

HYDERABAD ATIYAT INQUIRIES ACT, 1952

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HYDERABAD ATIYAT INQUIRIES ACT, 1952

(HYDERABAD ACT No. X OF 1952¹)

Act X of 1952.

An Act to amend and consolidate the law regarding Atiyat grants, in respect of Atiyat inquiries, inquiries as to claims to succession to, or any right, title or interest in Atiyat grants and matters ancillary thereto.

Preamble

Preamble.

WHEREAS it is expedient to amend and consolidate the law regarding Atiyat grants, in respect of Atiyat inquiries, inquiries as to claims to succession to, or any right, title or interest in Atiyat grants and matters ancillary thereto;

It is hereby enacted as follows :-

Short title, extent,
commencement.

1. **Short title, extent and commencement :-** (1) This Act may be called the Hyderabad Atiyat Inquiries Act, 1952.²

(2) It extends to the whole of the³[Hyderabad are of the State of Maharashtra].

(3) It shall come into force, on such date as the Government may, by notification in the Jarida, appoint in this behalf.

2. **Definitions ;-** (1) In this Act, unless there is anything repugnant in the subject or context,

(a) "Atiyat Court" means a Court or authority competent to make Atiyat inquiries and inquiries as to claims to succession to, and any right, title or interest in Atiyat grants and matters ancillary thereto;

⁴(b) "Atiyat grants" means-

Regulations, 1358.
Fasli LXIX of
1358 F

(i) in the case of jagirs abolished under the Hyderabad (Abolition of jagirs) Regulations, 1358 Fasli (LXIX of 1358 F.) the commutation sums payable in respect thereof under the Hyderabad Jagirs (Commutation) Regulation, 1359 Fasli (XXV of 1359 F.)

Act VIII of 1955.

(ii) Inams to which the Hyderabad Abolition of Inams Act, 1954 (VIII of 1955) is not applicable ;

¹ The Act received the assent of the Rajpramukh on the 3rd September, 1956; assent first published in the Hyderabad Gazette, extraordinary, No. 204, dated the 5th September, 1956.

The Act was published in Gazette, extraordinary, No. 21, dated 14th March, 1952.

² This Act was amended by the Hyderabad Atiyat Inquiries (Amendment Act, 1956 (Hyderabad Act No. XXVIII of 1956).

³ Substituted by Bom. (Hyderabad Area) A. O., 1956 and then by Mah. A. O., 1960.

⁴ The old clause (b) (viz., "Atiyat grants" include Inams and cash grants known as Rusurns, Youmiahs, Mamuls, Saliana, Imtiyazi Mahars, Pensions and any other allowances granted by the State for the performance of certain duties past or present, or as charities without the obligation of any service") has been substituted by the present clause by Hyderabad Act No. XXVIII of 1956.

(iii) in the case of inams abolished under the Hyderabad Abolition of Inams Act, 1954 (VIII of 1955,) the compensation payable under that Act;

Act VIII of 1955.

(iv) cash grants to which the Hyderabad Abolition of Cash Grants Act, 1952 (XXXIII of 1952) is not applicable;

XXXIII of 1952.

(v) cash grant temporarily continued under the Hyderabad Abolition of Cash Grants Act, 1952 (XXXIII of 1952);

XXXIII of 1952.

(vi) in the case of cash grants abolished under the Hyderabad Abolition of Cash Grants Act, 1952 (XXXIII of 1952) subject to payment of compensation, the compensation payable in respect thereof;]

XXXIII of 1952.

✓(c) "Muntakhabs and Vasiqas" means documents issued by competent authorities as a result of inam or succession inquiries held under the Dastoor Amal Inams or other Government orders on the subject and issued by way of continuance of confirmation of Atiyat grants'

(d) "Holding an Atiyat grant" means the enjoyment of the Atiyat grant on the basis of a Muntakhab, a Vasiqa and order of a competent authority;

(e) "Holder of an Atiyat grant" means a person or institution actually holding the Atiyat grant'

⁵[(f) Omitted]

(g) "Prescribed" means prescribed by rules made under this Act.

(2) Words and expressions used in this Act but not defined therein shall have the meaning assigned to them in the Hyderabad Land Revenue Act.

General Provisions as to Atiyat Grants

⁶3. Continuanee of Atiyat grants :- All Atiyat grants shall, subject to the provisions of the Hyderabad Abolition of Jagirs Regulation, 1358 Fasli (LXIX of 1358 F.), the Hyderabad Abolition of Cash Grants Act, 1952 (XXXIII of 1952) and the Hyderabad Abolition of Inams Act, 1954 (VIII of 1955) continue to be held by the holders thereof subject to the conditions laid down in the Muntakhabs of Vasiqas, if any, relating thereto and to the provisions of this Act.

LXIX of 1358 F.

Act XXXIII of 1952

VIII of 1955.

All Atiyat grants shall continue to be held by the holders thereof.

3-A. Inquiries as to Atiyat grants :- (1) In the case of Atiyat grants specified in sub-clause (i) of clause (b) of sub-section (1) of section 2, Atiyat inquiries and inquiries as to any right, title or interest therein shall, notwithstanding anything contained in the Hyderabad (Abolition of Jagirs)

LXIX of 1358 F.

Atiyat inquiries be held in Atiyat Courts.

⁵ Clause (f) has been omitted by Hyderabad Act No. XXVIII of 1956.

⁶ The old section 3 (viz., "All Atiyat grants held immediately before the commencement of this Act shall, subject to the provisions of the Hyderabad Enfranchised Inams Act, 1952, continue to be held by the holders thereof and after them by their successors, if any, subject to the conditions laid down in the Muntakhabs or Vasiqas, if any, relating thereto and to the provisions of this Act.") has been substituted by the present sections 3 and 3-A by Hyderabad Act No. XXVIII of 1956.

Regulations, 1358 Fasli (LXIX of 1358F.) be held in Atiyat Courts in accordance with the provisions of this Act, and in the course of such inquiries, Atiyat Court shall also be competent to enquire into claims to succession arising in respect of such grants;

Provided that claims to succession arising after the completion of Atiyat inquiry of any such grant shall not be entertained in any Atiyat Courts and all such claims shall be filed in and decided by the competent Civil Court.

(2) In the case of Atiyat grants specified in sub-clauses (ii), to (vi) of clause (b) of sub-section (1) of section 2, all Atiyat inquiries, inquiries as to claims to succession to, or any right, title or interest therein and matters ancillary thereto shall be held in Atiyat Courts in accordance with the provisions of this Act.

Continuance of Atiyat Grant shall be subject to inquiries made.

4. **Inquiries to Atiyat grants in jagirs :-** Notwithstanding anything contained in section 3, continuance of Atiyat grants in the erstwhile Jagirs areas or granted by erstwhile Jagirdars shall be subject to inquiries made, for that purpose and for confirmation in accordance with rules made under this Act.

Consequence of breach of Conditions contained in any Muntakhab or Vasiqa

5. **Consequences of breach of condition of Muntakhab or Vasiqa :-** For the breach of the conditions contained in any Muntakhab or Vasiqa relating to an Atiyat grant or for other sufficient cause, the Government after giving an opportunity to the holder of the Atiyat grant to be heard, may by order resume the grant or modify the terms and conditions specified in any Muntakhab or Vasiqa relating thereto or pass such other orders in respect of the Atiyat grant as Government may think fit.

Atiyat Grants shall not be liable to be transferred or encumbered.

6. **Prohibition of alienation or encumbrance and exemption of attachment by Court :-** Atiyat grants shall not be liable to be transferred or encumbered in any manner or to any extent whatsoever and it shall not be lawful for any Court to attach or sell any Atiyat grant or any portion or share thereof.

Provided that half the income of the Atiyat grant shall be attachable in execution of a decree through the Revenue Department.

Succession to Atiyat Grant shall be regulated by the personal law.

7. **Succession :-** Subject to the provisions of this Act, succession to Atiyat grant shall, after the commencement of this Act, be regulated by the personal law applicable to the last holder.

Constitution of Atiyat Courts, their Jurisdiction and Procedure

Atiyat Court.

8. **Classes of Atiyat Courts:** Notwithstanding the provisions of any law for the time being on force, there shall be the following classes of Atiyat Courts:-

- (a) Atiyat Deputy Collectors;
- (b) Atiyat Collectors;
- (c) Nazim Atiyat ; and
- (d) Board of Revenue ;

⁷[Provided that the Government may, by notification in the *Official Gazette*, appoint the ⁸date on which the Court of Nazim Atiyat shall cease to exist and as from that date (hereinafter referred to as the appointed date) the Court mentioned in clauses (a), (b), and (d) shall be the classes of Atiyat Courts.

Explanation :- The Court of Atiyat Deputy Collector includes the Court of Atiyat Assistant Collector.]

9. **Investure of powers :** Government may, by notification in the *Jarida*, invest any officer ⁹[or authority] with the powers of any Atiyat Court mentioned in [clauses (a), (b) or (c)] of section 8, specifying the area within which the powers may be exercised.

10. **Jurisdiction and procedure of Atiyat Courts :** (1) The original jurisdiction of Atiyat Courts shall be regulated in the manner specified in the Schedule and the procedure thereof including the time within which and the manner in which appeals may be filed against their decisions under this Act shall be such as may be prescribed.

¹⁰[(2) All original cases pending in the Court of Nazim Atiyat on the appointed date shall be transferred to the Court of the concerned Atiyat Collector, and all original cases pending on that date in the Court of Atiyat Collector which as from that date fall within the jurisdiction of the Atiyat Deputy Collector shall be transferred to the Court of the concerned Atiyat Deputy Collector, and on such transfer, the Atiyat Collector or the Atiyat Deputy Collector, as the case may be, shall dispose of such cases as if they had been filed in his own Court. If the Atiyat grant involved in any such case falls within the jurisdiction of the Court of more than one Atiyat Collector or Atiyat Deputy Collector, as the case may be, the Board of Revenue shall determine the Court of the Atiyat Collector or Deputy Collector to which such case shall be transferred. The order of the Board of Revenue in this behalf shall be final and no appeal or revision shall lie therefrom].

Original Cases pending in the Court of Nizam Atiyat to be transferred to Atiyat Collector.

¹¹[11. **Appeals :-** (1) From the original decision of
(a) an Atiyat Deputy Collector, an appeal shall lie to the Atiyat Collector.

appeal from Atiyat Dy. Collector to the Atiyat Collector.

⁷ Proviso to this section has been inserted by Hyderabad Act No. XXVIII of 1956.

⁸ The Government of Bombay has appointed the first day of October 1957 as the date on which the Court of Nazim Atiyat shall cease to exist, vide Government of Bombay, Revenue Department Notification No. H.A.A. 1057/26395-L, dated 28-9-1957, published in the Bombay Government Gazette, dated 3rd Oct., 1957, Part IV-B, page 1932.

⁹ In this section the words "or authority" have been inserted by Hyderabad Act No. XXVIII of 1956.

¹⁰ Sub-section (2) has been inserted by Hyderabad Act no. XXVIII of 1956.

¹¹ This section has been substituted for the old section by Hyderabad Act No. XXVIII of 1956.

(b) an Atiyat Collector, an appeal shall lie to the Nazim Atiyat before the appointed date and as from that date to the Board of Revenue;

(c) the Nazim Atiyat, an appeal shall lie to the Board of Revenue.

Atiyat Collector to Nazim Atiyat and to the Board of Revenue.

Decision of the Board of Revenue final.

(2) Before the date of the publication of the Hyderabad Atiyat Inquiries (Amendment) Act, 1956, in the *Official Gazette*, from the appellate decision of an Atiyat Collector, an appeal shall lie to the Nazim Atiyat and from an appellate decision of the Nazim Atiyat to the Board of Revenue whose decision shall be final.

(3) As from the date referred to in sub-section (2), the appellate decision of an Atiyat Collector, whether passed before or after that date, shall be final and on further appeal or revision shall lie therefrom :-

Provided that nothing in this sub-section shall be so construed as to affect in any way any appeal pending on that date in the Court of the Nazim Atiyat or the Board of Revenue, and such appeal shall be continued and disposed of, and the decision passed therein shall be final and no further appeal or revision shall lie therefrom.

Pending Cases in the Court of the Nazim Atiyat shall be transferred to the Board of Revenue. Boards decision final.

(4) All appeal cases pending in the Court of the Nazim Atiyat on the appointed date, shall be transferred to the Board of Revenue and on such transfer the Board of Revenue shall dispose of such cases as if they had been filed in the Board of Revenue. The decision of the Board of Revenue shall be final and no appeal or revision shall lie therefrom.]

Miscellaneous

On personal law-matters decision of the Civil Court shall be given effect.

12. Decision of Civil Courts to prevail on question of succession, legitimacy, etc. :- (1) In so far as question of succession, legitimacy, divorce or other questions of personal law are concerned, the final decision of a Civil Court shall be given effect to by the Atiyat Court established under this Act on the decision being brought to its notice by the party concerned or otherwise irrespective of whether the decision of the Atiyat Court was given before or after the decision of the Civil Court.

reference to Civil Court.

¹²[(2) If in the course of any inquiry as to claims to succession, any dispute arises involving questions of succession, legitimacy, divorce or other questions of personal law, the Atiyat Court shall direct the parties to get the dispute decided in the competent Civil Court. On the production of the final decision of Civil Court, the Atiyat Court shall give effect to such decision.]

decision of the Atiyat Court final.

13. Finality of decision of the Atiyat Court and of certain other decisions :- (1) Except as provided in this Act, the decision of an Atiyat Court shall be final and shall not be questioned in any Court of law.

(2) The orders passed in cases relating to Atiyat grants including jagirs on or after the 18th September, 1948 and before the commencement of this

¹² Sub-section (2) has been inserted by Hyderabad Act No., XXVIII of 1956.

Act by the Military Governor, the Chief Civil Administrator or the Chief Minister of Hyderabad or by the Revenue Minister by virtue of powers given or purporting to be given to him by the Chief Minister shall be deemed to be the final orders validly passed by a competent authority under the law in force at the time when the order has passed and shall not be questioned in any Court of law.

¹³[13-A. Powers of Atiyat Courts when holding inquiries under this Act :- Every Atiyat Court shall, when holding an inquiry under this Act have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (V of 1908), in respect of the following matters, namely :-

Atiyat Court shall have same powers of the Civil Court.

- (a) enforcing the attendance of any person and examining him on oath.
- (b) compelling the production of documents and other material objects;
- (c) issuing commissions for examination of witnesses;
- (d) such other matters as may be prescribed ; and every inquiry or investigation by an Atiyat Court shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code, 1860 (XLV of 1860)].

Act XLV of 1860.

14. Rules :- Government may make rules for carrying out the purpose of this Act in particular for anything which may be prescribed under this Act.

Government may make rules.

15. Repeal :- Dastoor-ul-Amals Inams, and Circular No. 10 of 1338 Fasli and all other circulars amending or supplementing the same are hereby repealed.

Repeal.

Provided that -

(a) any rule , order or notification made or issued under the circulars hereby repealed in so far as it is not inconsistent with the provisions of this Act shall be deemed to have been made or issued under this Act shall continue to be in force until it is superseded thereunder;

(b) all suits, appeals and applications pending immediately before the commencement of this Act before an Atiyat Court or before the Atiyat Appeal Committee ¹⁴ [shall, until such time as no procedure is prescribed therefor under this Act, be continued and disposed of as if this Act, had not been passed and on such procedure being prescribed , they shall, notwithstanding anything contained in the Hyderabad (Abolition of Jagirs) Regulation , 1358 Fasli (LXIX of 1358 F.) or any other law for the time being in force, be continued and disposed of in accordance with such procedure as if they had been filed under this Act,] but such cases may be heard and disposed of by the same Court or Committee before whom they are pending immediately before the commencement of this Act or by any

¹³ This section has been inserted by Hyderabad Act No. XXVIII of 1956.

¹⁴ These words have been substituted for the words "shall be continued and disposed of as if this Act had not been passed" by Hyderabad Act No. XXVIII of 1956.

other Atiyat Court or authority appointed for the purposes by the Government by a general or special order.

¹⁵[16. **Savings:-** The provisions of this Act shall cease to be applicable :-

(a) to an Atiyat grant specified in sub-clause (i) of clause (b) of sub-section (1) of section 2 when the commutation sum has ceased to be payable;

(b) to an Atiyat grant specified in sub-clause (iii) of clause (b) of sub-section (1) of section 2, when the compensation has ceased to be payable;

(c) to an Atiyat grant specified in sub-clause (v) of sub-section (1) of section 2, when such grant has ceased to continue;

(d) to an Atiyat grant specified in sub-clause (vi) of clause (b) of sub-section (1) of section 2, when the compensation has ceased to be payable.]

¹⁵ This section has been substituted for the old section (viz, "The provisions of this Act shall cease to be applicable to any Inam to which at any time the Hyderabad Enfranchised Inam Act, 1952 is made applicable", by Hyderabad Act No. XXVIII of 1956.

Sch.

*Atiyat Inquiries Act, 1952 (Hyderabad)*¹⁶ SCHEDULE

Original Jurisdiction of Atiyat Courts

Atiyat Deputy Collector			Atiyat Collector		Nazim Atiyat
Description of Atiyat grant	Before the appointed date	As from the appointed date	Before the appointed date 4	As from the appointed date 5	Before the appointed date 6
1	2	3			
1. Atiyat grants other than cash	Total annual land assessment up to Rs. 250.	Total annual land assessment up to Rs. 5,000.	Beyond the powers of Atiyat Dy. Collector up to an annual land assessment of Rs. 5,000.	Beyond the powers of Atiyat Dy. Collector without any limit.	Beyond the powers of Atiyat Collector without any limit.
2. Cash grants.	Up to Rs. 100 annually.	Up to Rs. 1,000 annually.	Beyond the powers of Atiyat Dy. Collector upto Rs. 1,000 annually.	Beyond the powers of Atiyat Dy. Collector without any limit.	Beyond the powers of Atiyat Collector without any limit.

¹⁶ This Schedule has been substituted for the old Schedule by Hyderabad Act No. XXVIII of 1956.

HYDERABAD ATIYAT INQUIRIES RULES, 1952

[These Rules have been framed in exercise of the powers conferred by section 14 of the Hyderabad Atiyat Inquiries Act, 1952 (X of 1952) and were published in *Hyderabad Government Gazette*. Part I-C-Rules, Revenue Department Notification No. 34/A4/269/52, dated 5-4-1954, page 101.]

Hyderabad Atiyat
Inquiries Rules.

1. These Rules may be called the Hyderabad Atiyat Inquiries Rules, 1952, and shall come into force from the date of their publication in the *Official Gazette*.

2. In these rules, unless there be something repugnant in the subject or context,-

Act X of 1952.

(a) "the Act" means the Hyderabad Atiyat Inquiries Act, 1952 (X of 1952);

(b) "Court" means an Atiyat Court ;

(c) "form" means a form appended to these rules ;

(d) "grant" means an Atiyat grant ;

(e) "holder" means a holder of an Atiyat grant;

(f) "section" means a Section of the Act;

(g) words and expressions used in these rules but not defined shall have the meanings assigned to them in the Act.

Application
in Form A.

3. On the death of the holder, the claimant for succession shall, within three months from the date on which the holder died, submit an application accompanied by information in Form 'A' in the competent Court.

Option to submit
application in any
Court in the area.

4. If the grant held by the deceased holder is situated within the jurisdiction of more than one Court, the claimant for succession, may submit the application under rule 3, in any one of the Courts within whose jurisdiction any portion of the grant is situated.

Procedure.

5. The Court in which the claim for secession is instituted under rule 4, shall thereupon give due intimation to other Court within whose jurisdiction the other portion or portions of the grant are situated and shall proceed to hold an inquiry in respect of the whole of the grant.

Court having
jurisdiction.

6. (1) If several claimants apply for succession in different Courts, the Court in which the first among the several applications is submitted shall conduct the inquiry ;

Provided that in case of any dispute as to the Court in which the inquiry should be conducted shall be decided by :-

(a) the Collector, if the Courts wherein the claims have been instituted are situated in the same districts.

(b) the Nazim Atiyat , if the Courts are situated in different districts.

finality of
the order.

(2) The orders of the Collector or the Nazim Atiyat shall be final.

7. On receipt of the application under rule 3, the Court may require the applicant to deposit within a specified period the amount required for the publication of citation under rule 8.

8. On the amount mentioned in rule 7 being deposited, the Court shall cause a citation to be published-

citation to be published.

(1) in the *Official Gazette* ;

(2) by affixture of a copy thereof to the Notice Board in the concerned Tahsil Office; and

(3) in such other manner as may be considered necessary; inviting objections, if any, in respect of the applicant's claim, within six weeks from the date of such publication.

9. On the expiry of the period specified under rule 8, the Court shall conduct an inquiry into the applicant's claim treating the opponents, if any and the Government as respondents;

inquiry into the applicant's claim.

Provided that the Court may reject an application forthwith if it contravenes the provisions of rule 3 or 7.

¹9-A. (1) (a) For confirming a grant as a jagir, the Atiyat Court may call for any evidence regarding possession, if the claimant proves that he was actually in possession of the grant on the date of the commencement of Hyderabad Abolition of Jagir Regulation, 1358 Fasli;

Procedure for grant as a Jagir.

(b) In cases of grants for which Sanad is necessary, the Atiyat Court may not call for any evidence in respect thereof-

(i) where the Sanad having been produced has been duly verified ; or

(ii) where such verification is not possible, there are no reasons to disbelieve its authenticity.

(2) (a) For continuing or confirming grants other than those mentioned in sub-rule (1) above, the Atiyat Court may not call for any evidence regarding possession or, in the case of cash grants, enjoyment , in the following cases:

(b) Where the claimant proves from the village or Tahsil records that he was holding the grant other than cash grant as grantee that he was in actual enjoyment of the grant for a period of two years immediately preceding 15-8-1949, or in the case of cash grants, 2 years immediately preceding their Abolition of Cash Grants Act, 1952;

(c) Where the grant other than the cash grant was on 15-8-1949 under Government supervision or, the enjoyment thereof remained under suspension, the claimant proves from the village or Tahsil records that he was holding the said grant or, in the case of cash grants, was in actual enjoyment thereof for a period of 2 years prior to the date on which the grant

¹ This Rule has been added by Revenue Department Government of Hyderabad, Notification, dated 25-10-56, Gazette, Extraordinary , No. 246, p. 2055.

was taken under Government supervision or in the case of cash grants from the date on which such enjoyment was suspended.]

Evidence Act
1872, Code of
Civil Procedure
1908 apply to the
inquiry.

10. The provisions of the Indian Evidence Act, 1872, and the Code of Civil Procedure, 1908, so far as may be applicable shall apply to the inquiry under rule 9.

when the
Government will
resume the grant.

11. If no person claims succession to a grant on the death of the holder within the period prescribed, or if the claim has after due inquiry been rejected by a competent Court the grant shall subject to the provision of these rules, cease to continue and shall be resumed by the Government.

condonation of
delay in the sub-
mission of a claim.

12. (1) A Court may for sufficient cause condone the delay in the submission of a claim.

(2) The powers for such condonation shall be as follows;

- (a) The Deputy Collector, up to 6 months;
- (b) The Collector, upto one year;
- (c) The Nazim Atiyat, upto 2 years;
- (d) The Board of Revenue, upto 3 years.

13. The Court shall in its orders relating to succession specify the *Annawari* shares of each claimant whose claim has been recognised in the inquiry.

14. (1) These rules apply *mutatis mutandis* to inquiries and confirmation in respect of grant in the erstwhile jagir areas or grants made by erstwhile Jagirdars, in accordance with the order for the time being in force

Provided that in such cases the application under rule 3 shall be accompanied by information as in Form B; and that no fresh application shall be necessary in respect of such Inam inquiries which are already pending in a competent Court.

(2) An application already rejected by a competent Court shall not be entertained except on appeal, or for confirmation as the case may be.

The Court to
exercise the same
powers as in the
case of succession
of other grants.

15. (1) In connection with succession proceedings of such grants in which the Muntakhabs have been issued allowing continuance of the grant with such indefinite terms, as have been mentioned in the Appendix annexed hereto, from which it is not clear whether the grant shall be continued in perpetuity or for a period or for a fixed number of generations, the Court shall exercise the same powers as in the case of succession of other grants.

in certain circum-
stances the Court
may take into
consideration the
Sanad or Sanads
on which the Inam
decision is based.

(2) In cases where the terms of Muntakhabs are definite and there is no room for any doubt and where hereditary rights have not been granted expressly, the Court shall not take into consideration any question of fact prior to the issue of Muntakhabs, but where the Muntakhabs have been issued in indefinite terms the Court may inquire into the Inam decision on which the grant was in fact intended to be continued by the authority

empowered to continue the grant. It is only in cases where it is impossible to find out the real intention from the Inam decision that the Court may take into consideration the Sanad or Sanads on which the Inam decision is based.

(3) If from the Inam decision or the Sanad or Sanads the real intent appears to be that the grant should be continued in perpetuity, an elucidation to that effect shall be made in the succession decision and the grant shall be continued accordingly; otherwise fifteen per cent. of the entire grant shall be deducted at each succession in favour of Government so that the grant may terminate in seven generations :

Provided however, that such deductions shall not be made from a grant which is conditional upon religious service.

16. The period allowed for the submission of appeals shall be as follows;

period allowed for the submission of appeals.

	Days
(a) Appeal against the order of the Atiyat Deputy Collectors	60
(b) Appeal against the order to the Atiyat Collector	60
(c) Appeal against the order to the Nazim Atiyat	30

17. The provisions of all previous Government orders, and circulars in so far they are inconsistent with or a repetition of these rules, shall be deemed to have been repealed provided that anything done or any action taken under the previous orders and circulars shall be deemed to have been done under these rules.

repeal of previous Government orders.

FORM A

(See rule 3)

1. Name of the deceased holder from whom succession is claimed and the relationship which the applicant claims with him.
2. Date of the death of the deceased holder..
3. Annual income from the grant or the amount which is drawn if it is a cash grant.
4. The personal share of the deceased holder
5. The place or places where a grant or grants held by the deceased holder are situated (mention the Court within whose Jurisdiction these places are situated.)
6. Reference to the orders through which the grant was confirmed in the name of the deceased holder.
7. The number and date of the Muntakhab through which the grant was confirmed.

8. Whether at the time of his death , the deceased holder was actually enjoying the grant or not; and if not, the reason therefor.
9. If the grant was subject to the condition of performance of service ,
 - (a) Name of the object of the service and its situation.
 - (b) Elucidation as to whether the service is being performed ; if so, who is performing it and in what capacity.
10. What portion of the income of the grant has been specified for the service.

Note :- The application for succession shall be accompanied by certified copies of documents mentioned in serial numbers 6, 7 and 9.

²FORM B

(See rule 14)

1. Name of the erstwhile Jagirdar within whose area the grant is connected.
2. Exact description of the nature, extent and situation of the grant.
Note. - Survey Nos. of the plots and the area and assessment shall be given; the treasury and the office through which the amount of the grant was being received shall be mentioned in the case of cash grants.
3. Names of the original grantor and grantee, the date of the original grant and the manner in which it was made.

² If an application concerns several grants, the form shall be filled in separately for each grant.