

THE FOURTH SCHEDULE

Powers of Courts, etc.

The jurisdiction both original and appellate specified in the heading of each group is in all cases subject to the provisions of Sections 264, 286 and 288

Group A - Suits

(Suit triable by Assistant Collector of the First Class - appeal, if any, to the civil Court; suits under serial Nos. 1 to 6 inclusive, when not exceeding Rs. 200 in value, are triable by an Assistant Collector of the Second class - appeal to Collector.)

Sl. No.	Section of Act	Description of suit	Period of limitation	Time from which period begins to run	Proper court-fees
1	140	For recovery of a deposit of rent	Three years	When the amount deposited was paid by the tahsildar.	As in the Court Fees Act, 1870.
2	144, 148	For arrears of rent	Ditto	Fifteen days after the arrear became due.	Ditto.
3	149	For recovery of rent paid by, or recovered from, a co-tenant on account of another co-tenant.	Ditto	Date of payment or recovery.	Ditto.
4	182	For the recovery of canal dues	Ditto	Date of delivery of canal jamabandi.	Ditto.
5	154(4)(b)	To recover an amount realized in excess.	Three years	When the excess was realized.	As in the Court Fees Act, 1870.
6	163(5), 169(5)	For arrears of rent	None	None	Ditto.

7	172	For the ejectment of a tenant	One year	When the detrimental or inconsistent act is done or the condition is broken.	Ditto.
8	174	For an injunction, or for the repair of damage or waste, or for compensation.	Ditto	When the damage is done or the waste begins, or the condition is broken.	Ditto.
9	224	By a lambardar to recover from a co-sharer arrears of revenue or rent, village expenses, and other dues.	Three years	When the arrears became due.	Ditto.
10	225	By a lambardar to recover from joint lambardar who defaults arrears of revenue or rent paid by the former on account of the latter.	Ditto	When the rent or revenue was paid.	Ditto.
11	226	By a co-sharer to recover from a lambardar or another co-sharer who defaults arrears of revenue or rent paid by the former on account of the latter.	Ditto	When the arrear were paid.	Ditto.
12	227	By a muafidar or assignee of revenue for arrears of revenue due to him as such.	Three years	When the arrears became due.	As in the Court Fee Act, 1870.
13	228	By a superior proprietor for arrears of revenue or rent due to him as such.	Ditto	Ditto	Ditto
14	230	By a co-sharer against a lambardar for his share of the profits of a mahal, or of any part thereof.	Ditto	When the profits became divisible under Section 229.	Ditto
15	231	By a co-sharer against a co-sharer for a settlement of accounts and his share of the profits of the mahal, or of any part thereof.	Ditto	Ditto	Ditto
16	236(a)	For compensation for any sum of produce collected in excess of the amount due.	Three months	The date of the collection.	Eight annas.
	236(b)	For compensation for charging interest at a rate exceeding that allowed by the Act.	Ditto	The date of the charging.	Ditto

	236(c)	For compensation for infringing the provisions of Section 90 or collecting any sum not recoverable under Section 91.	Ditto	The date of the collection or infringement.	Eight annas
	236(d)	For compensation for collecting remitted or suspended rent.	Six months	Ditto	Ditto
	236(e)	For compensation for crediting payment made towards rent or sayar otherwise than to rent or sayar or otherwise than in accordance with the provisions of Section 130.	Ditto	The date when payment wrongfully credited.	Ditto

GROUP B - SUITS

[Suits triable by Assistant Collector of the First class - Appeal to Commissioner except in the case of serial nos. 20, 21, 22 which are governed by Section 202.]

S.I. No.	Section of Act	Description of suit	Period of limitation	Time from which period begins to run	Proper court- fees
1	49	For division of a holding and distribution of rent.	None	None	As in the Court Fees Act, 1870, on rent payable in respect of the part to be separated.
2	55	For a lease or counterpart	Do	Do	Eight annas.
3	59	For a declaration of plaintiff's right as tenant or for a share in a joint holding.	Do	Do	Ditto.
4	60	By a landholder for a declaration of the right of a person claiming to be tenant.	Do	Do	Ditto.
5	61	For a declaration as to any matters specified in Section 55(2).	Do	Do	Ditto.
6	63	For a declaration that land	Do	Do	Ditto.

		claimed as tenancy is sir or khudkasht or vice versa.			
7	85	To have a notice of surrender declared invalid.	Fifteen days	The date of the receipt or service of the notice.	Ditto.
8	94	For determination of rent and for arrears	As in Section 94	As in Section 94	As in the Court Fees Act, 1870.
9	108	For the determination, abatement, enhancement or commutation of rent.	As in Section 108	As in Section 108	Ditto
10	113	For commutation of rent.	None	None	Ditto
11	114	For abatement of the rent of a tenant other than permanent tenure-holder or fixed-rate tenant.	Do	Do	Ditto
12	115	For abatement of the rent of fixed-rate, tenant.	Do	Do	Ditto.
13	116	For abatement of rent of an under-proprietor or permanent lessee.	Do	Do	Ditto.
14	117	For enhancement of the rent of a tenant other than a permanent tenure-holder or fixed-rate tenant.	Do	Do	Ditto.
15	118	For enhancement of rent of fixed-rate tenant.	Do	Do	Ditto.
16	171	For ejectment of a tenant and his transferee on account of an illegal sublease or other transfer.	Do	Do	Ditto.
17	179	For the ejectment of a non-occupancy tenant who contests his liability to ejectment.	Do	Do	As in the Court Fees Act, 1870, on the rent payable.
18	180	For ejectment of a person occupying land without title and tor damages: -	--	--	--
		(1) If the land is contiguous to any other land lawfully occupied by such person -	--	--	--
		(a) if such person has, at the commencement of this Act. occupied the land for more than six years since the landholder first	Twelve years	When the landholder first knew of the unauthorised occupation.	As is the Court Fees Acts, 1870, on the rent payable.

		knew of the unauthorized occupation;			
		(b) in any other case	Six years	From the 1st July following the date of such occupation or following the date of the commencement of this Act, whichever is later.	Ditto
		(2) In any other case -			
		(a) if such person has, at the commencement of this Act, occupied the land for more than 9 years since the landholder first knew of the unauthorised occupation;	Twelve years	When the landholder first knew of the unauthorized occupation	As in the Court Fees Act, 1870, on the rent payable
		(b) in any other case	¹ two years	For the 1st July following the date of the unauthorized occupation or following the date of the commencement of this Act, whichever is later.	Ditto
19	183	for recovery of possession of a holding or for compensation or both.	² Three years	When the wrongful dispossession takes place or when the tenant is prevented from obtaining possession.	As in the Court Fees Act, 1870.
20	190, 192	For declaration and assessment of revenue or rent on a grant.	None	None	As in the Court Fees Act. 1870, according to the annual letting value of the land as estimated by the plaintiff.
21	190, 194	For fixing rent on a rent-free grant, or for enhancing rent on grants held at a favourable rate of rent.	Do	Do	Ditto.
22	190, 195	For the ejectment of a rent free grantee or of a grantee holding at a	Twelve years	As in Section 96	Ditto

¹ Subs. by U.P. Act No. 10 of 1947. w.e.f. 14.06.1947.

² Subs. by U.P. Act No. 41 of 1948. w.e.f 14.06.1947.

		favourable rate of rent.			
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GROUP C - APPLICATIONS TRIABLE BY THE TAHSILDAR

Sl. No.	Section of Act	Description of application	Period of limitation	Time from which period begins to run	Proper court-fees
1	84	For the service of a notice of surrender under Section 82 or 83.	As in Section 84	As in Section 84	Nil.
2	137	For permission to deposit rent	None	None	(i) If the amount deposited does not exceed Rs. 50-four annas. (ii) If the amount deposited exceeds Rs. 50 but does not exceed Rs. 100-eight annas. (iii) If the amount deposited exceeds Rs. 100 - one rupee.
3	138(4)	For payment or refund of rent deposited under Section 137.	None	None	As in the Court Fees Act, 1870.
4	142	For the deputation of an officer to make division, estimate or appraisal of produce or crops.	Do	Do	Ditto
5	163(1)	For the issue of a notice to an exproprietary, occupancy or hereditary tenant.	As in Section 163	As in Section 163	Ditto
6	169(1)	For arrears of rent or ejectment in default of a non- occupancy tenant.	Three years	When the arrears become due.	Ditto
7	175	For the ejectment of non-occupancy tenant.	None	None	Eight annas.
1	15	Demarcation of joint sir	None	None	Eight annas.
2	16	Demarcation of sir	Do	Do	Ditto
3	52	To have an exchange of land recorded in the record of rights.	Do	Do	As in the Court Fees Act. 1870, according to the amount of rent payable for the more highly rented of the two pieces of the land

					exchanged. For this purpose the rent of sir shall be the valuation of such land at the rates applicable to hereditary tenant.
4	53	For exchange of land	Do	Do	Ditto.
5	70	For permission to make an improvement	Do	Do	As in the Court Fees Act, 1870.
6	71	Ditto	Do	Do	Ditto.
7	77	Registration of works	Six months	The date of the completion of the improvement.	Nil.
8	79(a) or (d)	For establishment of right to make or benefit from a work.	None	None	As in the Court Fees Act, 1870.
9	79(b) or (c)	For settlement of dispute as to an improvement or as to compensation or abatement of rent.	One year	The date of the completion of the improvement.	Ditto.
10	80	For an order prohibiting the planting of trees or removing the trees planted.	None	None	Ditto.
11	81	For ownership of trees	Do	Do	Ditto.

GROUP E - APPLICATIONS TRIABLE BY THE COLLECTOR

Sl. No.	Section of Act	Description of application	Period of limitation	Time from which period begins to run	Proper court- fees
1,		¹ Omitted			
2.		² Omitted			
3.	91(4)	For remission of revenue	None	None	As in the Court Fees Act. 1870.
³ 3A.	126-A	Utilization of land in emergency	Do	Do	Nil.
4	154	For collection of rent ⁴ [or canal dues] as land revenue in case of	So long as notification remains in-	When notification in the official Gazette is	As on the plaint for arrears of rent.

¹ Omitted by U.P. Act No. 10 of 1947. w.e.f. 14.06.1947.

² Omitted by U.P. Act No. 10 of 1947. w.e.f. 14.06.1947.

³ Added by U.P. Act No. 10 of 1947. w.e.f. 14.06.1947.

⁴ Added by Sec. 7 of U.P. Act 1 of 1940, made by the Governor in exercise of the powers assumed by him under Section 93 of Government of India Act, 1935.

		general refusal to pay.	force.	published.	
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GROUP F - OTHER APPLICATIONS

Sl. No.	Section of Act	Description of application	Period of limitation	Time from which period begins to run	Proper court-fees
1.	95	For determination of rent after ejection from, or surrender of part of, holding.	None	None	As in the Court Fees Act, 1870.
2.	160	For determination of value of crops or trees and of compensation.	Do	Do	Ditto.
3.	168	For the ejection of an expropriary, occupancy or hereditary tenant on the ground of an unsatisfied decree for arrears of rent.	Two years	On the expiry of one year from the date of the decree.	Ditto.
4.	170	For the ejection of non-occupancy tenant on the ground of an unsatisfied decree for arrears of rent.	Three years	The date of the final decree in the case.	Ditto.
5.		For the execution of a money decree or a decree under Section 180 or Section 183 in as far as it relates to the payment of damages or compensation not being a decree for a sum exceeding Rs. 500 inclusive of the costs of executing such decree but exclusive of any interest which may have accrued after decree upon the sum decreed.	Three years	The date of the final decree in the case.	Ditto.
6.		For the execution of any money decree or a decree under Section 180 or Section 183 in as far as it relates to the payment of damages or compensation for a sum of money exceeding Rs. 500 inclusive of the costs of executing such decree, but exclusive of any interest which may have accrued after decree upon the sum decreed.	The period allowed for the execution of a decree of the civil Court.	As in the case of a decree of the civil Court.	Ditto
7.		For the execution of any decree other than a money decree.	One year	The date of the final decree in the case.	Ditto
8.	273 and 274	For a review of judgment	Ninety days	The date of the decree or order	Ditto
9.	275, 276	For revision	None	None	Ditto
10.	294	For recovery of possession.	As in the	As in the	One rupee.

			section	section	
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GROUP G - APPEALS

1.		To a Collector	Thirty days	The date of the decree or order appealed against.	As in the Court Fees Act, 1870.
2.		To a Commissioner or to a District Judge	Ditto	Ditto	Ditto
3.		To the Board, High Court.	Ninety days	Ditto	Ditto