CHAPTER 15–REVENUE AND FINANCE.

THE DEPARTMENT OF LAND RECORDS.

LAND RECORDS. Introduction.

THE LAND REVENUE SYSTEM PREVALENT IN DHARWAR DISTRICT is *rayatwari* and it is based upon a complete survey, soil classification and settlement of the assessment of every field.

The original survey settlements were introduced in the district between 1844 and 1849 and the first revision settlements between 1874 and 1880. The second revision settlements now in force were introduced between 1906 and 1915.

In the merged areas the first revision settlements introduced between 1896 and 1928 are current, except in the ex-Savanur State area, in which the second revision settlement introduced in 1917-18 is in force.

Thus, the whole of the district has been surveyed, classified and settled, except 82 *inam* villages of pre-merger State areas [which, of late, have been taken for survey, record of rights and settlement under the Post-War Reconstruction Scheme (Nos. 75 and 77A) and 4 *inam* villages of merged areas, in which survey and classification only has been completed].

The current settlements have long expired in all the talukas of the district, but as all revision settlement work has been postponed since 1942 (*vide* Government Resolution in Revenue Department No. 1016/39, dated 22nd April 1942), the matter is at a stand-still. Government are, however, now considering the question of taking up the revision settlement work.

Survey.

Survey was done by chain and cross staff. The unit of area is the "English acre" with its sub-division, the *guntha* (121 square yards), (*i.e.*, the square formed by 1 chain or 11 yards), 40 *gunthas* making an acre. The area of each survey number is separately entered in the land records under an indicative number and that of a sub-division, too, is so entered under an indicative number subordinate to that of the survey number of which it forms a part.

Village, Taluka and District maps for all surveyed villages.

Accurate village maps have been prepared (generally on a scale of 1″=20 chains) for all surveyed villages showing the survey numbers and their boundary marks, and other topographical details such as roads, nallas and forests. From these village maps, taluka and district maps were constructed on a scale of 1″=2 miles.

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Classification.

The main classes of lands recognised were dry crop, garden and rice and each field was classified with reference to the texture of the soil, its depth and deteriorating factors and extra advantages, if any. In the case of rice and garden lands, in addition to the soil factor, the water factor was also classified in consideration of the duration of the water supply and kind of crops grown. The classification value was expressed in terms of annas, 16 annas representing the standard. The soil classification as originally confirmed or made during the revision survey is final and no general reclassification of soil is made again at further revision settlements (section 106, Land Revenue Code). The holder is, however, entitled to reclassification of his lands on account of physical deterioration and reduction of assessment. All improvements made are exempt from taxation for a period of 30 years immediately preceding the year in which settlement is introduced. Thereafter they are liable to taxation.

Settlement and Assessment.

Prior to 1939, the settlement procedure was prescribed by administrative orders of Government under the Land Revenue Code. Under the Amendment Act of 1939 (Bombay XX of 1939), the procedure has been brought on the statute book. The various provisions governing the settlement procedure are contained in Chapter VIII-A of the Land Revenue Code and Chapter III-A of the Land Revenue Rules. The prescribed procedure is, in brief, as under :—

"Settlement" is defined as the result of operation conducted in a taluka or a part of a taluka in order to determine the land revenue assessment [Section 117-C(*i*)].

The Settlement Officer (appointed by the State Government under section 18, Land Revenue Code) examines fully the past revenue history of the area with a view to assess the general effect of the existing incidence of assessment on the economic condition of the area and, with reference to the various statistical data and by careful enquiry in villages, he collects information in respect of the following matters in the manner prescribed in Land Revenue Rule 19A(2) :—

(1) physical configuration ;
(2) climate and rainfall ;
(3) markets ;
(4) communications ;
(5) standard of husbandry ;
(6) population and supply of labour ;
(7) agricultural resources ;
(8) the variations in the area of occupied and cultivated lands during the last 30 years ;
(9) wages ;
(10) prices ;
(11) yield of the principal crops ;
(12) ordinary expenses of cultivating such crops, including the wages of the cultivators for his labour in cultivating the land ;
(13) rental values of land used for the purpose of agriculture ; and
(14) sales of land used for the purpose of agriculture.

On making a settlement, he divides the area to be settled into groups which are so formed as to be homogeneous in respect of the 14 factors enumerated above and bear the same standard rates [Land Revenue Code, Section 117-G(*1*) and (*2*)]. He then fixes the "standard rate" for each class of land (*viz.* dry crop, rice and garden). "Standard rate" is the normal assessment per acre on land of the respective class of 16 annas classification value [Section 117-C(*5*) and (*6*)].

These rates are so fixed that the aggregate assessment on the occupied lands in any group shall not exceed 35 per cent. of the average of the rental values of such lands for a period of five years immediately preceding the year in which the settlement is directed [Land Revenue Code, Section 117-G (*1*)].

The enhancement of assessment is limited to 25 per cent. of the aggregate existing assessment in respect of a taluka or group and 50 per cent. in respect of a village or individual holding (Section 117-F).

Improvements made at the cost of the holders are exempted from enhancement of assessment for a period of 30 years immediately preceding the date on which the settlement expires (Section 117-H).

The Settlement Officer formulates his proposals of settlement on the above basis in the form of a comprehensive report which contains—

(i) the various statistics and data collected by him in the prescribed forms;

(ii) the reasons for his proposals; and

(iii) a statement showing the effect of his proposals as compared to that of the previous settlement in force [Land Revenue Rule 19-B(1)],

and submits the report to the Collector (Section 117-I).

The settlement report is published in the regional language in each village in the prescribed manner, together with a notice stating the existing standard rates for each class of land and the extent of increase or decrease proposed by the Settlement Officer. A period of three months from the date of notice is allowed for any objections to the settlement proposals (Section 117-J).

Provision is made for referring settlement proposals to the Revenue Tribunal by the State Government at the instance of aggrieved persons (who have to deposit the prescribed amount of cost) within two months from the date of the notice (Section 117-KK).

After taking into account the objections, the Collector forwards the Settlement Officer's report to the State Government through the Settlement Commissioner and Director of Land Records with his remarks (Section 117-K).

The settlement report together with the objections and the recommendations of the Bombay Revenue Tribunal is placed on the table of each chamber of the Legislature and the proposals can be discussed in the Legislature (Section 117-C).

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Thereupon, the State Government passes final orders on the settlement report (Section 117-L); and, after a notice of the orders has been given in the prescribed manner, the settlement is deemed to have been introduced (Section 117-O).

The assessment to be imposed on each holding in the case of an original settlement is determined by the application of the standard rates to the classification value of the land through the medium of *jantris* (tables of calculations) prepared by the Superintendent of Survey and Settlement Commissioner and Director of Land Records; and in the case of a revision settlement, it is worked out by increasing or decreasing the old assessment in the same proportion as there is an increase or decrease in the new standard rates over the old ones (Land Revenue Rule 19-H).

A settlement ordinarily remains in force for 30 years (Section 117-E).

If the settlement is declared with reference to prices, a surcharge can be levied or a rebate granted during the currency of the settlement, according as the prices go up or fall down (Section 117-M and Land Revenue Rule 19-K).

Additional water advantages accrued at the cost of Government can be assessed during the currency of the settlement (Section 117-Q).

Record of Rights.

The record of rights law (contained in Chapter X of the Land Revenue Code) was enacted in 1913. The record of rights has been introduced in all the pre-merger talukas except a few inam villages, which too have, of late, been taken up for survey and record of rights under the Post-War Reconstruction Scheme. Under this scheme the record of rights work is done by the Revenue Department staff. It has also been introduced in all villages of the ex-State areas after their merger, excepting seven villages in which its introduction is in progress. According to section 135-B(*1*) of the Land Revenue Code, the record of rights contains the following particulars :—

(*a*) the names of all persons who are holders, occupants, owners, or mortgagees of the land or assignees of the rent or revenue thereof;

(*b*) the nature and extent of the respective interests of such persons and the conditions or liabilities attached thereto;

(*c*) the rent or revenue (if any) payable by or to any of such persons; and

(*d*) such other particulars as the State Government may prescribe under the Rules made in this behalf.

The State Government has now applied the law to all tenancies also under section 135-B(2). Any acquisition of a right in land is to be reported to the village officers by the person acquiring it, unless it is registered (Land Revenue Code, Section 135-C). Failure to carry out this obligation is liable to fine by way of late fees.

LAND RECORDS.

Functions of the Department.

The Land Records Department was created in 1884 when the revision survey and settlement operations were under completion and the old "Survey Settlement Department" was being brought to a close. The department is an adjunct to the Revenue Department. Its functions are :—

(i) to maintain all survey, classification and settlement records up-to-date by keeping very careful notes of all changes, and for this purpose to carry out field operations preliminary to incorporation of the changes in the survey records ;

(ii) to collect and provide statistics necessary for the sound administration of all matters connected with land ;

(iii) to help to reduce, simplify and cheapen litigation in revenue and civil courts by providing reliable survey and other records ;

(iv) to supervise the preparation and maintenance of record of rights and of the periodical inspection of the boundary marks ;

(v) to conduct periodical revision settlement operations ;

(vi) to organise and carry out village site and city surveys on an extensive scale and arrange for their proper maintenance ;

(vii) to undertake special surveys for private individuals or for public bodies (such as survey of inam villages) surveys in connection with railway, municipal, and local board projects, town planning schemes and survey for the Defence and other Government Department ;

(viii) to maintain up-to-date all village maps, and to reprint them and arrange for their distribution to various departments for administrative purposes and for sale to the public ;

(ix) to train the revenue officers in survey and settlement matters.

The District Inspector of Land Records, Dharwar, is the principal officer in charge of the Land Records Department in the district. He is a gazetted officer (of Mamlatdar's rank) appointed by the Settlement Commissioner and Director of Land Records and is directly subordinate to the Superintendent, Land Records, Belgaum Circle, in all technical matters. He is also a subordinate of the Collector of Dharwar and has to carry out all administrative orders of the Collector in the matter of survey and land records.

His subordinate staff in 1952-53 comprised—

(*a*) an Assistant District Inspector of Land Records, 2 permanent clerks, and one temporary clerk ;

(*b*) a staff of one District Surveyor, 10 Cadastral Surveyors (permanent) plus 3 Cadastral Surveyors (temporary) ;

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Functions of the Department.

(*c*) the staff of the District Survey Office consisting of one Head-quarter Assistant, 2 Record Keepers (1 permanent and 1 temporary) 2 Record Karkuns, and 3 Utara Karkuns (2 permanent and 1 temporary);

(*d*) a staff of 6 Maintenance Surveyors and one City Survey Shirastedar, Hubli, and one City Survey clerk;

(*e*) a staff of 13 Pot Hissa Surveyors under one Nimtandar, and one clerk;

(*f*) a staff of 55 Circle Inspectors (including Circle Officers) working under the Collector.

The staff shown under (*a*), (*b*), (*c*) and (*e*) works directly under the District Inspector of Land Records and that under (*d*) under the Revenue Officers in charge of City Surveys. The staff under (*f*) works under the control of the Collector.

Duties and functions of the District Inspector of Land Records and his Staff.

The duties of the District Inspector of Land Records are :—

(*a*) to supervise, and take a field test of the measurement, classification and *pot hissa* work done by the District, Cadastral, Maintenance and Pot Hissa Surveyors;

(*b*) to exercise check over the proper and prompt disposal of all measurement and other work done by the Surveyor staff and the District Survey Office establishments, by scrutinizing their diaries and monthly statements (*mahewars*);

(*c*) to take a small test of the work of as many Circle Inspectors and village Officers as possible with a view to seeing that they understand their duties in respect of (i) the records of rights; (ii) the tenancy and crop registers and (iii) the boundary marks repairs work, etc. During his village inspections, the District Inspector sees that the Government waste lands are not being unauthorizedly used. (His test is meant to be qualitative and not merely quantiative);

(*d*) to be responsible for the maintenance of the theodolite stones in the villages surveyed on the minor triangulation method and to arrange for their inspection and replacement where necessary;

(*e*) to compile the huzur statistics (Agricultural Forms Nos. I, II and III) with the clerical aid placed at his disposal by the Collector;

(*f*) to maintain the accounts and watch the recovery of the city survey and *pot hissa* dues;

(*g*) to inspect the city survey offices every year, and to send the inspection memoranda (in triplicate) to the Superintendent of Land Records, who forwards one copy to the Director of Land Records and one to the City Survey Officer, through the Collector, with his own remarks thereon;

(*h*) to arrange, in consultation with the Collectors concerned, for the training of the Junior Indian Administrative Service Officers, the District Deputy Collectors, the candidates for the posts of Mamlatdars and Circle Inspectors, clerks and Talathis, in survey and settlement matters;

Duties and functions of the District Inspector of Land Records and his Staff.

(*i*) to advise the Revenue Officers in the district in all technical matters concerned with the maintenance of the survey records and the record of rights, and to refer all cases of doubt to the Superintendent of Land Records.

Assistant District Inspector of Land Records.

The Assistant District Inspector of Land Records helps the District Inspector of Land Records in his duties and in bringing the records of the merged areas on a par with the union areas. One hundred and sixty-two (162) villages from the States of Savanur, Kundgol, Shirhatti, Ramdurg, Laxmeshwar, Gudgeri and Hyderabad have merged in this district.

District and Cadastral Surveyors.

The staff of District and Cadastral Surveyors deals with the routine measurement and classification work, whether done for Government (e.g. in land acquisition cases, etc.) or on private applications, civil court partition decrees, etc. In the case of private work, the prescribed measurement fees are recovered from the parties in advance. The District Surveyor deals with such measurement cases as cannot ordinarily be entrusted to the Cadastral Surveyors on account of their difficulty, size, importance and urgency. The staff does the work of effecting necessary changes in the survey records by preparing *kamjasti patraks* during the monsoon.

District Survey Office and the Headquarter Assistant.

The District Survey Office is in charge of the Head-quarter Assistant who acts under the orders of the District Inspector of Land Records. The Head-quarter Assistant and his staff are responsible for keeping the survey records up-to-date and in proper order. He deals with all correspondence connected with records (under the signature of the District Inspector of Land Records). In urgent circumstances, the Head-quarter Assistant disposes of the references under his own signature in the absence of the District Inspector of Land Records, informing the latter of the action taken by him. He recovers and accounts for the fees received for private measurement work, according to the prescribed procedure. He also issues certified extracts from the survey records, and supplies printed maps to the applicants on payment of prescribed charges. The District Survey Office also issues the measurement cases to the Surveyors for measurement and keeps a watch over their prompt and proper disposal, scrutinizes the Surveyors' work in the office and takes action to get all changes effected in the survey records. In this connection, necessary *kamjasti patraks* (with their abstracts), signed by the District Inspector of Land Records and countersigned by the Superintendent of Land Records, and *akarphod patraks*, signed by the District Inspector of Land Records, are sent to the revenue authorities for the correction of the village and taluka accounts, records and maps.

Maintenance Surveyors.

The Maintenance Surveyor staff is responsible for the maintenance of the city surveys (these are introduced under section 131 Land Revenue Code) and the records including the record of rights and maps connected therewith and assist the revenue administration of the city-surveyed area. They, therefore, work under the immediate

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control of the revenue officers in charge of the City Survey, but the technical and administrative control of the staff lies with the District Inspector of Land Records and the Superintendent of Land Records. Such surveys have been introduced in the following important cities and towns in the Dharwar district in the years noted against them :—

Name of City or Town.	Year of introduction.		Staff in charge of maintenance.
	Original.	Revision.	
(1) Dharwar ...	1,886	1,920	1 Maintenance Surveyor and 1 clerk.
(2) Hubli ...	1,886	1,922	3 Maintenance Surveyors and 1 Utara Karkun under 1 Shirastedar.
(3) Gadag and Betgeri ...	1,916	.....	2 Maintenance Surveyors.
(4) Ranebennur ...	1,918	.....	1 Maintenance Surveyor.
(5) Byadgi ...	1,918	.....	
(6) Haveri ...	1,933	.....	1 Maintenance Surveyor.
(7) Nargund ...	1,924	.....	1 Maintenance Surveyor.
(8) Navalgund ...	1,921	.....	
(9) Annigeri ...	1,937	.....	

The city surveys at Dharwar and Hubli were originally made in 1886 under the old law (Act IV of 1868) but a re-survey was carried out under the Land Revenue Code (Act V 1879, Section 131) in 1920 and 1922 respectively. The remaining city surveys were all carried out originally under the latter Act.

The cost of maintenance of city surveys is, as usual, borne by Government, except in the case of Dharwar and Hubli, in which the cost is borne by the municipalities, in view of the following special concessions granted to the municipalities :—

(i) All Government lands not in possession of Government are made over to the municipalities.

(ii) Assessed Government lands to the following extent are made over to the municipalities, subject to payment of the assessment :—

	Number of Survey Nos.	Area (Acres	gunthas)	Assessment. Rs.	a.	p.
Dharwar ..	57	321	27	329	10	0
Hubli ..	130	640	32	627	7	11

(iii) *Judi* over the *inam* lands to the following extent is made over to the municipalities :—

	Number of Survey Nos.	Area (Acres	gunthas)	Judi made over Rs.	a.	p.
Dharwar ..	55	294	21	181	9	0
Hubli ..	55	407	1	151	14	0

(iv) Grazing fees to an extent of Rs. 14-6-0 on two waste Survey Nos. are made over (for Dharwar Municipality only).

(v) Any enhancement arising out of the revision survey of agricultural lands, occupancy price in respect of agricultural lands and on lands converted for non-agricultural uses, ground rent and fines are to go to the municipalities.

(vi) Miscellaneous revenue on some items, e.g., copying and comparing fees, measurement and sub-division fees, record of rights fees, sale proceeds of maps, *bhatta* for court attendance etc. are to go to the municipalities.

The following village sites have been also surveyed in the district in the years noted against them :—

Name of the village.	Year of Survey.
(1) Uppinbetgeri	1940
(2) Arekurhatti	1932
(3) Yamnur	1931
(4) Tirlapur	1939
(5) Alagwadi	1931
(6) Morab	1931

These village site surveys are, however, not under regular maintenance.

Pot Hissa Surveyors.

The staff of *Pot Hissa* Surveyors does the measurement work of the sub-divisions of survey numbers for keeping the record of rights up-to-date. During the monsoons the staff does the office work of working out *hissawar* assessments and preparation of duplicate sketches and *akarphod* statements for the use of the village officers. [The cost of the sub-division measurement is recovered from the land-holders under section 135 G(*b*) Land Revenue Code].

Circle Inspectors.

The staff of Circle Inspectors is primarily meant to assist the revenue officers in the up-to-date maintenance of the village records and land records kept at the village, and assist the revenue administration, and are, therefore, under the control of the Collector. They supervise the work of village officers and their technical work of maintenance of the land records at the village is supervised by the District Inspector of Land Records and, therefore their diaries pass through the District Inspector of Land Records.

Post-War Reconstruction Schemes.

Post-War Reconstruction Schemes.—In addition to the normal duties of the department referred to in the foregoing paragraphs, the Land Records Department is, at present (1953), entrusted with the execution of the following three Post-War Reconstruction Schemes in the pre-merger areas of the district :—

Scheme No.	Description.
74 ..	Consolidation of holdings under the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947.
75 ..	Survey of inam villages for introduction of record of rights.
77A ..	Settlement of unsettled inam villages.

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Post-War Reconstruction Schemes.

Scheme for Consolidation of Holdings.

Scheme No. 74—Consolidation of Holdings.—The Assistant Consolidation Officer, Dharwar, is the district officer entrusted with the preparation and execution of the Consolidation of Holdings Scheme. He is a gazetted Officer of the cadre of District Inspector of Land Records appointed by the Settlement Commissioner and Director of Land Records and working under the control of the Consolidation Officer, Dharwar. His subordinate staff comprises—

(*a*) six surveyors under one Nimtandar to assist him in the up-to-date measurement of sub-divisions and bringing the records of rights up-to-date, and preparation of the scheme of consolidation; and

(*b*) a staff of Circle Inspectors to assist him in the execution of the schemes of consolidation of holdings after confirmation by the Settlement Commissioner or Government, as the case may be.

Since 1950, 163 villages in the Dharwar taluka have, in the first instance, been taken up for introducing the consolidation scheme. Fifty-five schemes have so far (1953) been completed, out of which 4 schemes have been completely enforced. In 13 villages, the schemes are in progress and 97 villages are to be taken up shortly The work is carried on at present at Government cost.

Scheme for Record of Rights.

Scheme No. 75—Survey of Inam villages for Record of Rights.—The special staff sanctioned by Government for this scheme have carried out the survey operation in 82 inam villages in the district in 1949 and 1950. The cost of survey is recovered from the holders under section 135G(*b*) of the Land Revenue Code. The work of preparation of the record of rights is being done by the regular staff of talathis under the control of the Revenue Department.

Scheme for Settlement of Inam Villages.

Scheme No. 77A—Introduction of Settlement in Inam Villages.—The special staff sanctioned by Government for this scheme has carried out the classification operations in 82 inam villages of the district from 1949 to 1951. The settlement enquiry has been entrusted to the Superintendent of Land Records, Belgum Circle. The cost is ordinarily recoverable from the holders in such proportion as Government may determine (*vide* section 216, Land Revenue Code), but as with the recent abolition of many of the inams, the villages would become *khalsa*, the cost will have to be wholly borne by Government in such villages in which inam tenures have been abolished.

SALES TAX DEPARTMENT.

SALES TAX.

THE SALES TAX HAS NOW BECOME THE MOST IMPORTANT SOURCE of revenue to the State, as it contributes to the exchequer more than any other head of revenue, and in 1953-54 it yielded 15 crores of rupees and formed 28·45 per cent. of the tax revenue of the State.

A general sales tax was first introduced in 1946 by a Governor's Act, which in course of time underwent various amendments by the legislature. The Act that now (1954) governs levy of sales tax is the Bombay Sales Tax Act (III of 1953) as amended up to 15th March 1954.

Under section 5 of the Act dealers whose turnover either of all sales or of all purchases in a year exceeds Rs. 25,000 are liable to pay the tax. Dealers who import goods from outside the State of Bombay and dealers who manufacture or process any goods have to pay the tax, if their turnover of sales or of purchases exceeds Rs. 10,000 a year provided the value of the goods imported, or manufactured or processed, respectively, exceeds Rs. 2,500.

Dealers liable to pay tax.

The system of tax as embodied in the Act is briefly as follows :—

Classes of tax.

There are three classes of tax, a "sales tax", a "general sales tax", and a "purchase tax". The "purchase tax" is, however, not a separate tax and is only intended to seal off a loophole for evasion of either of the other two taxes. In effect, therefore, there is only a two-point tax system, namely, a tax generally levied at the first stage of sale (sales tax) and a tax levied generally at the last stage of sale (general sales tax).

No tax is levied on goods specified in Schedule A, containing 42 entries. These entries contain—

Goods not taxed.

(i) goods required mostly by agriculturists for cultivation, e.g., agricultural implements worked or operated exclusively by human or animal agency of the following kinds: chaff-cutters, clod-crushers, harrows, iron and leather *mhots*, iron ploughs and plough points, pick-axes, *rahats*, shovels, sickles, spades and wooden seed drills (entry 1); cattle, sheep and goats (5); cattle-feeds including fodder and other concentrates but excluding cotton seed (6); fertilizers (17); and manures including oil cakes (32);

(ii) Necessaries of the poorer sections of the community, e.g., betel leaves (2); bread (3); butter-milk and curds (4); cereals and pulses in all forms (7)*; chillies, chilly powder, tamarind and turmeric, whole or powdered (9)*; eggs (15); firewood and charcoal (18); fish (19)*; flour including *atta, maida, suji* and bran (20)*; flowers (21); food and non-alcoholic drinks consumed at a hotel, restaurant, refreshment room, eating house or other place where such food and drinks are served (except when the cost of food and drinks consumed at one time by one person exceeds one rupee) (22); fresh fruits (23); fresh vegetables and edible tubers (24); glass bangles sold at a rate not exceeding two annas each (25); gur (26); kerosene (28); *kum-kum* (30); *mangalsutra* with black glass beads sold at a rate not exceeding Rs. 5 each (31); meat (33)*; milk, whole or separated (34); salt (37); slates and slate sticks and crayons; foot-rules, exercise and drawing books and lead pencils; and mathematical and drawing instrument boxes used by primary and secondary school students (38); text-books, books for supplementary reading and school atlases sanctioned by the State Government, Director of Education for the State of Bombay, the Educational Inspectors of Divisions or the Secondary School Certificate Examination Board or approved by the Bombay Municipal Schools Committee (41); and water, other than aerated and mineral waters (42);

(iii) implements or raw materials of cottage industries and products of cottage industries, e.g., *charkha* and other implements used in the production of handspun yarn or handwoven cloth as may be specified by the State Government by notification in the

* Except when sold in sealed containers.

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Goods not taxed.

Official Gazette (8); cloth woven in handlooms sold at a rate not exceeding Rs. 2 per yard (10); clothes and other articles of khaddar (11)*; cotton yarn and cotton thread (13); edible oils manufactured in *ghanis* by human or animal agency (14); hand-made paper (27)*; khaddar (29)*;

(iv) sources of power, e.g., coal gas (when sold by a gas supply company to a local authority for consumption by such local authority for the purpose of street lighting) (12); electrical energy (16); motor spirit (*as defined*) (35);

(v) periodical journals published at intervals not exceeding one month (36);

(vi) stamp paper sold by vendors duly authorized under the provisions of the Indian Stamp Act, 1899 (39); and

(vii) sugar-cane (40).

Goods subject only to one class of tax.

Schedule B lists 79 specific entries and entry 80 "all goods other than those specified from time to time in Schedule A and in the preceding entries." The first 8 of these entries composed of certain raw materials of industry, viz., raw cotton (whether ginned or unginned) (1); cotton seeds (2); artificial silk yarn (3); hides and skins (4); oil-seeds (5); raw silk and silk yarn (6); raw wool, wool tops and woollen yarn (other than knitting yarn) (7); and staple fibre and staple fibre yarn (8); and entries 9 to 18, which specify those goods out of the goods declared essential by Parliament [under the Essential Goods (Declaration and Regulation of Tax on sale or Purchase) Act, 1952] which are not specified in schedule A to the Act, are subject only to the general sales tax and *not* to the sales tax. On the other hand, entries 19 to 22, viz., betel nuts (19); text-books and periodical journals except such text-books and journals as are declared tax-free under entries 36 and 41 of schedule A, and other than account books, diaries, calendars, and books containing space exceeding eight pages for being written up (not being exercise books) (20); coal (21); and safety matches (excluding matches used as fire-works) (22), are subject only to the sales tax and *not* to the general sales tax.

General Sales Tax.

The rate of the general sales tax is only one fourth per cent. in the case of bullion and specie (23), and one per cent. in the case of entries 1 and 2, i.e., raw cotton and cotton seeds, and only three pies in the rupee in the case of entries 3 to 8 and entry 24 [articles made of gold and silver (of fineness not less than 75 per cent.) not containing any precious stones, synthetic or artificial precious stones, or pearls, real, artificial or cultured]. In all other cases it is six pies in the rupee.

Sales Tax.

The sales tax, however, is graded from one-fourth per cent. in the case of bullion and specie (23) and articles made of gold and silver, etc. (24) to three pies in the rupee in the case of entries 19 to 22 and entry 80. On several items, which may be said to form middle-class requirements, the rate is six pies in the rupee and on several other entries, which may be classed as "luxuries," it is twelve pies in the rupee. A sale tax of fifteen pies in the rupee

* When sold by dealers recognized for the purpose by the Collector of Sales Tax.

is imposed on goods mentioned in entry 79 A "textile fabrics of any kind including *saris, dhotis,* sheets, *chaddars,* blankets and other similar articles [except (i) cloth woven on handlooms, (ii) coarse and medium cotton cloth woven in mills or on powerlooms, and (iii) tracing cloth] sold at a rate not less than Rs. 3 per yard."

The scheme of the Act is such that the taxes leviable under it do not offend against Article 286 of the Constitution, which makes inter-State trade free, or hamper exports from the State to markets outside India. Suitable provisions have been made both in the Act and in the Rules framed under it to ensure that neither the sales tax nor the general sales tax has to be paid more than once on the same article even when it is manufactured or processed. Wholesale dealers, intermediaries between wholesalers and retailers, or commission agents will not generally pay any of these taxes, and in cases where they have to pay, provision exists for arranging refund of these taxes to them. In cases where dealers carry on processing or manufacture of goods for sale, it has been provided in the Rules that the sales tax paid on the purchase of goods used as raw materials, processing materials, fuel, lubricants, containers, or packing materials shall be set off from the sales tax payable on the sale of the manufactured or processed goods.

Administrative Organisation.

For the purpose of the administration of the Sales Tax Act, the Dharwar District is divided into two divisions, *viz.,*

(1) Dharwar and Kanara Districts, Hubli.

Talukas.—Dharwar, Kalghatgi, Hubli, Navalgund, Ranebennur, Haveri, Hirekerur, Byadgi, Shiggaon, Hangal, Shirhatti, Kundgol, Karwar, Ankola, Yellapur, Haliyal, Supa, Mundgod, Sirsi, Kumta, Honawar, Siddhpur and Bhatkal.

(2) Gadag Division, Gadag.

Talukas.—Gadag, Ron, Mundargi and Nargund.

The headquarter of Dharwar and Kanara Division is at Hubli and that of Gadag Division is at Gadag. Seven Sales Tax Inspectors are working under the Sales Tax Officer, Hubli, and six under the Sales Tax Officer, Gadag.

The Sales Tax Officer exercises the powers delegated to him under the Bombay Sales Tax Act and Rules for the general administration of the Act in his charge. He registers and licenses dealers who are liable to payment of tax on sales and is invested with the power of assessing them. He receives periodical returns from the dealers who are registered showing their gross turnover during the period and the tax payable by them, and he checks the returns, passes orders of assessment and takes steps for the recovery of the tax assessed. He has also to detect cases of evasion of tax. He is the head of his office and is primarily responsible for its general administration.

The Officer next above the Sales Tax Officer is the Assistant Collector of Sales Tax of the Circle which includes the district of Dharwar. The Sales Tax Officer seeks clarification and advice from

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the Assistant Collector in certain matters relating to the administration of the Act. He has also to submit to the Assistant Collector all cases which he is not competent to deal with. Appeals lie from the orders of the Sales Tax Officer to the Assistant Collector, from the Assistant Collector to the Collector of Sales Tax, and from the Collector to the Sales Tax Tribunal.

Statistics of Collections.

The following table gives for the years noted the amount of sales tax collected in the Dharwar district, the collection charges, and the proportion of collection charges to the amount collected :—

Year.	Amount collected.	Collection charges.	Proportion of collection charges to amount collected.
	Rs.	Rs.	
1946-47	2,02,562	26,707	13·185
1947-48	8,07,167	29,272	3·626
1948-49	10,26,470	44,158	4·301
1949-50	17,16,435	55,506	3·233
1950-51	20,57,678	61,143	2·971
1951-52	23,13,582	55,886	2·415
1952-53	22,38,464	66,103	2·953

THE REGISTRATION DEPARTMENT.

REGISTRATION.

UNDER THE INDIAN REGISTRATION ACT (XVI OF 1908), compulsory registration is required in the case of certain documents and optional registration is provided for certain other documents. As a rule, fees are levied for such registration, but the State Government have exempted co-operative societies registered under the Bombay co-operative Societies Act (VII of 1925). Certain types of societies, such as the urban credit societies, central financing agencies and housing societies (formed of persons belonging to classes other than agriculturists or backward communities) enjoy restricted exemption in respect of certain documents involving a certain prescribed consideration. (For documents with higher than the prescribed consideration, fees have to be paid). All other co-operative societies enjoy unrestricted exemption. [For details, *vide* Government Notification, Revenue Department, No. 3648/45 (a), dated 26th July 1948 amended by Government Notification, Revenue Department, of even No., dated 14th June 1949]. Similarly, copies of awards under the Bombay Agricultural Debtors' Relief Act (XXVIII of 1947) are also registered free.

Marriages under the Parsi Marriages and Divorce Act (III of 1936) and the Special Marriages Act (III of 1872), are also registered.

Registry Offices.

In 1952, there were in all 15 Sub-Registries in the Dharwar district, as under :—

Byadagi.	Hirekerur (Kod).	Nargund.
Dharwar.	Kalghatgi.	Ranebennur.
Gadag.	Kalghatgi.	Ron.
Hangal.	Hubli.	Bankapur.
Haveri (Karajgi).	Navalgund.	Shirhatti.

Registry Offices.

Mundargi Peta is included in the registration sub-district of Gadag; and the Sub-Registrar, Gadag, holds his office at Mundargi periodically, on days notified in that behalf. On these days, the Sub-Registrar's clerk at Gadag acts as the Joint Sub-Registrar, Gadag.

District Registrar.

The Collector of Dharwar is the *ex-officio* District Registrar. The Registration unit is separate from the Revenue staff; but the District Registrar has powers of supervision over the entire District Registration staff. The Sub-Registrars are appointed by the Inspector General of Registration; but the District Registrar has powers to make such appointments in temporary vacancies. The Sub-Registry and District Registry *karkuns* and peons are appointed by the District Registrar.

The District Registrar is required to carry out the instructions of the Inspector General in all departmental matters; and, if he has any suggestions to make for the improvement of the registration system, he submits them to the Inspector General. The District Registrar solves the difficulties encountered by the Sub-Registrars in the course of their day to day work. He visits the sub-registry offices in his district at least once in every two years, and sends his memoranda of inspection to the Inspector General. He hears appeals and applications preferred to him under sections 72 and 73 of the Indian Registration Act (XVI of 1908) against refusals to register documents by the sub-registrars under him. Under sections 25 and 34 of the same Act, he is empowered to condone delays in presentation of documents and appearance of executants provided the delay does not exceed four months, and to direct the documents concerned to be registered on payment of a fine not exceeding ten times the proper registration fee. He is also competent to order refunds in the case of surcharges and to grant full or partial remission of safe custody fees in suitable cases. A will or codicil may be deposited with him under a sealed cover; and it may be got registered at the cost of the party desiring it, after the depositor's death. He is also authorised to receive declarations under the Muslim Personal (Shariat) Application Act (XXVI of 1937), and to register births and deaths under the Births, Deaths and Marriages Registration Act (VI of 1886).

Sub-Registrars.

The Sub-Registrars are immediately subordinate to the District Registrar. Their chief function is to register documents which fulfil the prescribed requirement and for which the required stamp duty and registration fees are paid. The Sub-Registrar keeps a record of such registered documents and sends, to officers concerned, extracts from documents affecting immoveable property in respect of which a record of rights is maintained, for making mutations therein. On application by parties, he issues certified copies from the preserved records of registered documents.

Every Sub-Registrar is an *ex-officio* Registrar of Parsi Marriages, under the Parsi Marriages and Divorce Act (III of 1936). The Sub-Registrar working as Head-quarter Sub-Registrar at Dharwar is vested with powers of Solemnising marriages under the Special Marriages Act (III of 1872). He is also vested with powers under the Muslim Personal (Shariat) Application Act. He is further the *ex-officio* Assistant Registrar of Companies and Registrar

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of Births and Deaths under Act VI of 1886. The principle of the department is to utilise, as far as possible, the spare time of the Sub-Registrars in the slack seasons, and to entrust them with some responsible work of other departments. One Sub-Registrar in the district worked as *ex-officio* Mahalkari in 1952; and he was empowered to try assistance suits of annual rents up to Rs. 100 under the Land Revenue Code.

The work of the Sub-Registrars is inspected by the Inspector of Registration, Karnatak Division (comprising Belgaum, Bijapur, Dharwar and Kanara Districts), and the District Registrar, and the inspection memoranda drawn up by these officers are scrutinised by the Inspector General of Registration. The Prant Officers also inspect the sub-registries and submit their inspection reports to the District Registrar, who forwards them to the Inspector General of Registration, if they contain anything of importance or interest deserving the notice of the Inspector General of Registration.

Inspector of Registration.

The Inspector of Registration is directly subordinate to the Inspector General and does not exercise any administrative control over the registration offices. He is not a subordinate of the District Registrar. His duty is mainly confined to the inspection of the technical work of the registration offices, including the central record, and to audit their accounts. He inspects the books in the central office of record and reports to the District Registrar about their condition, so that any records which are in danger of being destroyed may be recopied and authenticated according to law. The Inspector examines the books, indexes, accounts and other records in the offices of the sub-registrars once a year; and he sends one copy of his memorandum of inspection to the District Registrar and another to the Inspector General (for approval). The Inspector General passes orders in respect of such memoranda, adding his own remarks or suggestions, if any, for being complied with by the Sub-Registrar concerned.

Statistics.

The average annual income of the Dharwar Registration District is Rs. 1,56,499 and the average annual expenditure Rs. 57,706 (based on the figures for the triennium 1950 to 1952). The copying of the registered documents is done in seven of the offices by means of photography and in the remaining eight offices by hand. In all, 15,259 documents were registered in the district during 1952. Of these, 14,448 documents, falling under compulsory registration, were of the aggregate value of Rs. 1,93,65,364; 811 documents, falling under optional registration, were of the aggregate value of Rs. 2,13,859; and 562 documents, affecting moveable property, were of the aggregate value of Rs. 34,543; and 201 were wills.

THE STAMP DEPARTMENT.

STAMPS. Organization.

THE SUPERINTENDENT OF STAMPS, BOMBAY, is the authority who controls the supply and sale of State stamps in the State, while in the Dharwar district the Collector of Dharwar, as the administrative head of the district, holds general charge of the district administration of the Stamp Department. There is no independent officer in the district specially in charge of Stamps. The work is done by the Treasurer under the supervision of the Treasury Officer, Dharwar,

who is a gazetted officer. He has charge of the Local Depot at Dharwar and is responsible for the maintenance of the stock of stamps, their distribution to the branch depots and their sale to the public. The Treasury Officer is empowered to grant refunds of the value of unused, spoiled and obsolete stamps presented to him within the prescribed period. A branch depot is located at every taluka or mahal head-quarters and it is in the charge of the Sub-Treasury Officer, i.e., the Mamlatdar or Mahalkari. The Sub-Treasury Officers are also empowered to grant refunds of stamps.

STAMPS. Organisation.

To suit public convenience, stamps are sold not only at the Local Depot and the branch depots but also at various other centres by vendors authorised by Government. There are 59 vendors in the district. In addition to this, the District Nazir under the supervision of the District Judge sells impressed court-fee stamps above the value of Rs. 100 as the local stamp vendors' sales are restricted to sales not exceeding the value of Rs. 100 in each case. Similarly, non-judicial stamps above the value of Rs. 150 in each case are sold at the Treasury and Sub-Treasury and the Treasurer and the Sub-Treasury Officers work as *ex-officio* stamp vendors. Stamps below this value in each case are sold by the authorised vendors.

Income.

The total income from stamp duty realised in the Dharwar District during 1952-53 was Rs. 3,52,699 for Judicial Stamps and Rs. 5,20,301 for non--Judicial stamps. The vendors are allowed a small discount, and this in the year 1952-53 amounted to Rs. 2,009-3-6 under Judicial stamps and Rs. 11,474-11-9 under non-Judicial stamps.

THE MOTOR VEHICLES DEPARTMENT.

MOTOR VEHICLES. Motor Vehicles Act.

THE MOTOR VEHICLES DEPARTMENT deals with the administration of the Motor Vehicles Act (IV of 1939) and the Bombay Motor Vehicles Tax Act (XXXIV of 1935). Under the first Act all motor vehicles have to be registered; all drivers have to take out a licence, which is given only on their passing a prescribed test of competence; the hours of work of drivers of public vehicles are restricted; and third party insurance of all private vehicles plying in public places has to be effected. It gives power to the State Governments to subject vehicles to strict mechanical tests and to control the number of vehicles to be licensed for public hire, specifying their routes and also the freight rates. Fees are leviable for registration and issue of licences and permits.

State Transport Authority.

There is a State Transport Authority for each State, and Regional Transport Authorities have been set up for convenient regions of a State. The State Transport Authority co-ordinates the activities of the Regional Transport Authorities. The Regional Transport Authority controls the motor transport in the region and deals with the issue of permits to different categories of transport vehicles according to the policy laid down by the State Transport Authority and the State Government from time to time. It also performs such duties as grant of authorisations to drive public service vehicles and conductors' licences, taking departmental action against those permit-holders who contravene any condition of the permit, etc., and prescribing policy in certain important matters relating to motor transport in the region.

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MOTOR VEHICLES.

Regional Transport Authority.

The Regional Transport Authority for the Karnatak Region with its headquarters at Belgaum has jurisdiction over the Dharwar district and also over the districts of Belgaum, Bijapur, Satara South and Kanara. It consists of 12 members, including the Secretary, the other members, five official and six non-official, being nominated by the State Government under sub-section (*1*) of section 44 of the Motor Vehicle Act.

Regional Transport Officer.

The Regional Transport Officer functions as the Secretary and Executive Officer of the authority. In his capacity as Regional Transport Officer he is the Licensing Authority for licensing drivers and the Registering Authority for registering vehicles. He is invested with powers for prosecuting offenders in cases of offences committed under the Motor Vehicles Act. Acting under the authority of the Regional Transport Authority he is responsible for all the duties connected with the issue and countersignature of authorisations to drive public service vehicles and conductors' licences, and with the grant, revocation, suspension and cancellation of permits for public carriers, private carriers, stage carriages and taxi cabs.

Other Staff.

The immediate subordinate to the Regional Transport Officer is the Regional Supervisor. He assists the Regional Transport Officer in executing his duties and looks after the office administration. Whenever the Regional Transport Officer is out of the headquarters, the Regional Supervisor acts for him. He supervises the work of Inspectors and Assistant Inspectors.

There are also five Motor Vehicles Inspectors and two Assistant Motor Vehicles Inspectors working under the Regional Transport Officer. The Inspectors carry out the work of registration, inspection of motor vehicles, testing of drivers and conductors, checking of motor vehicles and detecting of offences under the Motor Vehicles Act.

The Assistant Inspectors carry out the office routine work, assist the Inspectors in carrying out inspections of vehicles and also do the work of the Inspectors when the latter are on tour or on special duty.

Liaison with Police Department.

This department has liaison with the Police Department. The Police Department carries out periodical checks of motor vehicles and detects offences under the Motor Vehicles Act. It also attends to references from the Motor Vehicles Department regarding verification of character of applicants for public service vehicle authorisations, conductors' licences, taxi cab permits, etc. It also helps in the verification of non-use of vehicles and recoveries of arrears of taxes and in specifying particular places for bus stops, etc. The District Magistrate comes into relation with this Department in connection with imposition of restrictions on road transport, fixation of speed limits, and location of motor stands at various places etc.

Bombay Motor Vehicles Tax Act.

Under the Bombay Motor Vehicles Tax Act, taxes are levied on all motor vehicles, except those designated and used solely for carrying out agricultural operations on farms and farm lands. The taxes are based on the type of vehicles (e.g. motor cycles and

MOTOR VEHICLES.
Bombay Motor Vehicles Tax Act.

cycles, goods vehicles, passenger vehicles, etc.) and their laden or unladen weight. The Act has removed all municipal and State tolls on motor vehicles. The Rules made under this Act lay down that when a vehicle is to be registered within the State, the registering authority (*i.e.* the Regional Transport Officer) shall verify the particulars furnished in the application for registration (*e.g.*, the make of the vehicle, its capacity, etc.) and determine the rate of the tax for which the vehicle is liable. Every registered owner who wants to use or keep for use any vehicle in the State has to pay the tax determined, stating the limits within which he intends to use the vehicle, *i.e.* whether only within the limits of a particular municipality or cantonment or throughout the State. A token for the payment of the tax will be issued by the registering authority and this has to be attached to and carried on the vehicle at all times when the vehicle is in use in a public place. A fresh declaration has to be made annually, or every time the tax has to be paid (*i.e.* quarterly, half-early or annually). The registering authority before issuing the token in respect of the payment of the tax has to satisfy itself that every declaration is complete in all respects and the proper amount of tax has been paid.