

Appeal, Review and Revision.

13. Appeals: - (1) Save as otherwise provided by this Act, an appeal shall lie from an original or appellate order of a Revenue-officer as follows, namely:-

(a) to the Collector when the order is made by an Assistant Collector of either grade;

(b) to the Commissioner when the order is made by a Collector;

¹(c)_____

Provided that-

(i) when an original order is confirmed on (____)²appeal, a further appeal shall not lie;

(ii) when any such order is modified or reversed on appeal by the Collector, the order made by the Commissioner on further appeal, if any, to him shall be final;

³(iii) no order of remand shall be passed by the appellate authority except where it is established from the record that a necessary party was not duly served; and

(iv) no appeal shall lie against any interim order passed by a Revenue-officer under this Act.

⁴Note—

(2) Notwithstanding anything contained in this section, the appeals pending before the Financial Commissioner under sub-section (1) prior to the commencement of the Punjab Land Revenue (Amendment) Act, 2019, shall be decided and disposed of as heretofore.

14. Limitation for Appeals. -- Save as otherwise provided by this Act, the period of limitation for an appeal under the last foregoing section shall run

¹ "to the Financial Commissioner when the order is made by a Collector;" has been proposed to be omitted.

² The word, "first" after the words, "confirmed on" and before the word, "appeal", has been proposed to be omitted.

³ Proposed to be substituted for; "no authority, except the first appellate authority, shall remand the case to the lower authority to decide the case afresh;"

⁴ The Note which provided that, "The provisions of items (iii) and (iv) shall not be applicable to the authorities mentioned under section 16 of this Act." has been proposed to be omitted

from the date of the order appealed against, and shall be as follows, that is to say --

- (a) when the appeal lies to the Collector – thirty days;
- (b) when the appeal lies to the Commissioner - sixty days;
- ⁵(c)

15. Review by Revenue-officers. – (1) A Revenue-officer may, either of his own motion or on the application of any party interested, review, and on so reviewing modify, reverse or confirm, any order passed by himself or by any of his predecessors in office:

Provided as follows: -

- (a) when a Commissioner or Collector thinks it necessary to review any order which he has not himself passed, and when a Revenue-officer of a class below that of Collector proposes to review any order whether passed by himself or by any of his predecessors in office, he shall first obtain the sanction of the Revenue-officer to whose control he is immediately subject;
- (b) an application for of an order shall not be entertained unless it is made within ninety days from the passing of the order, or unless the applicant satisfies the Revenue-officer that he had sufficient cause for not making the application within that period;
- (c) an order shall not be modified or reversed unless reasonable notice has been given to the parties affected thereby to appear and be heard in support of the order;
- (d) an order against which an appeal has been preferred shall not be reviewed.

(2) For the purposes of this section, the Collector shall be deemed to be the successor in office of any Revenue-officer of a lower class who has left the

⁵ Clause (c) of section 14, which provided that; "when the appeal life to the Financial Commissioner - ninety days." has been proposed to be omitted.

district or has ceased to exercise powers as Revenue-officer, and to whom there is no successor in office.

(3) An appeal shall not lie from an order refusing to review or confirming on review a previous order.

⁶15-A. Correction of orders. - Clerical or arithmetical mistakes in orders of revenue officers or errors arising therein from any accidental slip or omission may at any time be corrected by the Revenue-officer either of his own motion or on the application of any of the parties.

⁷16. Revision: -

⁸[(1) The Financial Commissioner, may at any time, on his own motion, or on an application made to him by any aggrieved person within ninety days of the passing of any order, call and examine the record of any case pending before, or disposed of by, any Revenue-officer, subordinate to him for the purpose of satisfying himself as to the legality or propriety of such order or proceedings and may pass such order in relation thereto as he may deem fit.

Provided that the person aggrieved by any order of which revision has been sought, shall state the illegality and impropriety of the order impugned.

Provided further, that the Financial Commissioner shall not pass an order reversing or modifying any proceedings or order of a subordinate Revenue-officer and affecting any question of rights between the parties, without giving them an opportunity of being heard.]

⁹(2) A (___)¹⁰ Collector may call for the record of any case pending before, or disposed of by (___)¹¹ any Revenue-officer under his control.

¹²(3) If in any case in which a Collector has called for the record he is of the opinion that the proceedings taken or order made should be modified or

⁶ Section 15-A has been proposed to be added.

⁷ The head note of Section 16, which is "Power to call for, examine and revise proceedings of Revenue Officer. _" has been proposed to be substituted with, "Revision: -".

⁸ Clause (i) of Sub Section (1) is proposed to be omitted and substituted with Sub Section (1), besides, it seeks to confer powers of Revision on the Financial Commissioners only and limit these to satisfying himself with respect to the legality and propriety of the order and proceedings.

⁹ Clause (ii) of Sub Section (1) shall be numbered as Sub Section (2).

¹⁰ The words, the words, "Commissioner or" after the word, "A" and before the words "Collector may call for the records" are proposed to be omitted.

¹¹ The comma after the words "disposed of by" and before the words "any Revenue officer" is proposed to be omitted.

reversed, he shall report the case with his opinion thereon for the orders of the ¹³[Financial Commissioner].

¹⁴[Explanation: The cases pending with the Collector on the date of commencement of this ordinance shall be reported to the Financial Commissioner for his orders.]

¹⁵[(4) Notwithstanding anything contained in this section, the cases called for by the Commissioner under sub-section (1) prior to the commencement of the Punjab Land Revenue (Amendment) Ordinance, 2019 (Ordinance No._____of 2019), shall be decided and disposed of by him as heretofore.]

¹⁶[(5) Notwithstanding anything contained in the Punjab Land Revenue (Amendment) Act, 2011 (Punjab Act No. 15 of 2011) and the Punjab Land Revenue (Amendment) Act, 2012, (Punjab Act No. 5 of 2013), the revision applications pending before the Financial Commissioner shall be disposed of by him in accordance with the provisions contained herein.]

¹² The existing Sub Section (2) of Section 16 shall be re-numbered as Sub Section (3).

Sub Sections (2), (3) and (4) of Section 16 as these are at present are proposed to be omitted.

¹³ The words "Financial Commissioner" are proposed to be substituted for the word "Commissioner".

¹⁴ The 'Explanation' to Sub Section (3) of Section 16 is proposed to be added to clarify the position of pending cases before the Collector.

¹⁵ Sub Section (4) is proposed to be substituted.

¹⁶ Sub Section (5) is proposed to be inserted.