration and legal security, its integrity must be maintained. Therefore, in exercise of the powers conferred under Section 32 of the Haryana Land Revenue Act, 1887, I, _____, Commissioner, _____ Division, hereby direct a Special Revision of the Record-of-Rights for the revenue estates listed in the attached schedule. The following instructions are hereby issued for immediate compliance:

2. OPERATIONAL INSTRUCTIONS

1. All Circle Revenue Officers (CROs) of the [Name] Division are directed to correct the revenue records of the *khewals* within the notified revenue estates where ownership anomalies exist.
2. Before proceeding with any correction, the Record-of-Rights up to the stage of Consolidation must be thoroughly perused to ensure a holistic approach and avoid any unintended legal consequences.
3. All corrections shall be processed through Mutations for Correction, as prescribed under Para 7.30 of the Haryana Land Record Manual, read with Section 37 of the Act.
4. Where a transferee (purchaser, etc.) is currently recorded in the *Khana Kasht* (Column 5), a mutation of correction shall be entered to reflect said transferee as a co-sharer in the Ownership column (Column 4) against his/her vendor/ original owner who has sold his land, as the case may be.
 1. The share of the original landowner (vendor) shall be deducted/eliminated accordingly.
 2. The purchaser shall remain recorded in the cultivation column as "in possession "
 3. Such mutations must only be sanctioned after a formal hearing as prescribed in Para 7.30 of the Manual (2013).
5. If a purchaser is already recorded as a co-sharer in the cultivation column, that status must be formally brought into the ownership column as per the procedure above
6. The share transferred to the ownership column shall be strictly limited to the actual ownership share of the original owner. Under no circumstances shall the total shares in a *khewal* exceed one (1).

1. In cases of multiple transfers (sale, gift, exchange) that exceed the original owner's total share, the "First Come, First Served" principle shall apply. Subsequent transfers will only be given effect up to the limit of the actual available share.
7. With immediate effect, no mutation shall be entered or sanctioned in the *Khana Kasht* alone. All future transactions must be recorded directly in the ownership column as a co-sharer's share.
8. In cases where the ownership is recorded as 'Panchayat Deh/Land', 'Shamilat Deh', 'Shamilat Patti', 'Jumla Malikan', or 'Mustarka Malikan Deh' or as governed under Punjab Village Common Land Regulation Act or other statute as applicable, no ownership entries shall be made based on *Khana Kasht* alienations under this notification. Such cases must be left for adjudication by a competent Court/Authority.
9. Any proceedings made or orders passed under this notification shall be subject to Appeal, Review, and Revision as detailed in Chapter II of the Haryana Land Revenue Act, 1887
10. Record of a person presenting any document under Registration Act, 1908 on the basis of such entries as mentioned above and claiming to be owner in *khana kasht* shall be corrected before registering such document.
11. This work should be accorded TOP PRIORITY.

BY ORDER OF THE COMMISSIONER

(Signature and Seal)

Commissioner, [_____]