

## **PART II**

**THE PONDICHERRY CULTIVATING TENANTS  
PROTECTION RULES, 1971.**

**GOVERNMENT OF PONDICHERRY**

**REVENUE DEPARTMENT**

No.E.6896/70

PONDICHERRY, 10th April, 1971.

**THE PONDICHERRY CULTIVATING TENANTS PROTECTION RULES, 1971.**

G.S.R.No.10.- In exercise of the powers conferred by sub-section (1) of section 16 of the Pondicherry Cultivating Tenants Protection Act, 1970 (No.9 of 1971), the Lieutenant-Governor, Pondicherry hereby makes the following rules namely :-

**RULES**

**Short title and commencement**

1. (1) These rules may be called the Pondicherry Cultivating Tenants Protection Rules, 1971.
- (2) They shall come into force at once.

**Definitions**

2. In these rules :

- (1) `the Act` means the Pondicherry Cultivating Tenants Protection Act, 1970 (No.9 of 1971)
- (2).`Form` means a Form appended to these rules : and
- (3) `section ` means a section of the Act.

**Payment of rent accrued prior to the commencement of the Act.**

3. The period within which the rent accrued prior to the commencement of the Act both in the areas where in Karaikal tenants Protection Order, 1960 was in force and in the other areas shall be paid is three months from the date of commencement of the Act.

**Deposit of rent**

4.(1) Every cultivating tenant desirous of depositing rent under clause(a) of sub-section (3) of section 3 of the Act, shall deposit the same with the Court or the Revenue Court, as the case may be, and present to the Court or the Revenue Court an application in Form 1, in person or through his authorized agent. In the absence of the presiding officer of the Court or the Revenue Court, the rent shall be deposited with and the application presented to the head ministerial officer of the office.

(2) The period within which the rents referred to in sub-clause (i) of clause(a) of sub-section (3) of section 3 shall deposited is three months from the commencement of the Act.

(3) On receipt of the application under rule 4(i) , the Court or the Revenue Court, as the case may be, shall fix a date for hearing the application and shall cause a notice of the date so fixed to be served on the landlord mentioned in application.

(4) On the date fixed under sub-rule 4 (1), the Court or the Revenue Court, as the case may be, shall fix a date for hearing the application and shall cause a notice of the date so fixed to be served on the landlord mentioned in the application.

(5) If the landlord admits the correctness of the averments made in the application he may file a petition expressing his willingness to accept the money deposited in full discharge of such rent and receive the money so deposited.

(6) If the landlord does not admit the correctness of the averments in the application, he may file counter-statement certified in the manner prescribed by the Code of Civil Procedure, 1928, and the or the Revenue Court, as the case may be, shall, thereupon after taking such evidence or making such enquiry as the said authority considers necessary, pass orders on the application in accordance with the provisions of this Act.

### **Entry and inspection**

5. The Court or the Revenue Court shall have.-

(i) power to enter upon any land and inspect and do any act which in its or his opinion may be necessary for the purpose of carrying out the functions entrusted to it or him by or under the Act ;  
and

(ii) power to summon witnesses and call for the production of documents.

### **Eviction**

6. Every application for the eviction of a cultivating tenant falling under sub-section (2) of section 3 of the Act shall be in Form II and shall be presented in person or by authorised agent or sent by registered post to the Revenue Court having jurisdiction over the area (and in the absence of the presiding officer of the Revenue Court, to the head ministerial officer of the office), who shall endorse thereon the date of receipt

### **Restoration of possession under section 4**

7. (1) The period within which the application for restoration of possession under section 4 of the Act is thirty days from the date of commencement of the Rules.

(2) Every such application for restoration shall be in Form III and shall be presented in person or by authorised agent or sent by registered post to the Revenue Court having jurisdiction over the area (and in the absence of the presiding officer of the Revenue Court, to the head ministerial officer of the office), who shall endorse therein the date of receipt.

### **Restoration of possession under section 4(5)**

8. Every application for restoration of possession under sub-section (5) of section 4 shall be in Form IV and shall be presented in person or by authorised agent or sent by registered post to the Revenue Court having jurisdiction over the are (and in the absence of the presiding officer of the revenue Court to the head ministerial officer of the office), who shall endorse thereon the date of receipt. Such application shall bear a court fee stamp of rupee one.

## **Resumption**

9. Every application to resume land for personal cultivation under section 5(2) shall be in Form V and shall be presented in person or by an authorised agent or sent by registered post to the Revenue Court having jurisdiction over the area (and in the absence of the presiding officer of the Revenue Court to the head ministerial officer of the office) and every such application shall bar a court-fee stamp of one rupee.

## **Restoration of possession under section 5(6)**

10. Every application for restoration of possession under section 5(6) shall be in Form VI and shall be presented in person or by authorised agent or sent by registered post, to the Revenue Court having jurisdiction over the area (and in the absence of the presiding officer of the Court to the head ministerial officer of the office).

## **Resumption by members of Armed Forces.**

11.(1) The period within which an application for resumption should be made under sub-section (2) of section 6 is six months from the date of discharge or retirement from service or being sent to Reserve.

(2) Every such application shall be in Form VII and shall be presented in person or by an authorised agent or sent by Registered Post to the Revenue Court having jurisdiction over the area (and in the absence of the presiding officer of the Revenue Court to the head ministerial officer of the office) and every such application shall bear a court-fee stamp of one rupee.

(3) Every application for resumption of a land from a cultivating under sub-section (3) of section 6 shall be in Form VIII and shall be presented in person or by an authorised agent or sent the presiding officer to the head ministerial officer of the office) and every such application shall bear a court-fee stamp to the value of one rupee.

## **Execution of agreement**

12. (1) In every case of tenancy agreement entered into after the commencement of the Act between a cultivating tenant and a landlord, a lease deed in Form IX shall be executed in triplicate within a fortnight after the commencement of such tenancy or such later date as the Government may in any case or class of cases deem fit to allow. Wherever fresh lease deeds are necessary in future, they shall be executed within a fortnight of the commencement of the falsi year as defined in the Pondicherry Revenue Recovery Act, 1970 (No. 14 of 1970).

Provided that in the case of tenancy agreements entered into after the commencement of the Act and before the date of coming into force of these rules, the lease deeds shall be executed within a fortnight from the date of coming into force of these rules.

(2) A register in the following form shall be maintained in each taluk/sub-taluk office for the registry of lease deeds executed under sub-section (1) of section 7 with a village war index at the beginning :-

(i) Serial number.

(ii) Name of the village

(iii) Name and address of the landlord

- (iv) Name of the tenant.
- (v) Survey numbers and description of lands.
- (vi) Date of execution of the lease deed.
- (vii) Date of declaration, in case one of the parties did not sign the lease deed.
- (viii) Date of receipt in the taluk/sub-taluk office.
- (ix) Date of issue of the acknowledgment
- (x) Remarks and initials of the Officer issuing the acknowledgments with date.

(3) On receipt of copies of such lease deeds in the taluk/sub-taluk office these shall be registered in serial order in the register and an acknowledgment containing an extract of condition (i) to (v) of the register relating to that entry shall be given to the landlord or his agent, as the case may be.

### **Imposition of penalty**

13.(1) Before the imposition of the penalty referred to in sub-section (3) of section 7, the Revenue Court shall hold an enquiry into the matter. It shall fix the place, date and time for the enquiry and shall give notice of the same to the landlord and the cultivating tenant concerned.

(2) Any presentation made by the landlord or the landlord or the cultivating tenant, shall in writing and shall be filed before the Revenue Court, on or before the date of the enquiry.

(3) On the date fixed for the enquiry or on such other date or dates to which the enquiry may be adjourned, the Revenue Court shall, after hearing the party and taking such evidence, as it.

### **Grounds**

14. In passing a final order on any application under the Act, the Revenue Court shall record in brief the grounds for its decision.

### **Surrenders.**

16. (1) A cultivating tenant intending to surrender land under section 12 shall file a written statement before the Revenue Court specifying the following particulars.-

- (a) Description of the land
  - (i) commune and village in which situated :
  - (ii) survey No. and subdivision No. if any ; or description of the land adequate for the identification ;
  - (iii) class of land :
  - (iv) total extent of land :
  - (v) extent of land to be surrendered :
  - (vi) boundaries

- (b) Name of the land
- (c) Name of other persons having interest on the land and the nature of their interest.
- (d) Particulars of the documents, if any, evidencing the contract.
- (e) Amount of the rent payable in respect of the land.
- (f) Reasons for such surrender

(2) The statement referred to in sub-rule(1) shall be signed by the cultivating tenant and attested by two respectable witnesses.

(3) On receipt of the written statement referred to in sub-rule (1), the Revenue Court shall issue notice to the cultivating tenant and the landlord, for appearance before it on a specified date, if appears to the Revenue Court that the application is only in good faith, it may allow the surrender.

### **Powers**

16. (1) Every Court constituted under the Act, shall have the powers exercisable by a Civil Court in the trial of suits.

(2) The proceeding of the Court shall be summary and shall, as far as possible, be governed by the provisions of the Codes of Civil Procedure, 1908 with regard to.-

- (a) the issue and service of summons ;
- (b) the examination of parties and witnesses ;
- (c) the production of documents ;
- (d) the amendment of pleadings ;
- (e) the addition of parties ;
- (f) the passing of ex parte orders and setting them aside for good cause ;
- (g) the ordering dismissal for default of appearance and setting aside such orders for good cause :
- (h) local inspection ; and
- (i) the passing of orders.

### **Local enquiry and inspection**

17. (1) In hearing an application under the Act, the Revenue Court shall have power to depute any officer of the Revenue Department not lower in rank than a Revenue Inspector to make local enquiry and inspection and to collect relevant data.

(2) The officer shall submit a report of such enquiry and inspection in writing and this report shall be part of the evidence in this case.

Provided, however that the parties to the proceeding shall be entitled to be furnished with copies thereof and shall have liberty to file objections thereto and the Revenue Court shall consider

this report together with the objections thereto in passing orders on the application :

Provided further that if the parties so desire, the officer shall be submitted and examined as a witness.

### **Permitting an agent to plead on behalf of the party.**

18. In any proceeding before a Court or Revenue Court, the Court or the Revenue Court, as the case may be, may permit any agent authorised by a party to plead on his behalf :

Provided that the Court or the Revenue Court may, at any stage of the proceeding, cancel the permission.

### **Enforcement of order, etc.**

19. Any order, decision or award passed by a Revenue Court under the Act shall be enforceable by an officer of the Revenue department not lower in rank than a Revenue Inspector.

### **Process fees.**

20. The Revenue Court may collect process fees at the following rates :-

(1) For each summons or notice-

|                                                                                                                                             | Rs. P |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------|
| (a) when sent by registered post, for each defendant, respondent or witness. ...                                                            | 1.50  |
| (b) when served by an Officer of the Court-                                                                                                 |       |
| (i) on a defendant, respondent or witness ...                                                                                               | 1.50  |
| (ii) on every additional defendant, respondent, or witness residing in the same village if the process be applied for at the same time. ... | 0.75  |

(2) Mileage for the travelling expenses of the process server at four paise per kilo meter may be calculated from headquarters of the Revenue Court to the place where the process-server is to go for serving summons, and may be recovered from the parties by way of Court-fee stamps, in addition to the process fees.

(3) Authorization letters produced before the Revenue Court should be engrossed on nonjudicial stamp paper of the value of Rs. 1.50 (Rupee one and fifty paise.)



## APPENDIX

### FORM I

(See rule 4)

#### Application for deposit of rent under section 3 (3) of the Act.

1. Particulars of lands cultivated-

2. Particulars of lands cultivated-

| Name of the village and commune | Survey No. | Local name if any | Classification (wet, dry, or garden, etc.) | Extent   |
|---------------------------------|------------|-------------------|--------------------------------------------|----------|
| (1)                             | (2)        | (3)               | (4)                                        | (5)      |
|                                 |            |                   |                                            | H. A. C  |
|                                 |            |                   |                                            | Total .. |

3. (a) Period of tenancy and agreed rent during the period.

(b) The market value of rent, if it is payable in kind.

4. Name and address of the landlord or landlords to whom rent is due. (In case of dispute between person claiming the amount of rent, the names and address of all such persons should be given).

5. Amount of rent deposited and the period to which relates.

6. Remarks.

Place :

Date :

Signature of applicant.

Declaration of the applicant

I declare that I am a cultivating tenant entitled to the benefit of the Pondicherry Cultivating Tenants Protection Act, 1970.

Signature of applicant

**FORM II**  
(See rule 6)

**Application for evicting tenant under sub-section (4) (a) of section 3**

1. Name of the Commune.
2. Name of the village.
3. Name of applicant (landlord) and his full address.
4. Name of the tenant to be evicted and his full address.
5. Survey number, local name of the field, if any, and extent.
6. Terms of tenancy.
7. Reasons for eviction
8. Remarks (the complaint in brief)

Signature of applicant.

**FORM III**  
(See rule 7)

**Application for restoration of possession under section 4(1) of the Act.**

1. Name of the commune.
2. Name of the village.
3. Name of the applicant and his address.
4. Name of the landlord and his address
5. Particulars of the lands -

| Survey<br>Number | Local name<br>if any | Classification<br>(wet, dry or<br>garden, etc) | Total<br>extent      | Extent<br>claimed | Whether<br>irrigated from a<br>Government<br>source or not |
|------------------|----------------------|------------------------------------------------|----------------------|-------------------|------------------------------------------------------------|
| (1)              | (2)                  | (3)                                            | (4)                  | (5)               | (6)                                                        |
|                  |                      |                                                | H.A.C<br>Totals..... | H.A.C             |                                                            |

6. The terms on which he was in possession or such lands on 1st December, 1969.
7. Date of dispossession.
8. Name and address of the cultivating tenant if any admitted to the possession of the land subsequent to 1st December, 1969, the tenure under which he holds the land and whether he has cultivated the land before the date of commencement of the Act.

9. The extent of lands possessed by the applicant either as owner or as tenant or as both on the date of commencement of the Act (wet land, dry land irrigated from a Govt. source of irrigation and other dry land shall be shown separately).
10. Whether the applicant was assessed to any sales tax profession tax or income tax under the respective law relating to the levy of such taxes during 1967-68 or 1968-1969.
11. Remarks (the complaint brief).

Signature of applicant.

**FORM IV**  
(See rule 8)

**Application for restoration of possession under section 4(5) of the Act.**

1. Name of the commune.
2. Name of the village.
3. Name of the applicant and his address.
4. Name of the landlord and his address.
5. Particulars of the lands.

| Survey<br>Number | Local name<br>if any | Classification<br>(wet, dry or garden, etc) | Total<br>extent | Extent<br>claimed |
|------------------|----------------------|---------------------------------------------|-----------------|-------------------|
| (1)              | (2)                  | (3)                                         | (4)             | (5)               |
|                  |                      |                                             | H.A.C           | H.A.C             |
|                  |                      |                                             | Total.....      |                   |

6. Date of eviction of the applicant from such lands.
7. Remarks (the complaint in brief).

Signature of the applicant.

## FORM-V

(See rule 9)

### Application for resumption of land for personal cultivation under section 5(2)

1. Name of the commune.
2. Name of the village.
3. Name of the applicant and his address.
4. Name of the cultivating tenant and his address.
5. Particulars of lands of the applicant in the possession of the cultivating tenant.

| Survey<br>Number | Local name<br>if any | Classification<br>(wet, dry or garden,etc) | Total<br>extent | Extent<br>claimed |
|------------------|----------------------|--------------------------------------------|-----------------|-------------------|
| (1)              | (2)                  | (3)                                        | (4)             | (5)               |
|                  |                      |                                            | H.A.C           | H.A.C             |
| Total.....       |                      |                                            |                 |                   |

6. The terms on which the cultivating tenant is in possession of such lands.
7. The extent of lands possessed by the applicant either as owner or as tenant or as both on the commencement of the Act (wet lands, dry lands and garden lands shall be shown separately and lands possessed by owner and tenant shall be shown separately)
8. Whether the applicant was assessed to any sales tax, profession tax or income tax under the respective laws relating to the levy of such taxes during 1967-68 or 1968-69.
9. Remarks (the request of the applicant in brief).

Signature of the applicant

**FORM - VI**  
(Se rule 10)

**Application for restoration of possession under section 5(6) of the Act.**

1. Name of the commune.
2. Name of the Village.
3. Name of the applicant and his address.
4. Name of the landlord and his address.
5. Particulars of the lands.

| Survey<br>Number | Local name<br>if any | Classification<br>(wet, dry or garden,etc) | Total<br>extent | Extent<br>claimed |
|------------------|----------------------|--------------------------------------------|-----------------|-------------------|
| (1)              | (2)                  | (3)                                        | (4)             | (5)               |
|                  |                      |                                            | H.A.C           | H.A.C             |

Total.....

6. Date on which the landlord was put in possession of the lands for the purpose of personal cultivation.
7. Date on which this application is made.
8. Remarks (the grounds in brief).

Signature of applicant.

**FORM VII**  
(See rule 11(2))

**Application for resumption of land from a sub-tenant under section 6(2)**

1. Name of the region.
2. Name of the Commune.
3. Name of the Village.
4. Name of the applicant and his address.
5. Number, rank and unit of the Armed Forces in which he was last serving.

6. Date of discharge or retirement from service or being sent to Reserve.

7. Name of the sub-tenant and his address

8. Particulars of lands under sub-lease.

| Region | Commune | Village | Survey No. | Local name if any | Classification wet, dry or garden ,etc | Total extent | Extent claimed |
|--------|---------|---------|------------|-------------------|----------------------------------------|--------------|----------------|
| 1      | 2       | 3       | 4          | 5                 | 6                                      | 7            | 8              |
|        |         |         |            |                   |                                        | H.A.C        | H.A.C          |
|        |         |         |            |                   |                                        | Total .....  |                |

9. Total particulars of land owned by the applicant.

| Region | Commune | Village | Survey No. | Local name if any | Classification wet, dry or garden ,etc | Extent      | Assess-ment |
|--------|---------|---------|------------|-------------------|----------------------------------------|-------------|-------------|
| 1      | 2       | 3       | 4          | 5                 | 6                                      | 7           | 8           |
|        |         |         |            |                   |                                        | H.A.C       | Rs. P       |
|        |         |         |            |                   |                                        | Total ..... |             |

10. Remarks (Request of the applicant in brief)

Signature of the applicant

### FORM VIII

(See rule 11(3))

Application for resumption of land for personal cultivation under section 6(3)

1. Name of the region.
2. Name of the Commune.
3. Name of the village.
4. Name of the applicant and his address
5. Number , rank and unit of the Armed Forces in which he was last serving.
6. Date of discharge or retirement from service or being sent to Reserve.
7. Name of the cultivating tenant and his address.
8. Particulars of land of the applicant in possession of the cultivating tenant.

| Region | Commune | Village | Survey No. | Local name if any | Classification wet, dry or garden ,etc. | Total extent | Extent claimed |
|--------|---------|---------|------------|-------------------|-----------------------------------------|--------------|----------------|
| 1      | 2       | 3       | 4          | 5                 | 6                                       | 7            | 8              |
|        |         |         |            |                   |                                         | H.A.C        | H.A.C          |
| Total  |         |         |            |                   |                                         | .....        |                |

9. Terms on which the cultivating tenant is in possession of such lands.

10. Particulars of lands already in possession of the applicant.

| Region | Commune | Village | Survey No. | Local name if any | Classification wet, dry or garden ,etc. | Extent | Assessment |
|--------|---------|---------|------------|-------------------|-----------------------------------------|--------|------------|
| 1      | 2       | 3       | 4          | 5                 | 6                                       | 7      | 8          |
|        |         |         |            |                   |                                         | H.A.C  | Rs. P      |
| Total  |         |         |            |                   |                                         | .....  |            |

11. Remarks (The request of the applicant in brief)

Signature of the applicant

# LEASE DEED

This lease deed made on the                      day of                      19

(1) the landlord-

Village

And

(2) the cultivating tenant-

Village

Commune

witnesses as follows.-

The landlord hereby lets the lands described in the Schedule hereto annexed to the cultivating tenant for cultivation and it is hereby agreed between the landlord and the cultivating tenant that their rights and liabilities under this lease shall, subject to the provisions of the Pondicherry Cultivating Tenants Protection Act, 1970 (No.9 of 1974) and the Pondicherry Cultivating Tenants(Payment of Fair Rent) Act, 1970 (No.5 of 1971) and the rules, orders and notifications issued thereunder, be as follows :-

### Rights and liabilities of the Landlord.

..... (here enter the rights and liabilities of the landlord agreed to)

### Rights and liabilities of the cultivating tenant.

.....(Here enter the rights and liabilities of the cultivating tenant agreed to)



## SCHEDULE

### Description of land

| Region | Commune | Village | Survey<br>No. &<br>letter | Local name<br>of the land<br>if any | Extent  |
|--------|---------|---------|---------------------------|-------------------------------------|---------|
| (1)    | (2)     | (3)     | (4)                       | (5)                                 | (6)     |
|        |         |         |                           |                                     | H. A. C |

In witness whereof.....the landlord  
agent of the landlord  
and.....the cultivating tenant have here unto set their hands.

Signed by the above named.

In the presence of

Signed by the above named.

In the presence of

## GOVERNMENT OF PONDICHERRY

### REVENUE DEPARTMENT

No.E.6896/70.

Pondicherry, 10th April, 1971.

## NOTIFICATION

S.O.No.29. In exercise of the powers conferred by clause (i) of section 2 of the Pondicherry Cultivating Tenants Protection Act, 1970 (No.9 of 1971), the Lieutenant Governor, Pondicherry, hereby constitutes for each of the regions known as Pondicherry, Karaikal and Yanam, a Revenue Court which shall be prescribed over by the Sub/Asst./Deputy Collector (Revenue), having jurisdiction over the area, for the purpose of performing the functions entrusted to a Revenue Court by or under the said Act.

## **THE PONDICHERRY LAND GRANT RULES, 1975**

**GOVERNMENT OF PONDICHERRY**  
Revenue department  
(G.O.Ms.No.91, dated 4th August, 1975)

**THE PONDICHERRY LAND GRANT RULES, 1975**

The Lieutenant Governor, Pondicherry, hereby makes the scheme and formulates the following rule for the grant of lands at the disposal of the Government :-

**CHAPTER-I**

**PRELIMINARY**

**Short title, extent and commencement**

1. (1) These rules may be called the Pondicherry Land Grant Rules, 1975.
- (2) They shall extend to the entire Union territory of Pondicherry.
- (3) These rules shall be subject to the provisions of Pondicherry Municipalities Act, 1973 and Pondicherry Villages and Commune Panchayat Act, 1973.
- (4) They shall come into force at once.

**Definitions**

2. In these rules unless the context otherwise requires.-

- (a) "agriculture" means-
  - (i) horticulture; or
  - (ii) raising of crops, grass or garden produce;

(b) "Deputy Collector (Revenue)" includes the Sub Collector or Assistant Collector or any other gazetted officer specially conferred the powers of the Deputy Collector under these rules.

(c) "ex-serviceman" means a former member of the Armed Force in the Union not being a person who has ceased to be a member of the Armed Forces as a result of his being duly dismissed or discharged after a Court martial or on account of bad character or as a result of desertion or who has not been attested;

(d) "Family" in relation to a person means, such person and if married wife or husband as the case may be and dependent children and grand children of such person ;

- (e) "form", means a form appended to these rules ;

(f) "goldsmith" means a goldsmith who has been affected by the operation of any provisions of the Gold control Act 1968 or rules framed thereunder;

- (g) "Government" means the government of Pondicherry.

- (h) "Landless person" means a person who owns no land or who hold a total extent of less than half hectare of land of dry, or a total extent of quarter hectare of wet, irrigated or garden land.

**Explanation** - In the case of joint family holdings, the share of each member should be ascertained to decide whether or not the person is a landless person within the meaning of the above definition.

(i) "non-valuable land" means land other than valuable and specially valuable land'

(J) "Personal cultivation" means cultivation on one`s own account by his own labor or by the labor of any member of his family or by servants on wages payable in cash or kind (but not in crop share) or by hired labor under his own supervision or the personal supervision of any member of his family;

(k) <sup>1</sup>[" poor" person means a person with a family whose monthly income does not exceed Rs. 2000]

(l) "reserved lands" means lands earmarked as being required or likely to be required for special purpose, in regard to which an entry may be made in the prohibitive Order Book and all other lands are unreserved lands,

(m) "resident" in relation to land means a person who lives or owns land or house in the village in which the land is situated irrespective of whether he lives in the village or not;

(n) "Scheduled caste" mean the scheduled castes in relation to the Union Territory of Pondicherry as specified in the Constitution (Pondicherry) Scheduled Caste Order, 1964;

(o) "Specially valuable land" means-

(i) Land which is registered as wet under or is likely to be brought under irrigation from a Government source or irrigation deriving its supply from a major irrigation system for which capital and revenue, accounts are kept;

(ii) land which is registered as wet under or is likely to be brought under irrigation from Government source of irrigation which does not derive its supply from a major irrigation system for which capital and revenue accounts are kept:

(iii) land irrigable or likely to be brought under irrigation from an irrigation project under execution at the cost of the Government;

(iv) land which has a special value by reason of its being in a large village;

(v) land at the disposal of the Government included within the limits of towns which is not disposed of as building site;

(vi) any other land which the Collector may, for special reason, consider to be specially valuable; or

(vii) lands in the proximity of towns.

(p) "Tahsildar" means a Tahsildar in charge of a Taluk and include a Deputy Tahsildar of a Sub-Taluk or a Deputy Tahsildar appointed specially for the purposes of these rules;

(q) "Towns" includes a place-

(a) which has a distinctly urban character such as that of a market town: or

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1. Substitution vide E.O.G No.8 , dated 12-03-2003.

(b) which has a population of not less than 5,000 inhabitants residing in houses more or less contiguous, not in scattered collections as hamlets; or

(c) such other places as may be notified from time to time as “town” by the Collector in the Official Gazette for this purpose; and

(r) “valuable land” includes dry land, the estimated value of the land is Rs.1,000 or more per hectare, wet land or irrigated or garden land.

## **CHAPTER II**

### **GRANT OF ASSESSED WASTE LANDS NOT BEING RESERVED**

#### **Persons eligible for grant of land for agricultural purpose.**

3. (1) Subject to the restrictions and conditions specified in this Chapter, Government assessed waste lands may be granted on assignment for agricultural purposes to a person;-

(i) who is a citizen of India and a native of the Union territory of Pondicherry and who has attained the age of eighteen;

(ii) who is a landless and poor person; and

(iii) who is either a bona fide agriculturist cultivating the land personally or has bona fide intention to take up personal cultivation; <sup>1</sup>[ or

(iv) who is a person serving in the Indian Army, Navy, Air Force or Border Security Force; or

(v) who is an Ex-serviceman; or

(vi) who is a Freedom Fighter; or

(vii) who is the widow of a person specified in clauses (iv) and (vi) above ]<sup>1</sup>

Provided that the extent of land granted shall not, together with the land, if any, already owned by the grantee without the limit specified in rule 4.

2. Notwithstanding anything contained in sub rule (1), any person may be granted the land adjacent or close to the land already held by him on collection of market value, if such land is, in the opinion of the authority assigning the land, required for better enjoyment or better cultivation of the land so held;

Provided that in no case, such grant shall exceed, in the case of wet, irrigated or garden land, 10 ares and in the case of other dry land 20 ares.

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1. Amended vide G.O.Ms.No.10, dated 27-09-1988

### **Maximum extent that can be granted to a person.**

4. Subject to the proviso contained in rule 3 (i), the maximum extent that can be granted to a person under this chapter for agricultural purposes shall be half hectare of dry land or quarter hectare of wet, irrigated or garden land assuming one hectare of wet, irrigated or garden land to be equal to two hectares of dry land.

### **What lands may be assigned and what may not**

5. Only land, the assignment of which is unobjectionable shall be assigned. Such lands may be assigned to individuals whether they are in isolated bits or in compact blocks. Lands acquired for communal purposes shall not be assigned. Grazing ground porambokes shall not be assigned unless there is sufficient grazing ground to serve the needs of cattle. Tank bed lands should on no account be assigned without consulting the appropriate technical officer. Lands close to village sites which are likely to be required for communal purposes or necessary for the purpose of extension of house sites should not be assigned. Such lands may be included in the Prohibitory Order Book wherever necessary after obtaining the orders of the Collector. Land once entered in the Prohibitory Order Book shall not be deleted without the specified sanction of Collector.

### **Classification of lands to be assigned**

6. Only lands which are assessed to land tax can be assigned. If not assessed it shall first be transferred to assessed waste by the orders of the Collector. The land should be surveyed and demarcated and boundaries fixed before possession is given to the grantee. The charges incurred for such survey and demarcation shall be recovered from the grantee unless he is exempted by Government by general or special order.

### **Special provisions for safeguarding the interest of the Government**

7. When a road runs through the land applied for a width of at least 20 metres should be set apart for the road. similarly, when the bank of an irrigation work runs through or near the land, the extent of land required to allow a margin of 20 metres along the foot of the embankments should be set apart if the irrigation work is an important one such as a main canal, a main distributary or a main drainage channel. In the case of subordinate or minor distributaries or minor drains, a margin of 7 metres will be sufficient. If a stream runs through or near the land, a margin of not less than 10 metres on either bank should, as a general rule, be reserved and registered as poramboke. In all such cases, the opinion of the P.W.D. should always be obtained prior to passing order on assignment.

### **Authority competent to assign the land**

8. The Deputy Collector (Revenue) shall be the authority competent to assign lands in his jurisdiction subject to the maximum specified in rule 4 and cases falling beyond his scope shall be referred to the Collector for orders.

Provided that WHERE specially valuable land is to be granted free or where land in compact blocks exceeding 20 hectares of valuable land or 40 hectares non-valuable land prior sanction of the Government shall be obtained.

### **Order of Priority**

9. (1) Subject to the provisions contained in sub-rule (2) the land available for disposal in any village shall be assigned observing the following order of priority :-

- <sup>1</sup>[(i) war wounded disabled person having disability 50% and above.
- (ii) war widow whose husband died while on active service in war operations.
- (iii) widow of an ex-serviceman who has no source of income/pension.
- (iv) Unemployed ex-serviceman receiving no pension.
- (v) unemployed ex-serviceman receiving pension.
- (vi) ex-serviceman self employed/employed in Government / private sector;
- (vii) serving personnel of the Indian army, Navy, Air Force and Border security Force or their widows.
- (viii) exservicemen released on own request on compassionate grounds.]
- (ix) landless poor Harijans.
- <sup>2</sup>[(x) freedom fighters or their widows.]
- (xi) repatriates from Burma and Ceylon.
- (xii) goldsmiths displaced on account of Gold Control Act or Rules.
- (xiii) other landless poor persons.

<sup>3</sup>[xiv] Persons with disabilities as defined under the Persons with Disabilities [Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Central Act 1 of 1996]

Provided that in respect of cases falling under <sup>1</sup>[categories (i) to (viii)] of this sub-rule, recipients of sena medals and other gallantry awards in military service will be given preference over others in the respective categories.

(2) (i) A person, who is otherwise eligible for assignment under this chapter, who has occupied the land whether with or without permission and has expended a material amount of labor or money in clearing the land of woods, shrubs or prickly pear or otherwise be fitting it for cultivation or improving it or holds trees on the land under the tree tax system or who has been using the water of a well in the land for cultivation has preference over others. Such a person should, if there is no other objection, be given the option of getting it assigned under this chapter. If he fails to apply in spite of the notice, he will forfeit all his claims to preference and action will be taken to evict him;

Provided that this concession will not apply in the case of encroachments made after the coming into force of these rules.

- (ii) As between the persons having analogous and equitable considerations, the first applicant shall have preference.
- (iii) As between a resident and a non resident, other considerations being equal, the resident shall have priority.
- (iv) As between non resident applicants inter se, preferential claims will be determined in accordance with the above principles.

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1. Substituted vide G.O.Ms.No. 9, dated 16-05-1977 published in Gazette No. 24 dated 14-6-1977  
2. Amended vide G.O.Ms.No. 10 dated 27-9-1988.  
3. Insertion vide E.O.G. No. 31 dated 31-6-1999.

- (v) When there are two or more applicants for the same land and the Deputy Collector (Revenue) is unable to decide which of them has the best claim, he may order the right of occupying the land to be sold by public auction to the highest bidder subject to confirmation by the Collector. He will nominate the Tahsildar or Deputy Tahsildar as selling officer in each case. Any person may bid at such auction. The following condition of sale should be provided in the sale notice along with the usual conditions :-

“that the auction purchaser shall deposit at the time of purchase, a sum equal to 15% of the purchase, and such deposit is liable to forfeiture should the remainder be not paid within 30 days from the date of sale.”

### **Procedure for grant of land**

10. (1) Any person who is eligible for grant of lands for agricultural purposes under this chapter shall make an application in writing to the Tahsildar in Form I giving the full particulars required therein and such applications shall bear a Court Fee stamp of 25 paise.

<sup>1</sup>[Provided that no court fee shall be levied on applications submitted by persons belonging to Scheduled Caste, Scheduled tribes and persons in active military service]<sup>1</sup>

(2) Immediately on receipt of the application, the Tahsildar shall cause the particulars of the application to be entered in a Register which shall be in Form 2 in his office.

(3) The Tahsildar shall, either direct or through the Revenue Inspector, refer it to the Karnam for report. On receipt of the application, the Karnam shall enter it in the register in Form 3, publish the fact of application in the village by beat of “tom-tom” and post a notice of it in Form 4 in his office and on the land applied for, for 15 days. At the end of the period he should prepare a memorandum in triplicate in Form 5 ( and send it to the Tahsildar without delay together with the notice in Form 4 which should be signed by the Karnam and attested by two literate residents for the village. The memorandum in Form 5) should be accompanied by an illustrative sketch in triplicate showing the position and classification of the land applied for and of the lands surrounding it, as also the position of the maintainable survey marks with a certificate of the Karnam appended to the sketch as to the number of Survey marks for which value has to be recovered from the applicant. Such stones should be marked in the sketch in a distinctive way by entering them in red ink or ringing them.

(4) Columns 1 to 17 of the Memorandum in Form 5 should be filled in by the Karnam and it shall be signed by both the Karnam and the Revenue Inspector. In Column 5, the land should be described as wet or dry. In column 12, it should be explained why a right of way is required, whether to allow access to cultivable unassigned land or for what other purpose. If an irrigation channel or the embankment of an irrigation work or a stream does not run through the land, but merely adjoins it, its distance from the land should also be reported.

In Column 13 should be included the names of all persons who have applied for the land or have objected to its grant to the applicant or occupier. The Karnam and the Revenue Inspector will be held responsible for the correct filling up the memorandum. When the submission of the memorandum is delayed beyond 20 days from the publication of the notice in Form 4 cause of the delay should be explained in the remarks column by the Revenue Inspector.

(5) On receipt of the memorandum report in Form 5, the Tahsildar shall scrutinise it with the least possible delay and if he is satisfied that the applicant is eligible for the grant of the land applied for, fill up columns 18 and 19 of the memorandum setting out in brief the reasons for over ruling the objections if any or giving in preference if there are more than one application and submit the entire records with his specific recommendations for orders of the Deputy Collector (Revenue). The value of trees should be calculated and foil of Form should accompany the report. He should also inspect the land and send a copy of his inspection notes with his report.

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1. Amended vide G.O.Ms.No. 18 dated 10/2/76



(6) Where the land applied for is not available for grant or the Tahsildar is satisfied that the applicant is not eligible for grant of the land applied for, he may submit his report to the Deputy Collector (Revenue), who shall accordingly inform the party.

(7) On receipt of the report of the Tahsildar, the Deputy Collector (Revenue), if he is satisfied that the applicant is eligible for the grant, pass orders in Column 20 of the memorandum and return the entire records to the Tahsildar retaining one of the triplicate copies for his office record. The Tahsildar shall immediately on receipt of such order, forward one copy of the memorandum to the Karnam who will thereupon fill in Column 21 and carry out the orders and note special conditions, if any, in village accounts under the attestation of the revenue Inspector. It should also be communicated at once by the Tahsildar to all the parties concerned and Form 7 should be issued to the grantee. The orders should be carried out simultaneously in the Taluk set of village accounts and a similar report from the Revenue Inspector should be obtained and placed before the file is finally closed by the Tahsildar.

(8) The Tahsildar should record a certificate, whenever the grant of land is recommended, to the effect that the order of priority specified in rule 9 has been observed.

### **Eviction of unauthorized occupation**

11. Persons in unauthorized occupation of any land to the assignment of which they are not eligible are liable to be evicted at any time and shall be so evicted before proceedings are taken to assign the land to a person eligible for assignment. No proceedings for the disposal of such a land shall be taken till the unauthorized occupant is evicted.

### **Conditions of grant**

12. (1) The assignment of land to individuals shall be subject to the following conditions in addition to such other special conditions as the assigning authority may wish to impose:-

(i) the assignment is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the assigning officer by the rules in this Chapter or there was an irregularity in the procedure;

(ii) in the event of the cancellation of the assignment either an appeal or in revision, the assignee shall not be entitled to compensation for any improvements that he may have made to the land;

(iii) the land shall not be sold or alienated for a period of ten years from the date of assignment; but may be hypothecated to Government for the purposes of securing a loan or to a Cooperative Society, or to a scheduled bank authorized by the Government for affording credit to the agriculturists;

(iv) the land shall be brought under cultivation within a period of three years from the date of assignments;

Provided that the aforesaid period may, for valid reasons, be extended by the Deputy Collector (Revenue) ;

(v) the assignee and his heirs shall engage themselves in personal cultivation;

(vi) if the land is used for casuarina plantation, no pits or ponds shall be excavated nor such plantations irrigated by pots within 200 metres of any natham (habitation) and all pits and ponds excavated beyond the above limits, shall be filled up as soon as the plants watered therefrom are three years old;

(vii) the annual assessment on the land shall be liable to periodical revision at resettlement;

(viii) the land or a portion thereof should not be put to non-agricultural use except with the previous sanction of the Government;

(ix) the land shall be subject to all general taxes and local rates payable by law or custom ;

(x) the existing and customary rights of Government and the public roads and paths and rivers, streams and channels running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant. Government also reserve to themselves or to persons authorized by them the powers necessary for the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress, etc.;

(xi) the Government shall be at liberty to resume the land within a period of ten years from the date of grant, if any default is made in the payment of land revenue due on the land;

(xii) for contravention of any of the above conditions the grant shall be liable to be cancelled and resumed to Government free from all encumbrances by the authority granting the land;

Provided that before cancelling the grant, the grantee shall be afforded with an opportunity of being heard.

(2) All Conditions to which the land is assigned or sold would be specified in Form 7 or in the order of assignment by sale in Form B. The notice of sale in Form 9 should be used for notifying such sales.

### **Registering**

13. On receipt of a copy of the memorandum in Form 5 containing the orders of the Deputy Collector, the Karnam should at once register the name of the assignee as entitled to a patta assigning the last Folio Number or any vacant folio number in the "Matrice" (record of rights) and effect consequential changes in corresponding accounts with the Karnam including the Adangal. If the order is set aside on appeal or revision, the Karnam should make necessary corrections in the village set of records on receipt of such orders. All such corrections should be scrutinised and attested with dated initials of the Revenue Inspector quoting the original order Number or appeal or revision order number and date against each. Similarly the Taluk set of records should be corrected and attested under the dated initials of the Tahsildar or the Deputy Tahsildar.

### **Value payable for the land**

14. (1) No land value shall be collected for the assignment made, under this chapter, of non-valuable or valuable lands, provided that the assignment is within the extent specified in rule 4.

(2) Land value at market rate shall be levied for all other cases;

<sup>1</sup>[Provided that the land granted in respect of cases falling under categories (i) to (viii) and (X) of sub rule (1) of Rule 9, for bona fide rehabilitation purposes shall be free of land value irrespective of their income or status and irrespective of the land being non-valuable or specially valuable.]

<sup>2</sup>[ Provided further that in the case of persons with disabilities mentioned under category (xiv) of sub-rule (1) of rule 9 as defined under the Persons with Disabilities ( Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, only 50% of the market value shall be charged]

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1. Substituted vide E.O.G.No.33 dated 29-09-1987

2. Insertion vide E.O.G.No. 31 dated 29-06-1999.

(3) In the case of Assessed Waste, market value should be determined with reference to the rate prevailing on the date of receipt of application for assignment, and in the case of porambokes, with reference to the rate prevailing on the date of transfer to Assessed Waste;

Provided that where the applicant is an unauthorized occupier who has spent a considerable amount of money and labor on the land, the market value should be fixed at the value of the land prior to its improvement.

(4) Notwithstanding anything contained in sub-rules (1) and (2), where the land is very valuable, the Collector or the other officer authorized by him in this behalf may sell such land by public auction.

### **Disposal of tree growth on lands**

15. Lands on which there are large groups of Palmyra, date-palms, fruit trees or valuable timber trees, whether growing spontaneously or cultivated should usually not be assigned; but should be retained in the hands of the Government for forest or abkari purpose.

### **Payment for standing trees, wells and buildings**

16 (1) The value of trees standing on the land except those proved to have been planted by him should be recovered from the successful applicant before final orders are passed. The assigning authority is allowed the discretion to collect either the market value or the value specified in the Schedule appended to these rules. The scale shall be applied by the Revenue Inspector who, under the general supervision of the Tahsildar, will be responsible for counting and measuring the trees and assigning them to the proper species. If the applicant is unwilling to pay the valuation the trees may be put in auction subject to the condition that the auction purchaser shall cut and remove them within a specified time. Before doing so, the assigning officer should weigh the advantages of the trees standing on the land being cut in the interest of growing more food-vis-a-vis the interest of Vana Mohatsava and pass orders on merits in each case. If for this or for any other reason it is not considered desirable to put the trees to auction or if the applicant's case is a deserving one the assigning authority may collect tree value at rates lower than specified in the Schedule or market rate. In very special cases, tree value may be remitted altogether. In either case the assigning authority should record the reasons therefor in writing. The power to order sale by auction, to reduce the valuation or to remit the payment in very special cases may be exercised by the Deputy Collector (Revenue) when the value is Rs. 100 or less and by the Collector where the value is more than 100, and not more than Rs.200. All other cases must be referred to the Government for order.

(2) The value of any buildings, wells, etc., should also be collected except the case of such as are proved to have been constructed by the applicants or his ancestors. If the wells, building and other structures will not be useful for agricultural purposes and cannot in any way be profitably used without further investment the cost to be paid for such structures shall not exceed 50% of the market value.

(3) The sum calculated under this rule shall be paid by the person concerned before assignment is ordered in his favor.

### **Fasli from which assessment is payable**

17. (1) Subject to the provisions contained in the following sub-rules, assessment is payable for the fasli in which the assignment is made unless otherwise specially ordered by the Collector.

(2) If the whole or any portion of the land assigned had remained unoccupied for a continuous period of 5 faslis immediately preceding the fasli in which the land is assigned, no assessment shall be collected for the whole or such portion of the land assigned, as the case may be, for a period of

3 faslis commencing from the including the fasli in which the assignment is made. Assessment shall be collected thereafter as usual.

(3) If however, the land assigned or a portion thereof has been under occupation for a period of 3 faslis or more within the period of 5 faslis aforesaid, assessment shall be collected for the whole or portion of the land assigned, as the case may be, for the fasli in which assignment is ordered. Assessment shall be collected thereafter as usual.

(4) Where the land assigned or a portion thereof has been under occupation for only two faslis during the period of 5 faslis aforesaid, assessment shall not be collected for the land or for such portions, as the case may be, for the fasli in which the land is assigned, but shall be collected thereafter as usual.

(5) Where the land assigned or a portion thereof has been under occupation for only one fasli during the period of 5 faslis aforesaid assessment shall not be collected for the land or for such portion, as the case may be, for the fasli in which the land is assigned and for the next succeeding fasli, but shall be collected thereafter as usual.

(6) Notwithstanding anything contained in sub rules (1) to (5), in cases where the assignee is not the occupier himself, and where the assignment has been made so late in a fasli year that the assignee was not able to raise even a single crop before the commencement of the next kist season, assessment shall be payable only for the faslis commencing from and including the fasli in which the assignment was made.

(7) Where Government water is taken for the irrigation of the land, irrigation cess shall be charged and collected in accordance with the rules in force, irrespective of the concession provided above in the matter of collection of assessment.

#### **Reservation of customary rights, etc.,**

18. The existing customary rights of Government and the public in roads and paths and rivers, streams and channels, running through or bounding the land granted under the rules in this Chapter, and the right of Government to a share in mines and quarries subjacent of the said land are reserved and are in no way affected by the grant. The Government also reserve to themselves or the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress etc., subject to the payment of rendering of compensation to these surface owner for all damages that he may sustain by the exercise such rights.

#### **Specially valuable lands which could be disposed of and the conditions for disposal in each case**

19 (1) Specially valuable lands of the kind referred to in sub-clauses (ii) and (iv) of clause (o) of rule 2 may be reserved for the schedule castes but those referred to in sub-clause (i), (iii) and (vii) thereof should not be so reserved. Lands in the proximity of towns coming under sub clause (vii) should be sold in public auction. Whenever it is proposed to dispose of a specially valuable land falling under sub-clauses (ii) and (iv) to (vi) as have not been reserved for Schedule Castes, the Deputy Collector (Revenue) should first consider the application from landless and poor persons. If there are no non-valuable lands available for assignment to such landless poor applicants and if in the opinion of Deputy Collector (Revenue) , the landless poor applicants are otherwise deserving some concession, he should take action to assign the land in favor of the landless poor applicants as indicated below with the sanction of the Collector;

(a) Where the land is likely to be cultivated by the assignee and his family with or without any additional hired labor and not transferred to outsiders, the Deputy Collector (Revenue), may, in his discretion, recommend assignment of lands to landless and poor persons and arrange to collect the

market value at once without auction or arrange to collect the amount in easy installments in deserving cases. In such cases, title to the land will vest in the assignee only after all the installments have been duly paid to the Government and until then, assignee's position will be that of a licensee. In default of payment of any installment, the Government will be entitled to terminate the licence; the licensee shall thereupon cease to have any manner of right to or interest in the land and the Government shall have absolute right to deal with the land as they think fit and no compensation or refund can be claimed by the assignee or those claiming through or under him. Pattas should be issued only after the entire land value is collected. If the assignee is landless and poor person and is an unauthorized occupier who has spend a considerable amount of money and labor on the land, the market value should as far as possible be fixed at the value of the land prior to its improvement. The conditions specified in sub rule (iii) to (v) of rule 12 shall not apply to case where valuable land is assigned to a landless poor person on collection of market value whether in one lump sum or in instalment. But in such cases the other conditions of assignment shall apply and the assessment for the land shall be payable from the fasli in which it was assigned.

(b) Only when there are no landless poor applicants deserving of the concession mentioned above, should there land, be sold in public auction or at market rate whichever is advantageous to Government. Notwithstanding the above instructions, in very exceptional cases where very small extent of land may be required for rounding off or ryots holding or for sinking of wells, etc., such cases should be specially reported to Government for orders.

### **Reservation and assignment of land to scheduled castes**

20 (1) The assignment of specially valuable land reserved for Scheduled castes should ordinarily be made on collection of market value. The Government reserves the right to assign such lands free of land value. The form of notice to be given to the public in the case of contemplated private sale is contained in Form 4.

(2) Sales of land coming under sub-clauses (iii) of clause (o) of rule 2, after reserving a sufficient extent for the purposes specified in rule 19 may be held at any time when it becomes apparent that the present or prospective value derived from the project has stimulated a demand for land but the sanction of the Government should be obtained before notifying such sales. The restrictions on the disposal of land of this description by sale in auction or by private sale do not apply to the assignment of land which from its situation can never be irrigated from the project. Such land, if specially valuable by reason of its inclusion in sub-clauses (i), (iv), (vi), (v) and (vi) of clause (o) of rule 2, shall be assigned under the rules applicable to these classes; if not specially valuable, it may be assigned by the competent authority under ordinary rules.

(3) Sales of land falling under sub clauses (v) of clause (o) of rule 2 should be subject to the liability to pay ground rent which will be liable to revision in accordance with the rules in force at the time of the revision) in lieu of assessment if and when the site or a portion of it is used for building purposes.

(4) In respect of all disposals of land under this chapter, whether by auction or private sale or free of market value, notice of proposed disposal in the appropriate form should be published.

### **Disposal of land in villages likely to be affected by an irrigation project**

21. The disposal of land in villages notified by Government as likely to be affected by an irrigation project, the execution of which at the cost of State is under contemplation or of land notified by the Government as likely to be required for grant in exchange for land to be acquired for such projects should not be absolute but the assignment should be made under this chapter subject to the condition that Government may resume the land at their pleasure at any time until the original assignment is declared absolute by them and that when the assignment is made absolute, the current market value (less any amount collected as land value at the time of conditional assignment) will be collected from the assignee. If the conditional assignee refuses to pay the market value of the land as fixed



by the Government, the land shall be resumed and sold in public auction. In event of resumption of the land, the purchase money or such share of it is proportionate to the area resumed, if the original assignment had been made after collecting land value, will be repaid. The Government will not, however be liable to pay compensation for any improvement which may be effected on the land before resumption. The liability to resumption and the absence of liability to pay compensation should be distinctly stated in the order of assignment and in the sale notification if the lands are sold. The sales may be conducted by the Tahsildar or Deputy Tahsildar and the authority according sanction to sell, shall in each case nominate the selling officer. The sales shall be subject to confirmation by the Deputy Collector (Revenue). A permanent register in Form 10 should be kept in the village and in the Taluk Office of all lands conditionally assigned.

Assignment of lands to persons to whom the lands have been leased temporarily.

22.(1) Where, before the commencement of these rule, agricultural lands have been leased temporarily to any person for purposes of cultivation, and all the conditions of the lease have been complied with, such lands may be granted to the lessee under the provisions of this chapter, subject to the restriction contained in rule 4.

(2) Where after the coming into force of these rules, lands have been leased temporarily for cultivation and the lessee has fulfilled all the terms of the lease, such land may be granted to the lessee on payment of the price fixed or free of land value as the case may be, in accordance with the provision of this chapter.

Provided that where the land leased out is in excess of the extent specified in rule 4, only the extent within that limit shall be assigned and the balance shall be assigned to others under this chapter

### **Cancellation of grant**

23. Any grant of land made under this chapter shall be liable to be cancelled and the land resumed by the authority which granted it where the grant has been obtained by making false or fraudulent representations or is contrary to the rules in this chapter;

Provided that no such cancellation shall be made without giving the grantee an opportunity of being heard.

### **Appeal and revision**

24 (1) From every original decision in assignment cases passed by the Deputy Collector, one appeal shall be allowed, provided that it be made within 30 days of the date on which the original decision was pronounced or communicated, if it be on the order of Deputy Collector to the Collector, and within 45 days if it be from the Collector to the Government. In computing the period of limitation, the day on which the decision appealed against was pronounced or communicated and the time requisite for obtaining a copy of that decision shall be excluded. On all copies issued shall be entered the date of the decision or communication, the date of application for copy, the date on which the copy was ready for delivery and the date on which the appeal time expires. Appeal to the Collector should be stamped with a Court fee label to the value of Rs.1.50 p., and an appeal o the Government should be stamped with a Court fee label of Rs. 2.50 p. Any appellate authority may admit an appeal even after the expiry of the period of limitation provided he is satisfied that the appellant had good and sufficient causes for not presenting the appeal within such period.

(2) (a) The order of the authority making the assignment, if no appeal is presented, or the appellate authority, if an appeal is presented is final, and no second appeal shall be admitted, But if at any time within three years of the original or appellate decision, the Collector, or as the case may be, government is satisfied that,

(i) there has been a material irregularity in the procedure; or

(ii) the decision was grossly inequitable; or

(iii) it exceeded the power of the officer who passed it; or

(iv) it was passed under a mistake of fact, or owing to fraud or misrepresentation;

may set aside; cancel or in any way modify the decision. He or it may also grant stay, pending orders in revision.

(b) No application, for revision will ordinarily be entertained after the expiration of 30 days from the date on which the decision or order sought to be revised was received by the applicant. Revision petitions to the Collector should be stamped with a Court fee liable of Rs.1.50 and those to the Government should be stamped with a Court fee liable of Rs.2.50.

(3). No appeal or revision petition should be admitted unless accompanied by certified copy of order or orders already passed in the case. No order should be reversed or modified adversely to the respondent without giving the respondent a notice to show cause against the action proposed to be taken adversely to him. The order in appeal should invariably be communicated in writing and free of charge to the parties concerned.

(4) In the event of the cancellation of the assignment on appeal or on revision or on resumption for breach of conditions the assignee shall not be entitled to compensation for any improvement that he may have made to the land.

(5). Any superior authority revising an order of a subordinate officer declining to assign a piece of land may (1) take a original proceedings for assignment or (2) direct that the land shall be assigned under this chapter by the officer whose order is set aside.

### **Exemption**

25. Notwithstanding anything contained in these rules, the Government may, on its own accord, or on the recommendation of the Collector, if it is of the opinion that in the circumstances of an case, or classes of cases it is just and reasonable to relax any of the provisions of these rules, it may by order direct such relaxation, recording the reason for such relaxation, subject to such conditions as may be specified in the order and thereupon lands may be granted in such a case or classes of cases in accordance with such direction.

### **Maintenance of registers and files.**

26. Files of memoranda in Form 5 and the register of Conditional assignments in Form 10 shall be maintained by the village Karnam while a register in Form 2 should be kept in the Taluk Office. It will be the duty of the Tahsildar to have the village files and registers examined and compared with Taluk register periodically and submit to the Deputy Collector for scrutiny during annual inspection of his office. It shall be the duty of the Deputy Collector (Revenue) to examine how far these rules have been observed and to take necessary action if there is any departure or serious lapses of the rules.

### **Assignment of lands to others**

27. Persons who are not eligible for assignment of lands free of cost under this chapter whether as a land less and poor person or ex-serviceman etc., shall be eligible for assignment of valuable lands which are available for disposal by the in public auctions or by private sale on collection of market value subject to provision contained in this chapter. The disposal of valuable lands to such persons shall be governed by the following special provision besides the ordinary provisions contained in the foregoing rules namely :-

(i) Lands which bare in proximity of town and which in due course of time are likely to become apart of town extension schemes shall be treated as specially valuable land and shall, except as provided above, be sold in public auction. Other valuable lands shall be disposed of either by sale in public auction or by private sale on collection of market value, whichever course is advantageous of Government.

(ii) The extent of valuable land that may be assigned in each case shall be limited to half hectare of dry and quarter hectare of wet or irrigable dry land.

(iii) Where a valuable land is assigned by sale in public auction or by private sale on collection of market value, the above special conditions shall not apply, but the assignment shall be subject to the usual conditions and assessment shall be liable for the fasli in which the land was assigned.

### **Assignment to foreigners**

28. No land belonging to Government shall be assigned or sold under this chapter to any person other than a citizen of India except with the previous sanction of the Government. Every assignment or sale to such foreigner shall be subject to the condition that if the land is alienated without the sanction of government in favour of any person other than a citizen of India , the grant shall there-upon become null and void.

### **Assignment to company, association or society**

29. No application for assignment or lease of Government land under this chapter or under any other chapter in this rules shall be entertained from a company, association or a society is a company within the meaning of that word in section 3(1) of the Companies Act, 1956 (central Act 1 of 1956), or has been registered under the Societies Registration Act, 1860(central Act 21 of 1860), the Religious Societies Act, 1880(central Act 1 of 1880), the Pondicherry Co operative Societies Act, 1972 (No. 7 of 1972), Multi Unit Co operative Societies Act, 1942 (central Act 6 of 1942), the Insurance Societies Act, 1938 (central Act 4 of 1938), The Indian Trade Unions Act, 1926(central Act 16 of 1926) or by an Act of Parliament or of the State Legislature in the Union of India.

### **Assignment for Casuarina Plantations**

30. Where the land assigned or sold is used for casuarina plantations no pits or ponds shall be excavated nor shall such plantations be irrigated by pots within 200 metres of any village sites; and all pits and ponds excavated beyond the above limits shall be filled up as soon as the plants watered therefrom are three years old except such as may be required for purposes of re-plantation. A breach of any of these conditions will render the assignment or sale liable to be cancelled without payment of any compensation.

## **CHAPTER-III**

### **GRANT OF UNASSESSED, PORAMBOKES AND RESERVED LANDS**

#### **Assignment of porambokes and reserved lands**

31. The grant of any land registered as poramboke or entered in the accounts as reserved or of any lands specified in the following rules in this chapter is prima facie objectionable. If the Tahsildar received the application for grant and if its assignment is forbidden, he should summarily reject the application. If he thinks that the land can be assigned, he should publish, in the manner specified in rule 10 (3) , the proposal to assign it and also give intimation to the concerned local authority. If there is no objection to its assignment, he should submit the proposals to the Collector through the Deputy Collector (Revenue) to transfer it to the head "assessed land" . If the Collector refuse the sanction



the transfer, the Tahsildar should reject the application and inform the party. The Collector, if he sanctions the transfer, should fix the assessment to be charged which will ordinarily be the assessment on similar land in the neighborhood, but he can exercise his discretion in the matter. The Deputy Collector (Revenue) should then deal with the application in the manner specified in Chapter II.

### **Assignment of poramboke lands adjoining village sites**

32. Before assigning for cultivation poramboke lands adjoining village sites, care should be taken to ascertain whether the lands are required by the inhabitants.

### **Water course porambokes**

33. Great care should be taken to preserve the margins of canals, channels and streams.

### **Lands in the vicinity of aerodrome or landing ground**

34. No land lying within a belt of 200 metres from the limits of an aerodrome or landing ground shall be assigned. All such lands should be transferred to poramboke if they are not already so registered and entered in the prohibitory order book.

### **Grant of salt marsh lands for reclamation**

35. Salt land or land occasionally overflowed by salt water which is not required or likely to be required for salt manufacturers, be leased for purposes of reclamation by the Collector on the following terms:-

(a) Free of rent for the first 5 years;

(b) On payment of rent at the rate of 2 rupees per hectare for the next twenty years on the total area so issued whether reclaimed or not;

(c) After the expiry of thirty years, the lease may be continued in the case of reclaimed lands at the rate which they should be assessed to land revenue from time to time if they were subject to survey settlement; and in the case of unreclaimed lands, if any, at the average rate for reclaimed lands;

(d) No rent shall be levied for any portion used for the public roads.

(e) if the reclamation is not carried on with the diligence within two years from the date of lease or if half the area is not reclaimed so as to be in a state fit for use for agricultural purposes at the end of five years, or any land area reclaimed as aforesaid is not maintained in a state fit for use for agricultural purposes, the lease shall be liable to cancellation at the discretion of the Collector.

Provided that the lessee shall have, during the first ten years, the right to relinquish any area which he cannot reclaim;

(f) If the land reclaimed is used for non agricultural purpose, the rent shall be liable to be revised in accordance with these rules even though the periods specified above have not expired.

### **Lands in the vicinity of railway stations**

36. Lands situated within three hundred metres of a railway station should not be assigned except with the previous sanction of the Collector which should be obtained in each case; The Collector may

if he deems necessary consult the railway authorities. This does not, however, prevent the temporary assignment of such land for purposes of cultivation, which may be made by the Deputy Collector (Revenue). When there are more application than one and it is difficult to decide who has the best claim, the Deputy Collector (Revenue) may sell by public auction the right to cultivate the land for one year or more. Temporary assignment will be subject to the expressed condition that no buildings of any kind shall be erected by the grantee on the land and that Government shall be at liberty to take possession of its one month's notice without payment of compensation save for standing crops. These instructions apply not only to assessed land but also to all large including village site, which is or may become land at the disposal of Government by relinquishment, escheat etc. All such lands should be registered "reserved" in the village accounts

#### **Lands containing minerals, quarries etc.**

37. Lands containing valuable minerals or quarries of building stone etc must not be assigned.

#### **Lands within the flood banks of rivers**

38. The lands within the flood banks of rivers should not be assigned but should be leased out by auction for any period not exceeding ten years.

#### **Tank bed lands**

39. Tank bed lands should on no account be assigned without consulting the Public Works Department.

#### **Grazing ground poramboke**

40. Grazing ground poramboke shall not be assigned unless there is sufficient grazing ground available to serve the needs of cattle.

### **CHAPTER IV**

#### **GRANT FOR TEMPORARY OCCUPATION OF GOVERNMENT LAND FOR AGRICULTURAL PURPOSES**

##### **Grant of land at the disposal of the Government for temporary occupation for agricultural purposes**

41. All lands at the disposal of the Government including the lands of the following category can be leased out for temporary occupation for specific periods and for agricultural purposes :-

- (a) lands escheated to the Government,
- (b) lands bought in by the Government,
- (c) unobjectionable encroachment,
- (d) padugai lands,
- (e) lands acquired for public purposes but no longer required for the purpose for which they are required,
- (f) railway lands,
- (g) lands in the vicinity of railway stations.

### **Periods of occupation and authority competent**

42 (1) The period for which such temporary occupation may be sanctioned must be determined carefully in each case with reference to the nature of the proposed occupation and the consideration whether and when the land is likely to be acquired by the Government for any other purposes.

(2) The Collector shall be competent to sanction the lease;

Provided that where the market value exceeds Rs. 3,000 or where the period of lease exceeds ten years, the orders of the Government shall be obtained.

### **Conditions of grant**

43. The grant in each case should be embodied in the order in the form given to Form II which suitable modifications. The period to be specified in condition 22 of the form shall normally be one month for periods of grant upto one year, two months for periods of grant upto two years and three months in other cases.

### **Encroachment on road margins**

44. In cases of encroachments on margins or roads, where the occupation may be permitted on lease, the Revenue department will grant the lease in consultation with the Public Works Department.

### **Renewal of leases**

45. Renewal of lease can be sanctioned only by the authority competent to sanction lease in the first instance.

### **Levy of assessment and charge for water**

46. The annual charge for the occupation shall be the assessment fixed already in the case of assessed land. If it is not an assessed land, it shall bear the same assessment as it borne by similar land in the vicinity. Such assessment shall be liable to revision from time to time in accordance with the rules in force at the time of such revision. Water cess will be leviable in addition in accordance with the rules in force from time to time.

## **CHAPTER V**

### **DISPOSAL OF TANK BED LANDS**

#### **Tank poramboke and water spread to be shown in the village maps and registers**

47 (1) All lands liable to submersion when a tank is full should remain registered as "tank poramboke" as long as the tank is maintained. The actual extent of the water spread of each tank at full tank level should be shown in colour wash in the Karnams and Tahsildars copies of the Village maps and against every field so shown, whether it occupied or not, the entry "waterspread of tank" should be made in the settlement register and adangal account. Against every unoccupied field or sub division so registered, the further entry "tank poramboke" should be made if the field is not already shown as such; and in the case of occupied fields the actual extent of the waterspread of each tank at full tank level should be made in the register against such sub divisions in view of their being transferred to tank poramboke as soon as they revert to Government at a revenue sale or by relinquishment or otherwise. Whenever in consequence of improvement repairs to a tank its waterspread area in-

creases, the records, mentioned above should be revised accordingly. It is a the duty of the Karnam to see that the maps and registers mentioned above area kept upto to date and that no waterspread land transferred to "tank poramboke" is assigned.

(2) Though the lands lying between the full tank level and the maximum water level need not be shown as such in the village maps and though the entry "waterspread" need not be made against them in the register, such lands should be dealt with in the same manner as lands within the full level of the tank in the mater of assignment of unoccupied lands and transfer to a tank poramboke of occupied lands reverting to Government.

### **Disposal of tank beds**

48 . When a tank is removed from the list of irrigation sources and the ayacut thereunder transferred to dry or registered under some other source the lands in the bed of the tank should be laid out into convenient plots of not less than one fourth of a hectare each and sold by auction, subject to payment of the highest dry assessment if the land has been classified and assessed since the abandonment of the tank. It should be stipulated in the sale notice that the assessment is liable to alteration at any general revision of the land revenue settlement of the region, and that Government reserve to themselves the right to a share in mines and quarries subjacent to the lands and that Government reserve to themselves or to persons authorised by them the powers necessary for the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress, etc., subjection to the payment or rendering of compensation to the surface owner for all damages Sales require the previous sanction of the Collector, The sales shall be held by the Tahsildar or Deputy Collector subject to confirmation by the Deputy Collector (Revenue) . The Collector shall in each case nominate the selling officer.

## **CHAPTER VI**

### **GRANT OF SCATTERED TREES AND 'TOPES'**

#### **Procedure when trees exist on tree tax**

49 (1) Lands containing trees on tree pattas should be treated like other lands at the disposal of Government, if their assignment is not objectionable and the tree pattadar should be treated as if he is a sivoijamadar in respect of lands on which the trees stand. If the assignment of the land on which the trees stand is unobjectionable, the land with the trees on it should ordinarily be disposed of under Chapter II. When assignment is made, the grant of the trees under the tree tax system should be cancelled.

(2) Before the order of assignment of the land is issued or the applicant is put in possession of the land, the value of the trees should ordinarily be recovered from him. If he will not pay the value , the trees should be disposed of in accordance with rule 16 of these rules.

(3) If the assignment of the land is objectionable, the trees themselves may be given under the tree tax system. The form in which the order of grant should be issued is that given in Form 12. The order of grant conveys to the grantee only the right to the usufruct of the trees and is liable to be cancelled if the land is at any time assigned. The ownership of the trees continues to vest in the Government the grantee shall no right to the trees if they fall and their value should be recovered from him if he fells or destroys them.

#### **Powers of Tahsildars and Deputy Tahsildars**

50 (1) Tahsildars and Deputy Tahsildars are empowered --

(i) to issue cancel and accept the relinquishment of grants of trees under the tree tax system;

(ii) to order the removal of trees held under the tree tax system from the concerned village account or the correction of the account for any of the following reasons:-

(a) that the trees have been sold or felled or are missing;

(b) that they are past bearing;

(c) that the land containing the trees has been assigned under these rules;

(d) that the trees stand on land other than that shown in the account not being private property; and

(iii) to confirm leases or annual sales of the usufruct of fruit trees belonging to Government on unreserved lands when the amount involved does not exceed Rs.100.

(2) When two or more persons apply for the same trees, preference, as a general rule, should be given in the following order :-

(i) to the individual who planted or reared the trees or to his heirs;

(ii) to the enjoyer of the trees when there is no evidence available concerning the planting or the repairing of the trees;

(iii) to a resident of the village in which the trees stand;

(iv) to the first applicant among the non residents.

(3) Tree tax should be collected at the following rates when the trees begin to bear fruits:-

| Name of tree | Rate per tree per fasli<br>Rs. |
|--------------|--------------------------------|
| Jack         | 3.00                           |
| Tamarind     | 3.00                           |
| Mango        | 3.00                           |
| Coconut      | 3.00                           |

#### **Credit of tree revenue and tree value**

51. The revenue from trees should be credited to " Land Revenue".

#### **Occasions for sale of trees**

52 (1) Occasions for sale of trees by Government will arise in the following cases :-

(a) When it is found desirable to cut down and remove trees standing on lands at the disposal of Government the most important cases of this kind will be provided by babul trees growing in tank beds when such trees are attaining maturity and it is desired to cut and sell them before they deteriorate;

(a) When it is found desirable to cut down and remove trees standing on lands at the disposal of Government the most important cases of this kind will be provided by babul trees growing in tank beds when such trees are attaining maturity and it is desired to cut and sell them before they deteriorate;

(b) when an applicant for land is unable or unwilling to pay the value of the trees standing on the land and it is decided that the trees may be disposed of separately by auction: and

(c) when isolated, wind fallen or withered trees on lands at the disposal of Government have to be disposed of.

(2) An estimate of the value of the trees to be sold should be obtained before the sale is ordered and such estimate communicated to the selling officer so that he may know what upset price he should adopt. The estimate is only for official use and should not be announced to the bidders or published for the information of intending bidders. Where the value of the trees is consideration the Collector may with advantage consult the Public Works Department, so that a reliable estimate of the value of the tree growth to be sold may be obtained.

(3) The form of notice of sale to be adopted when the estimated value of the trees offered for sale does not exceed Rs.200 is given in Form 13.

(4) If the estimate value exceeds Rs.200 the sale should be held under the orders of the Collector and subject to the conditions specified in the form of notice of sale prescribed in Form 14.

(5) It is open to the Deputy Collector to modify these conditions or to impose further special conditions, to suit individual cases. Such special conditions may prescribe restrictions regarding the trees that may be cut, whether the trees may be uprooted or should be cut flush with the ground, digging pits, or holes, etc.,

(6) Notices of sales should in all cases be given wide publicity, if the estimated value of the trees exceeds Rs.200 the notice of sale should also be published in the Official Gazette. The village Karnam will be responsible for the trees until they are delivered to the purchaser or otherwise disposed of. There should be no undue delay between the date of sale and the date of confirmation.

### **Power of officers to confirm sales**

53 (1) The power to confirm sales will be exercised by the Deputy Tahsildar or the Tahsildar when the estimated value of trees sold is Rs.100 or less and by the Deputy Collector (Revenue) when such value exceeds Rs.100 but is not more than Rs.200. Sales in all other cases should be subject to confirmation by the Collector. The estimated value or the value actually realised, whichever is higher, may be taken into account for the purpose of determining the authority competent confirm the sales.

(2) The power to confirm leases and sales in respect of minor forest produce will be exercised by the Deputy Tahsildar, the Tahsildar and the Deputy Collector (Revenue) as in the case of trees mentioned in sub rule (1).

## **CHAPTER VII**

### **GRANT OF BUILDING SITES**

#### **Authority competent to Grant building site**

54. The Collector, in towns and the Deputy Collector (Revenue) in villages shall be competent to grant building site under the rules in this chapter. The Deputy Collector (Revenue) may grant buildings sites after reserving certain percentage of the sites available for the members of the Scheduled Castes wherever necessary subject to all or any of the following conditions on payment of such

price as he may fix, or free. This applicant should be citizen of India and native of this Union Territory by birth or domicile for being eligible for assignment under this chapter.

### **Maximum extent which can be assigned**

55 (1) Portion of village site at the disposal of Government, not being land reserved for the common use of the villagers, may be granted for building purposes to bonafide applicants. The maximum extent to be assigned to any applicant for building houses should ordinarily be 1-1/2 ares in villages and 1 are in town.

(2) In assigning lands for house sites, care should be taken to see that land is not granted to persons already possessing enough land for their reasonable requirements and that preference is given to those who own no house site any where in the Union territory.

### **Procedure in dealing with applications**

56. The following procedure should be observed in dealing with applications for house sites :-

(i) Contents - Applicants for house site should be made in writing and should clearly specify the land required. The purpose for which it is wanted, i.e. whether for constructing a thatched, or a tiled or terraced building or for erecting a cattle shed and so on.

(ii) Officer to whom presented. - The applications may be presented either to the Tahsildar / Deputy Tahsildar in the first instance, or to the Deputy Collector (Revenue) direct.

(iii) Registry--village officers shall register applications in the order of date in a bound book in Form 15, the pages of which should be consecutively numbered.

(iv) Publication - The fact that an application has been made for a particular site shall be published in the village by beat of tom-tom and a notice in the form 16 posted up in the public place in the village and on the site applied for, for a period of 15 days. A copy of the notice shall also be sent to the Municipal Office if there is one for the village.

(v) Report - At the end of the period, a report in duplicate should be prepared and sent to the Tahsildar with out delay in Form 15 together with the notice which should be signed by the Karnam.

(vi) Duty of Karnams - The Karnam has no authority to grant house site. At the same time it is his duty to afford every assistance to a person requiring a house site not only in the selection of the site, but also in acquainting him with the manner in which formal applications is to be made and when a available site has been selected, the karnam will be held responsible for procuring without delay the necessary formal application. If the applicant is poor or illiterate and his application is made orally to the Karnam, It will at once be reduced in writing by the Karnam who will take the necessary action thereon.

(vii) Maintenance of registers and planning of sites available for assignment :-

In the interest of regular town planning, it is desirable the vacant areas in villages at the disposal of the Government should be laid out in suitable plots in advance and that the plots should be assigned in order. For this purpose. the Collector may, in villages for which he considers it necessary, prescribed the maintenance of lay out plans of sites available for assignment and a register showing the extent and situation of the sites already built upon those and those which are still available for building purposes. When prescribed, the lay out plans and register will be maintained in three parts and Form 17 and will be bound with the register of applications in form 15. Vacant sites should be laid out in plots of 1-1/2 ares in villages and 1 are in towns and arranged so as to give a regular line of street and, where possible, to leave a 10 meters street in front and a 3 meter lane behind..



The assignment should be made in regular order in accordance with the plan. The plans should be drawn up in consultation with the Senior Town Planner. One copy shall be kept in the taluk office, one copy with the Senior Town Planner and the other with the village, where they will be maintained. Before the lay out plans are sent to the Deputy Collector (Revenue), the Tahsildar should inspect the sites. The Deputy Collector (Revenue) also should inspect as many cases as possible. Entries in the taluk and village registers and the plans will be compared and checked every year. At the outset, each of the planned blocks of house sites in the unoccupied lay out sites described in Part 1 of Form 17 and the street and lanes in them should be demarcated at the cost of the Government. The cost of the stones planted by the Government will however, be recovered when the particular house site which is demarcated by the stones is assigned. Individual plots of house sites will be demarcated at the cost of the applicant as they are applied for and assigned.

(viii) Payment for standing trees, wells and buildings - If there are trees, wells or buildings on the sites applied for they should be disposed of in accordance with these rules.

(ix) Survey demarcation and other charges - The expenditure incurred in the demarcation of the land and in laying it out as house sites or providing roads therein or in otherwise fitting it for occupation together with the cost of any special staff employed for survey of the land when the work is too heavy for the regular staff shall be recovered proportionately from the parties to whom house sites are granted. Where a local body has incurred expenditure as aforesaid, the amount recovered on account thereof shall be credited to the local body concerned.

(x) Preparation of plotted sketches - Plotted sketches of the sites to be granted should invariably be prepared. Also measurements should be taken connecting the sites with any permanent or semi-permanent marks in the neighbourhood or union survey stones where they exist with a view to the site being located in the event of disputes. All these measurements should be entered in the plotted sketches which should form part of the assignment records.

(xi) Reference to village Karnams - Applications received by the Tahsildar direct should be referred to the village Karnam for report. The karnams should register them in the prescribed register publish the fact of the application in the manner prescribed and submit a report to the Tahsildar in the prescribed form.

(xii) Disposal - On receipt of the karnam's report and also the Tahsildar report and the remarks of the concerned local authority, the Deputy Collector (Revenue) should satisfy himself, after such enquiry as he may deem necessary that the assignment is unobjectionable. The land should be demarcated and also surveyed as soon as possible where this has not been done before. On completion of this work ground rent should be calculated.

(xiii) Communication of order - The Deputy Collector should dispose of every application by written order which should be communicated to all the parties concerned and to the Municipality and it should be clearly stated therein that in the event of the cancellation of the grant, either on appeal or in revision or in the event of reentry by the Government in accordance with the condition attached to the grant, the grantee shall not be entitled to compensation for any buildings that he may have constructed, or on other improvements that he may have made to the lands. The provisions as regards appeal and revision contained in Rule. 24 will apply to such orders. In passing orders the Deputy Collector (Revenue) may refuse applications for leave to build thatched houses in places where there is risks of fire.

### **Treatment of unauthorised occupation**

57. (i) Village - site not be appropriated without previous permission -

The Deputy Collectors (Revenue) will assert the prerogative of government by making it known in all villages that village - site cannot be appropriated without permission previously obtained.



(ii) Consequence of such appropriation - If any portion of the village site is appropriated without permission and if the occupation is considered to be objectionable, the provisions of relevant Act should be applied. If the occupant is found to be entitled to an allotment and the occupation is unobjectionable, the site may be formally, granted in accordance with the rules contained in rule 56 above and no penalty, or at the most, a merely nominal penalty, should be imposed unless special circumstances render the imposition of penalty desirable.

### **Extension of village - site**

58. When the existing village - site does not suffice for the needs of resident villagers or of registered holders and agricultural labourers, the Collector may extend the site by the transfer of assessed lands to poramboke. He may effect such transfers and additions on his own authority, except in the case of patta land which is not at the disposal of Government and which must be acquired under the Land Acquisition Act.

### **Collection of value**

59. For assignment of house-site under this chapter no land value shall be collected provided that grantee or any member of his family does not own any house or house site of his own anywhere in the Union territory <sup>1</sup>[and he is a person coming under any of the categories specified in sub rule (1) of the rule 9.]

Market value shall be collected in all other cases including where the extent to be assigned exceeds the ceiling prescribed in rule 55. Value of trees and structures should however be collected in all cases.

### **Procedure subsequent to the grant of house sites.**

60.(i) Register of grants - A register of housesites granted in each village shall be maintained in Tahsildars offices and by the village Karnams in Form 18. An extent of the orders passed in each case which should be entered in the appropriate columns of the register in Form 15 should also be copied in the appropriate columns of the duplicate copy of the Form 15 submitted by the village Karnams under rule 56 (v) before its transmission to them. Village Karnams should, in their turn copy out the necessary entries in the appropriate column in the registers in the Forms 15 and 18 maintained by them. A register of applications for house-sites shall also be maintained in the Tahsildar's office in Form 15 with slight modification.

(ii) *Form of order of assignment* - An order signed by the Deputy Collector (Revenue) himself in Form 19 or 20 as the case may be, shall be issued for all sites assigned; but Deputy Collector (Revenue) may impose any additional conditions, regarding lighting, ventilation and drainage. It should be clearly stated therein that in the event of the cancellation of the assignment either on appeals or in revision or in the event of reentry by the Government in accordance with the conditions attached to the grant, the assignee shall not be entitled to compensation for any buildings that he may have constructed on or other improvement that he may have made to the land. The grantee may also be required to execute an agreement binding himself to fulfil such conditions on pain of forfeiting the grant.

(iii) Right of re-entry. The right of re-entry, whether under the provision of the order of assignment or under those of any subsidiary agreement, should be enforced only under the orders of the assigning authority, may, as a matter of grace, give notice (a) to the grantee if he can be found and (b) in the Gazette.

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1. Substituted vide G.O.Ms.No. 9 dated 16.05.1977.

*(iv) Extension of period prescribed for building*

The assigning authority may also, as a matter of grace and when special cause has been shown for such a concession, extend the period prescribed in conditions (2) of the order of assignment. Ordinarily the period should be made to commence so as to give the assignee a clear period of twelve months or six months, as the case may be, after the decision of any appeal that may be preferred against the order of assignment.

## **CHAPTER VIII**

### **GRANT OF LAND FOR TEMPORARY OCCUPATION FOR NON-AGRICULTURAL PURPOSES**

#### **Period of temporary occupation and authority competent to sanction grant.**

61 (1) The period for which temporary occupation of the property at the disposal of the Government may be sanctioned must be determined carefully in each case with reference to the nature of property and the consideration whether and when the property and the consideration whether and when the property is likely to be required by Government for any other purpose.

(2) The Collector shall be competent to sanction the lease under this Chapter.

Provided that where the market value exceeds Rs.3,000 or where the period of occupation exceeds ten years, he shall refer it for orders of the Government.

#### **Form of order of grant and the purposes for grant.**

62. The grant in each case should be embodied in an order in Form 21 with suitable modification on the land can be granted under this chapter for the following purposes, namely:-

<sup>1 & 2</sup> [(i) Recreation purposes with or without a pavilion or club houses;

(ii) Bridges and culverts whether permanent or temporary;

(iii) Bunks (for trade purposes);

(iv) Timber, firewood and other depots;

(v) Laying piped lines

(vi) Unobjectionable sub/soil encroachments on road margins and other Government porambokes;

(vii) Temporary occupation of Government land for performances by a touring cinema, circus or dramatic company;

(viii) Any other purposes which the Government may by notification in the Official Gazette, specify

(ix) Industries set up by the Government or Semi-Government organisations and government owned corporations which, in the opinion of the Government, will contribute to the economic development of the Union territory.

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1. Amended vide G.O.Ms. No. 36 dated 07-04-92

2. Amended vide G.O.Ms. No. 83 dated 29-11-94

(x) Laying of approach road to other Government poramboke land. ]

### **Period of notice for revocation of grants**

63. In all these grants the period of notice to be given under conditions (20) in Form 21, by the assigning authority or by the grantee should be fixed carefully with reference to all the relevant circumstances and specified in the order. This period should not exceed the period of grant and subject to this, may normally be one month for periods of grant upto three months, two months for periods of grant upto six months, three months for period of grant upto a year and six months for longer periods of grant.

### **Grants to Clubs**

64. When it is proposed to grant to a club within the compound of a Government Office, the site as well as plans and estimates relating to any buildings, structures, badminton or tennis courts etc, which the club proposes to erect, should be approved by the Executive Engineer on behalf of the Government in order to ensure that such buildings, structures or courts, etc are in keeping with the lay out of the Government buildings. Copies of the plans of the site, buildings, etc as approved by the Executive Engineer should be submitted with the proposals for the grant. It should be made clear in the order of grant that the grant will be revocable at 24 hour notice. If officers other than Collectors are in charge of such compounds, they should address the Collector when a grant under this chapter is applied for.

### **Renewal of grant**

65. Renewal of grants under this chapter can be sanctioned only by the authority competent to sanction the grant in the first instance.

### **Levy of charge for the occupation**

66. The determination of the charges is left to the discretion of the authorities who are competent to sanction the grant. The following general principles should however be observed in fixing the rates of charges as far as possible.

#### **(a) Recreation purpose :-**

In the case of clubs consisting entirely of non/gazetted officers and of playgrounds required for educational institutions, nominal charges may be levied. In other cases except in Municipalities, the term assessment or ground rent on the site, or if the land has not been assessed, the land in the village or its neighbourhood should be charges. Special reasons should be given if any concessional treatment is recommended. Subject to the general concession indicated in favour of non gazetted officers and educational institutions a suitable table charge should be levied in respect of each grant.

(b) Trade purpose :- The full competitive rent should be levied as the charge for the occupation. By full competitive rent is meant the rent which the site would fetch in the open market if offered subject to the conditions stipulated by Government.

(c) Touring cinemas, circuses or dramatic companies - A reasonable fixed daily charge should be levied in accordance with the rates to be prescribed by the Collector. He should fix for each village and town the rates of charge per square metre that should be levied. The rates will depend upon the importance of the village or town and the situation of the Land. There are, in each village or town, particular sites in which entertainments are usually held. The Collector will fix the rates for each of these sites. When other sites are applied for, the Collector should be addressed for orders as to the rate to be levied.

### **Laying of Pipe Line**

67. A track rent should be levied on the scale specified below for laying of pipe lines :-

| Rate               | Minimum |
|--------------------|---------|
| 10 paise per metre | Rs.2    |

### **Occupation of lands for unremunerative public or private purposes.**

68. The annual charge should be fixed at an amount not lower than the assessment or ground rent leviable on the land, subject to a minimum of Re.1

### **Leases on margin of roads.**

69. In cases of encroachments on margins of roads in charge of Public Works Department, where the occupation may be permitted on lease, full competitive rent should be collected irrespective of the purpose for which the occupation was made.

## SCHEDULE

(See Rule 16)

### Procedure to be adopted for value of trees.

- (A) Reserved trees, viz. Sandalwood, Tamarind, Mango and such other trees as may be notified by the Government from time to time in the Official Gazette.

(Girth of feet at 4 feet from the ground)

\*\*\*

| Exceeding | Not exceeding | Rate per tree<br>Rs. P |
|-----------|---------------|------------------------|
| 1/2 foot  | 1 foot        | 2.25                   |
| 1 foot    | 2 feet        | 4.50                   |
| 2 feet    | 3 feet        | 13.50                  |
| 3 feet    | 4 feet        | 22.50                  |
| 4 feet    | 5 feet        | 36.00                  |
| 5 feet    | 6 feet        | 54.00                  |
| 6 feet    | 7 feet        | 66.00                  |

**Note.-** (i) When the girth exceeds 7 feet, the value is fixed at 22.50 per C.L. This value can be reduced by applying the formula  $\frac{(\text{girth in feet})^2}{4}$  multiplied by the value of a tree in rupees.

Height of the trees need not be taken into consideration.

- (ii) In the case of hollow trees, the above rates and the value as determined above should be reduced by 25 per cent.

### (B). Classified Trees:

The following scale for estimating the value on the basis of the cart-load unit of valuation should be adopted where the girth does not exceed five feet :-

| 15 trees exceeding | 1/2 foot but not exceeding | 1 foot girth at 4 feet | 1 cart load. |
|--------------------|----------------------------|------------------------|--------------|
| 10 -Do-            | 1 -Do-                     | 1 1/2 foot             | 1 -Do-       |
| 7 -Do-             | 1 1/2 -Do-                 | 2 feet                 | 1 -Do-       |
| 5 -Do-             | 2 -Do-                     | 2 1/2 "                | 1 -Do-       |
| 3 -Do-             | 2 1/2 -Do-                 | 3 "                    | 1 -Do-       |
| 2 -Do-             | 3 -Do-                     | 4 "                    | 1 -Do-       |
| 1 -Do-             | 4 -Do-                     | 5 "                    | 1 -Do-       |

**Note.-** (i) When the tree is over 5 feet in girth, the formula  $\frac{(\text{Girth in Feet})^2}{4}$  should be applied to find out the cubical contents. This multiplied by the value of a cart load gives the value of a tree in rupees.

(ii) In the case of hollow trees, the value determined as aforesaid should be reduced by 25%

Class - I

|                                                                   |        |              |
|-------------------------------------------------------------------|--------|--------------|
| Manjakadambai, Kattu vagai, Agil,                                 | 1 C.L. | Rs.<br>22.50 |
| Vembu, Kadambai, Puvan, Pei-kadukkai,<br>Karumarudai and Mayiladi | 1 H.L. | 1.12         |

Class-II

|                                                                               |        |       |
|-------------------------------------------------------------------------------|--------|-------|
| Velvel, Karuvel, Karungali, Mulluvengai,<br>Konnai, wodan, Siri, Nagai,       | 1 C.L. | 11.25 |
| Vela, Sadachi, Nelli, Vellamadudai, Nammai,<br>Kodukapuli, Portia, Somanatham | 1 H.L. | 00.55 |

Class-III

|                                                                                                  |        |      |
|--------------------------------------------------------------------------------------------------|--------|------|
| Perunamaram, Turiji, Mundiri, Kandan,<br>Atti, Kadalathi, Bala, Thani, saundal,<br>Nona, Elandai | 1 C.L. | 5.60 |
|                                                                                                  | 1 H.L. | 0.30 |

|                  |              |
|------------------|--------------|
|                  | Rs.<br>11.25 |
| Palmyra per tree |              |
| Coconut per tree | 22.50        |
| Date per tree    | 6.00         |
| Fuel             | 1 C.L. 3.00  |
|                  | 1 H.L. 0.15  |

(C) MINOR PRODUCE;

|                              |     |          |
|------------------------------|-----|----------|
| Palmyrah leaves per thousand | ... | Rs. 1.80 |
|------------------------------|-----|----------|

Note :- (i) All other trees will be treated as “unclassified” and valued at fuel rate only at 15 paise per head load or Rs.3/- per cart load.

|                              |                              |
|------------------------------|------------------------------|
| (ii) Twenty head-loads equal | = 1 C.L                      |
| Four head-loads equal        | = one bullock or Horse Load. |
| Two head-loads equal         | = one ass or kaadi load.     |

When applied to timber and fuel, the term cart load is used as equivalent to 20 cubic feet or half a ton. The head load is equivalent to one cubic foot or 50 lts. The seigniorage fees for a cart load of 75 bamboos will be Rs.18 and that for a cart load of 250 small bamboos will be Rs. 30/-

**FORM NO.1**

**See Rule 10 (1)**

**Application for grant of Land.**

1. Name and age of the applicant :

2. Address and Occupation :

3. Father's name.

4. Is the applicant :-

(i) a member of the Scheduled Caste  
or Scheduled Tribes.

(ii) Displaced person, displaced holder,  
displaced tenant.

(iii) ex-serviceman or soldier,

(iv) Serving soldier.

| 5. Particulars of land<br>applied for | Village/<br>Taluk | First<br>prefe-<br>rence | Second<br>prefe-<br>rence | Third<br>prefe-<br>rence |
|---------------------------------------|-------------------|--------------------------|---------------------------|--------------------------|
|---------------------------------------|-------------------|--------------------------|---------------------------|--------------------------|

S.No. and  
Sub-Divi-  
sion No.

Extent : Dry  
Wet  
Garden

| 6. Particulars of land<br>owned by the<br>applicant inside the<br>State or outside the<br>State. | Taluk | Village | S.No. | Extent Assessment<br>paid |
|--------------------------------------------------------------------------------------------------|-------|---------|-------|---------------------------|
|--------------------------------------------------------------------------------------------------|-------|---------|-------|---------------------------|

(i) Land included in the  
pata of the applicant  
or any other member  
of the family ;

Wet  
Garden  
Dry

(ii) Lands cultivated by the  
applicant or any other  
member of family :

Taluk  
  
Wet  
Garden  
Dry

Village

S.No.

Extent.

(iii) No. of member in the family of the applicant :

7. Particulars of land previously granted to the applicant or any member of his family:

Taluk

Village

S.No.

Extent

Wet  
Garden  
Dry

8. Whether the applicant or any member of his family had previously applied for land and if so the particulars of the endorsement received thereon.

---

Certified that the particulars furnished above are true and correct to the best of my knowledge.

Signature of the applicant



## Form-2

See rule 10(2)

### Register of applications for the occupation of lands in the Taluk of -----of the -----Region

| Serial No. – Year | 1 | 2                               | 3                                   | 4                                                                                              | 5       | 6          | 7           | 8      | 9          | 10                                                                       | 11                        | 12                                            | 13                                                                                         | 14           | 15            | 16                                               | 17                               | 18                                        | 19                                                                                                 | 20                                                    | 21      |
|-------------------|---|---------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------|---------|------------|-------------|--------|------------|--------------------------------------------------------------------------|---------------------------|-----------------------------------------------|--------------------------------------------------------------------------------------------|--------------|---------------|--------------------------------------------------|----------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------------|-------------------------------------------------------|---------|
|                   |   | Date of receipt of application. | Name of applicant and his residence | Whether the applicant is landless poor, Ex-Servicemen, Scheduled Caste, Serving Soldier, etc., | Village | Survey No. | Description | Extent | Assessment | Date of transmission to Revenue Inspector or Village Officers for report | Date of Receipt of report | Estimated value and other particulars of land | Whether land has been ordered to be disposed of by public auction free or for upset price. | Date of Sale | Sale proceeds | Date of passing order and nature of such orders. | Date of receipt of sale Records. | Date of issue of Sale Certificate of land | Date of Delivery thereof to the grantee or Date of communication of order to the Karnam and party. | Duration i.e. in year between Column 2 and Column 19. | Remarks |

Note :- Fresh Registers should be ``opened at the beginning of`` every fasli year, pending cases or balance being carried from the old to the new Register. The file Register number of the cases should not, however, on this account be changed.

FORM-3

(See Rule 10(3))

Village Register of Application for assignment of land for Agricultural Purposes.

| Sl. No. | Whether the application was received through the Taluk or direct, and in the former case the No. in Taluk Register | Date of receipt of application by Vill-Officers | Name of the applicant | Description of the land | Extent H.A.C | Assessment | Date of Publication of notice | Date of submission of Memo-randum in Form 5 | Date of receipt of duplicate with orders from the Tahsildar | Whether application was granted or refused | Remarks |
|---------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|-----------------------|-------------------------|--------------|------------|-------------------------------|---------------------------------------------|-------------------------------------------------------------|--------------------------------------------|---------|
| (1)     | (2)                                                                                                                | (3)                                             | (4)                   | (5)                     | (6)          | (7)        | (8)                           | (9)                                         | (10)                                                        | (11)                                       | (12)    |

**FORM-4**

**(See Rule 10(3))**

**NOTICE OF DISPOSAL OF LAND BY PRIVATE SALE OR FREE OF MARKET VALUE.**

It is hereby notified that.....of..... village has applied for the land shown in the sub-joined schedule and that it is proposed to assign it to him on collection/free of market value for the following reasons (here enter briefly the reasons). Persons having objections to the assignment of the land should intimate the same to the Karnam of the village or /the Tahsildar/ Dy.Tahsildar of----- within a period of fifteen days from the date of publication of this notice.

**SCHEDULE**

| Village and numbers of the fields | Extent |     |   | Assessment | Boundaries |
|-----------------------------------|--------|-----|---|------------|------------|
|                                   | H.     | A.  | C |            |            |
| (1)                               |        | (2) |   | (3)        | (4)        |

Place and date.

KARNAM

Certified that the above notice was published by the beat of the drum and was posted in (place to be specified) and on the land in question.

(1) Signature of atleast two literate residents of the village.

(2) Explanation for not taking the signatures of the persons referred to in clause (1) above.

Karnam

Revenue Inspector

**FORM - 5**

**(See Rule 10(3))**

**MEMORANDUM CONTAINING REPORT ON APPLICATIONS FOR ASSIGNMENT.**

Village                      Name  
                                    Number

1. Number of application.
2. Date of the application.
3. Name of applicant and his nationality, if he is not a citizen of India. If Citizen of India, whether a native of Pondicherry territory either by birth or domicile.

4. Name of the village in which he resides.
5. Description of the land applied for.
6. Survey number and letter of the land.
7. Extent of the whole field.
8. Assessment of the whole field.
9. Where part only of the field is applied for ,  
the extent of that part.
10. Assessment of extent in column (9)
11. Number, description and value of the trees,  
Wells, buildings, demarcation stones, etc.,  
on the land .
12. Whether --
  - (1) right of way is necessary ?
  - (2) a road or embankment of an irrigation  
work or a channel without embankment  
or a stream runs through or near the land  
and, if so, what extent should be deducted ?
13. Names of other applicants, if any, with the nature of their claims.
14. Are there any sivayjama or other preferential claims?  
If so give particulars.
15. Whether any of the applicants were the last registered  
holders of the land and relinquished it or made default  
in paying the assessment and, if so, when ?
16. Whether objections exist to the grant of the land ?
17. Date of publication of notice in the village.
18. Date when received by the Tahsildar or  
Deputy Tahsildar from the village karnam.
19. Recommendations of the Tahsildar or  
Deputy Tahsildar and the Karnam/Revenue Inspector.
20. Order of the Deputy Collector/Collector and date of the order.
21. Date on which the memorandum was received back by village Karnam
22. General remarks.

Signature of Revenue Inspector

Signature of Karnam

**Form-6**

(See Rule 10(6))

(COUNTERFOIL)/(FOIL)

## Tree valuation Report

From

Revenue Inspector

----- Firka

To

The Tahsildar/Dy. Tahsildar.  
Taluk.

Sir,

Ref : Your letter No.-----dated-----

The trees mentioned below in-----Village have been inspected by me on -----  
and valued by me with the following result :-

| Survey No.<br>&<br>Classification<br>of the "land in<br>which the tree<br>lies | Name of<br>tree. | Number | Girth | Estimated<br>cart load<br>or<br>head load | Estimated<br>value |
|--------------------------------------------------------------------------------|------------------|--------|-------|-------------------------------------------|--------------------|
|                                                                                |                  |        |       |                                           |                    |

Certified that the figures above are correct.

Signature of the  
Revenue Inspector

Date :-----

**FORM-7**

(See Rule 10(7))

**FORM OF ORDER OF ASSIGNMENT FREE OF LAND VALUE.**

-----of-----village  
is informed that his application for the land described in the margin has been accepted subject to the  
result of any appeal that may be preferred and subject to the following conditions :-

(1) That the assignment is liable to cancellation if it be found that it was grossly inequitable or  
was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of  
authority delegated to the assigning officer or that there was an irregularity in the procedure:

(2) that in the event of the cancellation of the assignment either on appeal or in revision, the assignee shall not be entitled to compensation for any improvements that he may have made to the land;

(3) that the land assigned should not be sold or alienated for a period of 10 years but may be hypothecated to Government for the purpose of securing a loan or to a Co-operative Society or to a scheduled bank authorised by the Government for affording credit to the agriculturists ;

(4) that the land should be brought under cultivation within a period of three years, from the date of assignment.

(5) that the assignee and his heirs shall engage themselves in personal cultivation;

(6) that, if the land is used for casuarina plantations, no pits or ponds shall be excavated nor such plantations, irrigated by pots within 200 metres of any natham (habitation) and all pits and ponds excavated beyond the above limits shall be filled up as soon as the plants waterd therefrom are three years old :

(7) that the annual assessment on the land shall be liable to periodical revision at resettlement

(8) that the land or a portion thereof should not be put to non-agricultural use except with the sanction of the Government ;

(9) that the land shall be subject to all general taxes and local rates payable by law or custom

(10) that the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels, running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant. Government also reserve to themselves or to persons authorised by them the powers necessary for the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress, etc :

(11) that where the land is assigned free of land value by virtue of the assignee being a member of scheduled caste, the land shall not be alienated to any body other than a person belonging to a Scheduled caste even after the expiry of the period cited in condition 3 ;

(12) that/the Government shall be at liberty to resume the land within a period of ten years from the date of grant, if any default is made in this payment of land revenue due on the land;

(13) For contravention of any of the above conditions, the grant shall be liable to be cancelled and resumed to Government free from all encumbrances by the authority granting the land.

IN WITNESS whereof I (Name and Designation) acting for and on behalf LLeutenant Gover  
nor have hereunto set my hand this day of 19..

#### **FORM-8**

**(See Rule 12(2))**

#### **FORM OR ORDER OF ASSIGNMENT OF LAND BY SALE**

Whereas \_\_\_\_\_ has purchased  
at a public auction the occupancy right in the land as a private sale described. In the margin and has  
paid into the treasury a the sum of Rs. \_\_\_\_\_ being the purchase money of the said land, the said  
land is assigned to \_\_\_\_\_ subject to the result of any appeal that may be prefered  
and subject to the following conditions to which the aforesaid purchaser has agreed :-

(1) That the assignment is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the assigning officer or that there was an irregularity in the procedure :

(2) that in the event of the cancellation of the assignment either on appeal or in revision the assignee shall not be entitled to compensation for any improvements that he may have made to the land :

(3) that, if the land is used for casuarina plantations no pits or ponds shall be excavated nor such plantations irrigated by pots within 200 metres of any natam (habitation) and all pits and ponds excavated beyond the above limits shall be filled up as soon as the plants watered therefrom are three years old :

(4) that the annual assessment on the land shall be liable to periodical revision at resettlement

(5) the land or a portion thereof should not be put to non-agricultural use except with the previous sanction of the Government ;

(6) that the land shall be subject, to all general rates and local rates payable by law or custom

(7) that the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels, running through or bounding the lands, and the right of government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant. Government also reserve to themselves or to persons authorised by them the powers necessary for the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress, etc.,

(8) that for contravention of any of the above conditions the grant shall be liable to be cancelled and resumed to Government free from all encumbrances.

(9) In the case of assignments to members of the Scheduled Castes where any concessions are enjoyed by them as being members of the Scheduled Classes,-

If the land is alienated to any person within a period of ten years from the date of the grant by way of sale, gift, mortgage, or lease of any kind, or after that period to any person who is not a member of the Scheduled Castes or if it ceases to be owned by the original grantee or his legal heirs or (after the ten years) other members of the Scheduled Classes owing to sale by process of law or otherwise, or if default is made in the payment of the Government revenue on the dates prescribed, the grant will be liable to be resumed by the Government who will be entitled to re-enter and take possession of the land without payment of any compensation or refund of the purchase money. This prohibition does not however apply to hypothecation of the land to Government for securing loan or to a Co-operative society or to a Scheduled bank authorised by the Government for affording credit to the agriculturists. The power of resuming the grant and ordering re-entry referred to above will vest in the Deputy Collector (Revenue)

(10) Where valuable land has been assigned subject to the payment of the market value in instalments, the grantee will not acquire full title to the land until the entire amount is paid. In the event of default in payment of any instalment the amount already paid will be liable to be forfeited to Government and the land will be liable to be resumed.

(11) The grantee shall bring all the cultivable portions of the land assigned under cultivation within a period of five years. Violation of this condition will render the grant liable to resumption.

(12) In cases where the concession of exemption from payment of assessment on account of labour and expense entitled in bringing the land under cultivation has been granted, the assignee will be exempt from payment of assessment for a period of seven years from the date of the grant provided that one-fifth of the extent assigned is newly brought under cultivation in each of the five years succeeding the grant.

(13) In the case of assignment of lands affected by irrigation projects ;

(i) The Government may resume the land at their pleasure at any time until the original assignment is declared absolute by them.

(ii) In the event of such resumption, the purchase money or such share of it as is proportionate to the area resumed will be repaid.

(iii) The Government will not, however, be liable to pay compensation for any improvements which may have been effected on the land before such resumption.

IN WITNESS whereof I (name and designation) acting for and on behalf of and by the order and direction of the Lt.Governor, have hereunto set my hand this.....day of..... 19..

### **FORM -9**

**(See Rule 12(2))**

#### **FORM OF NOTICE OF SALE OF LAND BY PUBLIC AUCTION**

Notice is hereby given that the lands with the trees thereon specified in the schedule will be sold by public auction (subject to confirmation by the officer empowered in that behalf and the result of any appeal that may be preferred) at \_\_\_\_\_ on the \_\_\_\_\_ of 19\_\_ or any other day to which the sale may be adjourned at \_\_\_\_\_ o'clock. The lands will be knocked down to the highest bidder.

| Region. | Taluk. | Village. | Survey number<br>and subdivision | Extent. | Assessment |
|---------|--------|----------|----------------------------------|---------|------------|
|---------|--------|----------|----------------------------------|---------|------------|

The sale of the land is subject to the conditions stated below :-

(a) The purchaser shall, immediately after the land is knocked down to him, deposit 15 per cent of the amount of his bid and the remainder of the purchase money and the cost of survey and demarcation, if any, within 30 days from the date of sale. In default thereof the money deposited will be liable to be forfeited.

(b) When such deposit shall not be made nor the remaining purchase money paid up, the land will be resold at the expense and risk of the first purchaser.

(c) Persons bidding at the sale may be required to State whether they bid on their own account or as agents and in the latter case to deposit a written authority signed by their principals; otherwise their bids may be rejected.

(d) It is to be distinctly understood that Government are not responsible for any errors as to the particulars of the land or its registered extent.

The following are the conditions subject to which the land will be held after possession is obtained thereof :-

(1) That the assignment is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or in excess of the limits of authority delegated to the assigning officer or that there was an irregularity in the procedure ;

(2) that in the event of the cancellation of the assignment either on appeal or in revision the assignee shall not be entitled to compensation for any improvements that he may have made to the land;



(3) that if the land is used for casuarina plantations no pits or ponds shall be excavated nor such plantations irrigated by pots within 200 metres of any nattam(habitation) and all pits and ponds excavated beyond the above limits shall be filled up as soon as the plants, watered therefrom are three years old and abreach of any of these conditions, will render the assignment liable to cancellation without payment of any compensation ;

(4) that the annual assessment on the land shall be liable to periodical revision at resettlement.

(5) that the land or a portion thereof should not be put to non agricultural use except with the previous sanction of the Government ;

(6) that the land shall be subject to all general taxes and local rates payable by law or custom

(7) that the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels, running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant. Government also reserve to themselves or to persons authorised by them the powers necessary for the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress, etc.,

(8) that for contravention of/any of the above conditions, the grant shall be liable to be cancelled and resumed to Government free from all encumbrances by the authority granting the land;

(9) In the case of assignment of lands affected by irrigation projects.-

(i) The Government may resume the land at their pleasue at any time until the original assignment is declared absolute by them.

(ii) In the event of such resumption, the purchase money or such share of it as is proportionate to the area resumed will be repaid.

(iii) The Government will not, however, be liable to pay sompensation for any improvements which may have been effected on the land before such resumption.

**See rule 21**

[illegible]

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## FORM-11

### Rule 43

#### FORM OF ORDER OF GRANT OF LAND FOR TEMPORARY OCCUPATION FOR AGRICULTURAL PURPOSES.

This deed of grant made this                      day of                      one thousand nine hundred and BETWEEN the Lt.Governor of Pondicherry (which expression shall include his successors in office and assigns) of the one part and----- residing at-----herinafter called `the grantee` (which expression shall include his heirs, executors, administrators, legal representatives and assigns of the other part witnesseth as follows :-

That Lt.Governor of Pondicherry hereby grants the land described in the schedule below to (name and address of the grantee) for temporary occupation for a period of years/months commencing from (date, month and year) subject to the following terms and conditions to which the aforesaid grantee has agreed :-

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure.

(2) In the event of such cancellation of the grant the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall pay the sum of Rs.                      as and for security for the fulfillment and observance by him of the conditions contained in the grant. The sum so deposited shall be liable to be forfeited to the Government of Pondicherry (hereinafter called the Government) under the orders of the Collector in the event of failure by the grantee to fulfil and observe any of the conditions of the grant.

(4) The grantee shall, so long as the grant be in force, pay, clear of, all deductions a sum of Rs..... per annum for credit to the general revenues of the State and a further sum of Rs..... on account of rates, taxes, assessments and outgoings payable by the Government to the.....Municipality as a result of his occupation of the land. The consolidated charges shall be payable to the Government in advance annually/monthly the first of such payment to be made on the day of and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(5). In the event of the.....Municipality varying its demand, the Government shall be at liberty to revise without notice, the second part of the charges referred to in condition (4) as the sum payable by the grantee on account of taxation by the                      Municipality and on such revision any balance due shall become immediately payable by the grantee.

(6) The Government reserve to themselves the right to enhance the rent, during the period of lease and the grant is liable to cancellation of the grantee's not agreeable to pay the enhanced rent when so required.

(7) If the grantee shall fail to pay the Government any sums payable under the grant on the respective dates on which they are made payable, he shall pay interest at 12 per cent per annum on such amounts from the dates on which they were so payable until the date of payment or recovery.

(8) The grantee shall not use the land except for the purpose for which it is granted.

(9) The land shall not be used for political meetings.

(10) The grantee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the lands aforesaid to view the condition and state thereof.

(11) The grantee shall not assign or underlet the benefits arising under this grant or any part thereof without the previous written permission of the Government.

(12) The grantee shall not erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the Government.

(13) The grantee shall not cut any live trees without the previous permission of the Collector. The withered and windfallen trees shall also be the property of the Government and shall be handed over to the village Karnam.

(14) The sale-proceeds of withered and windfallen trees and those cut under condition (13) shall be credited to the Government.

(15) The grantee shall have no rights whatsoever to any trees standing on the land or to their usufruct.

(16) The usufruct of the trees may be leased out in auction by the officers of the Government and the grantee shall allow a right of passage to persons to whom the usufruct of the trees is so granted by the Government.

(17) The grantee shall not without the previous written sanction of the Collector permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (8).

(18) The grantee shall on the termination or revocation of this grant, restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(19) The grantee shall be answerable to the Government for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(20) The Government may revoke the grant wholly or in part, if the sums specified in condition (4) above or any part thereof shall remain unpaid for 15 days after they have become payable whether formally demanded or not, or if the grantee shall have contravened any of the conditions of the grant herein contained and assume control or otherwise dispose of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(21) If the amount specified in condition (4) or (5) above or any part thereof is in arrear, it shall also be competent for the Government to recover the same from the grantee as an arrear of land revenue.

(22) The grant hereby given may be revoked by the Collector acting on behalf of the Lt. Governor of Pondicherry, after giving ( ) month's notice in writing and by the Government without notice in an emergency (the Government being the sole judge of the emergency) and shall be terminable by the grantee by giving to the Collector month's notice in writing but without prejudice to any right of action or remedy of the Government in respect of any antecedent breach of any of the foregoing conditions. The grantees shall not in case of such revocation or termination be entitled to any compensation in respect of any structures on the land or any improvements effected by the grantee to the land or for the loss caused by the interruption of his occupation but he may, before the revocation or termination of the grant takes effect or if the grant is revoked without notice within such time, as may be allowed by the Collector in that behalf, remove such structures.

(23) In the event of termination of the grant under condition (20) or (22) the Government shall be at liberty to levy proportionate rental up to the date of such termination.

(24) The sum of Rs..... deposited by the grantee under condition (3) or such portion thereof as may be returnable to him shall be returned to him on the expiration or soon after termination of the grant.

(25) If any dispute or difference shall at any time hereafter arise between the Government or their officers, on the one part and the grantee as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of the grant or the construction or the meaning of all or any of the provisions herein contained, the said dispute or difference shall be referred for settlement to the arbitration of the Collector for the time being, and his decision shall be final.

(26) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of Government to the mines and quarries, subjacent to the land are however reserved and are in no way affected by the grant.

### SCHEDULE

| Region | Taluk | Town or village | Ward number and Block number | Survey number | Area | Boundaries      |
|--------|-------|-----------------|------------------------------|---------------|------|-----------------|
| 1      | 2     | 3               | 4                            | 5             | 6    | 7               |
|        |       |                 |                              |               |      | H. A. C N.S.E.W |

IN WITNESS whereof (name and designation) acting for and on behalf of and by the order and direction of the Lt.Governor of Pondicherry and the grantee aforesaid have hereunto set their hands this day of

Signed by aforesaid.

In the presence of --

1

2

Signed by aforesaid

In the presence of--

1.

2.

**Form 12**

**[See Rule 49(3)]**

Order granting trees under tree tax system.

WHEREAS the right to the usufruct of the trees noted in the margin situated in Survey No.

(Here enter "poramboke", "assessed waste", etc.,) in the village of  
taluk, region, has been disposed of under rule... of the Pondicherry Land Grant Rules. I,  
Tahsildar/Deputy Tahsildar of do hereby grant the abovesaid trees now taxed at Rs.....  
on the following conditions :-

(1) That the grantee shall have a right to the usufruct, that is to say, to the leaves and loppings as well as to the fruit, but shall have no right to cut down the trees or to appropriate them, when they wither or are blown down.

(2) That this grant shall be liable to be cancelled by Government either at the end of any fasli year without notice or at any other time after three months` notice, In either case, no compensation can be claimed by the grantee.

(3) That the annual tax of Rs.  
shall be paid on

(4) That in case the grantee shall make default in payment of the said annual tree-tax, it shall be recovered as an arrear of land revenue under section 52 of Pondicherry Revenue Recovery Act, 1970.

(5) That is the trees wither or fall down, the grantee should give notice of the fact to the Karnam.

(6) That if any trees should damaged or lost through the action or by the negligence or with the connivance of the grantee, he will be liable to pay the value of the tree as may be settled by the revenue officers.

IN WINTNESS whereof I (name and designation) acting for and on behalf of and by  
order and direction of the Lieutenant Governor have hereunto set my hand this day of.....of  
19.....

Signature :

(Designation)

Date:

**FORM-13**

**[See Rule 52(3)]**

**NOTICE OF SALE WHEN THE ESTIMATE VALUE OF TREES DOES NOT EXCEED RS.200.**

It is hereby notified that the trees specified in the schedule below will be sold by public auction by the at at o'clock on or on any other day to which the sale may adjourned, subject to the following conditions. The trees will be sold in one lot or in such manner as may be determined by the selling officer and knocked down to the highest bidder or highest bidders as the case may be.

(1) Every one bidding at the sale should state whether he bids on his own account or as agent, and in the latter case, should deposit a written authority signed by the principal ; otherwise his bid will be rejected.

(2) The selling officer either on grounds of doubtful solvency or other reasons recorded by him may at his discretion, disqualify a bidder from bidding at the sale.

(3) The successful bidder shall immediately after the sale, pay the whole of the sale amount, if it does not exceed Rs.25: if it exceeds Rs.25, Rs.25 should be paid immediately and the remainder of the purchase money should be paid within a week/fortnight. In default of the due payment of any portion of the purchase money, the trees may be resold by the selling officer at the expense and risk of the purchaser, the moneys already paid by the purchaser being also liable to forfeiture.

(4) The sale is subject to confirmation by the Officer empowered in that behalf.

(5) The purchaser shall not cut or remove the trees unless and until the sale has been confirmed, but shall cut and remove them within week(s)/month(s) thereafter. If the trees are not cut and removed within the time allowed, they may be resold by the selling officer at the expense and risk of the purchaser, the moneys already paid by the purchaser being also liable to forfeiture.

Note:- (i) In darkhast cases in which the applicant himself is the auction purchaser, it is not necessary to insist on the cutting and removal of the trees unless, for special reasons (e.g) in lands close to the foreshore of tanks, their removal is considered desirable.

(ii) The time allowed for the removal of the trees may be extended in the discretion of the confirming authority but he shall not be bound to extend it.

(6) Where the selling officer orders a resale of the trees under clause(3) or clause (5), notice of the resale shall be given to the purchaser and he shall not, after the receipt of such notice, cut or remove the trees. Any loss resulting from the resale, with interest thereon at 12 per cent per annum will be realised from the purchaser as if it were an arrear of land revenue but in no circumstances will the purchaser be entitled to the profit, if any, according at the resale.

Instead of reselling the trees under clause (3) or clause (5), the selling officer may, in his discretion, recover as if it were an arrear of land revenue, the purchase money or any portion thereof, which is due from the purchaser.

(7) The order of confirmation will be subject to revision, within one month from the date of confirmation, by the authority superior to the confirming authority, if the revising authority is satisfied that there has been a material irregularity in the conduct of the sale or that the order exceeded the powers of the officer who passed it or that it was passed under a mistake of fact or owing to fraud or misrepresentation.

(8) The trees should be cut and removed so as not to cause any damage to the adjoining houses or other building or property and the auction purchaser will be liable for any such damage.

(9) The water of the tank will not be drained if a supply is received during the time allowed for the removal of the trees sold, only a reasonable extension of time for the removal will be granted in such event.

Note:- This condition should be omitted when the trees are not in tank-bed.

(10) No concession will be allowed for any difficulty the purchaser may experience in cutting or removing the trees.

(11) It should be distinctly understood that Government are not liable for any errors or omissions in the schedule below :-

## SCHEDULE

| Region                                                         | Taluk                    | Village      |               |
|----------------------------------------------------------------|--------------------------|--------------|---------------|
| Survey No. and sub-divisions, if any, in which the trees stand | Description of the trees | No. of trees | Girth in feet |
| (1)                                                            | (2)                      | (3)          | (4)           |

**Note:-** Where it is considered unnecessary or impracticable to give the particulars specified in columns (3) and (4), the estimated quantity in cart-loads should be noted.

Name.

Station.

Designation of Officer.

Date.

## FORM-14

[See Rule 52(4)]

### NOTICE OF SALE WHERE THE ESTIMATED VALUE OF TREES EXCEEDS RS.200

It is hereby notified that the trees specified in the Schedule below will be sold by public auction by the \_\_\_\_\_ at \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ or any other day to which the sale may be adjourned, subject to the following condition. The trees will be sold in one lot or in such manner as may be determined by the selling officer and knocked down to the highest bidder :-

(1) Every one bidding at the sale should state whether he bids on his own account or as an agent, and in the latter case, should deposit a written authority signed by the principal : otherwise his bid will be rejected.

(2) The selling officer, either on grounds of doubtful solvency or other reasons recorded by him, may at his discretion disqualify a bidder from bidding at the sale.

(3) Every intending bidder shall deposit with the selling officer Rs.....as earnest money before the commencement of the sale. The sale is subject to confirmation by the officer empowered in that behalf. But the Collector reserves the power of cancelling the sale or accepting a bid other than the highest without assigning reasons. The deposits or unsuccessful bidders will be refunded at the close of the sale.

(4) The Successful bidder shall, immediately after the sale, deposit not less than one-fourth of the purchase money and pay the balance in a fortnight/a month from the date of his receipt of the order of confirmation.

The earnest money paid under clause (3) will be adjusted towards the balance of the purchase money.

In default of the due payment of any portion of the purchase money, the tree may be resold by the selling officer at the expense and the risk of the purchaser, the moneys already paid by the purchaser being also liable to forfeiture.



(5) The purchaser shall not cut or remove the trees unless and until the sale has been confirmed, but shall cut and remove them within week(s)/month(s) thereafter. If the trees are not cut and removed within the time allowed, they may be resold by the selling officer at the expense and risk of the purchaser, the moneys already paid by the purchaser being also liable to forfeiture.

Note:- (i) In darkhast cases in which the applicant himself is the auction purchaser it is not necessary to insist on the cutting and removal of the trees unless, for special reasons(e.g), in lands close to the confirming authority but he shall not be bound to extend it.

(6) Where the selling officer orders a resale of the trees under clause (4) or clause (5), notice of the resale shall be given to the purchaser and he shall not, after the receipt of such notice, cut or remove the trees, Any loss resulting from the resale, with interest thereon at 12 per cent per annum will be realised from the purchaser as if it were an arrear of land revenue but in no circumstances will the purchaser be entitled to the profit, if any, accruing at the resale.

(7) The order of confirmation will be subject to revision, within one month from the date of confirmation, by the authority superior to the confirming authority, if the revising authority is satisfied that there has been a material irregularity in the conduct of the sale or that the order exceeded the powers of the officer who passed it or that it was passed under a mistake of fact or owing to fraud or misrepresentation.

(8) The trees should be cut and removed so as not to cause any damage to the adjoining houses or other building or property and the auction purchaser will be liable for any such damage.

(9) The water of the tank will not be drained if a supply is received during the time allowed for the removal of the trees sold: only a reasonable extension of time for the removal will be granted in such event .

Note.- This condition should be omitted when the trees are not in tank-bed.

(10) No concession will be allowed for any difficulty the purchaser may experience in cutting or removing the trees.

(11) It should be distinctly understood that Government are not liable for any errors or omissions in the schedule below :-

#### **SCHEDULE**

| Region                                                         | Taluk                    | Village      |                |
|----------------------------------------------------------------|--------------------------|--------------|----------------|
| Survey No, and sub-division, if any, in which the trees stand. | Description of the trees | No, of trees | Girth in feet. |
| (1)                                                            | (2)                      | (3)          | (4)            |

Note :- Where it is considered unnecessary or impracticable to give the particulars specified in columns (3) and (4) the estimated quantity in cart-loads should be noted.

Name,

Station.

Designation of officer.

Date.

# FORM—15

See rule 56(iii)

Register of applications for house-site in the village of \_\_\_\_\_, town of \_\_\_\_\_  
Report on the application

| 1<br>Number      | 2<br>Date      | 3<br>Name (and also nationality, if not a citizen of India). If he is a native of Pondicherry/ either by birth or domicile. | 4<br>Village where he has resided hitherto | 5<br>Date on which application was referred to village Karnam or was received by him. | 6<br>Extent of site applied for | 7<br>Ground-rent thereon at the rate fixed for the village. | 8<br>Boundaries of the site applied for and the lay out site letter, site plot number in the sanctioned plan, if any. | 9<br>Number and description of the trees standing on the site and their value. | 10<br>Extent of village-site already owned by the applicant in the village or in any other village. | 11<br>Population of the village or town | 12<br>Date of publication of notice in the village. | 13<br>Objections if any, raised by the villagers. | 14<br>Date when the report is sent to the Tahsildar and when received by him. | 15<br>Deputy Collector (Revenue) order and date of disposal. | 16<br>Remarks |
|------------------|----------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------------------|---------------------------------------------------|-------------------------------------------------------------------------------|--------------------------------------------------------------|---------------|
| Applica-<br>tion | Appli-<br>cant |                                                                                                                             |                                            |                                                                                       |                                 |                                                             |                                                                                                                       |                                                                                |                                                                                                     |                                         |                                                     |                                                   |                                                                               |                                                              |               |

**FORM - 16**

**(See Rule 56 (iv))**

**NOTICE OF APPLICATION FOR VILLAGE-SITE.**

It is hereby notified that \_\_\_\_\_ of village has applied for the following plot, in the  
village site of \_\_\_\_\_ village measuring \_\_\_\_\_ areas or \_\_\_\_\_ square meters and  
bounded on the north by \_\_\_\_\_ on the east by \_\_\_\_\_ on the south by \_\_\_\_\_ and on the west by \_\_\_\_\_

Lay-out site letter\*

Block number\*

Plot number\*

\*to be filled in, in cases where the plans and register are maintained. In other cases the form and the word "following" occurring in the preamble should be scored out.

Persons having objections to the grant of the site should intimate the same to the Karnam of the village within a period of 15 days from the day of this notice.

Dated \_\_\_\_\_

Revenue Inspector.

Village. \_\_\_\_\_

Karnam.

Cerified that the above notice was published by beat of tom-tom and was posted in the village office and on the land in question of the date specified above.

(1) Signatures of at least two literate residents of the village.

(2) Explanation for not taking the signatures of the persons referred to in clause (1) above.

Dated : \_\_\_\_\_

Revenue Inspector.

Village : \_\_\_\_\_

Karnam.

**FORM NO.-17**

**(See Rule 56 (vii))**

**NOTICE SITE REPORT FORM**

**PART I**

Sketch map showing the occupied areas and unoccupied lay-out sites in the villages.

Explanation

Boundaries and measurement Area of sides.

Occupied areas

a.  
b.  
c.  
g.  
k.  
l.

East

West

North

South

Un occupied lay-out sites

c.  
d.  
e.  
h.  
i.  
j.  
m.

**Note:-**This sketch map will show the alignment of roads, lanes, streets and also open spaces reserved for public use in each of the unoccupied lay-out sites and the block into which they are split up. The blocks in each lay-out site will be numbered as I, II, III and so on.

## Part II

Plans of lay-out sites showing the allocation of blocks and house-sites in each of the unoccupied lay-out sites noted in Part I.

### Lay-out site C

This part will contain one plan for each of the lay-out sites indicating the various blocks and house sites in it. Each block, which is sufficient in size for more than one house-sites will be shown as split up into individual house-sites and its measurements should be noted in the plan. The house-site plots will be noted in column 8 of the Register of house site applications and Col.6 of the register of house-site granted. Areas reserved for streets and lanes and other open spaces will not be numbered, but their purpose will be indicated in the day-out plan or in a footnote thereto.

### Lay-out site D

(Plan similar to that for C above)

As far as possible in each unoccupied lay-out site of sufficient site there should be provision for such open space (apart from areas set apart for roads, streets and lands) as may be desirable in the interests of public health and recreation.

## PART III

Register showing the extent and situation of house-sites available for assignment in the village of taluk of.

(1) Population.

(2) Total area of the village site, the S. No. comprising it and the extent of each S.No.

(3) Total area taken up by existing house-sites as on.

(4) No. and date of the order of sanction of the lay-out plans.

| Index letter of the lay out | Total area of the site | Area set apart for         |                                 | Index number of block and area | Number of house-sites in the block | Remarks |
|-----------------------------|------------------------|----------------------------|---------------------------------|--------------------------------|------------------------------------|---------|
|                             | H. A. C                | Roads and lanes<br>H. A. C | Other public purpose<br>H. A. C |                                |                                    |         |
| C.                          | 3. 25. 0               | 1.15. 0                    | 0.40. 0                         | I 0. 30. 0                     | 3                                  | ---     |
| --                          | --                     | --                         | --                              | II 0. 30.0                     | 3                                  | ---     |
| --                          | --                     | --                         | --                              | III 0.30. 0                    | 3                                  | ---     |
| --                          | --                     | --                         | --                              | IV 0.50. 0                     | 5                                  | ---     |
| --                          | --                     | --                         | --                              | V 0.30. 0                      | 3                                  | --      |

# **FORM -18**

[ See rule 60(1)]

Registere of House-site granted in the  
Village of the  
town in the  
taluk, region.

| Serial Number | 1                                                   | 2                                              | 3                                                | 4            | 5      | 6                                                                                                                                                                            | 7                   | 8                                                                                      | 9                                  | 10                                                                                                                      | 11                                                 | 12      |
|---------------|-----------------------------------------------------|------------------------------------------------|--------------------------------------------------|--------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|---------|
|               | Name (and also nationality, if not citizen of India | Occupation and residence and the date of grant | Situation, survey number, names of street, etc., | Land granted | Extent | Measurements in metres of the sides-north, south, east and west and the lay-out site letter, the block number and the house-site plot number in the sanctioned plan, if any. | Ground-rent payable | Number and date of the order of assignment if any. Special conditions imposed, if any. | Special conditions imposed, if any | Date when building was completed or land was resumed by Government for breach of conditions, with ground of resumption. | Amount of ground-rent as Revised at re-settlement. | Remarks |

H.A.C      SQ. MTS.      Rs. P

The serveral columns of this register must be complete in theselmlves and must not be filled by such entries as “vide application register” since that register is not retained.

**FORM 19**

**(See rule 60 (ii))**

**FORM OF ORDER OF ASSIGNMENT OF HOUSE-SITE IN VILLAGES.**

-----Village is informed that his application for a house-site in the village of \_\_\_\_\_ taluk of \_\_\_\_\_ has been accepted. The following plot of land measuring----- areas or \_\_\_\_\_ square metres bounded on the north by \_\_\_\_\_ on the east “by \_\_\_\_\_, on the south by \_\_\_\_\_ and on the west by \_\_\_\_\_ has been assigned to him under the provisions of the Pondicherry Land Grant Rules subject to the conditions mentioned below :-

Layout site letters\*

Block number\*

Plot number\*

\*To be filled in, in cases where the plans and register are maintained . In other cases, the form and the “ word following” occurring in the preamble should be scored out.

**Conditions**

(1) That only one house should be built upon the site.

(2) That a thatched \_\_\_\_\_ building of the tiled or terraced \_\_\_\_\_

description and dimensions indicated in the accompanying schedule shall be built and completed within a period of six/twelve months from the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

(3) That a space of \_\_\_\_\_ metres shall be left vacant both in front and rear of the actual building.

(4) That if a building of the description and dimenstions specified in the schedule or such/other description and dimensions as may be substituted therefor with permission previously obtained is not substantially completed within the time mentioned, or if a vacant space of \_\_\_\_\_ metre both in front and rear of the actual building is not left as stipulated in condition (3), or if such a building is erected and is subsequently abandoned, i.e, left unoccupied and in disrepair, for a period of one year, Government shall have the right to re-enter forthwith and take possession of the said site or the site and building and shall not be liable to pay any compensation for any buildings or other improvements then existing on the land.

(5) That the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land are reserved and are in no way affected by the grant and that the right of Government shall be reserved to all gold and other minerals or coal and stone, or rock containing or supposed to contain gold and other minerals or coal, and the assignee shall not be at liberty to work the said gold or other minerals or coal, except on permission or licence duly obtained from Government. Government also reerve to themselves or to person authorized by them the powers necessary for the proper working of the minerals such as the full and free liberty and right of ingress, egress and regress, etc.,

(6) That the assignee shall pay the ground rent fixed for the land.

(7) That alienation of land, without the sanction of Government, to a person other than a citizen of India shall invalidate the grant.

(8) That in the event of the cancellation of the assignment either on appeal or in revision or in the event of re-entry by the Government in accordance with the conditions attached to the grant, the assignee shall not be entitled to compensation for any buildings he may have constructed on or other improvements he may have made to the land.

(9) If without the previous approval of the Deputy Collector (Revenue) in writing the land is alienated by way of sale, gift, mortgage or lease of any kind within a period of ten years from the date of the grant, or ceases to be owned by the original grantee or his legal heirs owing to sale by process of law or otherwise for a like period, the grant will be liable to be resumed by the Government who will be entitled to re-enter and take possession of the site without payment of compensation either for any improvements made to it or for any buildings constructed on it. This prohibition does not, however, apply to the hypothecation of the site (together with any buildings erected on it) to Government under the Land Improvements and Agriculturists Loans Acts or to a Co-operative Society or to a scheduled bank.

The power of resuming the grants and ordering re-entry referred to above shall vest in the assigning authority.

(10) The land shall be resumed if, in the opinion of the Government any of the conditions of the grant has been contravened. If any question arises whether there was a contravention of any of the conditions of the grant or not it shall be referred to the Government and their decision shall be final.

Notes.--(i) The schedule will ordinarily indicate the class of building to be constructed and will contain a plan with linear measurements marked thereon ; Where it is not practicable to have a plan, the linear measurements in each direction should be given.

(ii) In the case of individual assignments of house-sites to organised colonies in the absence of a Co-operative Society, the following condition shall be added.-

That the grant shall be liable to be revoked by the assigning authority at any time during a period of three years from the date of assignment if the assignee is not of good behaviour or does not obey any regulations framed for the colony regarding in the construction and location of his house, or does not keep the site in a sanitary condition and unless the assigning authority is satisfied that the assignee has been of good behaviour, has obeyed the regulations framed for the colony regarding the construction and location of his house and has kept the site in a sanitary condition.

In witness whereof I (name and designation) acting for and on behalf of and by the order and direction of the Lieutenant Governor have hereunto set my hand this day of.....19.....

## **Form-20**

### **Rule 60 (ii)**

#### **FORM OF ORDER OF ASSIGNMENT OF SITES GRANTED FOR KEEPING CATTLE IN VILLAGES.**

Thiru-----S/o-----of----- village is informed that his application for a site to keep cattle in the village of-----taluk of -----has been accepted. The following plot of land measuring ares-----  
-- or -----square metres bounded on the north by-----  
-----, on the east by -----  
-----, on the south by -----  
-----, and on the west by -----  
-----, has been assigned to him under the provisions of the Pondicherry Land Grant Rules subject to the conditions mentioned below :-

Lay-out site letter\*

Block Number\*

Plot number\*

\* To be filled in, in cases where the plans and register are maintained. In other cases, the form and the word "following" occurring in the preamble should be scored out.

## CONDITIONS

(1) That the site shall be utilised exclusively for the keeping of cattle and other domestic animals and for the storage of manure.

(2) That if any shed or building is to be constructed on the site assigned a space of                      metre should be left vacant both in front and rear of the actual shed or building.

(3) That if the site is not occupied or if it is utilised for any purpose other than that for which it was granted, or if a vacant space of                      metre both in front and rear of the actual building or shed is not left as stipulated in condition (2), Government shall have the right to re-enter forthwith and take possession of the site and any shed or building put upon it and shall not be liable to pay any compensation for any buildings or other improvements then existing on the land.

(4) That the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land are reserved and are in no way affected by the grant and that the right of Government shall be reserved to all gold and other minerals or coal, except after permission or licence duly obtained from Government, Government also reserve to themselves or to persons authorised by them the powers necessary or the proper working of the minerals such as the full ad free liberty and right of ingress, egress and regress, etc.,

(5) That the assignee shall pay the ground rent fixed for the land.

(6) That alienation of the land, without the sanction of the Government, to a person other than a citizen of India shall invalidate the grant.

(7) That in the event of the cancellation of the assignment either on appeal or in revision or in the event of re-entry by the Government in accordance with the conditions attached to the grant, the assignee shall not be entitled to compensation for any building he may have constructed on, or other improvements he may have made to, the land.

(8) If without the previous approval of the assigning authority in writing the land is alienated by way of sale, gift, mortgage or lease of any kind within a period of ten years from the date of the grant, or ceases to be owned by the original grantee or his legal heirs owing to sale by process of law, or otherwise for a like period, the grant will be liable to be resumed by the Government who will be entitled to re-enter and take possession of the site, without payment of compensation either for any improvement made to it or for any buildings constructed on it. This prohibition does not, however, apply to the hypothecation of the site (together with any building erected on it) to Government under Land Improvement and Agriculturists Loan Act or to a Co-operative Society or to a scheduled bank. The power of resuming the grant and ordering re-entry referred to above will vest in the assigning authority.

(9) The land shall be resumed if, in the opinion of the Government, any of the conditions of the grant has been contravened. If any question arises whether there was a contravention of any of the condition of the grant or not, it shall be referred to the Government and their decision shall be final.

In witness whereof I (name and designation) acting for and on behalf of and by the order and direction of the Lieutenant Governor have hereunto set my hand this day of 19.....



**FORM -21**

**(See Rule 62)**

**ORDER OF GRANT OF THE GOVERNMENT LAND FOR  
TEMPORARY OCCUPATION FOR NON-AGRICULTURAL PURPOSES.**

This deed of grant made this----- day of -----  
-----one thousand . nine . hundred ----- and  
BETWEEN the Lieutenant Governor (which expression shall include his successors in office and  
assigns) of the one part and----- residing at-----  
herein after called "the grantee" (which expression shall include his heirs, executors, administrators,  
legal representatives and assigns) of the other part, witnesseth as follows :-

The Lieutenant Governor, Pondicherry, hereby grants the land described in the Schedule  
below to  
(name and address of the grantee) for temporary occupation for a period of-----year(s)/month(s)  
commencing from -----(date, month and year) subject to the following terms,  
and conditions to which the aforesaid grantee has agreed.

(1) The grant is liable to cancellation if it be found that it was grossly inequitable or was made  
under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the  
procedure.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation  
for any loss caused to him by the cancellation.

(3) The grantee shall pay the sum of Rs. .... as and for security for the fulfilment  
and observance by him of the conditions contained in the grant. The sum so deposited shall be liable  
to be forfeited to the Government of Pondicherry (hereinafter called the Government) under the orders  
of the Collector in the event of the failure by the grantee to fulfill and observe any of the conditions of  
the grant.

(4) The grantee shall not transfer to any other person the rights hereby conveyed to him,  
without the previous sanction of the Government.

(5) The grantee shall, so long as the grant be in force, pay clear of all deductions a sum of  
Rs. .... per annum for credit to the general revenue of the State and a further sum of  
Rs. .... on account of rates, taxes, assessments, and outgoings, payable by the Government to the Municipality as a result of his occupation of the land . The consolidated charge shall  
be payable to the Government in advance annually/monthly, the first of such payments to be made on  
the day..... and the subsequent annual/monthly payments on the corresponding day of the succeeding years/months.

(6) In the event of the municipality varying its demand the Government shall be at liberty to  
revise, without notice, the second part of the charge referred to in condition (5) as the sum payable by  
the grantee on account of taxation by the Municipality and, on such revision, any balance due shall  
become immediately payable to the grantee.

(7) The Government reserve to themselves the right to enhance the rent, during the period  
of lease and the grant is liable to cancellation if the grantee is not agreeable to pay enhanced rent  
when so required.

(8) The grantee shall not use the land except for the purpose of the-----  
Which are the following :-

(9) The grantee may erect-----  
in accordance with the plan (s) hereto annexed.

(10) The land and the building(s) thereon shall not be used for political meetings.

(11) The grantee shall not, except as provided in condition (9) erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the Collector.

(12) The grantee shall maintain the said land in a clean and sanitary condition to the satisfaction of the Government and shall also maintain the structures, if any, erected thereon as aforesaid, in good and substantial repair to the satisfaction of the Collector.

(13) The grantee may uproot, cut down or destroy such trees, plants, groves or bushes if in the opinion of the Collector it is necessary to uproot, cut down or destroy to make the land fit for the purpose of and may take them free of charge and dispose of them in any manner he likes. The grantee may level the ground by removing embanked pathways and filling up low-lying places on the land so as to make the ground fit for the purpose of-----  
and may mow and cut the grass thereon and dispose of the same in any manner he likes and do any work on the land which, in the opinion of the Government, is necessary for such purpose.

**Note:** if the trees are valuable, it may be stipulated that the tree growth cut should be handed over to the Collector or any officer deputed by him in this behalf for disposal.

(14) The grantee shall remove immediately any authorised building, fence or structure, on receiving notice from the Collector and in default of immediate compliance with any such notice, the Collector shall have power to remove the same and the grantee shall upon demand made by or on behalf of the Collector pay the cost of removal and the cost of storing the materials removed and claim to any materials removed under this condition, which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the grantee on demand made as aforesaid.

(15) The grantee shall not without the previous written sanction of the Collector, permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (8).

(16) The grantee shall, on the termination or revocation of this grant, restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(17) The grantee shall be answerable to the Government for all or any injury or damage done to the said land and other Government property thereon except as is permitted by the foregoing conditions.

(18) The Government may revoke the grants wholly or in part, if the sums specified in condition (5) above or any part thereof shall remain unpaid for 15 days after they have become payable, whether formally demanded or not or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispose of, all, or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(19) If the amount specified in condition (5) or (6) above or any part thereof is in arrear, it shall also be competent for the Government to recover the same from the grantee as an arrear of land revenue.

(20) The grant hereby given may be revoked by the Collector getting on behalf of the Lieutenant Governor, Pondicherry after giving \_\_\_\_\_ months' notice in writing and by the Government without notice in an emergency) and shall be terminable by the grantee giving to the Collector \_\_\_\_\_ months' notice in writing but without prejudice to any right of action or remedy of the Government in

respect of any antecedent breach of any of the foregoing conditions. The grantee shall not, in case of such revocation or termination, be entitled to any compensation in respect of any structures on the land or of any other improvements effected by the grantee to the land or for the loss caused by the interruption of his occupation, but he may, before the revocation or termination of the grant taken effect, or if the grant is revoked without notice within such time as may be allowed in the Collector in that behalf, remove such structures.

(21) The grant including all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of Government to the mines and quarries, subjacent to the land are, however, reserved and are in no way affected by the grant.

(22) In the event of termination of the grant under condition (1) or (2) the Government shall be at liberty to levy proportionate rental up to the date of such termination.

(23) The sum of Rs..... deposited by the grantee under condition (3) or such portion thereof as may be returnable to him shall be returned to him on the expiration or soon after termination of the grant.

(24) If any dispute or difference shall at any time hereafter arise between the Government or their officers on the one part and the grantee as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of the grant or the construction or the meaning of all or any of the provisions herein contained the said dispute or difference shall be referred for settlement to arbitration of the Collector for the time being and his decision shall be final.

(25) If the grantee shall fail to pay the Government any sums payable under the grant on the respective dates on which they are made payable, he shall pay interest at 12 per cent per annum on such amounts from the dates on which they were so payable until the date of payment or recovery.

#### SCHEDULE

| Region and | Town or village | Ward No. | Survey No. | Area Boundaries |
|------------|-----------------|----------|------------|-----------------|
|------------|-----------------|----------|------------|-----------------|

In witness whereof-----  
 (Name and designation) acting for and on behalf of and by the order and direction of the Lieutenant Governor, Pondicherry and-----the grantee aforesaid have hereunto set their hands this-----day of-----

Signed by \_\_\_\_\_ aforesaid

In the presence of -

- 1.
- 2.

Signed by \_\_\_\_\_ aforesaid

In the presence of -

- 1.
- 2.

#### ANNEXURE

Plan(s), if any (to be specified)

**THE PONDICHERRY LAND REFORMS (FIXATION OF CEILING ON  
LAND AND DISPOSAL OF SURPLUS LANDS) RULES, 1975**

## LA GAZETTE DE L'ETAT DE PONDICHERRY

### THE GAZETTE OF PONDICHERRY

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|                    |             |        |      |          |      |
|--------------------|-------------|--------|------|----------|------|
| No.                | Pondicherry | Ludni  | 24   | Fevrier  | 1975 |
| 20                 |             |        |      |          |      |
| No.                | Pondicherry | Monday | 24th | February | 1975 |
| ( 5 Phalguna 1896) |             |        |      |          |      |

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### GOVERNMENT OF PONDICHERRY

Revenue Department

No. 10461/73/C

Pondicherry, the 7th February, 1975

#### **THE PONDICHERRY LAND REFORMS (FIXATION OF CEILING ON LAND, 1 [COMPENSATION FOR] AND DISPOSAL OF SURPLUS LANDS) RULES, 1975**

G.S.R. No.8 - In exercise of the powers conferred by section 76 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act No. 9 of 1974 the Lieutenant -Governor of Pondicherry hereby makes the following rules, namely :-

#### **RULES**

1. **Short title.** - (1) These rules may be called the Pondicherry Land Reforms (Fixation of Ceiling on Land, 1 [ Compensation for] and Disposal of Surplus Lands) Rules, 1975.

(2) It shall extend only to the regions of Pondicherry and Karaikal of the Union territory of Pondicherry.

(3) It shall come into force at once.

2. **Definitions.** - In these rules unless the context otherwise requires .-

(a) "Act" means the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974);

(b) "authorised agent" means -

(i) a person holding a power-of-attorney authorising him to act on behalf of his principal;

(ii) an agent empowered by written authority under the hand of his principal ;

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1. The words 'Compensation for' omitted vide EOG No.143 dated 06-04-1976.

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

(d) "section" means a section the Act.

**3. Decision of question whether a person is a member of the Armed Forces.-** (1) Where the authorised officer feels doubtful whether a person is a member of the Armed Forces or not, he shall refer the question to the Government, through the Land Commissioner for decision under the proviso to clause (21) of section 2 of the Act.

(2) The Government shall, before deciding that the person concerned is not a member of the Armed Forces, give him an opportunity of making representation in writing.

(3) The decision of the Government shall be communicated to the person concerned.

**4. Notification under section 7 (1) .-** (1) The notification specified in sub-section (1) of section 7 shall be in Form 1.

(2) The notification referred to in sub-rule (1), shall, besides being published in the Official Gazette, be published in the following manner, namely :-

(i) by publication in such local dailies and other journals, as the Government may think fit ;

(ii) by affixture on the notice boards of the officers of the Deputy Collector, authorised officer, Taluk/Sub-Taluk Office and Village and Commune Panchayat Office ;

(iii) by beat of tom-tom in the village.

**5. Form of return under section 7 (1) .-** The return to be furnished to the authorised officer under sub-section (1) of section 7 shall be in Form 2.

6. <sup>1</sup> [ \* \* ]

**7. Mode of furnishing returns.-** The returns to be furnished under these rules shall be furnished either,-

(1) by presenting it in person or by agent, to the authorised officer or in the absence of the authorised officer, to the head ministerial officer of his office; or

(2) by sending it by registered post to the authorised officer.

**8. Notice under section 8 (1) .-** The notice to be issued by the authorised officer under sub-section (1) of section 8 shall be in form 4.

**9. Manner of service of notice or order under the Act or the rules.-** Any notice or order issued or made under the Act or under these rules shall be served on the person concerned in the following manner, namely :-

(1) in the case any company, society or association of individuals, whether incorporated or not, be served -

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1. Omission vide EOG No. 130 dated 03-05-1977.

(a) on the Secretary or Any Director or other Principal officer of the company, Society or association of individuals, as the case may be; or

(b) by leaving it or sending it by registered post acknowledgment due addressed to the company, society or association of individuals , as the case may be, at the registered office, or if there is no registered office, then, at the place where the company, society, or association of individuals, as the case may be, carries on business;

(2) in this case of any firm, be served–

(a) upon, any one or more of the partners; or

(b) at the principal place at which the partnership business is carried on upon any person having at the time of service the control or management of the partnership business;

(3) in the case of a family, be served upon the person in management of such family or of the property of such family, in the manner specified in clause (4) ;

(4) in the case of an individual person, be served.-

(a) by delivering or tendering the notice or order to the person concerned or his counsel or authorised agent ; or

(b) by delivering or tendering the notice or order to some adult member of the family; or

(c) by sending the notice or order to the person concerned by registered post acknowledgment due ; or

(d) if none of the aforesaid modes of services is practicable by affixing the notice or order in some conspicuous part of the last known place of residence or business of the person concerned.

**10. Manner of obtaining information under various sections of the Act.-** When the authorised officer has to obtain information under various sections of the Act, such as sections 8 (2) (a) , 31 (3) (a) or 68 (2) (a), he may obtain it in the following manner namely :-

(i) by making such enquiry, as he or any other officer authorised by him in this behalf may deem fit;

(ii) by local inspection ; or

(iii) by reference to any government records; or

(iv) in such other manner as the authorised officer or any other officer authorised by him in this behalf may deem fit.

**11. Manner of verification of information obtained under rule 10- (1)** After obtaining the information under rule 10, the authorised officer shall fix the date on which the enquiry in respect of such information will be held and shall issue a notice to the person concerned in Form 5. The notice shall be served on the person concerned together with a copy of the statement containing the information obtained under rule 10.

(2) On the date fixed for the enquiry or on such other date or dates to which the enquiry may be adjourned by the authorised officer, the authorised officer shall give to the person concerned, a reasonable opportunity to adduce any documentary or oral evidence. The authorised officer may

also examine such other person or admit such other document, as he considers necessary, to verify the correctness of the information furnished in the statement specified in sub-rule (1).

**12. Procedure to followed by the Authorised Officer.** - (1) The proceedings of the Authorised officer shall be summary and shall, subject to the provisions of the Act and these rules, as far as possible, be governed by the provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), with regard to.-

- (a) the issue and service of summons;
- (b) the examination of parties and witnesses ;
- (c) the production of documents ;
- (d) the amendment of pleadings ;
- (e) the addition of parties ;
- (f) the passing of *ex-parte* orders and setting them aside for good cause ;
- (g) the ordering dismissal for default of appearance and setting aside such orders for good cause ;
- (h) the reviewing of orders passed on grounds of apparent error ;
- (i) local inspection ; and
- (j) the passing of orders.

(2). A summons requiring the attendance of any person or for the production of any document during an enquiry under the Act or these rules shall be in Form 6.

**13. Draft statement under section 9 (1).**- (1) The draft statement to be prepared under sub-section (1) of section 9 shall be in Form 7.

(2) The draft statement under sub-section (5) of section 9 shall be published in the following manner, namely :-

- (i) publication in the Official Gazette;
  - (ii) affixture on the notice board of the office of the authorised officer ;
  - (iii) affixture on the notice board of the Taluk/Sub-Taluk Office, Municipality or commune and the Village Panchayat Office where the land included in the draft statement is situated;
  - (iv) affixture in the village chavadi or if there is no village chavadi in some other conspicuous public place in the revenue village in which the land included in the draft statement is situated ; and
- (3) The notice under sub-section (5) of section 9 shall be in Form 8.

**14. Objection and enquiry under section 9 (6).**- (1) The Objection to be preferred under sub-section (5) of section 9 shall be in writing and shall be signed and verified by the objector.



(2) If any objection is received within the time specified in the notice under sub-section (5) of section 9 the authorised officer shall fix a date for hearing the objection and give notice thereof in Form 9 to the objector and to the persons referred to in clause (a) of sub-section (6) of section 9 along with a copy of the objection. The persons referred to in sub-section (5) of section 9 shall be entitled to make a written representation against the objection, on or before the date fixed by the authorised officer for the enquiry and also to attend the enquiry.

(3) On the date fixed for the enquiry or on such other date or dates to which the enquiry may be adjourned by the authorised officer, the authorised officer shall hear the objector or his authorised agent and also the person referred to in sub-section (5) of section 9 and record the evidence that may be adduced in the matter.

**15. Demarcation of land to be declared as surplus.-** (1) (a) Where a person has opted to declare as surplus land, his share or part thereof, in the land held by an undivided Hindu Family or in one or more of his holdings held jointly by him along with other ; or

(b) where a family or an individual person has opted to declare as surplus land, the share or part thereof of the family or of the individual person in the land held by a firm, society or association of individuals (whether incorporated or not) or by a company ; and

(c) where the authorised officer proposes to declare any such share or part as surplus land, the authorised officer shall, except where such share or part consists of whole survey fields or subdivisions, demarcate such share or part before determining the surplus land of the person or family, as the case may be.

(2) Before demarcating the share or part thereof under sub-rule (1), the authorised officer shall cause to be served on the person concerned and all other persons having interest in the holding from which the share or part is to be demarcated a statement showing the particulars of the land comprised in the holding and the share or part thereof of the person in such holding, together with a notice in form 9-A calling upon them to appear and file objections, if any, on a date specified in the notice.

(3) After considering the objections, if any, filed under sub-rule (2), the authorised officer shall, demarcate the share or part thereof.

(4) Where a portion of a land held by a person has to be declared as surplus land, the authorised officer shall demarcate the said portion. Before demarcating the portion the authorised officer shall cause to be served on the person concerned a notice (in form 9-B) fixing the date on which the demarcation is to be made and shall demarcate the portion of the land in accordance with the provisions of sub-sections (3) and (4) of section 9, and as far as practicable in the presence of the person concerned.

**16. Plotted sketch of land to be declared as surplus to be prepared.-** Before the publication of the final statement under section 11 or 13 the authorised officer shall prepare or cause to be prepared and place on records a plotted sketch showing the land declared as surplus in cases where new subdivisions of survey fields are involved. The sketch shall be prepared after personal inspection by the authorised officer or by an officer of the Revenue Department not lower in rank than a Revenue Inspector and empowered by the authorised officer in this behalf.

**17. Procedure for decision of questions of title by the authorised officer.-** In deciding questions of title in the cases referred to in sub-section (1) of section 10, the authorised officer shall hold a summary enquiry. The parties concerned shall be given a reasonable opportunity of being heard and adducing any documentary or oral evidence. The authorised officer may also examine such other person or admit such other document as he considers necessary. The authorised officer

shall, subject to the provisions of sub-section (2) of section 10 pass order after considering the evidence in the matter.

**18. Statement under section 11 or 13.-** (1) The final statement to be published under section 11 or 13 shall be in Form 10.

(2) The statement referred to in sub-rule (1) shall be published in the manner specified in sub-rule (2) of rule (13).

(3) The statement referred to in sub-rule (10) shall be served on the persons referred to in clause (a) of sub-section (6) of section 9 in the manner specified in rule 9.

**19. Procedure to be followed for rectifying bona fide mistake and clerical errors under section 14 or 24 (10) .-** Before ordering rectification of bona fide mistakes or clerical or arithmetical mistakes under section 14 or sub-section (10) of section 24 the authority or officer concerned shall issue a notice in form 11 to the parties who would be affected by such rectification and give them a reasonable opportunity of being heard.

**20. Enquiry under section 16 (3).-** (1) The application to the authorised officer under sub-section (3) of section 16 shall be in Form 12, accompanied by as many copies of it as there are respondents.

(2) The application shall be presented in person or by agent or sent by registered post to the authorised officer.

(3) On receipt of the application, the authorised officer shall cause notice to be served upon the respondents together with copies of the application, to show cause in writing on or before a date specified, as to why the application should not be allowed.

(4) The respondents shall be given at least a period of <sup>1</sup> [fifteen days] from the date of service , for the purpose of filing their objections in writing and the notice issued to them shall also intimate the date, time and place for such enquiry;

Provided that the authorised officer may for sufficient cause extend the time allowed for filing the objections.

(5) The respondent shall, at the same time when he files his objections before the authorised officer, serve a copy thereof on the applicant or his counsel or authorised agent.

(6) The authorised officer may for reasons to be recorded in writing adjourn the proceedings from time to time under intimation to the parties.

(7) When the authorised officer has to fix the fair rent for any land while hearing an application under sub-section (3) of section 16, he shall calculate the fair rent in the manner specified in paragraph 4 of Part I of Schedule I to the Act.

(8) The authorised officer shall on the completion of the enquiry pass an order determining the amount of compensation payable under sub-section (2) of section 16 and specifying the person or the persons to whom such compensation shall be paid.

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1. Substitution vide EOG No.143 dated 06-04-1976.

**21. Notification under section 17 (1).**- The notification to be published under sub-section (1) of section 17 shall be in Form 13

**22. Manner of publication of proclamation under section 17 (2) (a).**— The proclamation referred to in subclause (a) of sub-section (2) of section 17 shall be published in English and Tamil or in any other language of the local area, in the following manner, namely:—

(i) affixture in the village chavadi in the village or town, or if there is no village chavadi, in some other conspicuous public place in the village or town in which any part of the land specified in the notification under sub-section (1) of section 17 is situated :

(ii) beat of tom-tom in the said village or town

(iii) affixture on the notice board of the Taluk/Sub-Taluk Office, the office of the authorised officer, Municipal office or village and commune panchayat office of the area where the land specified in the notification under sub-section (1) of section 17 is situated.

**23. Harvest of crop standing on surplus lands.**- Where there is any crop standing on the surplus land acquired by the Government under section 17 on the date of the publication of the notification under sub-section (1) of section 17, the authorised officer may permit the harvest of such crop by the person who had raised such crop allowing him sufficient time after the crop has become ripe:

Provided that if the crop is not harvested within the time allowed by the authorised officer in this behalf the authorised officer may himself arrange for the harvest of the crop, sell the produce, and pay the proceeds thereof to the person who had raised the crop after deducting the cost of harvest and other incidental charges.

**24. Cultivating tenant to continue in possession of land acquired under section 17 in certain cases.**- (1) Subject to the other provisions of these rules, where the surplus land acquired under section 17 is in the possession of a cultivating tenant, such cultivating tenant may, on application made by him to the authorised officer in Form 14 be allowed to continue in possession of such land;

Provided that the extent of land so allowed to be continued in his possession together with the other land, if any, held by him shall not exceed 2 standard hectares,

Explanation :- For the purpose of this rule “cultivating tenant” shall have the same meaning as in sub-section (9) of section 2 and shall include any tenant who is in actual possession of land but does not contribute his own physical labour or that of any member of his family in the cultivation of such land.

(2) The application referred to in sub-rule (1), shall be made within <sup>1</sup> [fifteen days] from the date of publication of the notification made under sub-section (1) of section 17.

(3) The authorised officer may, on receiving the application referred to in sub-rule (1) , make such local inquiry and inspection as may be necessary or cause it to be made by an officer of the Revenue Department not lower in rank than a Revenue Inspector who shall resubmit the application to the authorised officer with his report.

(4) After such inquiry or inspection or on receipt of the report referred to in sub-rule (3), the authorised officer shall, if he is satisfied as to the bona fides of the application and the applicant's solvency and capacity to undertake the lease, pass orders allowing the applicants to continue in

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1. Substitution vide EOG No.143 dated 06-04-1976.

possession of the surplus land on lease. If he is not so satisfied, he shall reject the application. The orders passed on any application shall be communicated to the party concerned.

(5) The order allowing the cultivating tenant (hereinafter in this rule referred to as the lessee) to continue in possession of the land shall be subject to the conditions hereinafter specified, namely:-

(a) The lessee shall execute a lease deed in Form 14-A within one month from the date on which the authorised officer passes orders allowing the lessee to continue in possession of the land.

(b) The period of lease shall be for one agricultural year in the first instance and there after, the lease may be renewed annually at the discretion of authorised officer and such renewal shall be subject to such modifications and additions as may be specified by the authorised officer.

(c) The lessee shall within fifteen days from the date of sanction of the lease, deposit one year's rent as security for the due observance and fulfillment of the terms and conditions of the lease and such security deposit shall, unless otherwise dealt with under these rules be refunded to the lessee after the expiry of the lease.

(d) The rent chargeable for the land shall be an amount equal to the fair rent calculated in the manner specified in paragraph 4 of Part I of Schedule I to the Act and shall be payable before such date or dates as may be fixed by the authorised officer.

(e) Arrears of rent shall bear interest at six per cent per annum from the date on which the rent becomes due.

(f) The lessee shall not use the land or allow it to be used except for the purpose for which it is leased.

(g) The lessee shall permit the officers and servants of the Government with or without workmen, at all times to enter upon the land, to inspect the condition of the land or to execute any work thereon.

(h) The lessee shall not assign or underlet the benefits arising under the lease, without the previous written permission of the authorised officer.

(i) The lessee shall take all reasonable measures to the satisfaction of the authorised officer to protect from loss, danger or destruction and to maintain in a proper state of repair, compound wall, bunds, and ridges, drainage and irrigation canals and channels, wells, tanks, embankments and structures, gates and pathways and all other improvements on the land (whether permanent or not) including trees and plants. He shall also take adequate safeguards against trespass by animals or humans and against deterioration of the land generally.

(j) The lessee shall see that the marks, if any, made by the officers of the Government on trees or other improvements are preserved and not tampered with ;

(k) The lessee shall have no right whatsoever to any trees standing on the land.

(l) The lessee shall not cut or remove any live trees or plants or cause them to be cut or remove without the previous written permission of the authorised officer. He shall hand over, from time to time, the trees cut with the authorised officer's permission, and also the withered, wind-fallen or dead trees and branches, to the village officer who shall arrange for their sale in public auction and remit the proceeds thereof to the Government after deducting the charges incidental thereto.

(m) The lessee shall not erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written permission of the authorised officer.

(n) On the expiry of the period of the lease or termination thereof under clause (r), the lessee shall restore the land to the Government in the state in which it was leased out to him.

(o) All amount payable by the lessee to the Government under these rules shall be recoverable

as arrears of land revenue under the Revenue Recovery Act for the time being in force.

(p) When there is a total or partial failure of crops, remission of rent shall be allowed to the lessee to the same extent, on the same principle, and in the same proportion as remission of land revenue assessment is allowed by the Government.

(q) When a lessee dies, his heirs shall have the option to continue in possession of the land for the unexpired period of the lease on the same terms and conditions.

(r) In the event of infringement of any of the terms and conditions specified in these rules or in the order allowing the lessee to continue in possession of the land or in the deed witnessing the lease, the lessee shall be liable to forfeit the amount of deposit made by him under clause (c) and to pay such compensation as may be determined by the authorised officer, for any loss or damage resulting from such infringement. Such infringement shall also render the lease liable to termination without compensation to the lessee. It shall also be competent for the authorised officer or any person authorised by him, to enter upon the land leased out and evict the lessee summarily from the land ;

Provided that before taking action under this clause, the lessee shall be given a reasonable opportunity of showing cause against the action proposed to be taken.

(6) If the lessee desires to have the lease renewed, he shall apply to the authorised officer for renewal in Form -14 not less than three months before the date of expiry of the lease.

**25. Co-operative Society, etc., to continue in possession of land acquired under section 17 (5) in certain cases.-** (1) Subject to the other provisions of these rules, where the surplus land acquired under section 17 is in the possession of any co-operative society registered or deemed to have been registered under the Pondicherry Co-operative Societies Act, 1973 or any land mortgage bank to which the Tamil Nadu Co-operative Land Mortgage Banks Act in its application to the Union territory of Pondicherry applies, or any agricultural company, such co-operative society, land mortgage bank or agricultural company may, on application made by it to the authorised officer in Form-15, be permitted to continue in possession of such land.

(2) The application referred to in sub-rule (1) shall be made within <sup>1</sup> [ fifteen days] from the date of publication of the notification under sub-section (1) of section 17.

(3) The authorised officer, shall, on receipt of the applications referred to in sub-rule (1), cause such enquiry as he considers necessary to be made, on the working of the Co-operative society, land mortgage bank or agricultural company will best subserve the common good and increase agricultural production, the land shall, subject to the provisions of sub-rule (4), be permitted to continue in its possession.

(4) The order permitting the Co-operative society, land mortgage bank or agricultural company (hereinafter in this sub-rule referred to as the lessee), to continue in possession of the land shall be subject to the conditions hereinafter specified, namely :-

(a) The lessee shall execute a lease deed in Form 14-B within one month from the date on which the authorised officer passes orders allowing the lessee to continue in possession of the land.

(b) The period of lease shall be for one Agricultural year and on the expiration of that period, the authorised officer may, from time to time, renew the lease. Such renewal shall be subject to such modifications and additions as may be specified by the authorised officer.

(c) On the expiry of the lease or termination thereof under clause (d), the lessee shall restore the land to the Government in the state in which it was leased out to it.

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1.Substitution vide EOG No.143 dated 06-04-1976.

(d) In the event of infringement of any of the terms and conditions specified in these rules or in the order permitting the lessee to continue in possession of the land or in the deed witnessing the lease, the lessee shall be liable to pay such compensation as may be determined by the authorised officer for any loss or damage resulting from such infringement. Such infringement shall also render the lease liable to termination without compensation to the lessee. It shall also be competent for the authorised officer or any person authorised by him to enter upon the land leased out and evict the lessee summarily from the land ;

Provided that before taking action under this clause, the lessee shall be given a reasonable opportunity for showing cause against the action proposed to be taken.

(e) The lessee shall have the option of surrendering possession of the land even before the expiry of the term of the lease, by giving to the authorised officer three months notice expiring with the end of an agricultural year.

(f) All the conditions prescribed under sub-rule (5) of rule 24, [except those referred to in clauses (b), (c), (n), (q) and (r) of the said sub-rule] shall also apply *mutatis-mutandis* to this rule.

(5) If the lessee desires to have the lease renewed, the lessee shall apply to the authorised officer for renewal in Form-15 , not less than three months before the date of expiry of lease.

**26. Declaration under section 19 (1).**- (1) The declaration to be made by a transferee under sub-section (1) of section 19 shall be in Form 16.

Explanation I- Where the declaration has been signed by the transferee, it shall be filed before the registering authority by transferee, either in person or by an authorised agent.

Explanation II- where the transferee is :-

(a) dead before the filing of the declaration, each legal representative of the deceased transferee shall file it :

(b) a minor, lunatic, idiot, or one, who is subject to a like, disability, the declaration shall be made and filed by the guardian, manager or other person in charge of such person or of the property of such person ;

(c) a company or other corporate body, the declaration shall be signed and filled by any person competent to act for such company or body in this behalf.

(2). One copy of the declaration referred to in sub-rule (1) shall be forwarded to the authorised officer concerned by the registering authority. Copies of the declarations filed during a fortnight shall be forwarded by the registering authority within a week after the expiry of the fortnight by registered post with an invoice in duplicate showing the number of declarations sent and the registration numbers of the documents to which the declaration relate. The authorised officer, shall, on receipt of the declarations, return the duplicate copy of the invoice duly acknowledged.

(3) The authorised officer shall verify the correctness of the particulars furnished in the declaration in regard to the extent of land already held as well as that of the land acquired by the transferee, by making such local enquiry and inspection as he considers necessary either by himself or through any officer of the Revenue Department, not lower in rank, than a Revenue Inspector. If the authorised officer has reason to believe that there has been contravention of any of the provisions of the Act in any particulars case, he may take such action as he deems fit in accordance with the provisions of the Act or these rules.

**27. Returns under section 21.**- (1) The return to be furnished under sub-section (1) of section 21 shall be in Form 17.



(2) The return to be furnished under sub-section (2) of section 21 shall be in Form 18.

**28. Factors to be taken into consideration under section 23.-** The Government shall, in deciding whether to grant or refuse the permission under sub-section (2) of section 23 take into consideration the following factors in addition to the factors specified in sub-section (3) of the said section, namely :-

(a) total extent of land held or proposed to be acquired by the industrial or commercial undertaking;

(b) the extent of land in which industrial or commercial operation is carried on ;

(c) the extent of land utilised or proposed to be utilised for the construction of quarters, playgrounds and parks.

**29. Permission to undertakings to hold or acquire excess land.-** (1) Any industrial or commercial undertaking desiring to hold or acquire any land in excess of the ceiling area shall make an application in writing to the Government in the Revenue Department in Form 19.

(2) On receipt of the application, the Government may, after taking into consideration the factors specified in rule 49, grant permission to hold or acquire the whole or part of such land, if in their opinion, the undertaking *bona fide* carries on any industrial or commercial operation.

(3) The permission so granted shall be subject to the following conditions, namely :-

(i) if the land held by the industrial or commercial undertaking is intended for raising agricultural produce-

(a) the permission shall be for a period of three years, but the Government may, from time to time, extend the permission for a further period not exceeding three years at a time ; and

(b) a substantial portion of such production shall be utilised for the main purpose of the undertaking or for ancillary purposes of such undertaking.

(ii) If the land held by the industrial or commercial undertaking is required for mining operations to be carried out at a future date, the permission shall be in force as long as such operations are carried on under any licence or lease granted under the Mines and Minerals (regulation and Development) Act, 1957 (Central Act 67 of 1957) and the rules made thereunder and as long as the licence or the lease is in force .

(iii) If the land held by the industrial or commercial undertaking is required for future expansion of the undertaking, the land shall be fully utilised for such expansion within such period as the Government may, from time to time, by general or special order specify . In the absence of such an order, the land shall be utilised for such expansion within a period of five years from the date of the order granting permission.

(iv) If the land is required by the industrial or commercial undertaking for any purpose other than the purposes referred to above, the undertaking shall comply with such conditions as the Government may specify in the order granting such permission.

(v) The industrial or commercial undertaking shall comply with such other conditions as the Government may, from time to time, by general or special order specify.

(vi) The industrial or commercial undertaking shall, at all reasonable times, allow the land to be inspected by an officer of the Revenue Department, not lower in rank than a Revenue Inspector,

to verify whether the conditions subject to which the permission has been granted or whether such other conditions as may be specified by the Government, by general or special order, are complied with and in any case where such officer is satisfied that any of the conditions subject to which permission is granted has not been complied with, he shall report the matter to the Government through the Land Commissioner, for such action as the Government may deem fit.

(vii) The industrial or commercial undertaking shall furnish any information called for by the Government or by any officer subordinate to the Government.

(viii) In the event of the industrial or commercial undertaking ceasing to carry on the industrial or commercial operation, the undertaking shall forthwith inform the Government about such cesser and the Government may, either suo motto or on receipt of such information, make such enquiry as they deem fit and cancel the permission :

Provided that before such cancellation the undertaking shall be given a reasonable opportunity of being heard :

(ix) If at any time the industrial or commercial undertaking is transferred, the transferor and the transferee shall, within thirty days from the date of such transfer, intimate the fact of transfer to the Government and the Government may, after making such enquiry as they deem fit -

(a) pass an order directing that the permission already granted to the transferor shall operate in favour of the transferee on the same terms and conditions subject to which the permission was granted to the transferor, with effect from the date of the transfer for the unexpired period of the permission ; or

(b) cancel the permission after giving to the transferee, an opportunity of being heard.

(x) (a) If the land in respect of which permission has been granted is used for any purpose other than the purpose for which permission was granted, the industrial or commercial undertaking concerned shall intimate the diversion of the purpose to the authorised officer within thirty days from the date on which such diversion of purpose takes place.

(b) The authorised officer shall, on receipt of such intimation, inspect the land and make such enquiry as he deems fit and if he is satisfied that the land is not used for the purpose for which the permission was granted or for any ancillary purpose, he shall report the matter to the Government through the Land Commissioner for such action as the Government may deem fit.

**30. Claim for <sup>1</sup>[amount].-** (1) Every person claiming <sup>1</sup> [amount] under sub-section (1) of section 24 shall prefer the claim in Form 20.

(2) It shall be presented in person or by agent or be sent by registered post to the authorised officer.

**31. Procedure for determination of fair rent.-** (1) On receipt of claims for <sup>1</sup> [amount] within the period specified in sub-section (2) of section 24 or if no such claim is preferred within that period, the authorised officer shall, at any time after the expiry of that period determine the fair rent in respect of the surplus land in the manner specified in paragraph 4 of the Part I of Schedule I to the Act.

(2) In commuting the fair rent in terms of cash, the authorised officer shall fix the cash value of the crop in such manner as he may deem fair and reasonable taking into consideration the Government records containing the season and crop and price reports and also consulting the Director of Statistics, if considered necessary ;

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1. Substitution vide EOG 143 dt.6-4-1976.



Provided that where the average market price of any crop has been published by the Collector in the Official Gazette under sub-section (1) of section 13 of the Pondicherry Cultivating Tenants (Payment of Fair Rent) Act, 1970 (Act No.5 of 1971) and such price is in force on the date of publication of the notification under sub-section (1) of section 17, the authorised officer shall adopt such price in commuting the fair rent in terms of cash.

(3) Subject to the provisions of paragraph 4 of Part I of Schedule I to the Act, for determining the normal gross produce in respect of any land for any specified crop, the authorised officer shall ascertain the quantity of the produce which will be obtained if such crop were grown in a year in which the rainfall and the seasons are of a normal character on land of the same class as the land in question similarly situated and possessing similar advantages. For the purposes of such determination the authorised officer may take into consideration -

(a) The soil classification of the land and the normal or standard outturn of paddy in the case of wet land and of the dry irrigated crop in the case of dry unirrigated or irrigated land for the different classes and sort of soil ;

(b) the Government records containing season and crop reports and rainfall accounts;

(c) the accounts of landowners, intermediaries and the cultivating tenants wherever available for similar lands enjoying similar advantages; and

(d) the oral or documentary evidence adduced by any of the interested parties and decrees of civil courts.

**32. Authorised officer may direct enquiry to be made by other officer.-** (1) In any proceeding under the Act, the authorised officer shall have also power to depute any officer of the Revenue Department not lower in rank than a Revenue Inspector to make local enquiry and inspection and to collect relevant data.

(2) The officer so deputed shall submit a report of such enquiry and inspection in writing and this report shall be part of the evidence in the proceeding.

(3) The parties to the proceeding shall be entitled to be furnished with copies of the report and may file objections thereto. The authorised officer shall in passing orders in the matter consider the report together with the objections thereto.

**33. Party to be represented by counsel or authorised agent.-** (1) In any proceeding under the Act before <sup>1</sup> [ \* \* \* ], the Land Tribunal and the Land Commissioner any party shall be entitled to be represented by counsel to act and plead on his behalf.

(2) The authorised officer, the Land Tribunal, the Land Commissioner, as the case may be, may permit an authorised agent to act and plead on behalf of a party. The permission so granted may, for reasons to be recorded in writing, be cancelled by such officer, Tribunal, or Land Commissioner, as the case may be, at any stage of the proceeding ;

Provided that the party concerned shall be informed of such cancellation and he shall be afforded sufficient opportunity for his being thereafter represented in such proceeding by counsel or by any other authorised agent.

**34. Manner of apportionment.-** (1) If there are several persons amongst whom the amount payable for the surplus land acquired to be apportioned and if such persons agree in the

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1. Omission vide EOG No. 143 dated 06-04-1976.

apportionment, amount shall be apportioned accordingly and the particulars of such apportionment shall be specified in the draft assessment roll referred to in sub-section (3) of section 24.

(2) In the absence of any agreement as to the apportionment of the amount amongst the persons interested, the authorised officer shall make a summary enquiry and apportion the amount among them in proportion to the value of their respective interests.

35. **<sup>1</sup> [Draft assessment] roll.**- (1) The <sup>1</sup> [draft assessment roll] referred to in clause (a) of sub-section (3) of section 24 shall be prepared in Form 21. The authorised officer shall also record in a separate order his reasons for arriving at the findings set out in the draft assessment roll.

(2) The statement referred to in sub-clause (i) of clause (a) of sub-section (3) of section 24 and the notice referred to in sub-clause (ii) of clause (a) of sub-section (3) of section 24 shall be in Forms 22 and 23 respectively.

(3) The <sup>1</sup> [draft assessment roll] referred to in sub-rule (1) together with the statement and the notice referred to in sub-rule (2) shall be published in the manner specified in sub-rule (2) of rule 13.

36. **Objections under section 24 (3) (a).**- The objections to be preferred under sub-clause (ii) of clause (a) of sub-section (3) of section 24 shall be in writing and shall be presented in person or by agent or be sent by registered post to the authorised officer concerned.

37. **Final publication of assessment roll** <sup>1</sup>: The <sup>1</sup> [final assessment roll] referred to in sub-section (5) of section 24 or sub-section (6) of section 24 shall be published in the Official Gazette.

38. **Endorsement under section 24 (8).**- The certificate referred to in sub-section (8) of section 24 shall be in Form 24 and shall be endorsed by the authorised officer within thirty days from the date of final publication of the <sup>1</sup>[amount] assessment roll in the Official Gazette.

39. **Disposal of claims referred by mortgagee or charge holder on surplus land under section 25.**- (1) Any mortgagee or chargeholder of the surplus land acquired by the Government who desires to prefer a claim before the authorised officer under clause (b) of sub-section (1) of section 25 shall file an application in Form 25.

(2) It shall be presented in person or by agent or be sent by registered post to the authorised officer having jurisdiction. The claimant shall also send a copy of the application to the respondents concerned.

(3) On receipt of the application under sub-rule (1), the authorised officer shall fix a date for enquiry and issue notices in Form 26 to the parties concerned and decide the claim after giving a reasonable opportunity to the parties to produce such evidence as may be necessary.

40. **Mode of payment of <sup>1</sup>[amount].**- (1) Save as otherwise provided in these rules, the <sup>1</sup>[amount] payable in respect of surplus land notified under sub-section (1) of section 17 shall be payable within three years from the date of publication of the <sup>1</sup>FINAL assessment roll] in respect of that land.

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1. Amendment vide EOG 143 dated 06-04-1976.

41. **<sup>1</sup>Interest on amount** .- Interest shall be payable on the <sup>1</sup>[amount] at the rate of six percent per annum from the date specified in sub-section (2) of section 29.

42. **Intimation regarding <sup>1</sup>deposit of amount** .- As soon as may be after the <sup>1</sup>[amount] payable in respect of surplus land referred to in section 27,28 and 29 is determined the Authorised Officer shall by notice in writing intimate to the parties concerned.

43. **Authority for purposes of section 26 and 27.-** The Collector shall be the authority with whom the <sup>1</sup>[amount] shall be deposited.

44. **Conditions subject to which <sup>1</sup>[ amount ] payable under section 26 is to be kept in deposit with the Collector.-** (1) The <sup>1</sup>[amount], as soon as it is deposited with him shall be invested by the Collector in Government guaranteed security. The interest portion of each annual instalment and the interest accruing on the investments made, as soon as they are drawn shall be paid by the Collector to the person or persons entitled to such amount under sub-section (1) of section 26 until any person or persons become absolutely entitled to the amount.

(2) If the limited owner dies, the Collector, shall pay the <sup>1</sup>[amount] to the person or persons becoming absolutely entitled thereto.

45. **Conditions subject to which <sup>1</sup> [amount] payable under section 27 is to be kept with the collector.—** The <sup>1</sup> [amount], as soon as it is deposited with him, shall be invested by the Collector in Government guaranteed security. The interest portion of each annual installment and interest accruing on the investments made, shall, till the death of the maintenance holder or till the right to receive maintenance ceases to exist or till the liability to pay maintenance ceases to exist or till the liability to pay maintenance is discharged, be drawn by the Collector and paid in the manner laid down below.-

(i) Out of the interest, that amount which bears to the total amount of interest the same proportion as the extent of the interest of the maintenance holder in the annual net income from the surplus land bears to the total annual net income from such land, shall be paid to the maintenance holder. In determining the amount of interest payable to the maintenance-holder under this sub-rule, the Collector shall give effect to the terms of any decree for maintenance or the terms of any instrument creating a charge on such surplus lands for payment of maintenance to the maintenance holder concerned.

(ii) The balance of the interest shall be paid to the person from whom the surplus land was acquired, or the person deriving rights through such persons, as the case may be.

(2) If the maintenance holder dies or the right to receive maintenance ceases to exist or the liability to pay maintenance is discharged, the Collector shall pay the <sup>1</sup>[amount] in favour of the person from whom the surplus land was acquired or the person deriving rights through such person, as the case may be.

46. **Procedure to be followed where <sup>1</sup>[amount] is payable to a minor, or a person under legal disability.-** (1) Where in any case, the person entitled to received <sup>1</sup>[amount] in respect of surplus land acquired under the Act is a minor, lunatic, idiot or a person subject to like disability such <sup>1</sup>[amount] shall be paid to the guardian of such minor, or the manager or other person in charge of such person or of the property of such person, only if the guardian or the manager or other person furnishes sufficient security in the form of immovable property to the satisfaction of the Authorised

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1. Amendment vide EOG 143 dated 06-04-1976.

Officer. If no sufficient security as aforesaid is furnished, the <sup>1</sup>[amount] shall be kept in deposit with the Collector till the minor attains the age of the majority or till the disability aforesaid ceases.

2. In cases in which <sup>1</sup>[amount] has to be deposited with the Collector, the interest portion of each annual instalment and the interest accruing of the investments made shall be drawn annually by the Collector and paid to the guardian of the minor or the manager or other person incharge of the disabled individual, as the case may be.

(3) In cases where the minor attains the age of majority or the disability ceases or adequate security is furnished in sub-rule (1), the Collector shall endorse the <sup>1</sup>[amount] in favour of the person concerned or the guardian, manager or the other person incharge, as the case may be.

**47. Return under section 31(1) and notice under section 31 (2) .-** The return referred to in sub-section (1) of section 31 shall be in Form 27.

(2) It shall be presented in person or by agent or be sent by registered post to the authorised officer within whose jurisdiction the holding of such cultivating tenant or the major part thereof is situated.

(3) The notice to be issued by the authorised officer under sub-section (2) of section 31 shall be in Form 28.

**48. Procedure to be followed before taking possession of land under section 32.-**  
(1) On receipt of the return or the information under section 31 and after following the procedure specified in rules 10 and 11, the authorised officer shall prepare a statement in Form 29 and cause a copy thereof to be served on the landowner and the cultivating tenant with a notice in Form 30 calling upon them to file objection, if any, to the said statement within <sup>1</sup> [fifteen] days from the date of service of the notice or within such further time not exceeding thirty days as the authorised officer may, in his discretion, allow. The authorised officer shall give a reasonable opportunity to the landowner and the cultivating tenant for adducing any documentary or oral evidence and pass such order as he deems fit.

(2) After he has passed orders under sub-rule (1) and after hearing any representation made under the first proviso to section 32, the authorised officer shall issue a notice in Form 31 intimating the landowner and the cultivating tenant of his decision to take possession of the land which is declared to be in excess of the cultivating tenant's ceiling area and the date on which he proposes to take possession of the land. The notice shall be served on the landowner and the cultivating tenant in the manner specified in rule 9.

(3) Where there is any crop standing on the land taken possession of under section 32, the authorised officer shall, as far as may be, follow the procedure specified in rule 23.

**49. Payment of fair rent under section 33 (2).-** (1) Within thirty days from the date of service of the notice in Form 31, the landowner shall express his option to receive the fair rent in cash or kind. The fair rent for the land shall, as far as practicable, be payable in accordance with the option expressed by the landowner. The value of one-fifth of the straw or stalk of all the crops cultivated on the land in an agricultural year, shall also be payable together with the fair rent in kind.

(2) The fair rent shall be payable to the landowner on behalf of the Government by the person to whom the possession of land has been distributed under sub-section (1) of section 34 (hereinafter in these rules referred to as the allottee within fifteen days from the harvest of each crop after obtaining a receipt from the landowner. If the landowner refuses accept the fair rent or to give a receipt therefor,

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1. Amendment vide EOG No.143 dt.6-4-1976.

the fact of such refusal shall be intimated to the authorised officer and the amount of fair rent or where the fair rent is payable in kind, its cash value, shall be remitted to the authorised officer.

(3) In the following cases, the amount of fair rent, or where the fair rent is payable in kind, its cash value, shall be kept in revenue deposit and the authorised officer shall intimate the fact of deposit to the parties concerned.-

(i) Where the landowner refuses or is unwilling to receive the fair rent or refuses to give a receipt therefor..

(ii) in case of dispute as the title to receive the fair rent.

**50. Distribution of possession of land under section 34 (1).-** (1) The distribution of possession of the land referred to in sub-section (1) of section 34 shall be in accordance with the procedure set out in sub-rules (2) to (10)

(2) While intimating the cultivating tenant of his decision to take possession of the land under the second proviso to section 32, the authorised officer shall cause to be published a notice in Form 32 in the manner specified in items (ii) to (iv) of sub-rule (2) of rule (13).

(3) Application for distribution of possession of land under section 34 shall be in Form 33 and shall be presented in person or by agent or be sent by registered post to the authorised officer.

(4) The authorised officer may, on receiving an application under sub-rule (3) make such local enquiry and inspection, as may be necessary or cause it to be made by an officer of the Revenue Department not lower in rank than a Revenue Inspector who shall resubmit the application to the authorised officer with his report.

(5) After such enquiry or inspection or on receipt of the report referred to in sub-rule (4) the authorised officer shall, after such further investigation as he may deem necessary, pass orders thereon, either allotting the land applied for or rejecting the application. Orders passed on any application shall be communicated to the party concerned. If there are more than one applicant for the same land the authorised officer shall select two applicants, and shall issue orders to the two applicants simultaneously indicating the order of preference in respect of allotment and calling upon them to remit the security deposit under sub-rule (6) and within the time specified in that sub-rule. If both the applicant remit the security deposit in time the applicant who is the first in the order of preference indicated as aforesaid shall be allotted the land and the security deposit of the other shall be refunded to him. If however, the applicant who is the second in the said order of preference alone remits the security deposit in time then he shall be allotted the land.

(6) <sup>1</sup> [The allottee shall deposit one year's rent as security for the due observance and fulfillment of terms and conditions of the allotment. The allottee shall deposit the whole of security amount either in one instalment within ten days from the date of order of allotment of the land or in two installments as follows:-

- (i) 25% of one year's rent within 10 days from the date of order of allotment of the land; and
- (ii) the remaining 75% during the first post harvest period or within six months from the date of order of allotment of the land whichever is earlier.

The security deposit shall unless otherwise dealt with under these rules, be refunded to the allottee after the expiry of the allotment period.<sup>1</sup>

(7) <sup>2</sup> [The allottee shall execute an agreement in form 33 A within thirty days from the date of the order allotting the land to him.]<sup>2</sup>

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1. Substitution vide EOG No.402 dated 30-08-1976.

2. Substitution vide EOG No.300 dated 03-07-1976.

(8) If the allottee fails to remit the security deposit within the time provided for in sub-rule (6) or fails to execute the agreement within the time provided for in sub-rule (7), the authorised officer shall cancel the order of allotment and may allot the land to any other applicant, whom he considers to have the best claim, if there were more than two applicants and in other cases call for fresh applications and proceed to deal with the matter under sub-rule (6) shall not be eligible for applying for land again under this sub-rule.

(9) Any amount due to the Government from the person to whom possession of land is distributed under sub-rule (5) of rule 24 shall as far as may be, apply to the allotment of land under this rule.

(10) Subject to the provision of this rule, the terms and conditions applicable to the leases under sub-rule (5) of rule 24 shall, as far as may be, apply to the allotment of land under this rule.

**51. Manner of eviction under section 35.-** The person who has to be summarily dispossessed of the land under the provisions of section 35, shall be served with an order of eviction together with a notice indicating therein the particulars of land and the time within which the said person is required to vacate the land and also stating that if such notice is not obeyed, eviction shall be carried out, by entering upon the land. Any crop or other produce raised on the land shall be liable to forfeiture.

**52. Enquiry by Land Tribunal into the application under section 36 (3) and references under section 45 (2).-** (1) As soon as may be after the receipt of an application under sub-section (3) of section 36, or references by the Authorised Officer under sub-section (2) of section 10, sub-clause (iv) of clause (a) of sub-section (3) of section 15 or sub-section (3) of section 25, the Land Tribunal shall issue notice to the parties interested in the land directing them to appear before it on a specified date for being heard.

(2) The Land Tribunal shall after considering the claims and objections received and hearing any person appearing in pursuance of the notice issued under sub-rule (1) and after making due enquiries as it deems fit, pass orders on the application, if any, whether pending before it or filed in pursuance of the notice under sub-rule (1) from the land owner, the cultivating tenant or intermediary if any, for the payment of fair rent, in accordance with the provisions of sub-section (2) of section 16 of the Act.

(3) The Land Tribunal shall be competent to call for any particulars from any party for purposes of implementing the provisions of the Act and the party, when so called upon, shall be bound to furnish the same.

(4) The Land Tribunal shall, for the purpose of implementing the provisions of the Act, or these rules, have powers to grant injunctions, ordering dismissal for default of appearance, the passing the ex-parte orders, and setting them aside for good cause, and renewing of orders passed on ground of apparent error, and make such other interlocutory order as may appear to the Tribunal to be just and necessary to meet the ends of justice.

(5) The Land tribunal shall have power to allow amendments of petitions or applications made before it, or sent to it for disposal in accordance with the procedure laid down therefor in the law for the time being in force relating to civil procedure.

(6) The Land Tribunal shall also have the power to add as parties, the legal representatives of deceased party in the proceedings pending before it. The provisions of law for the time being in force relating to civil procedure shall as far as may be, apply to the proceedings for impleading the legal representatives.

(7) The Land Tribunal may also permit a recognised agent to examine and cross-examine



witnesses, argue and do such other acts as are necessary for the proper conduct of the case on behalf of the party appointing him.

**53. Return under section 39.**— (1) The return referred to in sub-section (1) of section 39 shall be in Form 34.

(2) It shall be presented in person or by agent or be sent by registered post to the Authorised Officer concerned.

**54. Register of surplus land.**— (1) The Authorised Officer shall maintain a register of surplus land in Form 35.

(2) As soon as may be after the publication of the notification under sub-section (1) of section 17, the Authorised Officer shall enter the particulars of the surplus land acquired by the Government under that notification in the register.

**55. Authorised Officer to invite applications for assignment of surplus land.**— The Authorised Officer shall invite applications for the assignment of surplus land and, for this purpose, shall publish a notice in Form 36, in the following manner, namely:—

(i) by affixture in the village chavadi or if there is no village chavadi, in some other conspicuous public place in the village or town in which the land referred to in the notice is situated:

(ii) by beat of tom-tom in the said village or town ;

(iii) by affixture on the notice boards of the offices of the Deputy Collector (Revenue), Authorised Officer and the Taluk/Sub-Taluk concerned and of Office of the Village and Commune Panchayat or Municipality within which the land is situated.

**56. Eligibility of assignment of surplus land and the maximum extent to be assigned.**—

(1) <sup>1</sup> [Subject to the provisions of sub-section (2) of section 61 of the Act the following persons and societies shall be eligible for assignment of surplus land :—

(i) Any person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Act ;

(ii) Any other person who is completely dispossessed of his holding by virtue of the provisions of the Act ;

(iii) Any whose extent of holding is reduced below 1.2 standard hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue, of the provisions of the Act.

(iv) A landless agricultural laborer belonging to Scheduled Caste or Scheduled Tribes who contributes his own physical labour or that of any member of his family in the cultivation of the land

(v) Families of servicemen killed in action and war widows of 1962, 1965 and 1971 wars ;

(vi) Ex-Servicemen disabled in action ;

(vii) Ex-Servicemen who have meritoriously served in army, navy or air force ;

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1. Substitution vide EOG No.54 dated 14-02-1977.

(viii) Other Ex-Servicemen and persons in active military service ;

(ix) Freedom Fighters in indigent circumstances ;

(x) A landless agricultural laborer other than the land less agricultural laborer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land.

(xi) A repatriate from Burma, Ceylon or Vietnam who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who is in indigent circumstances;

(xii) A Co-operative farming society, the members of which are landless agricultural laborers, provided that the extent of land assigned to the society together with the land if any, already held by the society does not exceed the ceiling area:

Provided that the applicants who are domiciled in this Union Territory (at least 5 years of continuous residence) shall be given preference over non-residents.

Provided further that allotment to persons in categories from (iv) to (xii) shall be made having regard to the number of applications received in each category and the total availability of surplus lands.]

(2) The total extent of land that may be assigned to any person referred to in clauses (i) to (viii) of sub-rule (1) together with the extent of other land, if any, already held by such person or if such person is a member of a family, by such family shall not exceed two standard hectares.

**57. Liability of the assignee to pay value for the surplus land assigned and value for the building and trees thereon if any.—** (1) <sup>1</sup> [ the assignee shall be liable to pay value for the surplus land assigned. The value shall be calculated at the rate of the amount paid to the land owner as compensation and shall be recovered from the assignee 20 equal annual installments with six per cent interest ]<sup>1</sup>

(2) The assignee shall also be liable to pay such value for the buildings and trees, if any, of the surplus land assigned, as may be fixed.

(3) The value for the surplus land and for the buildings and trees thereon, if any, shall at the option of the assignee, be payable in a lump sum or in twenty equal annual installments with interest at the rate of six per cent annum on the outstanding installments.

**58. Applications for assignment of surplus land to be made to the Authorised Officer.-** Application for the assignment of surplus land shall be in Form 37 and shall be presented, in person, to the Authorised Officer within whose jurisdiction the land is situated or sent to him by registered post.

**59. Procedure on receipt of applications.—** (1) As soon as may be after the expiry of the time allowed for the presentation of applications for the assignment of surplus land, the Authorised Officer shall prepare a list of the applications received.

(2) The Authorised Officer shall then publish a notice in Form 38 in the manner prescribed in rule 55, inviting objections, if any, to the assignment of the land to the applicants, within a period of <sup>2</sup> [fifteen days ] from the date of publication of the notice.

(3) After the expiry of the time allowed for preferring objections, the Authorised Officer shall make, or cause it to be made by an officer of the Revenue Department not lower in rank than Revenue

1. Substitution vide EOG No.24 dated 08-05-1987.

2. Substitution vide EOG No.187 dated 13-05-1976.



Inspector, such local enquiry or inspection as may be necessary. He shall also give an opportunity to the applicants and to the objectors of being heard.

(4) The Authorised Officer shall then consider the respective claims of the applicants and pass orders. The orders passed by the Authorised Officer shall be communicated to all the applicants and objectors.

(5) <sup>1</sup> [ After passing orders under sub-rule (4) the Authorised Officer shall issue to the assignee, a notice in Form 39 specifying the amount which the assignee has to pay as value of the land and of the buildings and trees thereon, if any, the number of installments in which he can pay it; if he desires to pay it in installments instead of in a lumpsum, the amount of each installments, the date on which each instalment is payable every year and the rate of interest payable on outstanding installments. The notice shall direct the assignee to intimate his option either to pay the amount in lumpsum or in installments, the first instalment payable within 15 days after the expiry of one year from the date of execution of the deed. After obtaining the willingness from the assignee, the Authorised Officer shall take action accordingly to get the deed of assignment in Form No.40 executed by the assignee ]

**60. Conditions of assignment.-** The assignment of land shall be subject to the following conditions, namely :-

(i) <sup>2</sup> [The land assigned shall not be sold or otherwise alienated before expiry of a period of twenty years from the date of assignment or before payment of the value of the land and buildings and trees thereon in full, whichever is later.]

(ii) If the land has been assigned subject to the payment of value of the land and buildings and trees, thereon in installments ;

(a) <sup>1</sup> [ the first instalment shall be payable within 15 days after the expiry of one year from the date of execution of the deed]

(b) each subsequent instalment shall be payable before the 31st March of every year.

(c) in the event of default in the payment of an instalment, the amount of the instalment shall be recovered as an arrear of land revenue.

(d) in the event of default in the payment of two consecutive installments, the amount already paid shall be liable to be forfeited to the Government and the land shall be liable to be resumed and

(e) if, any year, due to adverse seasonal conditions, the land revenue in respect of the land is remitted or suspended, the recovery of the instalment payable in that year and of the installments payable in subsequent years shall be postponed by one year;

(iii) The land will vest absolutely in the assignee only after the value of the land and the buildings and trees thereon is paid in full;

(iv) The assignee shall engage himself in the direct cultivation of the land assigned ;

(v) The assignee shall pay, on the due dates, the land revenue assessment, cesses and local taxes in force from time to time, in respect of the land assigned, with effect from the year in which the assignment is sanctioned ;

(vi) All sums due to the assignor by virtue of the assignment shall be recoverable from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970 as if such sums were arrears of land revenue or in such other manner,

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1. Substitution vide E O G 187 dated 13-05-1976.

2. Substitution vide E O G 25 dated 14-08-2003.

as the assignor may deem fit ;

(vi) All sums due to the assignor by virtue of the assignment shall be recoverable from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970 as if such sums were arrears of land revenue or in such other manner, as the assignor may deem fit ;

(vii) The assignee shall abide by such other conditions as are usually laid down in the assignment of Government waste lands and as may be specified in the order of assignment.

**61. Procedure for filing appeals.-** (1) Every appeal against the order of the Authorised Officer under the Act, and these rules shall be made in the form of a petition addressed to the Authority to whom the appeal lies within <sup>1</sup> [30] days from the date of decision and shall be drawn up in concise and legible language ; and shall bear the signature or mark of the appellant or his duly authorised agent and shall bear a court fee stamp of Rs.1.50 .

(2) The appeal shall contain the following particulars :-

(i) Name, father`s name, occupation and place of residence or address of the appellant ;

(ii) the date of order appealed against ;

(iii) a brief and precise statement of the facts ;

(iv) the grounds of objection to the order appealed against.

(3) In computing the period of 30 days, the day on which the order appealed against was pronounced or communicated and the time required for obtaining a copy of that order shall be excluded

(4) No appeal shall be admitted unless accompanied by certified copies of the order or orders appealed against.

(5) The appeal shall be presented either to the appellate authority or such other officer as the appellate authority appoints in this behalf by the appellant himself personally or by his recognised agent or by counsel at any time during office hours on any working day.

**62. Effect of cancellation or modification of assignment.-** In the event of the modification or cancellation of an assignment, the land assigned shall be resumed from the assignee, either in part or in full, as the case may be, and on such resumption the assignee shall not be entitled to compensation for any improvement effected by him on the land. The value of the land, building thereon paid by him may, at the discretion of the assignor, be refunded to him, in part or in full. The assignee shall also be liable for damages, if any, caused by him to the land and the compensation for the damages shall be recovered from him by deduction from the value of the land, buildings and trees thereon paid by him. If the compensation for the damages exceed the value of the land, buildings and trees thereon paid by him, such excess shall be recovered from him as if it were an arrear of land revenue.

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1. Substitution vide EOG No. 130 dated 03-05-1977.

## FORM 1

[See Rule 4 (1) of the Pondicherry Land Reforms  
(Fixation of Ceiling on land and disposal of surplus Lands) Rules, 1975]

*Form of Notification under sub-section (1) of section 7 of the Pondicherry Land Reforms (Fixation  
of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

### NOTIFICATION

Under sub-section (1) of section 7 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974), the Lieutenant - Governor, Pondicherry hereby specifies the .....as the date from which the period for furnishing return under that sub-section shall commence.

(2) The said date shall be the notified date for the purposes of the said Act.

(By Order of the Lieutenant-Governor)

Secretary to Government,

Revenue Department , Pondicherry

## FORM 2

[See Rule 5 of the Pondicherry Land reforms (Fixation of Ceiling on Land  
and Disposal of Surplus Lands) Rules, 1975.

*Form of return to be furnished under sub-section (1) of section 7 of the Pondicherry Land Reforms  
(Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

1. Name and address of the person by whom the land is held or deemed to have been held.
2. Name and address of the person furnishing the return.
3. (a) If the return is not furnished by the person holding the land, is the person's written authorisation to furnish the return enclosed.
- (b) If the person specified in item (1) is a minor, lunatic, idiot or is subject to a like disability, is the person specified in item (2)-
  - (i) his guardian:
  - (ii) his manager : or
  - (iii) the person incharge of such person or of the property of such person ?
- (c) If the person specified in item (1) is a company or other corporate body, is the person specified in item (2) competent to act for such company or body in this behalf ?
- (d) If the return relates to a family is the person specified in item (2), in management of such family or of the property of such family?

4. If the return relates to a family, particulars of the members of the family -

| <i>As on the 24th January, 1971.</i>                                                                                                                                                                                                                             |            | <i>As on the notified date</i> |            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------------------------------|------------|
| <i>Name</i>                                                                                                                                                                                                                                                      | <i>Age</i> | <i>Name</i>                    | <i>Age</i> |
| (i) Head of the family                                                                                                                                                                                                                                           |            |                                |            |
| (ii) Wife/husband                                                                                                                                                                                                                                                |            |                                |            |
| (iii) Minor sons                                                                                                                                                                                                                                                 |            |                                |            |
| 1.                                                                                                                                                                                                                                                               |            |                                |            |
| 2.                                                                                                                                                                                                                                                               |            |                                |            |
| (iv) Unmarried daughters                                                                                                                                                                                                                                         |            |                                |            |
| 1.                                                                                                                                                                                                                                                               |            |                                |            |
| 2.                                                                                                                                                                                                                                                               |            |                                |            |
| (v) Minor grandsons in the male line whose father and mother are dead.                                                                                                                                                                                           |            |                                |            |
| 1.                                                                                                                                                                                                                                                               |            |                                |            |
| 2.                                                                                                                                                                                                                                                               |            |                                |            |
| (vi) Unmarried grand-daughters in the male line whose father and mother are dead.                                                                                                                                                                                |            |                                |            |
| 1.                                                                                                                                                                                                                                                               |            |                                |            |
| 2.                                                                                                                                                                                                                                                               |            |                                |            |
| (vii) Whether in the case of minor sons or minor grandsons governed by Hindu Law a partition by means of a registered instrument has taken place or in respect of whose family properties a preliminary decree for partition has been passed before the 24-1-71. |            |                                |            |

5. Have particulars of all lands held or deemed to have been held in the Union territory of Pondicherry by the person specified in item (1) on the 24th January, 1971, been furnished in Annexure A ?

6. (a) Is there any encumbrance on the land included in Annexure A and, if so,

(b) have particulars of the encumbrance been furnished in Annexure "B" ?

7. (a) Is there any litigation pending in respect of any land included in Annexure A and, if so.

(b) have particulars of the litigation been furnished in Annexure C ?

8. (a) Are there any arrears of land revenue in respect of any land included in Annexure-A and, if so.
- (b) have particulars of such arrears and of the proceedings pending for collection of the arrears been furnished in Annexure D ?
9. (a) Has nay land included in Annexure A been leased out to tenants and, if so
- (b) have particulars of such land been furnished in Annexure-E ?
10. (a) have particulars of such land been furnished in Annexure -E ?
- (b) have particulars of such land been furnished in Annexure-F ?

I have furnished in Annexure-G, the particulars of land which is desired to be retained within the ceiling area and the land which is desired to be declared as surplus.

I hereby declare that to the best of my knowledge and belief the information furnished in the form and in Annexures A to G is a full and complete information of the entire holding of person or family specified in item (1) within the Union territory of Pondicherry and that the said person or family or any member of the family does not hold any other agricultural land either individually or jointly with others within the Union territory of Pondicherry.

Place :

Date :

Signature of the person furnishing the return

To.

The Authorised Officer .....

## FORM 2

### ANNEXURE - A

*Particulars of all land held or deemed to have been held on the 24-1-1971*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.

6. Government or inam.

7. Wet or dry.

8. If irrigated by Government source of irrigation, name of such source and whether by direct flow or by lift.

9. Extent. H. A. Ca.

10. Assessment. Rs. P.

11. Extent in standard Hectares.

12. Details of building (Kachcha or pucca)  
masonry wells (in use or not in use)  
tube wells in use.

13. Number of trees (fruit bearing or timber or young ones).

14. Remarks.

**Note:-** (1) The particulars in this Annexure should be furnished under different sections as shown below :-

- |             |   |                                                        |
|-------------|---|--------------------------------------------------------|
| Section I   | - | Land held as owner.                                    |
| Section II  | - | Land held as possessory mortgagee.                     |
| Section III | - | Land held as tenant.                                   |
| Section IV  | - | Land held as intermediary.                             |
| Section V   | - | Land held as trust land in which any interest is held. |

(2) In the case of land included in Section II, III and IV, the name and address of the possessory mortgagor or the land owner or the tenant, as the case may be, with the particulars of the period of lease, etc., and in the case of trust land, the particulars of interest reserved in favour of the person concerned or of any member of his family shall be furnished in column 14.

(3) If the land for which particulars are furnished above, is not a registered subdivision, boundaries of it for easy identification should be mentioned in column 14.

Place :

Dated :

Signature of the person furnishing the return

## FORM 2

### ANNEXURE-B

*Particulars of encumbrances of the land included in Annexure - A*

1. Serial number .
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent.
7. Particulars of encumbrances with the name and address of the creditors.
8. Remarks.

Place :

Date :

Signature of the person furnishing the return

## FORM 2

### ANNEXURE -C

*Particulars of any pending Litigation in respect of the land included in Annexure-A.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent.
7. Particulars of the litigation pending, the case number, the name of the court and the names of parties.
8. Remarks.

Place :

Date ;

H. A Ca.

Signature of the persons furnishing the return.

**FORM 2**

**ANNEXURE - D**

*Particulars of arrears of Land Revenue or attachment or Restraint  
on Alienation in force in respect of Land included in Annexure - A*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H.      A      Ca.
7. Amount of arrears.
8. Particulars of proceedings pending for collection.
9. Particulars of attachment.
10. Particulars of restraint on alienation.
11. Remarks.

Place :

Date ;

Signature of the persons furnishing the return.

**FORM 2**

**ANNEXURE - E**

*Particulars of Land Leased out to tenants.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H.      A      Ca.
7. Name and address of the tenant.
8. Date of expiry of tenancy.



9. Rent payable.

10. Whether the tenant himself cultivates  
the land leased out and if no, the  
name of the person cultivating such land.

11. Remarks.

Place :

Date ;

Signature of the persons furnishing the return.

## FORM 2

### ANNEXURE - F

*Particulars of Land included in Annexure - A which has been disposed of on or after the 24-1-1971*

1. Serial number.

2. Region.

3. Taluk.

4. Village.

5. Survey number.

6. Extent. H. A Ca.

7. How disposed of.

8. To whom disposed of and his address

9. Date of disposal.

10. Remarks.

Place :

Date ;

Signature of the persons furnishing the return.

## FORM 2

### ANNEXURE - G

*Particulars of Land desired to be retained within the Ceiling area  
and particulars of Land desired to be declared as surplus land.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government, source of  
irrigation, name of such source and  
whether by direct flow or by lift
9. Extent H.      A.      Ca.
10. Assessment.
11. Extent in standard hectares.
12. Remarks.

Note.- The particulars in the Annexure should be furnished under two section as shown below :-

Section I - Land to be retained within the ceiling area.

Section II - Land to be declared as surplus.

Place :

Date ;

Signature of the persons furnishing the return.

<sup>1</sup> [ FORM 3 ]

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1. Omission vide EOG No.130 dated 03-05-1977.

## FORM 4

[See Rule 8 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Form of notice under sub-section (1) of section 8 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974).*

To

Name of person and address.

\* Whereas you have failed to furnish a return in respect of \*\* your/the firm's/the family's the tarwad's/the illom's/the society's/the association's/the company's holdings in the Union territory of Pondicherry with all the required particulars within the time specified in sub-section (1) of section 8 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974).

You are hereby required to prepare a true and correct return of \*\* your/the firm's/the family's/ the tarwad's/the illom's/the society's the association's/the company's holdings as on the 24-1-1971, in Form 2 and deliver it to me or cause it to be delivered at my office duly signed by \*\*you/you on behalf of the firm/family/tarwad/illom/society/association/company, on or before..... failing which you will be liable to a penalty under section 52 of the said Act.

\* Whereas the return furnished by you under sub-section (1) of section 8 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974) is incomplete/incorrect as detailed below \$ :-

Your are hereby required to furnish \*\* the following additional particulars to make the return complete/the true particulars in respect of the following matters :-

#..... on or before @ ..... failing which, you will be liable to a penalty under section 52 of the said Act.

Given under my hand and seal, this day of.....19.....

Place :

Date :

Signature of the Authorised Officer.  
(Seal)

Note:- This form may be adopted with suitable modification for purposes of sub-section (3) of section 21.

\*Strike out the paragraph not applicable.

\*\* Strike out the portion not applicable.

@ Here enter the date, month and year,

\$ Here enter briefly details how the return is incomplete or incorrect.

# Here specify the matters.

## FORM 5

[See Rule II (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Notice under sub-section (2) of section 8 of the Pondicherry Land Reforms (Fixation of Ceiling on Land Act, 1973(Act No. 9 of 1974).*

To

Name

Address.

Whereas, under rule 10 of the Pondicherry Land Reforms (Fixation of Ceiling on Land, Compensation for and Disposal of Surplus Lands) Rules, 1975, certain particulars have been obtained, it is proposed to take further action under the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973, (Act No.9 of 1974), on the basis of the said particulars. The said particulars are furnished in the statement appended. You are hereby informed that you may make any representation in the matter on or before (date) and adduce any documentary or oral evidence on the (date, time and place), which representation and evidence will be taken into consideration before orders are passed. If no representation is made or no evidence is adduced, it will be assumed that you have no representation to make and that you have no evidence to be adduced and orders will be passed on that assumption.

Place :

Date :

Authorised Officer

## FORM 6

[See Rule 12 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.

*Form of summons under the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

### SUMMONS TO APPEAR IN PERSON AND/OR TO PRODUCE DOCUMENTS.

Whereas your attendance is necessary to give  
Whereas the following documents

evidence

(here describe the documents in sufficient detail to permit of their identification with reasonable certainty) are required

with reference to any inquiry under the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974), (here enter briefly the subject of the inquiry) now pending before me, you hereby summoned to appear in person.

to produce or cause to be produced, the said documents day of ..... 19 at .....O'clock at (place) before me and not to depart thence until permitted by me.

Given under my hand and seal, this .....day of.....19..

Place :

Date :

Signature Official designation  
Seal

## FORM 7

[See Rule 13 (1) of the Pondicherry Land Reforms (Fixation on ceiling on Land and Disposal of Surplus Lands) Rule, 1975]

1. Name and address of the person

2. If the person in item 1 above is a family,  
particulars of the members family in  
\*\* the notified dated /\*\*\* the date of  
preparation of the statement.

Name

Age

(i) Head of the family

(ii) Wife/husband

(iii) Minor sons

- 1.
- 2.

(iv) Unmarried daughters

- 1.
- 2.

(v) Minor grandsons in the male line  
whose father and mother are dead

- 1.
- 2.

(vi) Unmarried grand daughters in the  
male line whose father and mother  
are dead.

- 1.
- 2.

(vii) Whether in the case of minor  
sons or minor grandsons governed  
by Hindu Law a partition by means of  
a registered instrument has taken  
place or in respect of partition has  
been passed before the 24th whose  
family properties a preliminary  
the 24-1-1971.

3. The particulars of all land held by the  
person including sridhana land,  
held by each female member of the  
family are furnished in Annexure - A.

4. The particulars of encumbrances on the land specified in Annexure-A together with the names of the creditors are furnished in Annexure -B.
5. The particulars of encumbrances on the land specified in Annexure-A-in respect of which any question of title is pending before a competent court, or the Land Tribunal or other authority are furnished in Annexure C.
6. The particulars of the share of the person or any member of the family in any land held by an agricultural company, Co-operative society or Land Mortgage Bank are furnished in Annexure-D.
7. The particulars of land which the person desires to retain within the ceiling area, the extent of the ceiling area of the persons and the land which may be comprised within the ceiling area are furnished in the Annexure - E.
8. The particulars of the land proposed to be declared as surplus land are furnished in Annexure - F.
9. The particulars of the land specified in Annexure-A which is held by tenant and the name and address of the tenant are furnished in Annexure-G.

Place :

Date :

\* Here enter the name and address of the person

\*\* Applicable for the calculation of the ceiling area for the first time in the case of a family holding land in excess of twelve standard hectares on the 24-1-1971.

\*\*\* Applicable to any other case.

## FORM 7

### ANNEXURE - A

*Particulars of land held or deemed to have been held on the 24-1-1971/Held on*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government , source of irrigation, name of such source and whether by direct flow or by lift.
9. Extent.
10. Assessment.
11. Extent in standard hectares.
12. Remarks.

Note.- The particulars in this Annexure should be furnished under different sections as shown below :-

|             |   |                                                                                                                                                                                                                                         |
|-------------|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section I   | - | Land held by the person as owner                                                                                                                                                                                                        |
| Section II  | - | Land held by the person as possessory mortgagee.                                                                                                                                                                                        |
| Section III | - | Land held by the person as intermediary.                                                                                                                                                                                                |
| Section IV  | - | In respect of interest either in the land held by a trust or in the income from such land reserved in person's favour or in favour of any member of the family, the extent of land declared by the authorised officer under section. 7. |
| Section V   | - | Sridhana land held by female members of family.                                                                                                                                                                                         |

Place :

Date :

Authorised Officer

**FORM 7**

**ANNEXURE - B**

*Particulars of encumbrances on the land included in*

1 Serial number

2. Region.

3. Taluk.

4. Village.

5. Survey number.

6 Extent. H. A. Ca.

7. Particulars of encumbrances with the name and address of the creditors

Place :

Date :

Authorised Officer.

**FORM 7**

**ANNEXURE - C**

*Particulars of land in respect of which any question of title is pending before a competent, or the Land Tribunal or other Authority.*

| Serial number | Region | Taluk | Village | Survey No. |
|---------------|--------|-------|---------|------------|
| (1)           | (2)    | (3)   | (4)     | (5)        |

| Extent | Particulars of the litigation pending, with the names of parties and the number of the case and the authority before which litigation is pending | Remarks |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------|
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------|---------|

|                  |     |     |
|------------------|-----|-----|
| (6)<br>H. A. Ca. | (7) | (8) |
|------------------|-----|-----|

Place :

Date :

Authorised Officer.



**FORM 7****ANNEXURE - D**

*Particulars of share of the person or any member of the family in the land held by an agricultural company, Co-operative society or Land Mortgage Bank*

| Serial number<br>(1) | Region<br>(2) | Taluk<br>(3) | Village<br>(4) | Survey number<br>(5) | Extent<br>(6)<br>H. A. Ca. |
|----------------------|---------------|--------------|----------------|----------------------|----------------------------|
|----------------------|---------------|--------------|----------------|----------------------|----------------------------|

| Name of the agricultural company, co-operative society or land mortgage bank holding the land<br>(7) | Extent of share<br>(8) | Name of the holder of the share<br>(9) | Remarks<br>(10) |
|------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------|-----------------|
|------------------------------------------------------------------------------------------------------|------------------------|----------------------------------------|-----------------|

Place :

Date :

Authorised Officer

**FORM 7****ANNEXURE - E**

1. The following are the particulars of the lands which the person specified in item (1) of Form 7 desires to retain within the ceiling area:-

| Serial Number<br>(1) | Region<br>(2) | Taluk<br>(3) | Village<br>(4) | Survey number<br>(5) |
|----------------------|---------------|--------------|----------------|----------------------|
|----------------------|---------------|--------------|----------------|----------------------|

| Government or Inam<br>(6) | Wet or Dry<br>(7) | If irrigated by Government, source of irrigation, name of such source and whether by direct flow or by lift<br>(8) |
|---------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------|
|---------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------|

| Extent<br>(9)<br>H. A. Ca/ | Assessment<br>(10)<br>Rs. P | Extent in standard hectares<br>(11) | Remarks<br>(12) |
|----------------------------|-----------------------------|-------------------------------------|-----------------|
|----------------------------|-----------------------------|-------------------------------------|-----------------|

2. The extent of the ceiling area of the said person in standard hectares.

3. The following are the particulars of the land proposed to be declared as comprised within the ceiling area of the said person :-

| Serial number      | Region     | Taluk                       | Village                                                                                                     | Survey number |
|--------------------|------------|-----------------------------|-------------------------------------------------------------------------------------------------------------|---------------|
| (1)                | (2)        | (3)                         | (4)                                                                                                         | (5)           |
| Government or Inam |            | Wet or Dry                  | If irrigated by Government, source of irrigation, name of such source and whether by direct flow or by lift |               |
| (6)                |            | (7)                         | (8)                                                                                                         |               |
| Extent             | Assessment | Extent in standard hectares |                                                                                                             | Remarks       |
| (9)                | (10)       | (11)                        |                                                                                                             | (12)          |
| H. A. Ca/          | Rs. P      |                             |                                                                                                             |               |
| Place:             |            |                             |                                                                                                             |               |
| Date:              |            |                             | Authorised Officer                                                                                          |               |

### FORM 7

#### ANNEXURE - F

*Particulars of the land proposed to be declared as surplus*

| Serial number      | Region                      | Taluk                                                                                                       | Village                                                                                        | Survey numbers   |
|--------------------|-----------------------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|------------------|
| (1)                | (2)                         | (3)                                                                                                         | (4)                                                                                            | (5)              |
| Government or Inam | Wet or Dry                  | If irrigated by Government, source of irrigation, name of such source and Whether by direct flow or by lift |                                                                                                | Extent           |
| (6)                | (7)                         | (8)                                                                                                         |                                                                                                | (9)<br>H. A. Ca. |
| Assessment         | Extent in standard hectares | Boundaries                                                                                                  | Details of buildings (kachcha or pucca) masonry well (in use or not in use), tube wells in use |                  |
| (10)               | (11)                        | (12)                                                                                                        | (13)                                                                                           |                  |

| Number of trees,<br>fruit trees or<br>timber, or young<br>ones | Particulars<br>of tenant | Particulars of<br>encumbrance with<br>name and address of<br>the creditor | Remarks |
|----------------------------------------------------------------|--------------------------|---------------------------------------------------------------------------|---------|
| (14)                                                           | (15)                     | (16)                                                                      | (17)    |

Place :

Date :

Authorised Officer

### FORM-7

#### ANNEXURE-G

#### *Particulars of the land held by tenant*

| Serial<br>number<br>(1) | Region<br>(2) | Taluk<br>(3) | Village<br>(4) | Survey<br>number<br>(5) |
|-------------------------|---------------|--------------|----------------|-------------------------|
|-------------------------|---------------|--------------|----------------|-------------------------|

| Government<br>or Inam<br>(6) | Wet or Dry<br>(7) | If irrigated by Government,<br>source of irrigation, name<br>of such source and Whether<br>by direct flow or by lift<br>(8) | Extent<br>(9)<br>H. A. Ca. |
|------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------------------|
|------------------------------|-------------------|-----------------------------------------------------------------------------------------------------------------------------|----------------------------|

| Assessment<br>(10) | Extent in<br>standard<br>hectares<br>(11) | Name and<br>address of<br>the tenant<br>(12) | Date of<br>expiry of<br>tenancy<br>(13) |
|--------------------|-------------------------------------------|----------------------------------------------|-----------------------------------------|
|--------------------|-------------------------------------------|----------------------------------------------|-----------------------------------------|

Rs. P.

| Rent Payable<br>(14) | Whether the tenant himself<br>cultivates the land leased out<br>and if not, the name of the<br>person cultivating such land<br>(15) | Remarks<br>(16) |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------|-----------------|
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------|-----------------|

Place :

Date :

Authorised Officer.

## FORM 8

[See rule 13 (3) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

The draft statement under sub-section (1) of section 9 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974) in respect of the land held by\*..... is hereby published as required under sub-section (5) of section 9 in Form 7. Any objection received from any person within <sup>1</sup> [fifteen ] days from the date of service of this notice or from the date of publication of the draft statement in the official Gazette shall be duly considered by the Authorised Officer before final orders are passed in the matter.

### DRAFT STATEMENT

1. Name and address of the person
2. If the person in item 1 above is a family, particulars of the members of the family on \* \* the notified date \* \* \* the date of preparation of the statement.

|                                                                                 | Name | Age |
|---------------------------------------------------------------------------------|------|-----|
| (i) Head of the family.                                                         |      |     |
| (ii) Wife/husband.                                                              |      |     |
| (iii) Minor sons.                                                               | 1.   |     |
|                                                                                 | 2.   |     |
| (iv) Unmarried daughters                                                        | 1.   |     |
|                                                                                 | 2.   |     |
| (v) Minor grandsons in the male line whose father and mother are dead           | 1.   |     |
|                                                                                 | 2.   |     |
| (vi) Unmarried granddaughters in the male line whose father and mother are dead | 1.   |     |
|                                                                                 | 2.   |     |

---

\*Here enter the name and address of the person

\*\*Applicable for the calculation of the ceiling area for the first time in the case of a family holding land in excess of twelve standard hectares on the 24th January 1971.

\*\*\*Applicable to any other case.

1. Substitution vide E O G 130 dated 03-05-1977.

- (vii) Whether in the case of minor sons or minor grandsons governed by Hindu Law a partition by means of a registered instrument has taken place or in respect of partition has been passed before the 24th whose family properties a preliminary the 24th January 1971.
3. The particulars of all land held by the person including sridhana land, held by each female member of the family are furnished in Annexure-A.
  4. The particulars of encumbrances on the land specified in Annexure-A together with the names of the creditors are furnished in Annexure-B.
  5. The particulars of the land specified in Annexure-A in respect of which any question of title is pending before a competent Court, or the Land Tribunal, or other authority are furnished in Annexure-C.
  6. The particulars of the share of the person or any member of the family in any land held by an agricultural company, co-operative society or Land Mortgage Bank are furnished in Annexure-D.
  7. The particular of the land which the person desires to retain within the ceiling area, the extent of the ceiling area of the person and the land which may be comprised within the ceiling area are furnished in the Annexure-E.
  8. The particulars of the land proposed to be declared as surplus land are furnished in Annexure-F.
  9. The particulars of the land specified in Annexure-A which is held by tenant and the name and address of the tenant are furnished in Annexure-G.

Place :

Date :

## **FORM 8**

### **ANNEXURE A**

*Particulars of land held or deemed to have been held on the 24th January, 1971/held on.....*

1. Serial number .

2. Region.

3. Taluk.

4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government, source of irrigation, name of such source and, whether by direct flow or by lift.
9. Extent.
10. Assessment.
11. Extent in standard hectares.
12. Remarks.

NOTE.- The particulars in this Annexure should be furnished under different sections as shown below.

|             |   |                                                                                                                                                                                                                                       |
|-------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Section I   | - | Land held by the person as owner.                                                                                                                                                                                                     |
| Section II  | - | Land held by the person as possessory mortgagee.                                                                                                                                                                                      |
| Section III | - | Land held by the person as intermediary.                                                                                                                                                                                              |
| Section IV  | - | In respect of interest either in the land held by a trust or in the income from such land reserved in person's favour or in favour of any member of the family the extent of land declared by the authorised officer under section 7. |
| Section V   | - | Sirdhana land held by female members of the family.                                                                                                                                                                                   |

Place :

Date :

Authorised Officer.

**FORM 8**

**ANNEXURE - B**

*Particulars of encumbrance on the land included in*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H.      A.      Cs.
7. Particulars of encumbrances with the name and address of the creditors.

Place :

Date :

Authorised Officer

**FORM 8**

**ANNEXURE - C**

*Particulars of land in respect of which any question of title is pending before a competent, or the Land Tribunal or other authority.*

| Serial number | Region                                                                                                                                          | Taluk | Village | Survey number |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------|---------------|
| (1)           | (2)                                                                                                                                             | (3)   | (4)     | (5)           |
| Extent        | Particulars of the litigation pending with the names of parties and the number of the case and the authority before which litigation is pending |       |         | Remarks       |
| H. A. Ca      |                                                                                                                                                 |       |         |               |
| (6)           |                                                                                                                                                 | (7)   |         | (8)           |

Place :

Date :

Authorised Officer

**FORM 8****ANNEXURE - D**

*Particulars of share of the person or any member of the family in the land held by an agricultural company, Co-operative society or Land Mortgage Bank*

| Serial number                                                                                 | Region | Taluk           | Village                         | Survey number | Extent    |
|-----------------------------------------------------------------------------------------------|--------|-----------------|---------------------------------|---------------|-----------|
| (1)                                                                                           | (2)    | (3)             | (4)                             | (5)           | (6)       |
|                                                                                               |        |                 |                                 |               | H. A. Ca. |
| Name of the agricultural company, Co-operative society or land mortgage bank holding the land |        | Extent of share | Name of the holder of the share | Remarks       |           |
| (7)                                                                                           |        | (8)             | (9)                             | (10)          |           |

Place :

Date :

Authorised Officer

**FORM 8****ANNEXURE - E**

1. The following are the particulars of the lands which the person specified in item (1) of Form 8 desires to retain within the ceiling area :-

| Serial number      | Region     | Taluk                       | Village                                                                                                     | Survey number |
|--------------------|------------|-----------------------------|-------------------------------------------------------------------------------------------------------------|---------------|
| (1)                | (2)        | (3)                         | (4)                                                                                                         | (5)           |
| Government or Inam |            | Wet or Dry                  | If irrigated by Government, source of irrigation, name of such source and whether by direct flow or by lift |               |
| (6)                |            | (7)                         | (8)                                                                                                         |               |
| Extent             | Assessment | Extent in standard hectares |                                                                                                             | Remarks       |
| (9)                | (10)       | (11)                        |                                                                                                             | (12)          |



2. The extent of the ceiling area of the said person in standard hectares.

3. The following are the particulars of the land proposed to be declared as comprised within the ceiling are of the said person.

| Serial number                                                                                        | Region | Taluk           | Village       | Survey number               | Government or inam | Wet or dry |
|------------------------------------------------------------------------------------------------------|--------|-----------------|---------------|-----------------------------|--------------------|------------|
| (1)                                                                                                  | (2)    | (3)             | (4)           | (5)                         | (6)                | (7)        |
| Irrigated by Government, source of irrigation, name of such source whether by direct flow or by lift |        | Extent          | Assessment    | Extent in standard hectares | Remarks            |            |
| (8)                                                                                                  |        | (9)<br>H. A. Ca | (10)<br>Rs. P | (11)                        | (12)               |            |

Place :

Date :

Authorised Officer.

## FORM 8

### ANNEXURE - F

#### *Particulars of the land proposed to be declared as surplus*

| Serial number               | Region                                                                                                       | Taluk | Village | Survey number                                                                                  | Government or inam |
|-----------------------------|--------------------------------------------------------------------------------------------------------------|-------|---------|------------------------------------------------------------------------------------------------|--------------------|
| (1)                         | (2)                                                                                                          | (3)   | (4)     | (5)                                                                                            | (6)                |
| Wet or dry                  | If irrigated by Government, source of irrigation, name of such source and whether by direct flow or by lift. |       |         | Extent                                                                                         | Assessment         |
| (7)                         | (8)                                                                                                          |       |         | (9)<br>H. A. Ca                                                                                | (10)<br>Rs. P      |
| Extent in standard hectares | Boundaries                                                                                                   |       |         | Details of buildings (kachcha or pucca) masonry wells (in use or not in use) tube wells in use |                    |
| (11)                        | (12)                                                                                                         |       |         | (13)                                                                                           |                    |

| Number of trees,<br>fruit trees or<br>timber, or<br>young ones | Particulars<br>of tenant | Particulars of encumbrance<br>with name and address of<br>the creditor | Remarks |
|----------------------------------------------------------------|--------------------------|------------------------------------------------------------------------|---------|
| (14)                                                           | (15)                     | (16)                                                                   | (17)    |

Place :

Date ;

Authorised Officer

### FORM 8

#### ANNEXURE - G

##### *Particulars of the land held by tenant*

| Serial<br>number | Region | Taluk | Village | Survey<br>number | Government<br>or inam |
|------------------|--------|-------|---------|------------------|-----------------------|
| (1)              | (2)    | (3)   | (4)     | (5)              | (6)                   |

| Wet or dry | If irrigated by Government,<br>source of irrigation,<br>name of such source<br>and whether by direct<br>flow or by lift. | Extent          | Assessment    |
|------------|--------------------------------------------------------------------------------------------------------------------------|-----------------|---------------|
| (7)        | (8)                                                                                                                      | (9)<br>H. A. Ca | (10)<br>Rs. P |

| Extent in<br>standard<br>hectares | Name and<br>address of<br>the tenant | Date of<br>expiry of<br>tenancy | Rent<br>payable | Whether tenant himself<br>cultivates the land leased<br>out and if not, the name<br>of the person cultivating<br>such land | Remarks |
|-----------------------------------|--------------------------------------|---------------------------------|-----------------|----------------------------------------------------------------------------------------------------------------------------|---------|
| (11)                              | (12)                                 | (13)                            | (14)            | (15)                                                                                                                       | (16)    |

Place:

Date:

Authorised Officer

## FORM 9

[See rule 14 of the Pondicherry Land Reforms (Fixation of ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

Notice of hearing of objection under clause (b) of sub-section (6) of section (6) of section 9 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974).

To

(Name and address of the person)

The Authorised Officer ..... will hold enquiry into the objection field by you/ by\* .....in respect of draft statement received under sub-section (5) of section 9 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974) relating to the land held by..... The enquiry will be held at .....o'clock on the .....day of.....19....

at.....(place). You may appear on that day either in person or by authorized agent and make any representation or adduce documentary or oral evidence regarding the said objection.

Place :

Date :

Authorised Officer.

(\*Here enter the names of the person who have filed their objection, if the notice is issued to a person other than the objector, copies of the objections should be enclosed in such cases.)

## FORM 9-A

[See rule 14 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Land) Rules, 1975]

*Form of notice inviting objections to demarcation of land to be declared as surplus*

To

Name.

Address:

Where Thiru.....has opted to declare as surplus land his share on part thereof in the land held by him jointly with you, as detailed in the Schedule below, it is proposed to demarcate such share or part as surplus land. You are hereby informed that you may make any representation in the matter on or before the ..... and adduce any documentary or oral evidence on the (Date, time and place). If no representation is made or no evidence is adduced it will be assumed that you have no representation to make and that you have no evidence to be adduced and the demarcation as proposed will be made on that assumption.

### THE SCHEDULE

| Name of the region and taluk                  | Number and name of the village                                                                         | Serial number and sub-division | Whether it is a whole field or a recognised sub-division                                                                 |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| (1)                                           | (2)                                                                                                    | (3)                            | (4)                                                                                                                      |
| Total extent of the field noted in column (3) | Extent of the share or part and the extent (in terms of Hectares) proposed to be demarcated as surplus |                                | Boundaries of the land to be demarcated as surplus N.E.W.S (note boundaries to be given only in the case of part fields) |
| (5)                                           | (6)                                                                                                    |                                | (7)                                                                                                                      |

H. A. Ca.

Place :

Date :

Authorised Officer.

### FORM 9-B

[See Rule 15 (4) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Form of notice informing the date of demarcation of land to be declared as surplus*

To

Name :

Address :

Whereas it has been proposed to declare a portion/portions of the land/lands declared in the Schedule as surplus, this is to inform you that the said portion/portions will be demarcated on the ..... (date) in accordance with the provisions contained in sub-sections (3) and (4) of section 9 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No, 9 of 1974). You are requested to be present during the time and at the place of demarcation. If you fail to be present at the time and place the demarcations will be made as proposed.

Place:

Date :

Authorised Officer.

## THE SCHEDULE

| Name of the region and taluk                  | Number and name of the village                                                                         | Serial number and sub-divisions                                                                                           | Whether it is a whole field or a recognised sub-divisions |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| (1)                                           | (2)                                                                                                    | (3)                                                                                                                       | (4)                                                       |
| Total extent of the field noted in column (3) | Extent of the share or part and the extent (in terms of hectares proposed to be demarcated as surplus) | Boundaries of the land to be demarcated as surplus N.E.W.S. (Note boundaries to be given only in the case of part fields) |                                                           |
| (5)                                           | (6)                                                                                                    | (7)                                                                                                                       |                                                           |

H. A. Ca.

Place :

Date :

Authorised Officer.

## FORM 10

*[See Rule 18 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]*

Final statement under section 11 / section 13 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)

1. Name and address of the person.

2. The particulars of the entire land held by the person specified in item 1 above on 24th January 1971 / on ..... are as follows:

- (1) Serial number.
- (2) Region.
- (3) Taluk.
- (4) Village.
- (5) Survey number.
- (6) Government or inam.
- (7) Wet or dry.

(8) Extent. H. A. Ca.

(9) Assessment. Rs. P.

(10) Extent in standard Hectares.

(11) Remarks.

3. The ceiling area of the person specified in item 1 is standard hectares.

4. The kind, the particulars of which are furnished below, is declared to be retained within the ceiling area of the person specified in item 1 :

(1) Serial number.

(2) Region.

(3) Taluk.

(4) Village.

(5) Survey number.

(6) Government or inam.

(7) Wet or dry.

(8) Extent. H. A. Ca.

(9) Assessment. Rs. P.

(10) Extent in standard Hectares.

(11) Remarks.

5. The land, the particulars of which are furnished below is declared as surplus :

(1) Serial number.

(2) Region.

(3) Taluk.

(4) Village.

(5) Survey number.

(6) Government or inam.

(7) Wet or dry.

(8) If irrigated by Government source of irrigation, name of such source and whether by direct flow or by lift.

(9) Extent. H. A. Ca.

- (10) Assessment. Rs. P.
- (11) Extent in standard hectares.
- (12) Boundaries.
- (13) Details of building (kachcha or pucca) masonry wells ( in use or not in use) tube well in use.
- (14) Number of trees (fruit trees or timber or young ones).
- (15) Particulars of tenants.
- (16) Particulars of encumbrances with name and address of the creditors.
- (17) Remarks.

Place :

Date:

Authorised Officer.

### FORM 11

[See Rule 19 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of surplus Lands) Rules, 1975]

*Notice to be issued before rectification of bona-fide mistakes and clerical errors*

BEFORE THE

(Name of the authority).

To

Take notice that an application has been filed before the undersigned by name and address  
that it is proposed under section  
of the Pondicherry Land Reforms (Fixation of Ceiling on Land)  
Act, 1973 (Act No. 9 of 1974), to rectify a bona fide mistake/clerical or arithmetical mistake/noticed in  
the final statement published under section ..... in the assessment roll as published finally  
under section 14 or sub-section (10) of section 24 in the decision already made under section  
..... as detailed below:

(Here enter an abstract of the matter.)

In case you desire to make any representation in this behalf, you may appear in person or by authorized agent before the undersigned at (hour) on (date) at (place).

Station :

Date :

Signature and designation of the  
authority or officer.

## FORM 12

[ See Rule 20 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Application under sub-section (3) of section 16 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974)*

To the Authorised officer at

1. Name(s) and address(es) of the petitioner(s).
2. Names(s) and address(es) of the respondents(s).
3. Whether the petitioner(s) is/are tenant(s) or land owner(s) and if tenant(s) whether cultivating tenant(s)/intermediary/intermediaries.
4. Particulars of land-
  - (i) Survey number & sub-division number (if unsurveyed description).
  - (ii) Government or inam.
  - (iii) Wet or dry.
  - (iv) Extent. H. A. Ca.
  - (v) Boundaries-  
East  
South  
West  
North
  - (vi) Assessment, cess, additional surcharge and charge for water.
  - (vii) Amount of fair rent as determined by the Rent Court.
  - (viii) Village and taluk in which the land is situated.
5. (a) In the case of wet land-
  - (i) whether it is a single crop or double crop land;
  - (ii) the existing rent;(b) In the case of dry land-
  - (i) the crop or crops raised;
  - (ii) the existing rent.
6. Additional facts and information which the petitioner(s) may like to furnish.
7. Amount payable under sub-section (2) of section 17.



I/We, the above named petitioner(s) do hereby declare that the facts stated above are all true to the best of my/our knowledge and belief.

Place :

Date :

Petitioner(s).

### FORM 13

[See Rule 21 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Notification under sub-section (1) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974)*

Under sub-section (1) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974), the Lieutenant-Governor of Pondicherry hereby notifies that the surplus land specified in the Schedule below, is required for a public purpose. If any further details about the land are required, they can be had from the office of the Authorised Officer, during office hours.

### THE SCHEDULE

#### *Particulars of the surplus land*

1. Serial number.
2. Name and address of the holder of the surplus land.
3. Region
4. Taluk.
5. Village.
6. Survey number.
7. Government or inam.
8. Wet or dry.
9. Extent. H. A. Ca.
10. Assessment. Rs. P.
11. Boundaries.
12. Details of building (kachcha or pucca) masonry wells.  
(in use or not in use) tube wells in use.
13. Number of trees (fruit trees or timber or young ones).
14. Nature of the interest held by the person specified in item 2.

15. Name and address of other persons interested in the land and the nature of such interest.

16. Remarks.

Place :

Date :

<sup>1</sup> [ \* \* \* ]

### FORM 14

[See Rule 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975]

Application for renewal under sub-rule (6) of rule 24/for continuance of possession of land under clause (b) of sub-section (5) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974). (Strike out the purpose which is not applicable).

1. Name and address of the applicant.

2. Particulars of the land for which lease (or renewal of lease) is required-

(1) Serial number.

(2) Region

(3) Taluk.

(4) Village.

(5) Survey number.

(6) Boundaries.

(7) Government or inam.

(8) Wet or dry.

(9) If irrigated by Government, source of irrigation, name of such source and whether by direct flow or by lift.

(10) Extent. H. A. Ca.

(11) Assessment. Rs. P.

(12) Name of crop raised on the land.

(13) Details of building (kachcha or pucca) masonry wells ( in use or not in use), tube wells in use.

(14) Number of trees (fruit trees, or timber, or young ones).

---

1. Deleted vide EOG No.1 dated 06-01-1976.

(15) The period of tenancy agreement under which the land was previously held.

(16) Remarks.

3. Particulars of land, if any, other than the land mentioned under item (2) above held by the applicant and the members of his family-

(1) Serial number.

(2) Region.

(3) Taluk.

(4) Village.

(5) Survey number.

(6) Boundaries.

(7) Government or inam.

(8) Wet or dry.

(9) If irrigated by Government source of irrigation, name of such source and whether by direct flow or by lift.

(10) Extent. H. A. Ca.

(11) Assessment. Rs. P.

(12) Details of building (kachcha or pucca) masonry wells (in use or not in use) tube wells in use.

(13) Number of trees (fruit trees, or timber or young ones)

(14) Remarks.

NOTE.- The particulars under this item should be furnished under different section as shown below:

Section I-Land held as owner.

Section II-Land held as tenant.

Section III-Land held as possessory mortgagee.

Section IV-Land held in any other capacity.

4. Particulars of the members of the applicant's Relationship to family.

| Name | Age | the applicant. |
|------|-----|----------------|
|------|-----|----------------|

5. Any other details which the applicant may like to furnish.

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief, true and correct.

I further declare that in the event of the land being leased out to me, I shall abide by the terms and conditions of the lease and also all other provisions relating thereto contained in the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975.

Place :

Date :

Signature of the applicant.

#### FORM 14-A

[See Rule 24 (5) (a) of Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Lease Deed to be executed under sub-section (5) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974)*

This lease deed made the ..... day of..... one thousand nine hundred and ..... between the Authorised Officer for Land Reforms (hereinafter called "the Lessor " which expression shall unless excluded by or repugnant to the context, be deemed to include his successor or successors in Office and assigns) of the one part and Thiru ..... (hereinafter called the lessee) of the other part.

Whereas the lessee has applied for the lease and the lessor has sanctioned the lease in favour of the lessee of the land mentioned and described in the Schedule hereunder for a period of one agricultural year from the ..... day of..... of 19..... to thirty-first day of March 19..... for cultivation (here enter purpose) subject to the terms and conditions hereinafter appearing.

Now these presents witness and it is hereby mutually agreed as follows :

(1) In consideration of the sum of Rs.....(Rupees.....) deposited by the lessee to the credit of the government and if the rent here in reserved, the lessor doth hereby demise unto the lessee by way of lease all that land mentioned and described in the Schedule hereunder written, to hold the same for the purpose of cultivation.....(here enter purpose) for a period of one agricultural year with effect from the ..... day of .....19.....

(2) The lessee shall pay an annual rent of Rs..... (Rupees.....) (here enter the rent in cash or if the land owner opts to receive the rent in kind, the rent payable in kind as well as the value of one-fifth of straw or stalk of all the crops cultivated on the land in the agricultural year) the rent being payable in accordance with the terms of the agreement to be entered with under the rules.

(3) If the rent is allowed to fall in arrears the lessee shall pay interest at 6 per cent annum on the amount of rent, from the date on which the rent becomes due.

(4) The lessee shall not use the land or allow it to be used except for the purpose for which it is leased.

(5) The lessee shall permit the officers and servants of the Government with or without workman, at all times, to enter upon the land, to inspect the condition of the land, or to execute any work thereon.

(6) The lessee shall not assign or underlet the benefits arising under the lease, without the previous written permission of the Authorised Officer, for Land Reforms.

(7) The lessee shall take all reasonable measures to the satisfaction of the Authorised Officer for Land Reforms ..... to protect from loss, danger, damage or destruction and maintain in a proper state of repair compound walls, bunds and ridges, drainage and irrigation canals and channels, wells, tanks, embankments and structures, gates and pathways and all other improvements on the land (whether permanent or not) including trees and plants. He shall also take adequate safeguards against trespass by animals or humans and against deterioration of the land generally.

(8) The lessee shall see that the marks, if any, made by the officers of the Government, on trees or other improvements are preserved and not tampered with.

(9) The lessee shall have no rights whatsoever to any trees standing on the land.

(10) The lessee shall not cut or remove any live trees or plants or cause them to be cut or removed without the previous written permission of the Authorised Officer for Land Reforms ..... and shall handover, from time to time to the Village Officer, the trees cut with the permission of the said Authorised Officer and also withered, wind fallen or dead trees and branches.

(11) The lessee shall not erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written permission of the Authorised Officer, for the Land Reforms.....

(12) On the expiry of the period of the lease or the earlier termination thereof under condition (16), the lessee shall restore the land to the Government in the state in which it was leased out to him.

(13) All amounts payable by the lessee to the Government under these rules shall be recoverable as arrears of land revenue under the Revenue Recovery Act for the time being in force.

(14) When there is a total or partial failure of crops on the land, remission of rent shall be allowed to the lessee to the same extent, on the same principle and in the same proportion, as remission of land revenue assessment is allowed by the Government in respect of the land concerned.

(15) If the lessee dies, his heirs shall have the option to continue in possession of the land for the unexpired period of the lease on the same terms and conditions.

(16) In the event of infringement of any of the terms and conditions specified in this lease-deed or in the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975 or in the order permitting the lessee to continue in possession of the land, the lessee shall be liable to forfeit the amount of deposit made by him and the lease shall also be liable to termination without compensation to the lessee and the lessee shall be liable to be evicted summarily from the land.

(17) The lessee shall also be liable to pay such compensation as may be determined by the Authorised Officer, for Land Reforms ..... for any loss or damage resulting from such infringement. It shall also be competent for the said Authorised Officer or any person authorised by him to enter upon the land mentioned and described in the schedule hereunder and evict the lessee summarily from the land.

(18) The sum of Rs..... deposited by the lessee or such portion thereof as may be returnable to him, shall be returned to him on the expiry or soon after termination of the lease provided there is no infringement by the lessee.

(19) The lessee shall pay the rent of Rs..... in cash on or before Tenth day of February of 19.....

(20) The lease shall hold good for the agricultural year 19..... only viz, upto 31st March, 19.....

(21) The lease shall not confer any priority or preference on the lessee for purpose of assignment of the lands under the rules.

(22) The lease is subject to the conditions laid down in Rule 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975 and to such conditions that may be prescribed by the Government under the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974) and to such other conditions that may be prescribed by the Authorised Officer for Land Reforms..... from time to time.

And the lessor agrees with the lessee that the lessee performing and observing the covenants and conditions herein contained and on his part to be performed and observed may peaceably hold the land during the period of lease without any interruption and on the expiry of the full period of lease, if the conditions of the lease have been duly fulfilled to refund Rs..... (Rupees.....) being the security deposit made by lessee.

### THE SCHEDULE

Region :

Taluk :

Village :

| R.S. No. and<br>local name,<br>if any | Wet or dry | Extent    | Assessment | Boundaries |
|---------------------------------------|------------|-----------|------------|------------|
| (1)                                   | (2)        | (3)       | (4)        | (5)        |
|                                       |            | H. A. Ca. | Rs. P.     |            |

In witness whereof, the parties to these presents have set their hands, this day and year first above written.

Signed and delivered by Thiru ..... Authorised Officer for Land Reforms ..... acting for and on behalf of and by order and direction of the Government.

In the presence of .....Lessor.....(Authorised Officer,.....  
..... Land Reforms.....).

Witnesses:

(1)

(2)

Signed by Thiru.....

Lessee.....

In the presence of -

Witness :

(1)

(2)

**FORM 14-B**

[ See Rule 25 (4) (a) of Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975.]

*Lease Deed to be executed under sub-section (5) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974).*

This lease deed made ..... day of one thousand nine-hundred and ..... between the Authorised Officer for Land Reforms (hereinafter called " the Lessor " which expression shall unless excluded by or repugnant to the context, be deemed to include his successor or successors in Office and assigns) of the one part and ..... (hereinafter called the lessee) of the other part.

Whereas the lessee has applied for the lease and the lessor has sanctioned the lease in favour of the lessee of the land mentioned and described in the Schedule hereunder for a period of one agricultural year from the ..... day of ..... 19 to thirty-first day of March 19 for cultivation (here enter purpose) subject to the terms and conditions hereinafter appearing.

Now these presents witness and it is hereby mutually agreed as follows :

(1) In consideration of the rent hereby reserved, the lessor both hereby demise unto the lessee by way of lease all that land mentioned and described in the Schedule hereunder written, to hold the same for the purpose of cultivation ..... (here enter purpose) for a period, of one agricultural, year with effect from the ..... day of ..... 19

(2) The lessee shall pay an annual rent of Rs..... (Rupees ..... ) (here enter the rent in cash or if the land owner opts to receive the rent in kind. the rent payable in kind as well as the value of one-fifth of straw or stalk of all the crops cultivated on the land in the agricultural year) the rent being payable in accordance with the terms of the agreement to be entered with under the rules.

(3) If the rent is allowed to fall in arrears the lessee shall pay interest at 6 per cent per annum on the amount of rent, from the date on which the rent becomes due.

(4) The lessee shall not use the land or allow it to be used except for the purpose for which it is leased.

(5) The lessee shall permit the officers and servants of the Government with or without workman at all times, to enter upon the land, to inspect the condition of the land, or to execute any work thereon.

(6) The lessee shall not assign or underlet the benefits arising under the lease, without the previous written permission of the Authorised Officer, for Land Reforms.....

(7) The lessee shall take all reasonable measures to the satisfaction of the Authorised Officer for Land Reforms..... to protect from loss, danger, damage or destruction and maintain in a proper state of repair compound walls, bunds and ridges, drainage and irrigation canals and channels, wells, tanks, embankments and structures, gates and pathways and all other improvements on the land (whether permanent or not) including trees and plants. He shall also take adequate safeguards against trespass by animals or humans and against deterioration of the land generally.

(8) The lessee shall see that the marks, if any, made by the officers of the Government, on the trees or other improvements are preserved and not tampered with.

(9) The lessee shall have no rights whatsoever to any trees standing on the land.

(10) The lessee shall not cut or remove any live trees or plants or cause them to be cut or

removed with out the previous written permission of the Authorised Officer for Land Reforms .....  
..... and shall handover, from time to time to the village officer, the trees cut with the  
permission of the said Authorised Officer and also withered, wind fallen or dead trees and branches.

(11) The lessee shall not erect any buildings, fences or structures of a permanent or temporary character on the land without the pervious written permission of the Authorised Officer for Land Reforms.....

(12) On the expiry of the period of the lease or the earlier termination thereof under condition (15), the lessee shall restore the land to the Government in the state in which it was leased out to him.

(13) All amounts payable by the lessee to the Government under these rules shall be recoverable as arrears of land revenue under the Revenue Recovery Act for the time being in force.

(14) When there is a total or partial failure of crops on the land, remission of rent shall be allowed to the lessee to the same extent, on the same principle and in the same proportion. as remission of land revenue assessment is allowed by the Government in respect of the land concerned.

(15) In the event of infringement of any of the terms and conditions specified in this lease-deed or in the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975 or in the order permitting the lessee to continue in possession of the land, the lessee shall be liable to pay such compensation as may be determined by the Authorised Officer for any loss or damage resulting from such infringement and the lease shall also be liable to termination without compensation to the lessee and the lessee shall be liable to be evicted summarily from the land.

(16) The lessee shall also be liable to pay such compensation as may be determined by the Authorised Officer for Land Reforms ..... for any loss or damage resulting from such infringement. It shall also be competent for the said Authorised Officer or any person authorised by him to enter upon the land mentioned and described in the schedule hereunder and evict the lessee summarily from the land.

(17) The sum of Rs. .... deposited by the lessee or such portion thereof as may be returnable to him, shall be returned to him on the expiry or soon after termination of the lease.

(18) The lessee shall pay the rent of Rs.....in cash on or before Tenth day of February, 19

(19) The lease shall hold good for the agricultural year 19 only viz., upto 31st March, 19

(20) The lease shall not confer any priority or preference on the lessee for purpose of assignment of the lands under the rules.

(21) The lease is subject to the conditions laid down in Rule 25 of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975 and to such conditions that may be prescribed by the Government under the Pondicherry Land Reforms (Fixation of Ceiling on Land ) Act, 1973 (Act 9 of 1974) and to such other conditions that may be prescribed by the Authorised Officer for Land Reforms .....from time to time.

And the lessor agrees with the lessee that the lessee performing and observing the covenants and conditions herein contained and on his part to be performed and observed may peaceably hold the land during the period of lease without any interruption.



## THE SCHEDULE

Region :

Taluk :

Village :

| R. S. No.<br>and Local<br>name, if<br>any | Wet or<br>Dry | Extent<br><br>H. A. Ca. | Assessment<br><br>Rs. P. | Boundaries |
|-------------------------------------------|---------------|-------------------------|--------------------------|------------|
| (1)                                       | (2)           | (3)                     | (4)                      | (5)        |

In witness thereof, of parties to these presents have set their hands, this day and year first above written.

Signed and delivered by Thiru..... Authorised Officer for Land Reforms ..... acting for and on behalf of and by order and direction of the Government.

In the presence of \_\_\_\_\_ Lessor \_\_\_\_\_ (Authorised  
Officer, Land Reforms \_\_\_\_\_)

Witness :

(1)

(2)

Signed by Thiru

Lessee

In the presence of -

Witness :

(1)

(2)

## FORM 15

[See Rule 25 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975.]

*Application for permission to continue in possession of land under clause (a) of sub-section (5) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974)*

1. Name and address of the Applicant (Co-operative Society land mortgage bank or agricultural company).
2. Particulars of the land for which lease (or renewal of lease ) is required.
  - (1) Serial Number.
  - (2) Region.
  - (3) Taluk.
  - (4) Village.
  - (5) Survey number.
  - (6) Boundaries.
  - (7) Government or inam.
  - (8) Wet or dry.
  - (9) If irrigated by Government, source of irrigation, name of such source and whether by direct flow or by lift.
  - (10) Extent. H. A. Ca.
  - (11) Assessment. Rs. P.
  - (12) Name of crop raised on the land.
  - (13) Details of building (kachcha or pucca).  
masonry wells (in use or not in use), tube wells in use.
  - (14) Number of trees (fruit trees, or timber or young ones).
  - (15) Remarks.
3. Particulars of land, other than the land mentioned in item 2 held by the applicant.
  - (1) Serial number.
  - (2) Region.
  - (3) Taluk.
  - (4) Village.
  - (5) Survey number.

- (6) Boundaries.
- (7) Government or inam.
- (8) Wet or dry.
- (9) If irrigated by Government source of irrigation,  
name of such source and whether by direct flow or by lift .
- (10) Extent. H. A. Ca.
- (11) Assessment. Rs. P.
- (12) Details of building (kachcha or pucca),  
masonry wells ( in use or not in use), tube wells in use.
- (13) Number of trees (fruit trees, or timber or young ones.)
- (14) Remarks.

4. Number of shareholders.

5. Any other details which the applicant may like to furnish.

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief, true and correct.

I further declare that in the event of land being leased out to the applicant, the applicant shall abide by the terms and conditions of lease and also all other provisions relating thereto contained in the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus, Lands) Rules, 1975.

Place :

Date :

Signature of the person filing  
the application.  
Designation.

## FORM 16

[See Rule 26 of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975.]

*Form of declaration to be made and filed by the transferee under sub-section (1) of section 19 of the Pondicherry Land Reforms (Fixation of Ceiling on Land), Act 1973 (Act No. 9 of 1974).*

- 1. (a) Name of the transferor.  
(b) Address in full.
- 2. (a) Name of the transferee (declarant)  
(b) Address in full.

3. Particulars of the land to which the document relates-

- (1) Serial number.
- (2) Region
- (3) Taluk.
- (4) Registration district and subdistrict.
- (5) Village.
- (6) Survey number.
- (7) Government or inam.
- (8) Wet or dry.
- (9) If irrigated by Government, source of irrigation,  
name of such source and whether by direct flow or by lift .
- (10) Extent. H. A. Ca.
- (11) Assessment. Rs. P.
- (12) Boundaries.
- (13) Extent in standard hectares.
- (14) Nature of transfer.
- (15) Remarks.

4. Whether the total extent of land held by the transferee including the land transferred exceeds the ceiling area.

5. Particulars of all land already held by the transferee.

- (1) Serial number.
- (2) Region.
- (3) Taluk.
- (4) Village.
- (5) Survey number.
- (6) Government or inam.
- (7) Wet or dry.
- (8) If irrigated by Government, source of irrigation,  
name of such source and whether by direct flow or by lift .
- (9) Extent. H. A. Ca.
- (10) Assessment. Rs. P.

(11) Extent in standard hectares.

(12) Boundaries.

(13) Remarks.

Note :-The particulars in this item should be furnished under different sections as shown below :-

Section I - As owner

Section II - As possessory mortgagee.

Section III - As tenant.

Section IV - As intermediary.

Section V -Trust land in which any interest is held.

Section VI - Land held by any member of the transferee's family.

6. Designation and address of the authorised officer within whose jurisdiction the land or the major part thereof which is the subject matter of transfer is situated.

I declare that to the best of my knowledge and belief the information furnished above is correct and complete, that the particulars of land held by me as well as by the members of my family are truly stated.

Signature of the transferee

(Before me)

Registering Authority.

Declarant's identity proved by-

|    | Name | Occupation | Address |
|----|------|------------|---------|
| 1. |      |            |         |
| 2. |      |            |         |

Particulars to be furnished by the Registering authority :-

Name of the office of registration.

Date of registration of the document.

Number of the document.

Place :

Date :

Registering Authority.

## FORM 17

[See Rule 27 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975.]

*Form of return to be furnished under sub-section (1) of section 21 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974).*

1. Name and address of the person by whom the land is held.
2. Name and address of the person furnishing the return.
3. If the return is not furnished by the person specified in item 1, what is the authority for the person in item 2 to furnish the return ?
4. If the person in item 1 is a member of a family, the particulars of the members of the family-

|  | Name | Age. |
|--|------|------|
|--|------|------|

(i) Head of the family

(ii) Wife/husband

(iii) Minor sons.

- 1.
- 2.

(iv) Unmarried daughters

- 1.
- 2.

(v) Minor grandsons in the male line whose father and mother are dead.

- 1.
- 2.

(vi) Unmarried grand-daughters in the male line whose father and mother are dead.

(vii) Whether in the case of minor sons or minor grandsons governed by Hindu law a partition by means of a registered instrument has taken place or in respect of whose family properties a preliminary decree for partition has been passed before 21-1-71.

5. (a) Have particulars of all land already held by the person been furnished in Annexure-A ?
- (b) If the person specified in item 1 is a member of a family have the particulars been furnished in Annexure-A in respect of all land already held by such family and all its members.

6. (a) Have particulars showing-
  - (i) the date on which the ceiling area was exceeded as a result of acquisition in the manner specified in sub-section (1) of section 21 ;
  - (ii) the extent of the land acquired ; and
  - (iii) the manner of acquisition been furnished in Annexure-B ?
- (b) Have the copies of documents, if any, under which the lands acquired been furnished ?
7. (a) Is there any encumbrance in respect of any land included in Annexures-A and B and, if so,
- (b) have particulars of the encumbrance been furnished in Annexure-C ?
8. (a) Is there any litigation pending in respect of any land included in Annexure-A and B and, if so,
- (b) have particulars of the litigation been furnished in Annexure-D ?
9. (a) Is there any arrears of land revenue in Annexures-A and B and if so,
- (b) have particulars of such arrears and of the proceedings pending for collection of the arrears been furnished in Annexure-E ?
10. (a) Has any land included in Annexure-A and B been leased out to tenants and, if so,
- (b) have particulars of such land been furnished in Annexure-F ?

I have furnished in Annexure-G, the particulars of the land which is desired to be retained within the ceiling area and those of the land which is desired to be declared as surplus.

I hereby declare that to the best of my knowledge and belief the information furnished in this form and in Annexure-A to G is full and complete information of the entire holding of the person or family specified in item 1 within the Union territory of Pondicherry and that the said person or family or any member of the family does not hold any other agricultural land either individually or jointly with others within the Union territory of Pondicherry.

Place :

Date :

Signature of the person furnishing  
the return

To

The Authorised Officer,  
.....

## FORM 17

### ANNEXURE-A

#### *Particulars of all land already held*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government, source of irrigation,  
name of such source and whether by direct flow or by lift.
9. Extent. H. A. Ca.
10. Assessment . Rs. P.
11. Extent in standard hectares.
12. Details of building (kachcha or pucca) masonry  
wells (in use or not in use), tube wells in use.
13. Number of trees (fruit trees, or timber or young ones).
14. Remarks.

Notes.- (1) This Annexure should contain the particulars of all land held immediately before the acquisition of land referred to in clause (a) or clause (b) of sub-section (1) of section 21.

2. The particulars of this Annexure should be furnished under different section as shown below :-

Section I-Land held as owner.  
Section II-Land held as possessory mortgage.  
Section III-Land held as tenant.  
Section IV-Land held as intermediary.  
Section V-Land held as trust lands in which any interest is held.

3. In the case of land included in sections II, III and IV, the name and the address of the possessory mortgagor or the land owner or the tenant, as the case may be, with the particulars of the period of lease, etc., and in the case of trust land, the particulars of interest reserved in favour of the person concerned or of any member of his family, shall be furnished in item 14 above.

4. If the land for which particulars are furnished above, is not a registered subdivision, boundaries of it for easy identification should also be mentioned in the remarks column.

Place :

Date :

Signature of the person furnishing the return.



## FORM 17

### ANNEXURE-B

*Particulars of land acquired in the manner specified in sub-section (1) of section 21 as a result of which ceiling area is exceeded.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government source of irrigation,  
name of such source and whether by direct flow or by lift.
9. Extent. H. A. Ca.
10. Assessment . Rs. P.
11. Extent in standard hectares.
12. Details of building (kachcha or pucca) masonry  
wells (in use or not in use), tube wells in use.
13. Number of trees (fruit trees, or timber or young ones).
14. Date of acquisition.
15. Particulars of manner of acquisition and of the  
documents, if any under which acquisition was made.
16. Name and description of the person who held the  
land immediately before the date of acquisition.
17. Remarks.

Notes :- 1. This Annexure should contain the particulars of all land acquired under clause (a) or (b) of sub-section (1) of section 21.

2. The particulars in this Annexure should be furnished under different section as shown below: -

Section I-Land held as owner.

Section II-Land held as possessory mortgagee.

Section III-Land held as tenant.

Section IV-Land held as intermediary.

Section V-Land held as trust lands in which any interest is held.

3. In the case of land included in sections II, III and IV, the name and the address of the possessory mortgagor or the land owner or the tenant, as the case may be, with the particulars of the

period of lease, etc., and in the case of trust land, the particulars of interest reserved in favour of the person concerned or of any member of his family, shall be furnished in item 17 above.

4. If the land for which particulars are furnished above, is not a registered subdivision, boundaries of it for easy identification should also be mentioned in the remarks column.

Place :

Date :

Signature of the person furnishing  
the return.

### **FORM 17**

#### **ANNEXURE-C**

##### *Particulars of encumbrances on the land*

1. Serial number
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H.   A.   Ca.
7. Particulars of encumbrances with the name  
and address of the creditors.
8. Remarks.

Place :

Date :

Signature of the person furnishing  
the return.

### **FORM 17**

#### **ANNEXURE -D**

##### *Particulars of any pending litigation in respect of the Land included in Annexures-A and B*

1. Serial number
2. Region.
3. Taluk.
4. Village.

5. Survey number.
6. Extent. H. A. Ca.
7. Particulars of litigation pending, the case number,  
the name of the court and the names of the parties
8. Particulars of proceedings pending collection.
9. Particulars of attachment.
10. Particulars of restraint on alienation.

Place :

Date :

Signature of the person furnishing  
the return.

### FORM 17

#### ANNEXURE -E

*Particulars of arrears of Land Revenue or attachment or restraint on alienation in force in respect  
of land included in Annexures—A and B*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H. A. Ca.
7. Amount or arrears. Rs. P
8. Particulars of proceedings pending collection.
9. Particulars of attachment.
10. Particulars of restraint on alienation.

Place :

Date :

Signature of the person furnishing  
the return.

**FORM 17**

**ANNEXURE -F**

*Particulars of lands referred to in Annexures -A and B which are leased out to tenant*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H.   A.   Ca.
7. Name and address of the tenant.
8. Date of expiry of tenancy.
9. Rent payable.
10. Whether the tenant himself cultivates the land leased out and if not the name of the person cultivating such land..
11. Remarks.

Place :

Date :

Signature of the person furnishing  
the return.

**FORM 17**

**ANNEXURE-G**

*Particulars of land desired to be retained within the ceiling area and particulars of land desired to be declared as surplus*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.

8. If irrigated by Government source of irrigation,  
name of such source and whether by direct flow or by lift.
9. Extent. H. A. Ca.
10. Assessment . Rs. P.
11. Extent in standard hectares.
12. Remarks.

Note :- The particulars in this annexure should be furnished in two sections as shown below :-

Section I-Land to be retained within the ceiling area.

Section II- Land to be declared as surplus.

Place :

Date :

Signature of the person furnishing  
the return.

### FORM 18

[See Rule 27 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of  
Surplus Lands) Rules, 1975.]

*Form of return to be furnished under sub-section (2) of section 21 of the Pondicherry Land  
Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974).*

- |                                                                                                                                                                                                | Name | Age | Relationship<br>to the person. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----|--------------------------------|
| 1. Name and address of the person by whom the land is held.                                                                                                                                    |      |     |                                |
| 2. Name and address of the person furnishing the return.                                                                                                                                       |      |     |                                |
| 3. If the return is not furnished by the person specified<br>in item 1 what is the authority for the person in<br>item 2 to furnish the return ?                                               |      |     |                                |
| 4. If the person in item 1 is a member of a family, the<br>particulars of the members of the family.                                                                                           |      |     |                                |
| 5. (a) Have particulars of all land held by the person<br>been furnished in Annexure-A.                                                                                                        |      |     |                                |
| (b) If the person specified in item 1 is a member of a<br>family have the particulars been furnished in Annexure-A<br>in respect of all the lands held by such family and<br>all its members ? |      |     |                                |

6. (a) Is there any encumbrance on the land included in Annexure-A and, if so,
  - (b) have particulars of the encumbrance been furnished in Annexure-B ?
7. (a) Is there any litigation pending in respect of any land included in Annexure-A and, if so,
  - (b) have particulars of the litigation been furnished in Annexure-C ?
8. (a) Is there any arrears of land revenue in respect of any land included in Annexure-A, and if so,
  - (b) have particulars of such arrears and the proceedings pending for collection of the arrears been furnished in Annexure-D ?
9. (a) Has any land included in Annexure-A been leased out to tenants and, if so,
  - (b) have particulars of such land been furnished in Annexure-E ?

I have furnished in Annexure-F the particulars of the land which is desired to be retained within the ceiling area and those of the land which is desired to be declared as surplus.

I hereby declare that to the best of my knowledge and belief the information furnished in this form and in the Annexures-A to G is a full and complete information of the entire holding of the person or family specified in item 1 within the Union territory of Pondicherry and that the said person or family or any member of the family does not hold any other agricultural land either individually or jointly with others within the Union territory of Pondicherry.

Place :

Date :

Signature of the person furnishing  
the return.

To  
The Authorised Officer,  
.....

## FORM 18

### ANNEXURE-A

*Particulars of all land held before and after the date of marriage or adoption.*

1. Serial number.
2. Region.
3. Taluk.

4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government source of irrigation,  
name of such source and whether by direct flow or by lift.
9. Extent. H. A. Ca.
10. Assessment . Rs. P.
11. Extent in standard hectares.
12. Details of building (kachcha or pucca), masonry  
wells (in use or not in use), tube wells in use.
13. Number of trees (fruit trees, or timber or young ones).
14. Whether the land was held before the date of marriage  
or adoption or whether the land is held as a result of  
marriage or adoption.

Note :- 1. The particulars in this annexure should be furnished under different sections as shown below :-

Section I-Land held as owner.

Section II-Land held as possessory mortgage.

Section III-Land held as tenant.

Section IV-Land held as intermediary.

Section V-Land held as trust lands in which any interest is held.

2. In the case of land included in sections II, III and IV, the name and address of the possessory mortgagor or the land owner or the tenant, as the case may be, with the particulars of the period of lease, etc., and in the case of trust lands, the particulars of interest reserved in favour of the person concerned or of any member of his family, shall be furnished in item 16.
3. If the land for which particulars are furnished above is not a registered subdivision, boundaries of it for easy identification should be mentioned in the remarks column.

Place :

Date :

Signature of the person furnishing  
the return.

**FORM 18**

**ANNEXURE-B**

*Particulars of encumbrance on the land included in*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H. A. Ca.
7. Particulars of encumbrances with the name and address of the creditors.
8. Remarks.

Place :

Date :

Signature of the person furnishing  
the return.

**FORM 18**

**ANNEXURE-C**

*Particulars of any pending litigation in respect of the land included in Annexure-A.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H. A. Ca.
7. Particulars of the litigation pending the case number, the name of the court and the names of parties.
8. Remarks.

Place :

Date :

Signature of the person furnishing  
the return.



**FORM 18**

**ANNEXURE-D**

*Particulars of arrears of land revenue or attachment or Alienation in free in respect of land included in Annexure-II.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H. A. Ca.
7. Amount of arrears. Rs. P.
8. Particulars of proceedings pending for collection.
9. Particulars of attachment.
10. Particulars of restraint on alienation.
11. Remarks.

Place :

Date :

Signature of the person furnishing  
the return.

**FORM 18**

**ANNEXURE-E**

*Particulars of lands out of tenants*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Extent. H. A. Ca.
7. Name and address of the tenants.
8. Date of expiry of tenancy.

9. Rent payable.
10. Whether the tenant himself cultivates the land leased out and if not the name of the person cultivating such land.
11. Remarks.

Place :

Date :

Signature of the person furnishing  
the return.

### FORM 18

#### ANNEXURE-F

*Particulars of land desired to be retained within the ceiling area and particulars of land desired to be declared as surplus.*

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Government or inam.
7. Wet or dry.
8. If irrigated by Government source of irrigation, name of such source and whether by direct flow or by lift.
9. Extent. H. A. Ca.
10. Assessment . Rs. P.
11. Extent in standard hectares.
12. Remarks.

Note :- The particulars in this annexure should be furnished in two sections as shown below :-

Section I-Land to be retained within the ceiling area.

Section II-Land to be declared as surplus.

Place :

Date :

Signature of the person furnishing  
the return.

## FORM 19

[See Rule 29 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Application for acquisition of land for non-agricultural purpose under sub-section (1) of section 23 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974).*

1. Name and address of the applicant.
2. Particulars of land already held by the applicant and the members of his family as on the date of application-
  - (1) Serial number.
  - (2) Region.
  - (3) Taluk.
  - (4) Village.
  - (5) Survey number.
  - (6) Wet or dry.
  - (7) Extent. H. A. Ca
  - (8) Assessment. Rs. P.
  - (9) Extent in standard hectares.
  - (10) Extent of land actually cultivated by the applicant.

Note :-The particulars in this item should be furnished under different sections as shown below :-

- Section I-Land held as owner.
- Section II-Land held as possessory mortgagee.
- Section III-Land held as tenant.
- Section IV-Land held in any other capacity.

## FORM 20

[See Rule 30 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Application of claim for <sup>1</sup> [amount] <sup>1</sup> under sub-section (1) of section 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974).*

To  
The Authorised Officer,  
.....

I/We, prefer my/our claim for payment <sup>2</sup> [ \* \* ] <sup>2</sup> in respect of the undermentioned surplus land notified under sub-section (1) of section 17. The prescribed particulars are furnished in the Schedule appended.

---

1. Substitution vide EOG No.143 dated 06-04-1976.

2. Omission vide EOG No.143 dated 06-04-1976.

I/We do hereby declare that the information furnished in the Schedule appended is correct to the best of my/our knowledge and belief.

Place :

Date :

Signature :

Address :

## THE SCHEDULE

I. Name and address of the claimant.

II. Particulars of land for which <sup>1</sup> [amount ] is claimed—

1. Serial number.
2. Name of the holder of the land.
3. Region.
4. Taluk.
5. Village
6. Survey number.
7. Boundaries.
8. Government or inam.
9. Wet or dry, the source of irrigation.
10. Extent. H. A. Ca.
11. (a) Land Revenue.  
(b) Cesses.  
(c) Additional surcharge.  
(d) Charge for water.
12. Particulars of well, building, tree, machinery plant or apparatus, if any, on the land.
13. If encumbered as on the date of publication of notification under sub-section (1) of section 17 particulars of encumbrance with the name and address of the creditor.

14. Nature of interest held in respect of land as on the date of acquisition.

| If mortgage or charge holder                |                                       | If tenant or sub-tenant                             |                                                                                          | If intermediary                                                            |                                                     |                                   |
|---------------------------------------------|---------------------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------|
| Name and address of the mortgager or owner. | Particulars of mortgage or of charge. | Name and address of the land owner or intermediary. | Period of contract of tenancy, and particulars of annual rent paid (in kind or in cash.) | Name and address of the land owner and of the person cultivating the land. | Amount of annual rent received by the intermediary. | Amount payable to the land owner. |
|                                             |                                       |                                                     |                                                                                          |                                                                            |                                                     |                                   |
|                                             |                                       |                                                     |                                                                                          |                                                                            |                                                     |                                   |

  

| If limited owner or maintenance holder particulars of interest rest held. | If land owner                  |                                                                                     | Other categories with particulars thereof |
|---------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------|-------------------------------------------|
|                                                                           | Name and address of the tenant | Particulars of tenancy (amount of rent received and period of contract of tenancy). |                                           |
|                                                                           |                                |                                                                                     |                                           |
|                                                                           |                                |                                                                                     |                                           |

15. Name of crop or crops usually raised on the land.

16. Normal gross produce in a normal year in respect of the land (in kind or in cash).

17. Value of straw or stalk of all the crops cultivated on the land.

18. Net average annual income from the land in money value.

19. Remarks

III. Particulars <sup>1</sup> [ \* \* ] claimed—

1. (a) Aggregate net annual income from the land (in money value)—

(b) Rate

(c) Amount of <sup>1</sup> [ \* \* ] for the land.

1. Omission vide EOG No.143 dated 06-04-1976.

(d) The amount of land revenue or portion thereof in respect of the land, if any, has been assigned in his favour.

(e) the amount of proportionate quitrent, jodi, kattubadi or other amount of a like nature payable by such person to the Government.

(f) Amount <sup>1</sup> [ \* \* ] claimed under Part I of Schedule I

2. <sup>2</sup> [ Amount ] claimed in respect of trees, building, machinery, plant or apparatus, if any, acquired—

(a) Total value claimed

(b) Value claimed, with details as to the basis of the valuation.

(c) Total value claimed

3. Total <sup>2</sup> [ amount ] [ item 1 (c) plus item 1 (f) plus item 2 (c) above.]

4. [ Amount ] payable to tenant, if any under sub-section (1) of section 28.

5. Net <sup>2</sup> [ amount ] (item 3 minus item 4 above.)

IV. Particulars of the members of the family and also others, if any, among whom the <sup>2</sup> [amount] claimed has to be apportioned.

| Full name<br>and<br>address<br>(1) | Age<br>(2) | Relationship<br>(3) | Amount or rate of<br>apportionment<br>to be made.<br>(4) |
|------------------------------------|------------|---------------------|----------------------------------------------------------|
|------------------------------------|------------|---------------------|----------------------------------------------------------|

V. The names and addresses of the legal heirs of the claimant.

Signature of the claimant.

Note:— The application shall be signed —

(a) in the case of any individual, by the individual himself or by any person authorised by him in writing in this behalf ;

(b) in the case of a person who is a minor, lunatic, idiot, or is subject to a like disability by the guardian, manager or other person in charge of such person or of the property of such person;

(c) in the case of a family, by the person in management of such family or of the property of such family ;

(d) in the case of a company or other corporate body, by any person competent to act for such company or body in this behalf.

1. Omission vide EOG No.143 dated 06-04-1976.

2. Substitution vide EOG No.143 dated 06-04-1976.

**FORM 21**

[See Rule 35 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land Compensation for and Disposal of Surplus Lands) Rules 1975.]

<sup>1</sup> [ Draft assessment roll ] under sub-section (3) of section 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974.)

D. C. A. ROLL No. \_\_\_\_\_ dated \_\_\_\_\_

## PART I

- I. Name and address of the owner of the surplus land acquired under sub-section (1) of section 17
- II. The area of the land acquired and the net annual income from the land exclusive of the value of tree, building, machinery, plant or apparatus acquired.
  1. Serial number.
  2. Region.
  3. Taluk.
  4. Village.
  5. Survey number.
  6. Boundaries.
  7. Government or inam.
  8. Wet or dry and the source of irrigation.
  9. Extent. H. A. Ca.
  10. Name of the registered holder or occupier.
  11. Fair rent fixed for the land.
  12. Land revenue payable for the land inclusive of cess, additional surcharge and charge for water.
  13. Net annual income from the land [ column 11 minus column 12.]
  14. Name and address of the person or persons interested.
  15. Nature of the interest of each such person.
  16. Value of interest of each person.
  17. Relative priority of each person and the amount due.
  18. Remarks.

---

1. Substitution vide EOG No.143 dated 06-04-1976.

III. 1. Trees.

- (a) Village.
- (b) Survey number.
- (c) Type and number of trees.
- (d) Amount payable.
- (e) Remarks.

2. Buildings.

- (a) Village.
- (b) Survey number.
- (c) Temporary or permanent.
- (d) Amount payable.
- (e) Remarks.

3. Machinery, Plant, or apparatus.

- (a) Village.
- (b) Survey number.
- (c) Description.
- (d) Present market value.
- (e) Remarks.

IV. <sup>1</sup> [Amount] payable for the land referred to in item II above as laid down in paragraph 6 of Part I of Schedule I to the Act—

1. The total net annual income from the land referred to in item II above.

2. <sup>2</sup> [(i) for the first sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 10 times such sum or portion;

(ii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 9 times such sum or portion;

(iii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 8 times such sum or portion;

(iv) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 7 times such sum or portion;

---

1. Substitution vide EOG No.143 dated 06-04-1976.

2. Substitution vide EOG No.141 dated 06-04-1976.



(v) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 6 times such sum or portion;

(vi) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 5 times such sum or portion;

(vii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 4 times such sum or portion;

(viii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 3 times such sum or portion;

(ix) for the balance of the net annual income from the land, 2 times such balance".]

3. Total valuation on account of trees, buildings, machinery, plant or apparatus acquired -vide paragraph 7 of Part I of Schedule I to the Act and referred to in item III above.

4. Total <sup>1</sup> [Amount] [total of sub items (2) and (3)].

5. <sup>1</sup> [Amount] payable to tenant, if any, under section 36.

6. Net <sup>1</sup> [amount] (sub-item 4 minus sub-item 5.)

7. (a) The amount of land revenue or portion thereof in respect of the land' if any, which has been assigned in favour of any person -----

(b) The amount of proportionate quit-rent, jodi, kattubadi or other amount of a like nature payable by such person to the Government -----

(c) <sup>1</sup> [Amount] payable under Part I of Schedule I. -----

Total amount payable for all interest in the land.

Total sub-items 6 and 7 (c) Rupees ( in words)

V. Date from which interest is payable under sub-section (1) of section 29.

## PART II

1. The person or persons who are entitled to the <sup>1</sup> [amount] and the amount to which each person is entitled.

1. Serial number.

2. Name and address of the person.

3. Amount <sup>2</sup> [ \* \* ] Rs. P.

4. Remarks.

Note :— In the case of limited owner or maintenance holder on the surplus land acquired, the manner of payment <sup>2</sup> [ \* \* ] should be indicated in the remarks column.

Place :

Date :

Signature of the Authorised Officer.

1. Substitution vide EOG No.143 dated 06-04-1976.

2. Omission vide EOG No.187 dated 13-05-1976.

## FORM 22

[See Rule 35 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Statement accompanying the <sup>1</sup> [Draft Assessment Roll] under sub-clause (i) of clause (a) of sub-section (3) of section 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

Whereas the land included in the <sup>1</sup> [draft assessment roll] in Form 21 (enclosed herewith) has been acquired for a public purpose by the Government under sub-section (1) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974), I.....  
..... Authorised Officer,..... after full enquiry into the case and on due consideration of the various circumstances connected therewith, have determined the amount <sup>2</sup> [ \* \* ] (payable under section 24 and I hereby declare that the amount <sup>2</sup> [ \* \* ] specified in the <sup>1</sup> [draft assessment roll,] is the entire amount of [ \* \* ] <sup>2</sup> payable for all the interests in the land and that subject to the other provisions of the Act, the persons named therein are the only persons, who are entitled to the <sup>1</sup> [Amount] in the proportion stated therein.

Place :

Date :

Signature of the Authorised Officer.

## FORM 23

[See Rule 35 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Notice under sub-clause (ii) of clause (a) of sub-section (3) of section 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

Notice is hereby given that the amount <sup>1</sup> [ \* \* \* ] payable for the surplus land acquired by the Government and as determined under sub-section (3) of section 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974), is specified in the <sup>1</sup> [ draft assessment roll ] enclosed. Any person, who has any objection to any entry in the <sup>1</sup> [draft assessment roll,] may prepare his objections in writing before the authorised officer within <sup>3</sup> [15 days] from the date of publication of the said draft in the Official Gazette of the Union territory of Pondicherry, namely,—

Objections received within the due date will be enquired into at ..... (time)\*  
on ..... date, at ..... (place) when the objector may appear in person or by authorised agent and adduce any oral or documentary evidence in support of the objections.

Place :

Date :

Signature of the Authorised Officer.

\*Should be after <sup>3</sup> [fifteen] days of the publication of the [draft assessment roll.] <sup>1</sup>

---

1. Substitution vide EOG No.143 dated 06-04-1976.

2. Omission vide EOG No.143 dated 06-04-1976.

3. Substitution vide EOG No.130 dated 03-05-1977.

## FORM 24

[See Rule 38 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands Rules, 1975.]

*Form of Certificate to be endorsed under sub-section (8) of section 24 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

I, \_\_\_\_\_, Authorised Officer,  
hereby certify that this <sup>1</sup> [assessment roll] No. \_\_\_\_\_  
dated \_\_\_\_\_ was published finally on \_\_\_\_\_

Place :

Date :

Signature of the Authorised Officer.

## FORM 25

[See Rule 39 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Application of claim by mortgagee or charge-holder under sub-section (1) of section 25 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

1. Name and address of the claimant
2. Particulars of land to which the claim relates.
  - (1) Serial number.
  - (2) Name and address of the mortgagor or owner of land.
  - (3) Region.
  - (4) Taluk.
  - (5) Village.
  - (6) Survey number.
  - (7) Boundaries.
  - (8) Government or inam.
  - (9) Wet or dry.
  - (10) Extent H. A. Ca.
  - (11) Amount and particulars of mortgage or charge.
  - (12) Particulars of notification under sub-section (1) of section 17.

---

1. Amendment vide EOG No.143 dated 06-04-1976.

(13) Amount claimed by the mortgage or charge holder.

(14) Remarks.

3. Any other particulars which the claimant desires to furnish.

I hereby declare that the information furnished above is correct to the best of my knowledge and belief.

Place :

Date :

Signature of the claimant.

### FORM 26

[See Rule 39 (3) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Notice of enquiry on claims preferred under sub-section (1) of section 25 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974.)*

The claim application, dated \_\_\_\_\_ filed by \_\_\_\_\_ of \_\_\_\_\_  
under sub-section (1) of section 25 will be heard by the Authorised Officer. \_\_\_\_\_ at \_\_\_\_\_  
(time) on \_\_\_\_\_ on \_\_\_\_\_ (date) at \_\_\_\_\_ (place).

You may appear in person or by authorised agent and make any representation you may consider necessary or send your representation by registered post to the Authorised Officer.  
on or before the said date.

Place :

Date :

Signature of the Authorised Officer.

To

The Petitioner.

The Respondents.

### FORM 27

[See Rule 47 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Form of return to be furnished by cultivating tenant under sub-section (1) of section 31 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

1. Name and address of the cultivating tenant.

2. Particulars of the land held —

(a) As owner.—

| Serial number      | Region                                                                                          | Taluk     | Village                                                | Survey number               |
|--------------------|-------------------------------------------------------------------------------------------------|-----------|--------------------------------------------------------|-----------------------------|
| (1)                | (2)                                                                                             | (3)       | (4)                                                    | (5)                         |
| Government or inam | Wet or dry                                                                                      | Extent    | Assessment                                             | Extent in standard hectares |
| (6)                | (7)                                                                                             | (8)       | (9)                                                    | (10)                        |
|                    |                                                                                                 | H. A. Ca. | Rs. P.                                                 |                             |
| Boundaries         | Details of building (kachcha or pucca), masonry wells (in use or not in use), tube wells in use |           | Number of trees ( fruit trees or timber or young ones) | Remarks                     |
| (11)               | (12)                                                                                            |           | (13)                                                   | (14)                        |

(b) As cultivating tenant [as defined in sub-section (9) of section 2 read with the explanation to section 30]—

| Serial number               | Region     | Taluk                                                                                           | Village                                                | Survey number |
|-----------------------------|------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------|---------------|
| (1)                         | (2)        | (3)                                                                                             | (4)                                                    | (5)           |
| Government or inam          | Wet or dry | Extent                                                                                          | Rate of assessment per hectare                         |               |
| (6)                         | (7)        | (8)                                                                                             | (9)                                                    |               |
|                             |            | H. A. Ca.                                                                                       | Rs. P.                                                 |               |
| Extent in standard hectares | Boundaries | Details of building (kachcha or pucca), masonry wells (in use or not in use), tube wells in use | Number of trees ( fruit trees or timber or young ones) |               |
| (10)                        | (11)       | (12)                                                                                            | (13)                                                   |               |

| Name and address of the land owner | Name and address of the intermediary if any | Annual rent payable to the land owner or the intermediary |
|------------------------------------|---------------------------------------------|-----------------------------------------------------------|
| (14)                               | (15)                                        | (16)                                                      |

| Annual rent payable to the land owner by the intermediary if known | Period of contract of | Remarks |
|--------------------------------------------------------------------|-----------------------|---------|
| (17)                                                               | (18)                  | (19)    |

3. Particulars of land which the cultivating tenant desires to retain within the cultivating tenant's ceiling area out of the lands held by him as cultivating tenant.

| Serial number | Region | Taluk | Village | Survey number | Government or inam |
|---------------|--------|-------|---------|---------------|--------------------|
| (1)           | (2)    | (3)   | (4)     | (5)           | (6)                |

| Wet of dry | Extent   | Assessment | Extent in standard hectares | Remarks |
|------------|----------|------------|-----------------------------|---------|
| (7)        | (8)      | (9)        | (10)                        | (11)    |
|            | H. A. C. | Rs. P.     |                             |         |

I hereby declare that to the best of my knowledge and belief, the information furnished in this form is a full and complete information of my entire agricultural holding in the State as owner and cultivating tenant and that I do not own or hold as cultivating tenant any other agricultural land within the State of Pondicherry than what is declared above.

Place :

Date :

Signature.

NOTE :— The return shall be furnished—

(a) in the case of any individual, by the individual himself or any person authorised by him in writing in this behalf ;

(b) in the case of a person who is a minor, lunatic, idiot or is subject to a like disability, by the guardian, manager or other person in charge of such person or of the property of such person;

(c) in the case of a company or other corporate body, by any person competent to act for such company or body in this behalf ; and

(d) in the case of family, by the person in management of such family or of the property of such family.

## FORM 28

[See Rule 47 (3) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Form of notice under sub-section (2) of section 31 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

To

Name of person and address

Whereas you have failed to furnish a return under sub-section (1) of section 31 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973, in Form 27 of the Pondicherry Land Reforms (Fixation of Ceiling on Land, Compensation for and Disposal of Surplus Lands) Rules, 1975.

You are hereby required to prepare a true and correct return in the said form and deliver it to me or cause it to be delivered at my office duly signed by you on or before (here enter the date, month and year) failing which you will be liable to a penalty under section 52 of the said Act,

\*Whereas the return furnished by you under sub-section (1) of section 31 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 is incomplete/incorrect as detailed below (here enter briefly the details how the return is incomplete/or incorrect).

You are hereby required to furnish the \*\* following particulars to make the return complete/the true particulars in respect of the following matters (here specify the matters) on or before (here enter the date, month and year) failing which you will be liable to a penalty under section 52 of the Act.

Given under my hand and seal, this the  
197

day of

Place :

Date :

Signature of the  
Authorised Officer.

\*Strike out the paragraph not applicable.

\*\*Strike out the portion not applicable.

## FORM 29

[See Rule 48 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975]

*Statement of land held by cultivating tenant*

1. Name and address of the cultivating tenant.

2. Particulars of the land held by him—

(a) As owner.—

| Serial number | Region | Taluk | Village | Survey number |
|---------------|--------|-------|---------|---------------|
| (1)           | (2)    | (3)   | (4)     | (5)           |

| Government or inam | Wet or dry | Extent    | Assessment |
|--------------------|------------|-----------|------------|
| (6)                | (7)        | (8)       | (9)        |
|                    |            | H. A. Ca. | Rs. P.     |

| Extent in standard hectares | Boundaries | Details of building (kachcha or pucca), masonry wells (in use or not in use), tube wells in use | Number of trees ( fruit trees or timber or young ones) | Remarks |
|-----------------------------|------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------|---------|
| (10)                        | (11)       | (12)                                                                                            | (13)                                                   | (14)    |

(b) As cultivation tenant as defined in sub-section (9) of section 2 read with the explanation to section 30

| Serial number | Region | Taluk | Village | Survey number |
|---------------|--------|-------|---------|---------------|
| (1)           | (2)    | (3)   | (4)     | (5)           |

| Government or inam | Wet or dry | Extent    | Assessment | Extent in standard hectares |
|--------------------|------------|-----------|------------|-----------------------------|
| (6)                | (7)        | (8)       | (9)        | (10)                        |
|                    |            | H. A. Ca. | Rs. P.     |                             |

| Boundaries | Details of building (kachcha or pucca) masonry wells (in use or not in use) tube wells in use | Number of trees (fruit trees or timber or young ones) | Name and address of the land owner |
|------------|-----------------------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------|
| (11)       | (12)                                                                                          | (13)                                                  | (14)                               |



| Name and address of the intermediary if any | Annual rent payable to the land owner or the intermediary | Annual rent payable to the land owner by the intermediary, if known | Period of contract of tenancy | Remarks |
|---------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------------|-------------------------------|---------|
| (15)                                        | (16)                                                      | (17)                                                                | (18)                          | (19)    |

3. Particulars of land which the cultivating tenant desires to retain within the cultivating tenant's ceiling area out of the lands held by him as cultivating tenant.

| Serial number | Region   | Taluk      | Village | Survey number               | Government or inam |
|---------------|----------|------------|---------|-----------------------------|--------------------|
| (1)           | (2)      | (3)        | (4)     | (5)                         | (6)                |
| Wet or dry    | Extent   | Assessment |         | Extent in standard hectares | Remarks            |
| (7)           | (8)      | (9)        |         | (10)                        | (11)               |
|               | H. A. C. | Rs. P.     |         |                             |                    |

4. Particulars of the lands in excess of the cultivating tenant's ceiling area and proposed to be taken possession of by the authorized officer on behalf of the Government under section 32.

| Serial number | Region   | Taluk      | Village | Survey number               | Government or inam |
|---------------|----------|------------|---------|-----------------------------|--------------------|
| (1)           | (2)      | (3)        | (4)     | (5)                         | (6)                |
| Wet or dry    | Extent   | Assessment |         | Extent in standard hectares | Remarks            |
| (7)           | (8)      | (9)        |         | (10)                        | (11)               |
|               | H. A. C. | Rs. P.     |         |                             |                    |

Place :

Date :

Signature of the  
Authorised Officer.

### FORM 30

[ See Rule 48 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

To

(Here enter the name and address of the cultivating tenant or the land owner concerned).

A statement in Form-29 is enclosed. Any objection to any entry in the said statement may be preferred to the Authorised Officer within thirty days from the date of service of the notice.

Station :

Date :

Signature of the  
Authorised Officer.

### FORM 31

[See Rule 48 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Notice intimating decision to take possession of land in excess of the cultivating tenant's ceiling area by the Authorised Officer on behalf of Government*

1. Name of the cultivating tenant and address.

2. The particulars of land proposed to be taken possession of by the Authorised Officer under section 32 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 on behalf of the Government are furnished below :—

| Serial number<br>(1)      | Region<br>(2)                                                                                         | Taluk<br>(3)                                                  | Village<br>(4)                             | Survey number<br>(5)                |
|---------------------------|-------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|--------------------------------------------|-------------------------------------|
| Government or inam<br>(6) | Wet or dry<br>(7)                                                                                     | Extent<br>(8)<br>H. A. Ca.                                    | Assessment<br>(9)<br>Rs. P.                | Extent in standard hectares<br>(10) |
| Boundaries<br>(11)        | Details of building (kachcha or pucca) masonry wells (in use or not in use) tube wells in use<br>(12) | Number of trees (fruit trees or timber or young ones)<br>(13) | Name and address of the land owner<br>(14) |                                     |

| Name and address of the intermediary if any | Annual rent payable to the land owner or the intermediary | Annual rent payable to the land owner by the intermediary, if known | Period of contract of tenancy | Remarks |
|---------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------------|-------------------------------|---------|
| (15)                                        | (16)                                                      | (17)                                                                | (18)                          | (19)    |

3. Notice is hereby given that the lands will be taken possession of on or after\*.

Station :

Place :

Signature of the  
Authorised Officer.

\* The notice shall be served allowing not less than <sup>1</sup> [fifteen days] time and the notice shall expire with the end of the Agricultural year in which the notice is given.

## FORM 32

[See Rule 50 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.]

*Notice inviting applications for distribution of land under sub-section (1) of section 34 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

It is hereby notified that the land specified in the Schedule..... will be taken possession of by the Authorised Officer.

On behalf of the Government under the provisions of section..... of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 on.....day of the month of .....197..... and the applications for the allotment of that land will be considered by the Authorised Officer .....till.....(date). Persons desirous of applying for allotment may present their applications in person or send them by registered post to the said Authorised Officer, within the date specified above.

2. Landless person or persons holding land below the cultivating tenants's ceiling area alone are eligible for the allotment of the land.

---

1. Substitution vide EOG No.130 dated 03-05-1977.

3. The allotment will be subject to the terms and conditions specified below :—

(Here enter terms and conditions).

#### THE SCHEDULE

| Serial number                                         | Region                                          | Taluk | Village                                    | Survey number                                                                                 | Dry or wet |
|-------------------------------------------------------|-------------------------------------------------|-------|--------------------------------------------|-----------------------------------------------------------------------------------------------|------------|
| (1)                                                   | (2)                                             | (3)   | (4)                                        | (5)                                                                                           | (6)        |
| Extent                                                | Assessment                                      |       | Boundaries                                 | Details of building (kachcha or pucca) masonry wells (in use or not in use) tube wells in use |            |
| (7)                                                   | (8)                                             |       | (9)                                        | (10)                                                                                          |            |
| H. A. Ca.                                             | Rs. P.                                          |       |                                            |                                                                                               |            |
| Number of trees (fruit trees or timber or young ones) | Name of crop of any, usually raised on the land |       | Amount of annual rent payable for the land | Remarks                                                                                       |            |
| (11)                                                  | (12)                                            |       | (13)                                       | (14)                                                                                          |            |

Station :

Date :

Signature of the  
Authorised Officer.

#### FORM 33

[See Rule 50 (3) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Application for distribution of possession of land under section 34 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (act No.9 of 1974)*

1. Name and address of the applicant.

2. Particulars of land applied for allotment—

| Serial number | Region | Taluk | Village | Survey number |
|---------------|--------|-------|---------|---------------|
| (1)           | (2)    | (3)   | (4)     | (5)           |

| Boundaries | Wet or dry | Extent    | Assessment |
|------------|------------|-----------|------------|
| (6)        | (7)        | (8)       | (9)        |
|            |            | H. A. Ca. | Rs. P.     |

| Extent in standard hectares | Purpose for which it is required | Remarks |
|-----------------------------|----------------------------------|---------|
| (10)                        | (11)                             | (12)    |

3. Whether the applicant was dispossessed of his holding virtue of the provisions of the Act ; if so, particulars of the holding from which he was dispossessed with full details of land.

4. Particulars of land if any held by the applicant and the other members of his family—

| Serial number | Region | Taluk | Village | Survey number |
|---------------|--------|-------|---------|---------------|
| (1)           | (2)    | (3)   | (4)     | (5)           |

| Boundaries | Wet or dry | Extent    | Assessment |
|------------|------------|-----------|------------|
| (6)        | (7)        | (8)       | (9)        |
|            |            | H. A. Ca. | Rs. P.     |

| Extent in standard hectares | Nature of interest held in the land | Remarks |
|-----------------------------|-------------------------------------|---------|
| (10)                        | (11)                                | (12)    |

5. Other particulars, if any, which the applicant desires to furnish.

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief, true and correct.

I further declare that in the event of the land being allowed to me, I shall abide by the terms and conditions of the allotment and also all the provisions pertaining thereto contained in the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975.

Place :

Date :

Signature of the applicant.

## AGREEMENT

(8) The lessee shall see that the marks, if any, made by the officers of the Government, on trees or other improvements are preserved and not tampered with.

(9) The lessee shall have no rights whatsoever to any trees standing on the land.

(10) The lessee shall not cut or remove any live trees or plants or cause them to be cut or removed without the previous written permission of the Authorised Officer for Land Reforms ..... and shall handover, from time to time the Revenue Inspector concerned, the trees cut with the permission of said Authorised Officer and also withered, wind fallen or dead trees and branches.

(11) The lessee shall not erect any buildings, fences, or structures of permanent or temporary character on the land without the previous written permission of the Authorised Officer for the Land Reforms.....

(12) On the expiry of the period of the lease or the earlier termination thereof under condition (15) , the lessee shall restore the land to the Government in the state in which it was leased out to him.

(13) All amounts payable by the lessee to the Government under there rules shall be recoverable as arrears of land revenue under the Revenue Recovery Act for the time being in force.

(14) When there is a total or partial failure of crops on the land remission of rent shall be allowed to the lessee to the same extent or same principle and in the same proportion, as remission of land revenue assessment is allowed by the Government in respect of the land concerned.

(15) In the even of infringement of any of the terms and conditions specified in this lease deed or in the Pondicherry Land Reforms (Fixation Ceiling on Land and Disposal of Surplus Lands) Rules, 1975 or in the order permitting the lessee to continue in possession of the land, the lessee shall be liable to forfeit the amount of deposit made by him and lease shall also be liable to termination without compensation to the lessee and the lessee shall be liable to be evicted summarily from the land .

(16) The lessee shall also be liable to pay such compensation as may be determined by the Authorised Officer, for Land Reforms..... for any loss or damage resulting form such infringement. It shall also be competent for the said Authorised Officer or any person authorised by him to enter upon the land mentioned and described in the schedule hereunder and evict the lessee summarily from the land.

(17) The sum of Rs..... deposited by the lessee or such portion thereof as may be returnable to him, shall be returned to him on the expiry or upon after termination of the lease.

(18) The lessee shall pay the rent of Rs..... in cash on or before tenth day of February of 19.....

(19) The lease shall hold good for he agricultural year 19..... only viz, upto 31st March,19...

(20) The lease shall not confer any priority or preference on the lessee to purposes of assignment of the lands under the rules.

(21) The lease is subject to the conditions laid down in Rule 50 of Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal Surplus Lands) Rules, 1975 and to such conditions that may be prescribed the Government under the Pondicherry Land Reforms (Fixation of Ceiling Land) Act, 1978 and to such other conditions that may be prescribed by Authorised Officer for Land Reforms.....from time to time.

And the lessor agrees with the lesee that the lessee performing and observing the covenants and conditions herein contained and on his part to be performed and observed may peaceably hold

the land during the period of lease without any interruption and on the expiry of the full period of lease without any interruption and on the expiry of the full period of , if the lessee, if the conditions of the lease have been duly fulfilled to refund Rs.....(Rupees.....) being the security deposit made by lessee.

## THE SCHEDULE

Region:

Village:

Taluk:

---

| Cadastre No.<br>and R.S.No.<br>and Local<br>name, if any, | Wet or Dry | Extent<br><br>H. A. C. | Assessment<br><br>Rs. P | Boundaries |
|-----------------------------------------------------------|------------|------------------------|-------------------------|------------|
|-----------------------------------------------------------|------------|------------------------|-------------------------|------------|

---

In witness whereof , the parties to these presents have set their hands, this day and year first above written.

Signed and delivered by Thiru..... Authorised Officer for Land Reforms.....acting for and on behalf of and by order and direction of the Lieutenant-Governor of Pondicherry.

In the presence of -

|         |        |                                   |
|---------|--------|-----------------------------------|
| Witness | Lessor | (Authorised Officer Land Reforms) |
|---------|--------|-----------------------------------|

(1)

(2)

Signed by Thiru  
Lessee

In the presence of -

Witness

(1)

(2)



### FORM 34

[See Rule 53 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Land) Rules 1975]

Form of return to be furnished by cultivating tenant on acquisition by lease of any land in excess of the cultivating tenant's ceiling area under sub-section (1) of section 39 of the Pondicherry Land Reforms (Fixation of Ceiling on Land ) Act, 1973 (Act No.9 of 1974).

1. Name and address of the cultivating tenant.

2. Particulars of the land held by the cultivating tenant as owner -

| Serial<br>number<br>(1)         | Region<br>(2)                                                                                                   | Taluk<br>(3)  | Village<br>(4)                                               | Survey<br>number<br>(5) |                 |  |                                           |  |
|---------------------------------|-----------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------------------------------|-------------------------|-----------------|--|-------------------------------------------|--|
| Government<br>or<br>inam<br>(6) | Wet or dry<br>(7)                                                                                               | Extent<br>(8) |                                                              | Assessment<br>(9)       |                 |  | Extent in<br>standard<br>hectares<br>(10) |  |
|                                 |                                                                                                                 | H. A. Ca      |                                                              | Rs. P                   |                 |  |                                           |  |
| Boundaries<br>(11)              | Details of building<br>(kaccha or pucca)<br>masonry well (in<br>use or not in use)<br>tube wells in use<br>(12) |               | Number of<br>trees (fruit<br>trees or<br>young ones)<br>(13) |                         | Remarks<br>(14) |  |                                           |  |

3. Particulars of the land held by the cultivating tenant as cultivating tenant as defined in section 3 (10) read with Explanation to section 60 --

| Serial<br>number<br>(1)      | Region<br>(2)     | Taluk<br>(3)  | Village<br>(4)    | Survey<br>number<br>(5)                |  |  |  |  |
|------------------------------|-------------------|---------------|-------------------|----------------------------------------|--|--|--|--|
| Government or<br>inam<br>(6) | Wet or dry<br>(7) | Extent<br>(8) | Assessment<br>(9) | Extent in standard<br>hectares<br>(10) |  |  |  |  |
|                              |                   | H. A. Ca      | Rs. P             |                                        |  |  |  |  |

|            |                                                                                                         |                                                      |
|------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Boundaries | Details of building<br>(kaccha or pucca)<br>masonry well (in<br>use or not in use)<br>tube wells in use | Number of<br>trees (fruit<br>trees or<br>young ones) |
| (11)       | (12)                                                                                                    | (13)                                                 |

|                                                                                                            |                                                                                                                           |                                               |         |
|------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|---------|
| Name and address<br>of the person<br>who leased out<br>the land and<br>the nature of his<br>interest in it | Particulars of<br>document, if any,<br>for the lease and<br>Period of lease<br>and amount of<br>rent (in cash or<br>kind) | Name and<br>address<br>of the<br>intermediary | Remarks |
| (14)                                                                                                       | (15)                                                                                                                      | (16)                                          | (17)    |

4. Particulars of the land acquired by lease.

|                       |            |          |            |                                |
|-----------------------|------------|----------|------------|--------------------------------|
| Serial<br>number      | Region     | Taluk    | Village    | Survey<br>number               |
| (1)                   | (2)        | (3)      | (4)        | (5)                            |
| Government or<br>inam | Wet or dry | Extent   | Assessment | Extent in standard<br>hectares |
| (6)                   | (7)        | (8)      | (9)        | (10)                           |
|                       |            | H. A. Ca | Rs. P      |                                |

|            |                                                                                                         |                                                      |
|------------|---------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Boundaries | Details of building<br>(kaccha or pucca)<br>masonry well (in<br>use or not in use)<br>tube wells in use | Number of<br>trees (fruit<br>trees or<br>young ones) |
| (11)       | (12)                                                                                                    | (13)                                                 |

|                                                                                                      |                                                                                                                         |                                                   |                                      |         |
|------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------|---------|
| Name and address<br>of the person who<br>leased out the land<br>and nature of his<br>interest in it. | Particulars of<br>documents, if any,<br>for the lease and<br>Period of lease<br>and amount of rent<br>(in cash or kind) | Name and address<br>of the intermediary<br>if any | Date of<br>acquisition<br>of land on | Remarks |
| (14)                                                                                                 | (15)                                                                                                                    | (16)                                              | (17)                                 | (18)    |

5. Particulars of the land which the cultivating tenant desires to retain within the cultivating tenant's ceiling area out of the land held by him as cultivating tenants -

| Serial number<br>(1)                                                                             | Region<br>(2)                                                                                                    | Taluk<br>(3)              | Village<br>(4)                                      | Survey number<br>(5)                |
|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|---------------------------|-----------------------------------------------------|-------------------------------------|
| Government or inam<br>(6)                                                                        | Wet or dry<br>(7)                                                                                                | Extent<br>(8)<br>H. A. Ca | Assessment<br>(9)<br>Rs. P                          | Extent in standard hectares<br>(10) |
| Boundaries<br>(11)                                                                               | Details of building (kaccha or pucca) masonry well (in use or not in use) tube wells in use<br>(12)              |                           | Number of trees (fruit trees or young ones)<br>(13) |                                     |
| Name and address of the person who leased out the land and nature of his interest in it.<br>(14) | Particulars of documents, if any, for the lease and Period of lease and amount of rent (in cash or kind)<br>(15) |                           | Name and address of the intermediary if any<br>(16) | Remarks<br>(17)                     |

I hereby declare that to the best of my knowledge and belief, the information furnished in this form is a full and complete information of my entire holding as owner or cultivating tenant in the State and that I do not own or hold as cultivating tenant any other agricultural land within the State of Pondicherry than what is declared above.

Place :

Date :

Signature

NOTE: The return shall be furnished-

(a) in the case of any individual, by the individual himself or any person authorised by him in writing in this behalf ;

(b) In the case of a person who is a minor, lunatic, idiot or is subject to a like disability, by the guardian, manager or other person in charge of such person or of the property of such person:

(c) in the case of a company or other corporate body, by any person competent to act for such company or body in this behalf ; and

(d) in the case of a family, by the person in management of such family or of the property of such family.

### FORM 35

[See Rule 54 (1) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Register of surplus land acquired by Government under the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

Name of the Region :

Name of the Taluk :

Number and name of the village :

| Serial number | Date of entry in the register | Survey number | Extent | Classification |
|---------------|-------------------------------|---------------|--------|----------------|
| (1)           | (2)                           | (3)           | (4)    | (5)            |

| Assessment | Boundaries | Date of publication of notification under section 17 (1) | Details of buildings (kachcha or pucca) masonry wells (in use or not in use) tube wells in use |
|------------|------------|----------------------------------------------------------|------------------------------------------------------------------------------------------------|
| (6)        | (7)        | (8)                                                      | (9)                                                                                            |

| Details of trees (fruit or timber or young ones) | How disposed of with particulars of the person to whom assigned and the number of the papers relating to the disposal of the land | Value of the land and of the building and trees thereon, if any to be collected from the assignee ; how the value was arrived at the manner of collection | Remarks |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (10)                                             | (11)                                                                                                                              | (12)                                                                                                                                                      | (13)    |

## FORM 36

[See Rule 55 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Notice inviting applications for assignment of surplus land acquired under the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

It is hereby notified that the land specified in the schedule below, which has been acquired by the Government under sub-section (1) of section 17 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974) is available for disposal under section 61 of the said Act and the Rules made there under. Applications for the assignment of the land will be received by the Authorisofficer.....till.....(date). Any person desiring to apply for the assignment of the land may present his application in person or send it by registered post, to the said Authorised Officer on or before the date specified above.

2. <sup>1</sup> [The following persons and societies shall be eligible for assignment of land subject to the provisions contained in sub-section (2) of section 61 of the Act.

(i) A person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Act ;

(ii) Any other person who is completely dispossessed of his holding by virtue of the provisions of the Act ;

(iii) A person whose extent of holding is reduced below 1.2 standard hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provision of the Act;

(iv) A landless agricultural labourer belonging to Scheduled castes or Scheduled tribe who contributes his own physical labour or that of any member of his family in the cultivation of the land;

(v) Families of servicemen killed in action and war widows of 1962, 1965 and 1971 wars;

(vi) Ex-servicemen disabled in action;

(vii) Ex-servicemen who have meritoriously served in army, navy or air force;

(viii) Other Ex-servicemen and person in active military service ;

(ix) Freedom fighters in indigent circumstances;

(x) A landless agricultural labourer other than the landless agricultural labourer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land;

(xi) A repatriate from Burma, Ceylon or Vietnam who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who is in indigent circumstances;

---

1. Substitution vide EOG No.130 dated 03-05-1977.

(xii) A co-operative farming society, the members of which are landless agricultural labourers, provided that the extent of land assigned to the society together with the land, if any, already held by the society does not exceed the ceiling area".]

3. The total extent of land that may be assigned to any person referred to in items(i), (ii), (iii), (v), (vi) and (vii) in paragraph 2, together with the extent of other land if any, already held by such person, or if such person is a member of a family, by such family, shall not exceed two standard hectares.

4. The assignment shall be liable to be modified or cancelled, if it is found that it was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure or that it was in excess of the limits prescribed in the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act 9 of 1974) or the Pondicherry Land Reforms (Fixation of Ceiling on Land, and Disposal of Surplus Lands) Rules, 1975;

Provided that no assignment shall be modified or cancelled if five years have elapsed after it was made.

5. In the event of the modification or cancellation of the assignment, as aforesaid, the land assigned shall be resumed from the assignee, either in part or in full as the case may be and on such resumption the assignee shall not be entitled to compensation for any improvement effected by him on the land but the value of the land, buildings and trees thereon paid by him may, at the discretion of the assignor, be refunded to him in part or in full. The assignee shall also be liable for damages, if any, caused by him to the land and compensation for the damages shall be recovered from him by deduction from the value of the land, buildings and trees thereon paid by him and, if the compensation for the damages exceeds the value of the land, buildings and trees thereon paid by him, such excess shall be recovered from him.

6. All sums found due to the assignor under, or by virtue of, these presents, shall be recovered from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970, as if such sums were arrears of land revenue, or in any other manner as the assignor may deem fit.

7. The annual assessment on the land shall be liable to periodical revision at resettlements.

8. The Government reserve the right to levy ground rent in lieu of assessment, if the land or a portion of it is used for a non-agricultural purpose and such ground-rent shall be liable to revision from time to time in accordance with the rules in force.

9. The land assigned shall not be sold or otherwise alienated before the expiry of period of ten years from the date of assignment or before the payment of the value of the land in full, whichever is later.

10. Where the value of the land is payable in instalments (a) the first instalment shall be payable before the execution of the deed of assignment (b) each subsequent instalment shall be payable before the 31st March of every year, (c) in the event of default of the payment of two consecutive instalments the amount already paid shall be liable to be forfeited to the Government and land shall be liable to be resumed and (d) if, any year, due to adverse seasonal conditions, the land revenue in respect of the land is remitted or suspended, the recovery of the instalment payable that year and of the instalments payable in subsequent years shall be postponed by one year.

] 11. The land will vest absolutely in the assignee only after the value of the land, buildings and trees thereon is paid in full.

12. The assignee shall engage himself in the direct cultivation of the land assigned.

13. The assignee shall pay on the due dates the land revenue, assessment, cesses and local taxes in force from time to time in respect of the land assigned, with effect from the year in which the assignment is sanctioned.

14. The assignee shall abide by such other conditions as may be imposed under rule 57.

### THE SCHEDULE

Name of the District :

Name of the Taluk :

Name and number of the village :

| Survey number                                                                                                       | Extent | Classification                                          | Assessment | Boundaries                                            | Date of publication of the notification under section 17 (1) |
|---------------------------------------------------------------------------------------------------------------------|--------|---------------------------------------------------------|------------|-------------------------------------------------------|--------------------------------------------------------------|
| (1)                                                                                                                 | (2)    | (3)                                                     | (4)        | (5)                                                   | (6)                                                          |
| Details of buildings (kachcha or pucca) masonry wells (in use or not in use) tube wells (in use or not in use) tube |        | Details of trees (fruits or timber trees or young ones) |            | Approximate value of land buildings and trees payable | Remarks                                                      |
| (7)                                                                                                                 |        | (8)                                                     |            | (9)                                                   | (10)                                                         |

### FORM 37

[See Rule 58 of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

*Application for assignment of surplus land under section 61 of the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

1. Name and address of the applicants :

2. Particulars of the land applied for :

| Region          | Taluk          | Village      | Survey number |
|-----------------|----------------|--------------|---------------|
| (a)             | (b)            | (c)          | (d)           |
| Extent          | Classification | Assessment   | Boundaries    |
| (e)<br>H. A. Ca | (f)            | (g)<br>Rs. P | (h)           |

3. Particulars of the land, if any already held by the applicant and the other members of his family.

| Region   | Taluk          | Village    | Survey number |                                            |  |
|----------|----------------|------------|---------------|--------------------------------------------|--|
| (a)      | (b)            | (c)        | (d)           |                                            |  |
| Extent   | Classification | Assessment | Boundaries    | Nature of applicant's interest in the land |  |
| (e)      | (f)            | (g)        | (h)           | (i)                                        |  |
| H. A. Ca |                | Rs. P      |               |                                            |  |

4. Whether the applicant is completely dispossessed of his holding by virtue of the provisions of the Act or as a result of execution of any irrigation or hydro-electric project.

5. Whether the extent of the applicant's holding is reduced below 1.2 standard hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Act.

6. Whether the applicants is, or has been a member of the Armed Forces.

<sup>1</sup> [7. Whether the applicant is a member of the family of the servicemen killed in action.

8. Whether the applicant is a war widow of 1962, 1965 and 1971 wars.

9. Whether the applicant is an ex-servicemen disabled in action.

10. Whether the applicant is a freedom fighter in indigent circumstances.

11. Whether the applicant is a repatriate from Burma, Ceylon or Vietnam.

12. Whether the applicant is a co-operative farming society the members of which are landless agricultural labourers or landless persons or a combination of both. If so, give full particulars of the members and of the lands held by them.

13. Whether the applicant is a landless agricultural labourer likely to engage himself in direct cultion.

14. Whether the applicant is a landless person likely to engage himself in direct cultivation.

15. Whether the applicant is a cultivating tenant who is holding land which is less than two standard hectares in extent.

16. Other particulars.] <sup>1</sup>

Signature of the applicant.

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1. Amendment vide EOG No. 130 dated 03-05-1977.



## DECLARATION

I hereby declare that the particulars furnished in the application are, to the best of my knowledge and belief, true and correct.

Signature of the applicant

## FORM 38

[See Rule 59 (2) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal Surplus Lands) Rules, 1975)

*Notice inviting objections to the proposal for the assignment of surplus land under the Pondicherry Land Reforms Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974)*

The following list of applications for the assignment of surplus land under section 61 of Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No.9 of 1974), is hereby published for general information.

2. Objection, if any, to the assignment of the land to the applicants, may be filed before the Authorised Officer on or before (date).

| Serial number | Name and address of the applicant | Region | Taluk | Village | Survey number |
|---------------|-----------------------------------|--------|-------|---------|---------------|
| (1)           | (2)                               | (3)    | (4)   | (5)     | (6)           |

| Extent   | Classification | Assessment | Boundaries | Remarks |
|----------|----------------|------------|------------|---------|
| (7)      | (8)            | (9)        | (10)       | (11)    |
| H. A. Ca |                | Rs. P      |            |         |

Place :

Date :

Authorised Officer.

**<sup>1</sup> [FORM—39]**

[See Rule 59(5) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975]

**NOTICE TO THE ASSIGNEE OF SURPLUS LAND UNDER THE PONDICHERRY LAND REFORMS (FIXATION OF CEILING ON LAND) ACT, 1973, (ACT No.9 OF 1974.)**

With reference to his application, dated.....for assignment of surplus land, Thiru.....is informed that it is proposed to assign him the land, the details of which are given below :—

Name of the region :

Name of the taluk :

Number and name of village :

| Survey No. | Extent | Classification | Assessment | Boundaries | Date of publication of the notification under section 17 (1) |
|------------|--------|----------------|------------|------------|--------------------------------------------------------------|
| (1)        | (2)    | (3)            | (4)        | (5)        | (6)                                                          |

| Details of buildings (kachcha or pucca), masonry wells (in use or not in use) tubewells in use | Details of trees (fruit or timber trees or young ones) | Value of the land and of the buildings and trees thereon, if any, to be collected from the assignee, how the value was arrived at |
|------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| (7)                                                                                            | (8)                                                    | (9)                                                                                                                               |

The value of the land and the buildings and trees thereon amounting to Rs..... (in figures and words) is payable either in lumpsum or in twenty equal annual installments of Rs..... (in figures and words). If the assignee desire to pay it in installments, the first instalment shall be payable within 15 days after the expiry of one year from the date of execution of the title deed. The subsequent installments shall be payable before 31st March of every year. When the value is paid in installments, the amount outstanding after the payment of each instalment will bear interest at six per cent per annum.

1. Substitution vide EOG No.187 dated 13-05-1976.

**<sup>1</sup> [ FORM-40**

[See Rule 59 (5) of the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Land Rules, 1975]

[DEED OF ASSIGNMENT OF SURPLUS LAND UNDER SECTION 61 OF THE PONDICHERRY LAND REFORMS (FIXATION OF CEILING ON LAND) ACT, 1973 (ACT No.9 OF 1974)].

The deed of assignment, made on the ..... day of in the year one thousand nine hundred and ..... between the Lieutenant-Governor of Pondicherry (hereinafter referred to as 'the assignor') on the one part and ..... Thiru ..... (here enter name, age, address etc) (hereinafter referred to as 'the assignee') on the other part;

Whereas the assignee has applied for the assignment, and the assignor has sanctioned the assignment in favour of the assignee, of the lands mentioned and described in the schedule hereunder written.

Now these presents witness and it is hereby mutually agreed as follows :—

In consideration of the sum of Rs.....(here enter the amount in figures and words) being the value of the said lands and of the buildings and trees thereon, remitted into the treasury by the assignee.

OR

In consideration of having agreed to pay the value of the said lands and of the buildings and trees thereon in ..... equal annual installments and for payment of the sum of Rs..... (here enter the amount in figures and words) being the first instalment of the value of the land and of the buildings and trees thereon by the assignee within 15 days after the expiry of one year from the date of execution of the deed, the assignor doth hereby demise unto the assignee, by way of assignment all the lands, mentioned and described in the schedule hereunder, to hold the same permanently and forever.

2. The assignee shall pay the balance of the value of the said land and of the buildings and trees thereon in equal annual installments, each instalment amounting to Rs..... (here enter the amount in figures and words) together with interest at six per cent per annum on the amount outstanding, the payments shall be made into the treasury to the credit of the State Government, on or before the 31st day of March every year, during the next ..... years commencing with the year 197.....

3. This deed of assignment shall be subject to the conditions specified in the Appendix.

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1. Substitution vide EOG No.187 dated 06-04-1976.

## THE SCHEDULE

Name of the region:

Name of the Taluk:

Number and name of the village:

| Survey No.<br>(1)                                                        | Extent<br>(2)                                                                                            | Classification<br>(3) | Assessment<br>(4)                                                  | Boundaries<br>(5) |
|--------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-----------------------|--------------------------------------------------------------------|-------------------|
|                                                                          | H. A. Ca                                                                                                 |                       | Rs. P.                                                             |                   |
| Date of publication<br>of the notification<br>under section 17(1)<br>(6) | Details of buildings(kachcha or pucca), masonry<br>wells (in use or not in use) tube wells in use<br>(7) |                       | Details of trees(fruit<br>or timber trees or<br>young ones)<br>(8) |                   |

In witness whereof Thiru..... the Authorised Officer  
.....acting for and on behalf of, and by order and under the direction of the Lieu-  
tenant - Governor of Pondicherry and Thiru ..... the assignee have hereunto set  
their hands the day and year first above written.

Signed, sealed and delivered by the abovenamed Thiru.....

In the presence of (witnesses) --

(1).

(2).

Signed by the abovenamed Thiru .....  
(the assignee)

In the presence of (witnesses) --

(1).

(2).

## APPENDIX (CONDITIONS)

The assignment shall be liable to be modified or cancelled, if it is found that is was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure. The assignment shall also be modified or cancelled, if it is shown that the extent assigned to the assignee is in excess of the limits prescribed in the Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 (Act No. 9 of 1974) or the Pondicherry Land Reforms (Fixation of Ceiling on Land and Disposal of Surplus Lands) Rules, 1975;

Provided that no assignment shall be modified or cancelled if five years have elapsed after it was made.

2. In the event of the modification or cancellation of the assignment, as aforesaid, the land assigned shall be resumed from the assignee, in part or in full, as the case may be and on such resumption, the assignee shall not be entitled to any compensation, for any improvement effected by him on the land, but the value of the land, buildings and trees thereon paid by him may, at the discretion of the assignor, be refunded to him, in part or in full. The assignee shall also be liable for the damages, if any, caused by him to the land, and compensation for the damages shall be recovered from the assignee, by deduction from the value of the land, buildings and trees thereon paid by him and if, compensation for the damages exceeds the value of the land, buildings and trees thereon paid by him such excess shall be recovered from him.

3. All sums found due to the assignor under, or by virtue of these presents, shall be recovered from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970 as if such sums were arrears of land revenue, or in any other manner as the assignor may deem fit.

4. The annual assessment on the land shall be liable to periodical revision at resettlements.

5. The Government reserve the right to levy ground-rent, in lieu of assessment, if the land or a portion thereof is used for a non-agricultural purpose and such ground-rent shall be liable to revision, from time to time, in accordance with the rules in force.

6. <sup>1</sup> [The land assigned shall not be sold or otherwise alienated before expiry of a period of twenty years from the date of assignment or before payment of the value of the land and buildings and trees thereon in full, whichever is later.]

7. Where the value of the land and buildings and trees is payable in installments –

- a) the first installment shall be payable within 15 days after one year from the date of execution of the deed of assignment.
- b) Each subsequent installment shall be payable before the 31<sup>st</sup> March of every year.
- c) In the event of default in the payment of two consecutive installments, the amount of the installment shall be recovered as an arrear of land revenue.
- d) In the event of default in the payment of two consecutive installments, the amount already paid shall be liable to be forfeited to the Government and the land shall be liable to be resumed, and
- e) If in any year, due to adverse seasonal conditions the land revenue in respect of the land is remitted or suspended, the recovery of the installments payable that year and of the installments payable in subsequent years shall be postponed by one year.

8. The land will vest absolutely in the assignee only after the value of the land, buildings and trees thereon is paid in full.

9. The assignee shall engage himself in the direct cultivation of the land assigned.

10. The assignee shall pay, on the due dates, the land revenue assessment, cesses and local taxes, in force from time to time, in respect of the land assigned with effect from the year in which the assignment is sanctioned.

11. The assignee shall abide by such other conditions as may be imposed under rule 60.

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1. Amendment vide EOG No. 25 dated 14-08-2003.

**THE YANAM LAND REFORMS ( CEILING ON  
AGRICULTURAL HOLDINGS ) RULES, 1978**

LA GAZETTE DE L'ETAT DE PONDICHERRY

THE GAZETTE OF PONDICHERRY

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|     |             |          |      |      |      |
|-----|-------------|----------|------|------|------|
| No. | Pondicherry | Samedi   | 30   | Juin | 1979 |
| 89  |             |          |      |      |      |
| No. | Pondicherry | Saturday | 30th | June | 1979 |

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( 9 Asadha 1901 )

GOVERNMENT OF PONDICHERRY

REVENUE DEPARTMENT

No. 4111/78/C

Pondicherry, the 17th April 1979

NOTIFICATION

In exercise of the powers conferred by section 26 of the Yanam Land Reforms ( Ceiling on Agricultural Holdings ) Regulation, 1977 ( Regulation No. 1 of 1977 ), the Lieutenant-Governor of Pondicherry hereby makes the following rules, namely :—

RULES

1. **Short title and commencement.**— (1) These rules may be called the Yanam Land Reforms ( Ceiling on Agricultural Holdings ) Rules, 1978.

(2) They shall come into force at once.

2. **Definitions.**— In these rules, unless the context otherwise requires,

(a) ' declarant ' means every person who is required to furnish a declaration under section 7 or section 16 of the Regulation ;

(b) ' form ' means a form appended to these rules ;

(c) ' Regulation ' means the Yanam Land Reforms ( Ceiling on Agricultural Holdings ) Regulation, 1977 ( Regulation No. 1 of 1977 ) ;

(d) ' Tahsildar ' means a Tahsildar holding charge of a taluk or a Deputy Tahsildar holding independent charge of a taluk or sub-taluk.

3. **Procedure for furnishing of declaration.**— (1) Every declaration under section 7 or section 16 shall be in Form-I and shall be furnished by the declarant in triplicate.

(2) The declaration shall be presented either in person or by an authorised agent in the

Office of the Tribunal or shall be sent by registered post or recorded delivery with acknowledgment due addressed to the Tribunal ; and the receipt of every such declaration shall be acknowledged in Form-II by an officer authorised in this behalf by the Tribunal.

(3) Every declaration received in the Office of the Tribunal, shall be assigned a case number serially and the name and address of the declarant and the case number assigned to him shall be entered in a register to be maintained for this purpose in the Office of the Tribunal.

(4) A notice to be issued by the Tribunal under sub-section (2) of section 7 shall be in Form-III.

(5) If any person who is liable to furnish a declaration under sub-section (1) or sub-section (2) of section 7 or under section 16 fails to furnish the declaration within the specified time, without prejudice to any action that may be taken against him under section 23, the Tribunal may obtain the necessary information by making a reference to the Tahsildar within whose jurisdiction, such person ordinarily resides or in any other manner as the Tribunal considers convenient for obtaining the necessary information.

**4. Publication and verification of declarations.—** (1) The declaration furnished or information obtained under section 7 or section 16, as the case may be, shall be published in the following manner :—

(a) a copy of the declaration or information shall be kept in the Office of the Tribunal for public inspection on any working day in the presence of an officer authorised in this behalf by the Tribunal ; and

(b) the fact of the receipt of such declaration or information and its availability in the Office of the Tribunal for public inspection shall be announced by beat of tom tom in all the villages in which the holding or any part thereof is situated.

(2) A public notice in Form-IV containing the particulars of land and the person holding such land in respect of declaration or information received, shall be published by affixing a copy thereof on the notice-boards of the Office of the Tribunal in which the declaration has been filed, and the Office of Tahsildar, and the Municipal Office.

(3) Every declaration furnished shall be referred by the Tribunal for local inspection and verification by the Tahsildar.

(4) The Tahsildar to whom a declaration has been referred under sub-rule (3) shall make or cause to be made an inspection or verification as soon as may be practicable, and shall submit a full and complete report as to—

(a) the correctness of the statements made in the declaration ;

(b) the taram which each land in the declaration bears or is deemed to bear ;

(c) the correct classification and extent of standard holding of each land ;

(d) the relative proportion of the extent of land of each class to the extent of a standard holding of the appropriate class under which the land falls ;

(e) the land revenue payable on each land ; and

(f) such other particulars and information as would be useful to the Tribunal for arriving at a correct determination of the ceiling area and the extent of the land, if any, held in excess of the ceiling area.

(5) A copy of the report on its receipt by the Tribunal shall be furnished to the declarant.



**5. Computation of holdings.—** In computing the holding of a person or a family unit consisting of lands of different classes,—

(i) each land shall be placed in the appropriate class in accordance with its classification ;  
and

(ii) the extent of the standard holding shall be determined in respect of each class of land in accordance with the table under section 4.

**6. Enquiry and determination of ceiling area.—** (1) The Tribunal shall fix the date on which and the time and place at which an enquiry in respect of the declaration, or information published and the objections, if any, received thereto, will be held and intimate the same by a notice in Form V, to the declarant or the holder of the land in respect of which the information has been received, to the other persons interested, to the objectors, if any.

(2) On the date fixed for the enquiry under sub-rule (1) or on such other date or dates to which the enquiry may be adjourned, the Tribunal shall hear the declarant or the holder, the person interested, the objectors, if any, who may be present and may also give them an opportunity to adduce such evidence, both oral and documentary, as may be necessary. After examining the evidence so adduced and such other person or persons or documents as the Tribunal may consider necessary for arriving at a just decision, the Tribunal shall, as soon as may be, pass an order under section 8 determining whether the person holds or is deemed to hold on the notified date or specified date, as the case may be, an extent of land in excess of the ceiling area and, if so, the extent of land so held in excess as on that date.

**7. Surrender of land.—** (1) The notice to be served under sub-section (2) of section 9, on every person, whose holding is in excess of the ceiling area, shall be in Form VI.

(2) The statement required to be filed by a person under section (2) of section 9 shall be filed, either by presenting it in person or by an authorised agent, in the Office of the Tribunal or by sending it by registered post or recorded delivery with acknowledgment due addressed to the Tribunal, within the time specified in the notice referred to in sub-rule (1).

(3) Where the Tribunal proposes to refuse to accept the proposed surrender of any land, it shall serve a notice in Form VII on the person concerned requiring him to surrender any other land in lieu thereof.

(4) The Tribunal shall, before passing an order under sub-section (3), sub-section (4) or sub-section (5) of section 9, publish the particulars of land proposed to be surrendered or selected in Form VIII in the same manner as provided for publication of the notice in Form IV, and consider the objection, if any, received in pursuance of such publication.

(5) Every order passed by the Tribunal under section 9, shall be communicated in writing to the declarant and objectors, if any, and a copy thereof shall be marked to the Tahsildar.

**8. Procedure for taking possession of the land surrendered.—** (1) The Tribunal after communicating a copy of the order passed under sub-rule (5) of rule 7 in respect of any land surrendered or deemed to have been surrendered by an owner, issue an order in Form IX authorising any officer not lower in rank than a Revenue Inspector to take possession of such land.

(2) A copy of the order shall be served on the person who has surrendered or is deemed to have surrendered the land and on any other person in possession or occupation of such land.

(3) Where the person concerned voluntarily delivers possession of the land, the officer

authorised to take possession of the land may enter on the land shall record a statement of the person to that effect and also record a certificate in Form X and send the same to the Tribunal.

(4) Where the person concerned fails to voluntarily deliver possession of the land, the officer authorised to take possession of the land may enter on the land and take possession thereof after removing any obstruction or any unauthorised occupant, if any, on such land if necessary by using such force as he thinks fit and record a certificate in Form X duly attested by two witnesses :

Provided that no land shall be so taken possession of until seasonal crop, if any, on ground is harvested.

(5) The certificate in Form X shall be prepared in triplicate and a copy shall be sent to the Tribunal and to the Tahsildar concerned.

(6) The particulars of all lands so surrendered or deemed to have been surrendered and taken possession of and vesting in the Government free from all encumbrances, shall be entered in a register by the Tahsildar concerned setting apart separate pages for each revenue village.

(7) All lands vesting in the Government shall be registered in the Revenue Accounts of the village as assessed waste Government lands until their allotment or transfer, as the case may be, in accordance with the provisions of the Regulation, or until their registry is duly altered in accordance with the rules in force relating to Government lands.

**9. Reversion of land surrendered by usufructuary mortgagee, etc.—** (1) Where any land is surrendered or is deemed to have been surrendered under the Regulation by any usufructuary mortgagee, tenant, limited owner or person in possession by virtue of a mortgage by conditional sale or through part performance of a contract for sale or otherwise, the possession of such land shall, as soon as may be after a seasonal crop on the land is harvested, revert to the owner, except in a case where the owner himself surrenders such land as surplus under the provisions of the Regulation, where upon it shall vest in the Government free from all encumbrances.

(2) Where a person specified in sub-rule (1) fails to deliver possession of the land to the owner voluntarily, the owner may apply to the Tribunal for being put in possession of the land.

(3) The Tribunal shall, after giving an opportunity, to the person in possession of making a representation, by order, authorise any officer not below the rank of a Revenue Inspector to take possession of the land and deliver it to the owner.

(4) The procedure laid down in rule 8 shall, so far as may be, apply in taking possession and delivering the land to the owner under this rule. A certificate of delivery of possession shall be recorded in Form XI in triplicate and a copy of each shall be sent to the Tribunal, and the Tahsildar for purposes of record.

**10. Disposal of lands vested in the Government.—** (1) Subject to the reservations provided in the Regulation, the following persons and Societies shall be eligible for assignment of lands vested in the Government for purposes of agriculture or for purposes ancillary thereto or for use as hose site :—

(i) A person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Regulation ;

(ii) Any other person who is completely dispossessed of his holding by virtue of the provisions of the Regulation ;

(iii) A person whose extent of holding is reduced below 1.2 hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Regulation ;

(iv) A landless agricultural labourer belonging to scheduled castes or scheduled tribes

who contributes his own physical labour or that of any member of his family in the cultivation of the land ;

(v) Families of servicemen killed in action and war widows of 1962, 1965 and 1971 Wars ;

(vi) Ex-servicemen disabled in action ;

(vii) Ex-servicemen who have meritoriously served in army, navy or air force ;

(viii) Other ex-servicemen and persons in active military service ;

(ix) Freedom fighters in indigent circumstances ;

(x) A landless agricultural labourer other than the landless agricultural labourer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land ;

(xi) A repatriate from Burma, Ceylon or Vietnam who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who is in indigent circumstances ;

(xii) A co-operative farming society, the members of which are landless agricultural labourers, provided that the extent of land assigned to the society together with the land, if any, already held by the society does not exceed the ceiling area :

Provided that the applicant who are domiciled in this Union territory ( at least 5 years of continuous residence ) shall be given preference over non-residents ;

Provided further that allotment to persons in categories from (iv) to (xii) shall be made having regard to the number of applications received in each category and the total availability of lands vested in the Government.

(2) The maximum extent of land which may be allotted to an individual or a family unit for use as house site shall not exceed 0.056 hectares ( five cents ) and the maximum extent of land which may be transferred to an individual or a family unit for agricultural purposes or for purposes ancillary thereto shall not exceed 0.30 hectares of wet land or 0.50 hectares of dry land.

(3) The Deputy Collector ( Revenue ) shall invite applications for the assignment of lands vested in the Government and, for this purpose, shall publish a notice in Form XII, in the following manner, namely :—

(i) by affixture in the village chavadi or if there is no village chavadi, in some other conspicuous public place in the village or town in which the land referred to in the notice is situated ;

(ii) by beat of tom-tom in the said village or town ;

(iii) by affixture on the notice-boards of the Offices of Deputy Collector ( Revenue ) and Taluk/Sub-Taluk concerned and the Municipal Office within which the land is situated.

(4) Application for the assignment of lands vested in the Government shall be in Form XIII and shall be presented, in person, to the Deputy Collector ( Revenue ) or sent to him by registered post.

(5) (a) As soon as may be, after the expiry of the time allowed for the presentation of applications for the assignment of lands vested in the Government the Deputy Collector ( Revenue ) shall prepare a list of all the applications received.

(b) The Deputy Collector ( Revenue ) shall then publish a notice in Form XIV in the manner

prescribed in sub-rule (3), inviting objections, if any, to the assignment of the land to the applicant, within a period of fifteen days from the date of publication of the notice.

(c) After the expiry of the time allowed for preferring objections, the Deputy Collector ( Revenue) shall make, or cause it to be made by an officer of the Revenue Department not lower in rank than Revenue Inspector, such local enquiry or inspection as may be necessary. He shall also given an opportunity to the applicants and to the objectors of being heard.

(d) The Deputy Collector ( Revenue ) shall then consider the respective claims of the applicants and pass orders. The orders passed by the Deputy Collector ( Revenue ) shall be communicated to all the applicants and objectors.

(e) After passing orders under clause (d) of sub-rule (5), the Deputy Collector ( Revenue) shall issue to the assignee a notice in Form XV specifying the amount, which the assignee has to pay as value of the land of the buildings and trees thereon, if any, the number of installments in which he can pay it, if he desires to pay it in installments instead of in a lumpsum, the amount of each installments, the date on which each instalment is payable every year and the rate of interest payable on outstanding installments. The notices shall direct the assignee to remit into the treasury either full amount payable or, at his option, the first instalment thereof, and to produce the treasury chalan, on a specified date before the Deputy Collector ( Revenue ). After the chalan is produced the Deputy Collector ( Revenue ) shall take action to get the deed of assignment in Form XVI executed by the assignee.

(6) The allotment or transfer of lands shall be made by the Deputy Collector, subject to the following conditions namely :—

(a) The allottee or transferee shall pay to the Government the sum specified in sub-section (2) of section 12 in fifteen equal installments from the date of allotment or transfer, each annual instalment being payable before the 1st day of March of every year.

(b) Where the land transferred contains any fruit bearing trees or permanent structures, the transferee shall also be liable to pay the value of such trees or structures, as calculated as per rule 11, and it shall be recovered in fifteen equal annual installments along with the sum payable for the land under clause (a).

(c) No instalment of the sum payable shall be recovered in a fasli year in which the land revenue is remitted or suspended and such instalment shall stand postponed by one fasli year and the instalment so postponed shall be recovered together with the instalment of the succeeding year :

Provided that such concession shall not extend to assignments made for purposes other than agriculture or for purposes ancillary thereto.

(d) The allottee or transferee, shall, in addition to the instalment payable under this rule, be liable to pay the land revenue and other rates and taxes, if any, payable on the land.

(e) Where the land is allotted for use as house-site, the allottee shall utilise the same for construction of a house thereon within a period of two years from the date of allotment or such further period as the Tahsildar may permit.

(f) Where the land is transferred for purpose of agriculture or for purposes ancillary thereto, the land shall be cultivated personally by the transferee or any of the members of his family or by hire labour under the supervision and control of himself or any member of his family.

(g) All lands allotted or transferred shall be heritable, but not alienable. This prohibition shall not apply for hypothecating the land to Government or to a Co-operative Society or to a Scheduled Bank authorised by the Government for affording credit to agriculturists for the purpose of securing a loan.

(7) Where any person fails to pay the instalment due or violates any of the conditions of

allotment or transfer, the Deputy Collector ( Revenue ), may after giving an opportunity to the person concerned of making a representation in this behalf within thirty days from the date of communication of a notice, pass an order forfeiting the amount already paid and resuming the land and also authorise any officer not below the rank of a Revenue Inspector to take possession of the land ;

Provided that no such land shall be taken possession of until the seasonal crop on the ground is harvested.

(8) Against every order of forfeiture of the amount or resumption of the land passed by the Deputy Collector ( Revenue ), an appeal shall lie to the Collector within thirty days from the date of communication of the order.

**11. Fixation of value for fruit-bearing trees and structures, etc.—** (1) The amount payable for fruit-bearing trees shall be at the rates prescribed in the Pondicherry Land Grant Rules, 1975.

(2) The amount payable for the structures of permanent nature shall be equivalent to the depreciated value of the structure on the specified date and for this purpose the Deputy Collector may require the Assistant Engineer, Public Works Department, Yanam to furnish an estimate of depreciated value of such structure.

**12. Manner in which the amount is payable for lands vested in the Government.—** (1) The amount payable in respect of lands vested in the Government shall be payable in cash either in one lump or in annual installments not exceeding three together with interest at six per cent per annum.

(2) A notice in Form XVII shall be issued by the Tribunal to every person known or believed to be interested in the land vested in the Government for determining the amount payable under sections 13 and 14.

(3) In determining the amount the Tribunal shall be guided by the following principles, namely:—

(i) The Tribunal shall in the first instance determine the fair rent in respect of the lands vested in the manner specified in para 4 of the schedule appended to the Regulation.

(ii) In commuting the fair rent in terms of cash, the authorised officer shall fix the cash value of the crop in such manner as he may deem fair and reasonable taking into consideration the Government records containing the season and crop and price reports and also consulting the Director for Statistics, if considered necessary :

Provided that where the average market price of any crop has been published by the Collector in the official gazette under sub-section (1) of section 13 of the Pondicherry Cultivating Tenants ( Payment of Fair Rent ) Act, 1970 ( Act No. 5 of 1971 ) and such price is in force on the date of vesting, the Tribunal shall adopt such price in commuting the fair rent in terms of cash.

(iii) Subject to the provisions of paragraph 4 of Schedule I of the Regulation, for determining the normal gross produce in respect of any land for any specified crop the Tribunal shall ascertain the quantity of the produce which will be obtained if such crop were grown in a year in which the rain fall and the seasons are of a normal character, on land of the same class as the land in question similarly situated and possessing similar advantages. For the purposes of such determination, the Tribunal may take into consideration,—

(a) the soil classification of the land and the normal or standard outturn of paddy in the case of wet land and of the dry irrigated crop in the case of dry unirrigated or irrigated land for the different classes and sorts of soil ;

(b) the Government records, containing season and crop reports and rainfall accounts ;

(c) the accounts of land owners, intermediaries and the cultivating tenants wherever available for similar lands enjoying similar advantages ; and

(d) the oral, or documentary evidence adduced by any of the interested parties and decrees of Civil Courts.

(4) The Tribunal shall prepare an assessment roll in Form XVIII indicating the amount determined and shall cause it to be published together with,—

(a) A statement in Form XIX that the amount specified therein is the entire amount payable for all interests in the land and subject to other provisions of the Regulation the persons named therein are the only persons who are entitled thereto in the proportion stated therein ;

(b) A notification in Form XX stating that any person having an interest in the said land may file a claim for the amount due to him from out of the total amount payable, within 30 days from the date of publication of the notification containing assessment roll in the gazette.

(5) The assessment roll referred to in sub-rule (4) together with the statement and notification shall be caused to be served on the persons whose name appear therein and shall also be published in the following manner, namely :—

(a) Publication in official gazette ;

(b) Affixture on the notice-board of the Tribunal ;

(c) Affixture on the notice-board of Taluk/Sub-Taluk and Municipality ;

(d) Affixture in some conspicuous public place in the revenue villages in which the lands are situated.

(6) The Tribunal shall consider any objection which may be preferred under sub-rule (4) and after conducting summary enquiry, apportion the amount of compensation among the persons entitled in proportion to the value of their interest.

(7) Where there is no claim by any person as being entitled to receive payment or where a person entitled to receive the payment refuses to receive the amount, the Tribunal shall deposit the amount in Treasury as a Revenue deposit.

**13. Form of declaration to be filed by a transferor at the time of registration.**— The declaration to be filed with the registering officer under sub-section (1) of section 17 shall be in Form XXI.

**14. Procedure to be followed at the sittings of Appellate Tribunal constituted under section 20.**— (a) The chairman of the Appellate Tribunal shall preside at all meetings of the Appellate Tribunal.

(b) The chairman of the Appellate Tribunal shall fix the date, time and place of hearing of each case.

(c) The quorum for every meeting of the Appellate Tribunal constituting of two or three members shall be two including the Chairman except as otherwise provided in these rules.

(d) All decisions of the Appellate Tribunal shall be by a majority opinion of the members present, and where the opinion is equally divided, the decision of the chairman shall be decision of the Tribunal.

(e) if any member of the Appellate Tribunal other than the Chairman, is interested in any



proceeding before the Appellate Tribunal such member shall withdraw from such proceedings and if there is any doubt the alleged interest of any member in any proceedings, the decision of the Chairman in this regard shall be final, in any such case, the decision for the remaining members shall be the decision of the Appellate Tribunal.

(f) Where a meeting is adjourned for want of quorum and there is no quorum at the adjourned meeting also, the Chairman shall himself dispose of the business at the adjourned meeting and the decision of the Chairman in such case shall be deemed to be decision of the Appellate Tribunal.

**15. Appeal.**— (1) Every appeal under section 19 shall be in writing and shall bear a court-fee stamp of Rs. 10. It shall be presented in person or by an authorised agent in the Office of the Appellate Tribunal or sent by registered post or recorded delivery with acknowledgment due, addressed to the Appellate Tribunal.

Provided that no court-fee stamp shall be affixed to any appeal filed by or on behalf of the Government.

(2) Every appeal shall set forth concisely the grounds thereto and shall be accompanied by an authentic copy of the order appealed against and sufficient number of spare copies of the appeal petition, for service on the Tahsildar, the Government Pleader and the respondents mentioned therein,

(3) The Appellate Tribunal shall, before hearing the appeal give notice to the parties concerned fixing the date on which and the time and place at which such appeal shall be heard. The notice shall be in Form XXII and in the case of notice to respondents such notice shall be accompanied by a copy of the appeal petition. Where in any case, other than in an appeal filed by the Government, the Government are not made the respondent, the Appellate Tribunal shall include the Government as a respondent and issue the notice to the Deputy Collector and the Government Pleader, accompanied by a copy of the appeal petition.

(4) The Appellate Tribunal may, pending disposal of the appeal, stay the orders of the Tribunal or Deputy Collector appealed against.

**16. Nature of proceedings before the Tribunal.**— (1) All proceedings before the Deputy Collector, the Collector ; the Tribunal or the Appellate Tribunal shall be summary and shall be governed, as far as may be, by the provisions of the Code of Civil Procedure, 1908.

(2) Subject to the other provisions of these rules, the Deputy Collector, the Collector, the Tribunal and the Appellate Tribunal may regulate the proceedings before him or it in such manner as he or it may deem fit.

(3) The hearing and enquiries by the Deputy Collector, the Collector, the Tribunal and the Appellate Tribunal shall be in public.

(4) All decisions of the Deputy Collector, the Collector, the Tribunal and Appellate Tribunal shall be in writing and shall set forth the reasons for the same.

(5) The Deputy Collector, the Collector, the Tribunal and the Appellate Tribunal shall have the power,—

(a) to make orders incidental or ancillary to the decisions of such officer or authority ;

(b) to correct any mistake arising out of any accidental error or omission in a decision or incidental or ancillary order of such officer or authority.

(6) A party shall be entitled to be represented by his agent or legal practitioner in any

proceedings before the Deputy Collector, the Collector the Tribunal or the Appellate Tribunal :

Provided that the Deputy Collector, the Collector the Tribunal or the Appellate Tribunal, as the case may be, may at any stage of the proceedings, require the party to appear in person.

(7) Any person, other than a party who satisfies the Deputy Collector, the Collector, the Tribunal or the Appellate Tribunal that he has substantial interest in the matter, may at any time during the pendency of the proceedings, be permitted to appear and be heard and to adduce evidence and cross examine witness.

(8) Every notice or summons under the Regulation or these rules shall be issued under the signature of the Deputy Collector, the Collector, Chairman of the Tribunal or Appellate Tribunal, as the case may be, or under his facsimile signature, or under the signature or facsimile signature of an officer authorised in this behalf by the Deputy Collector, the Collector, Chairman of the Tribunal or Appellate Tribunal as the case may be.

(9) Every notice or summons issued or order passed by the Deputy Collector, Collector, the Tribunal or Appellate Tribunal, as the case may be, shall be served or communicated to the persons concerned either by personal delivery to him or where the above course is not feasible, by sending it by post under the certificate of posting to his address at the last known place of residence :

Provided that where a notice, summons or order is sent under the certificate of posting, it shall be deemed to have been served on such person on the date on which it would, in the usual course of post, be received by the addressee.

(10) In making any enquiry under the Regulation, the Deputy Collector, Collector, the Tribunal or Appellate Tribunal, shall have the power,—

(a) to summon witnesses and call for the production of any documents, including any public record ;

(b) to examine the parties and witnesses on oath and affirmation and reduce into writing the statement made by the persons so examined, to receive evidence on affidavits and to issue commissions for examination of witnesses ;

(c) to enter upon and inspect any land, but not a dwelling house, and do any other act which in his or its opinion may be necessary for carrying out the provisions of the Regulation or these rules.

(11) Every miscellaneous applications filed before the Deputy Collector, the Collector, the Tribunal or Appellate Tribunal shall bear a court-fee stamp of one rupee.

**17. Revision to High Court.**— (1) The period for filing an application for revision to the High Court shall be thirty days from the date of communication of the order and every such application for revision shall bear a court-fee stamp of five rupees, if the value of the proceeding to which the order sought to be revised relates, does not exceed Rs. 1000 and of ten rupees if it exceeds Rs. 1000.

(2) The rules issued by the High Court, from time to time for filing applications for revisions before it shall apply *mutatis mutandis* to an application for revisions under this Regulation.

**18. Sanction of prosecutions.**— (1) Before according any sanction for prosecution under the Regulation, the Collector shall, issue a show cause notice to the person who is proposed to be prosecuted giving him an opportunity of making representation in writing and consider such representation ; and where the Collector is satisfied that *prime facie* the person has committed the offence wilfully and without reasonable cause or excuse and that the person should be punished in the interest of justice, he shall accord the sanction for taking cognizance of the offence by the Court.

(2) Every sanction for prosecution shall be in writing and shall set out the reasons for



sanctioning the prosecution.

**19. Fixation of taram for a land for which no taram exists.**— (1) For fixing the taram in respect of a land for which no taram is recorded in the revenue or settlement records of the Government, the Deputy Collector shall, subject to confirmation by the Collector, after issue of a notice to the party affected, provisionally determine the taram having due regard to the taram of a similar land in the vicinity of which a taram has been specified.

(2) For fixing a taram of a land deemed to be dry or wet under the Regulation but is registered as wet or dry land in the land revenue accounts of the Government, the Deputy Collector shall, subject to confirmation by the Collector, and after issue of a notice to the party affected, provisionally determine the same having due regard to the taram of a similar registered dry or wet land in the vicinity.

### FORM—I

#### DECLARATION UNDER SECTION 7/16 OF THE YANAM LAND REFORMS ( CEILING ON AGRICULTURAL HOLDINGS ) REGULATION, 1977.

[ See rule 3(1) ]

1. Full name of the declarant :
2. His father's or her husband's name :
3. Full postal address :
4. Whether the declaration is on his own behalf or on behalf of any other person :
5. Whether the declaration relates to an individual, family unit, trust, company, firm, society, association of individuals and his or its details :
6. If the declaration relates to a family unit details of the members of the family units as on the specified date :

| Sl. No. | Name in full | Relationship | Date of birth | Age |
|---------|--------------|--------------|---------------|-----|
| (1)     | (2)          | (3)          | (4)           | (5) |
| 1       |              |              |               |     |
| 2       |              |              |               |     |
| 3       |              |              |               |     |
| 4       |              |              |               |     |
| 5       |              |              |               |     |
| 6       |              |              |               |     |
| 7       |              |              |               |     |
| 8       |              |              |               |     |
| 9       |              |              |               |     |
| 9       |              |              |               |     |
| 10      |              |              |               |     |

7. Have all details of all lands held as owner by the declarant and where the declaration is by

family unit, all the members of the family unit on the specified date, been furnished in Annexure I ?

8. Have all details of all lands owned by others but held by the declarant and where the declaration is by a family unit, by all members of the family unit as limited owner, usufructuary mortgagee, tenant or in possession by virtue of a mortgage by conditional sale or through part performance of a contract for the sale of land or otherwise on the specified date, been furnished in Annexure II ?

9. Have all details of all lands held by the declarant and where the declaration is by a family unit, all the members of the family unit on 24th January 1971, but transferred whether by way of sale, gift, usufructuary mortgage, exchange, settlement, surrender or in any other manner, whatsoever or in respect of which a trust has been created on or after that date, been furnished in Annexure III ?

10. (a) Have details of all lands held by a member of the family unit whose marriage was dissolved or who was given in adoption on or after 24th January 1971, been furnished in Annexure I, II or III ?

(b) also furnish the details of the dissolution of the marriage or adoption separately. The details of the land so held should be shown in Annexure I, II or III separately against the name of the member of the family unit concerned.

11. Have all lands converted into non-agricultural land within a period of 5 years before the notified date, been included in Annexure I, II or III and have details of all such lands been specified in Annexure IV?

12. Have all lands on which there are encumbrances been included in Annexures I, II, III and have details of all such lands been specified in Annexure V ?

13. Have details of all lands held as owner by the declarant and where the declaration is by a family unit, all the members of the family unit in any other part of India outside the state on the specified date been furnished in Annexure VI ?

I hereby declare that to the best of my knowledge and belief the information and particulars furnished in the form and its Annexure I to VI is full and complete and correct and relates to the entire holding held by me the family unit and that I, the family unit, do not/does not own or hold any other lands in this Union territory of Pondicherry other than what is declared above.

Place:

Date:

Signature of the Declarant.

### ANNEXURE-I

**Details of all lands held as an owner by the declarant and where the declaration is in respect of family unit by all members of the family unit on the specified date**

| Region/Taluk/<br>Village | S.No./Sub-<br>division | Double crop<br>wet or single<br>crop wet or dry | If wet, source<br>of irrigation | Whether lanka,<br>padugai,<br>coconut garden, guava<br>grape garden | Extent | If in the possession of any other<br>persons as limited owner,<br>usufructuary mortgagee,<br>tenant or otherwise, full name and<br>address of such persons |
|--------------------------|------------------------|-------------------------------------------------|---------------------------------|---------------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                      | (2)                    | (3)                                             | (4)                             | (5)                                                                 | (6)    | (7)                                                                                                                                                        |
| Total                    |                        |                                                 |                                 |                                                                     |        |                                                                                                                                                            |

Place :  
Date :

Signature of the Declarant

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### ANNEXURE – II

**Details of all lands owned by others but held by the declarant and where the declaration is by a family unit, by all the members of the family unit as limited owner, usufructuary mortgagee, tenant or in any other capacity on the specified date**

| Region/Taluk/<br>Village | S.No./Sub-<br>division | Double crop<br>wet or single<br>crop wet or dry | If wet, source<br>of irrigation | Whether lanka,<br>padugai, coconut<br>garden, guava<br>garden, grape<br>garden | Extent | Full name and<br>address of<br>the owners | In what<br>capacity<br>held |
|--------------------------|------------------------|-------------------------------------------------|---------------------------------|--------------------------------------------------------------------------------|--------|-------------------------------------------|-----------------------------|
| (1)                      | (2)                    | (3)                                             | (4)                             | (5)                                                                            | (6)    | (7)                                       | (8)                         |
| TOTAL                    |                        |                                                 |                                 |                                                                                |        |                                           |                             |

Place :  
Date :

Signature of Declarant

### ANNEXURE-III

Details of all lands held as owner by the declarant and where the declaration is on behalf of a family unit, by all the members of the family unit on 24<sup>th</sup> January, 1971 but transferred whether by way of sale, gift, usufructuary mortgage, exchange, settlement, surrender or in any other manner whatsoever or in respect of which a trust has been created on or after that date.

| Region/Taluk/<br>Village | S.No./Sub-<br>division | Double crop<br>wet or single<br>crop wet or dry | If wet, source<br>of irrigation | Whether lanka,<br>padugai,<br>coconut garden,<br>grape garden | Extent | Date of transfer, creation of<br>trust, full name and address<br>of the transferee and details<br>of registration of documents<br>or transfer etc., and detailed<br>reasons for such transfer etc. |
|--------------------------|------------------------|-------------------------------------------------|---------------------------------|---------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                      | (2)                    | (3)                                             | (4)                             | (5)                                                           | (6)    | (7)                                                                                                                                                                                                |
| Total                    |                        |                                                 |                                 |                                                               |        |                                                                                                                                                                                                    |

Place :

Date :

Signature of the Declarant

#### ANNEXURE-IV

**Details of all lands included in Annexure I, II or III but converted into non-agricultural lands within a period of five years before 24th January, 1971 but before the notified date**

| Region/Taluk<br>Village | S.No. Sub-<br>division | Whether double crop wet<br>or single crop wet or dry<br>before conversion | Extent | Nature and date of<br>conversion |
|-------------------------|------------------------|---------------------------------------------------------------------------|--------|----------------------------------|
| (1)                     | (2)                    | (3)                                                                       | (4)    | (5)                              |
| TOTAL :                 |                        |                                                                           |        |                                  |

Place :

Date :

Signature of the Declarant

#### ANNEXURE - V

**Details of all lands included in Annexure II or III and on which there are encumbrances**

| Region/<br>Taluk/<br>Village | S.No. Sub-<br>Division | Double crop wet or<br>single crop wet or<br>or dry | Extent | Nature of the encum-<br>brance and details of<br>registered document,<br>if any | Full name and<br>address of the<br>person<br>interested |
|------------------------------|------------------------|----------------------------------------------------|--------|---------------------------------------------------------------------------------|---------------------------------------------------------|
| (1)                          | (2)                    | (3)                                                | (4)    | (5)                                                                             | (6)                                                     |
| Total                        |                        |                                                    |        |                                                                                 |                                                         |

Place :

Date :

Signature of the Declarant.

## ANNEXURE - VI

Details of all lands held as owner by the declarant and where the declaration is by family unit by all the members of the family unit in any other part of India outside the State as on the specified date

| Region/<br>Taluk/<br>Village | S.No./Sub-<br>Division | Double<br>crop wet or<br>single crop<br>wet or dry | Extent | Whether any declaration filed<br>under any law relating to the<br>ceiling on agriculture holdings<br>in that State and, if so, the<br>date of such declaration |
|------------------------------|------------------------|----------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                          | (2)                    | (3)                                                | (4)    | (5)                                                                                                                                                            |
| Total                        |                        |                                                    |        |                                                                                                                                                                |

Place :

Date : Signature of the declarant

**NOTE :** 1. For definition of double crop wet land see section 2(g) of the Regulation.

2. For definition of family unit see section 2(i) of the Regulation.

3. For definition of wet land see section 2(y) of the Regulation "single crop wet land" is wet land other than double crop wet.

4. in the case of a family unit all the particulars in each Annexure shall be furnished in the three parts as follows:-

Part I - Lands held by or falling to the share of the adult male members of the family unit  
(Name.....)

Part II - Lands held by or falling to the share of the adult female members or members of the family unit (Name(s).....)

Part III - Lands held by or falling to the share of the minor sons or unmarried minor daughters of the family unit including the off spring of minor sons(Name.....).

5. All the lands held by a person including a member of the family unit separately shall be declared together with the share to which such person or member of the family unit is entitled to in the lands held by a joint family, by a co-operative society, a company, or firm, as the case may be.

6. If a person is the author of a revocable private trust, the lands owned or held by such private trust shall be declared by that person as his own lands.

7. If a person is a beneficiary of a non-revocable private trust, such person shall declare that portion of the lands which is relatable to his interest in such trust or the income derive therefrom as his own lands.

8. Where a trust is partly private and partly public, the lands covered by that part of the trust which is relatable to the private trust shall be declared as his own by the person creating the trust or the beneficiaries, as the case may be.

9. Declarations shall be furnished in triplicate where a declaration is in respect of a holding comprising lands in more than one taluk, an additional copy for each taluk shall be filed.

**FORM-II**

**(See rule 3 (2))**

IN THE OFFICE OF THE

TRIBUNAL

**RECEIPT**

Received in person/through authorised agent/by post from Shri/Smt.....on behalf of.....on.....(date) a declaration with Annexure I to VI filed under section 7 / 16 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977. The declaration relates to an individual/family unit/Trust/Company/Firm/Society/Association of individuals.

The ceiling case number assigned to this declaration is C.C.No.

Place :

Date :

Signature of the Officer receiving the  
declaration in the office of the Tribunal.

**FORM - III**

**[See rule 3 (4)]**

IN THE OFFICE OF THE

TRIBUNAL

**NOTICE**

To

Shri/Smt,

Under sub-section (2) of section 7 of the Yanam Land Reforms (Ceiling on Agricultural Regulation, 1977, you are hereby required to furnish to the Tribunal on or before.....(date) a declaration (in triplicate) in Form I, under the rules containing full and correct particulars of all the lands held by you/by the family unit as on the specified date under the Regulation failing which you will render yourself liable to prosecution under section 23 of the Regulation.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer authorised by  
the Tribunal.

Reference No.

Forwarded in duplicate through Tahsildar of  
acknowledgement and returning the served notice.

for causing service obtaining

NOTE: Date to be specified should not be less than fifteen days from the date of communication of the notice.

**FORM - IV**

**[See rule 4(2)]**

IN THE OFFICE OF TRIBUNAL

C.C.No.

**PUBLIC NOTICE**

Notice is hereby given that declarations have been received from the persons noted in the schedule below (or information has been obtained) that the lands specified in the schedule are held on the specified date under the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 by the persons shown therein. The said declaration or information are kept in the Office of the Tribunal for public inspection on any working day in the presence of an officer authorised by the Tribunal.

Any person having any objection concerning the schedule lands may file his objection in writing supported by a summary of evidence and copies of documents relied on before the Tribunal within fifteen days from the date of publication of this notice. Objections received within the time will be enquired into on such date as the Tribunal may fix and communicated to the declarant and the objector. The objector will be at liberty to appear in person or by Pleader and to adduce oral or documentary evidence in support of the objections at the time of enquiry.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer  
authorised by the Tribunal

Copy to : The Notice board of the Office of the Tribunal.

Copy to the Tahsildar of.....for publication on the notice-board of his office/Municipal Office in whose jurisdiction the lands are situated and for announcing the fact of such publication by beat of tom tom in all the villages in which lands are situated and for returning a copy with a certificate of such publication.

**SCHEDULE**

| Name of declarant or the person in respect of whose holding information has been obtained | Case No. Date of receipt | Total No. of members of the family unit | Taluk/ Village | S.No/ Sub-divi-sion | Wet or dry | Extent | In what capacity held |
|-------------------------------------------------------------------------------------------|--------------------------|-----------------------------------------|----------------|---------------------|------------|--------|-----------------------|
| (1)                                                                                       | (2)                      | (3)                                     | (4)            | (5)                 | (6)        | (7)    | (8)                   |
|                                                                                           |                          |                                         |                |                     |            |        |                       |



**FORM -V**

**[See rule 6 (1)]**

IN THE OFFICE OF THE

TRIBUNAL

C.C. No.

To.

Take notice that an enquiry under section 8 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 in respect of the declaration of holdings furnished by you/the information obtained of your holdings as shown in the schedule attached will held on.....  
(date)at.....(place).....(time).....for the purpose of determining whether the extent of land which is held by you is in excess of the ceiling area, and that you may appear before the Tribunal on the date and make any representation oral or written adduce such evidenc as you may consider necessary, failing which an *ex-parte* order will be passed on the material available.

2. A copy of the verification report on your declaration is furnished herewith.

(By Order of the Tribunal)

Place :

Date :

Signature of the Offical authorised  
by the Tribunal

Forward to the Tahsildar of.....along with a copy of the verification report for causing service of the notice and delivery of the report, and return of the served copy of the notice before the date of hearing.

Copy to Thiru..... who has filed an objection in response to the public notice issued on.....or who is interested.

NOTE:- Attach a schedule of lands in a case where information has been obtained by a Tribunal under section 7(3) of the Regulation.

**FORM - VI**

**[See rule 7 (1)]**

IN THE OFFICE OF THE

TRIBUNAL

C.C.No.

To.

Under section 9 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 an extent of land equivalent to .....standard holding is determined as held by you in excess of the ceiling area, which you are liable to surrender under section 9(1) of the Regulation.

You are hereby required under sub-section (2) of section 9 of the said Regulation to file on or before.....(date) a true and correct statement showing the location, description and other particulars of the land (as in the Annexure) appended to this notice which you propose to surrender failing which the land held in excess of the ceiling area and liable to be surrendered will be selected by the tribunal under sub-section (4) of section 9 of the said Regulation.

Your particular attention is drawn to sub-section (5) and Explanation I of Section 9 of the said Regulation in regard to the surrender of the lands held by you in excess.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer  
authorised by the Tribunal

Forwarded to the Tahsildar of.....for causing service of the notice and return of the served copy of the notice.

NOTE:- The date to be specified should not be less than fifteen days from the date of communication of the notice.

#### ANNEXURE TO FORM VI

#### ANNEXURE IN WHICH PARTICULARS OF LAND PROPOSED TO BE SURRENDERED SHALL BE FURNISHED

| Taluk/<br>Village | Serial<br>number<br>sub-division | Double crop<br>wet or<br>single crop<br>wet or dry | If wet,<br>source of<br>irrigation | Whether lanka<br>padugai, coconut<br>garden, guava<br>garden, grape garden |
|-------------------|----------------------------------|----------------------------------------------------|------------------------------------|----------------------------------------------------------------------------|
| (1)               | (2)                              | (3)                                                | (4)                                | (5)                                                                        |

| Extent | Are there fruit<br>bearing trees or<br>permanent struc-<br>tures on the land.<br>If so the particulars<br>thereof . | Remarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (6)    | (7)                                                                                                                 | 1. Is it converted into non-agricultural land and rendered unfit for purposes of agriculture.<br>2. Is there any dispute as to the title to the land.<br>3. Is there any encumbrances on the land (by way of mortgage, tenancy or otherwise).<br>4. Is the land in the possession of a limited owner, or any persons by virtue of mortgage by conditional sale or through part performance of a contract for the sale of the land or otherwise.<br>5. Is it inaccessible after severance from the rest of the buildings. |
| (6)    | (7)                                                                                                                 | (8)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

NOTE: In the case of surrender by a family unit the lands proposed to be surrendered by each member of the family unit shall be exhibited separately under the full name of each member.

Full details and names and addresses of the parties in respect of item (2), (3) or (4) of column (8) should be indicated against the serial number in marks column.

(Single crop wet land) means wet land other than double crop wet.

**FORM - VII**

**[See rule 7 (3)]**

IN THE OFFICE OF THE

TRIBUNAL

C.C.No.

**NOTICE**

To.

Whereas the Tribunal proposed to refuse to accept the surrender of the lands proposed to be surrendered by you in your statement dated..... the details of which are given below in the schedule for the reasons noted against them: now therefore you are hereby required to file a statement showing the full details and particulars of any other lands which you will surrender in lieu thereof, on or before.....(date).

(By Order of the Tribunal)

Place :

Dated :

Signature of the Officer  
authorised by the Tribunal

Forwarded to the Tahsildar of----- for  
causing service of the notice and returning the served copy of the notice.

**SCHEDULE**

| Taluk/<br>Village | S.No. Sub-<br>division | Wet or<br>dry | Extent | Reasons for non -acceptance<br>of the surrender |
|-------------------|------------------------|---------------|--------|-------------------------------------------------|
| (1)               | (2)                    | (3)           | (4)    | (5)                                             |

**FORM - VIII**

**[See rule 7 (4)]**

IN THE OFFICE OF THE

TRIBUNAL

C.C.No.

**PUBLIC NOTICE**

Notice is hereby given that the land specified in the schedule below are proposed to be surrendered or selected for surrender under section 9 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 and the Tribunal has provisionally approved such surrenders.

Any person having any objection concerning the schedule lands may file his objection in writing supported by a summary of evidence and copies of documents relied on, before the Tribunal within fifteen days from the date of publication of this notice. All objection received within the time shall be considered by the Tribunal thereafter.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer  
authorised by the Tribunal

Copies to the Tahsidar.....for the publication of the notice in the notice-board of his office, the Municipal Office in whose jurisdiction the lands are situated and for announcing the fact of such publication by beat of tom tom in all the villages in which lands are situated and for returning a copy with a certificate of such publication.

Copy to: The notice-board of the Office of the Tribunal.

**SCHEDULE**

| Name of the declarant<br>or the person in<br>respect of whose<br>holding information<br>has been obtained | Ceiling<br>case<br>No. | Taluk/<br>Village | S.No.<br>Sub-<br>division | Wet<br>or<br>Dry | Extent | Name of the person<br>surrendering the land |
|-----------------------------------------------------------------------------------------------------------|------------------------|-------------------|---------------------------|------------------|--------|---------------------------------------------|
| (1)                                                                                                       | (2)                    | (3)               | (4)                       | (5)              | (6)    | (7)                                         |
|                                                                                                           |                        |                   |                           |                  |        |                                             |
|                                                                                                           |                        |                   |                           |                  |        |                                             |

**FORM - IX**  
**[See rule 8(1)]**

IN THE OFFICE OF THE

TRIBUNAL

Reference No.

Order to take possession of the lands surrendered or deemed to be surrendered under

section 10 of the Act.  
To

The Land Tribunal.....in its order, dated.....in  
C.C.No.....finally ordered the surrender of the lands specified in the schedule below as  
they are held by you in excess of the ceiling area under the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 which shall vest in the Government, free from all encumbrances,  
from the date of this order to take possession.

You are hereby directed to deliver possession of the same to.....  
(designation of the officer) on or before the.....day of.....  
month of.....197..... failing which the officer specified above shall take possession of the lands at any time thereafter by using such force as may be necessary to remove any obstruction that may be caused.

If there is a seasonal crop standing on ground the possession shall be taken as soon as the crop is harvested.

If there is a seasonal crop standing on ground the possession shall be taken as soon as the crop is harvested.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer authorised  
to issue by the Tribunal

Copy to the Revenue Inspector of.....for causing service of the order and returning the served copy.

Copy to.....He is authorised to take possession of the schedule lands and report compliance to the Tahsildar and to this Office and the Tribunal.

#### SCHEDULE

| Taluk/<br>Village | S.No.<br>Subdivision | Wet or<br>dry | Extent | Name of the person bound<br>to surrender the land |
|-------------------|----------------------|---------------|--------|---------------------------------------------------|
| (1)               | (2)                  | (3)           | (4)    | (5)                                               |

#### FORM - X

[See rule 8(3), (4) and (5)]

#### CERTIFICATE FOR TAKING POSSESSION (in Triplicate)

With reference to the order of the Tribunal.....  
in its reference No.....I.....  
hereby certify that I have taken possession of the lands described in the schedule below on  
he.....(date).

### SCHEDULE

| Taluk/<br>Village | S.No.<br>Subdivision | Wet or<br>dry | Extent | Name of the person from<br>whom possession of the<br>land has been taken |
|-------------------|----------------------|---------------|--------|--------------------------------------------------------------------------|
| (1)               | (2)                  | (3)           | (4)    | (5)                                                                      |

Place :

Date :

Signature of the Officer  
taking possession

Name , address and signature of witness :-

1.

2.

### FORM - XI

[See rule 9 (4)]

### CERTIFICATE OF DELIVERY OF POSSESSION TO THE OWNER

(In Triplicate)

With reference to the order of the Tribunal.....in  
his reference No.....dated.....I,.....  
authorised by the Tribunal to take possession of the lands described in the schedule below and to  
deliver the same to the owner, certify that I have taken possession of the same and delivered the  
same to the owner accordingly on.....(date).

### SCHEDULE

| Taluk/<br>Village | S.No.<br>Sub-division | Wet<br>or dry | Extent | From whom<br>possession taken | Owner to whom<br>possession has<br>been delivered |
|-------------------|-----------------------|---------------|--------|-------------------------------|---------------------------------------------------|
| (1)               | (2)                   | (3)           | (4)    | (5)                           | (6)                                               |

Place :

Date ;

Signature of the Officer  
delivering the possession

Name, address and signature of the witnesses :-

1.

2.

Signature of the person to whom  
possession delivered

## FORM - XII

[See rule 10(3) of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978]

### Notice inviting application for assignment of lands vested in the Government

1. It is hereby notified that the land specified in the schedule below, which has been vested in the Government is available for disposal. Applications for the assignment of the land will be received by the .....till.....(date). Any person desiring to apply for the assignment of the land may present his application in person or send it by registered post, to the said.....on or before the date specified above.

2. The following persons and societies shall be eligible for the assignment of the land and shall be entitled to preference, in the following order :-

i) A person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Regulations :

ii) Any other person who is completely dispossessed of his holding by virtue of the provisions of the Regulation :

iii) A person whose extent of holding is reduced below 1.2 hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Regulation :

iv) A landless agricultural labourer belonging to scheduled castes or schedule tribes who contributes his own physical labour or that of any member of his family in the cultivation of the land:

v) Families of servicemen killed in action and war widows of 1962, 1965 and 1971 Wars :

vi) Ex-servicemen disabled in action ;

vii) Ex-servicemen who have meritoriously served in army, navy or air-force :

viii) Other ex-servicemen and persons in active military service ;

ix) Freedom fighters in indigent circumstances :

x) A landless agricultural labourer other than the landless agricultural labourer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land.

xi) A repatriate from Burma, Ceylon or Vietnam who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who is in indigent circumstances;

xii) A co-operative farming society, the members of which are landless agricultural labourers, provided that the extent of land assigned to the society together with the land, if any, already held by the society does not exceed the ceiling area.

3. The total extent of land that may be assigned to any person referred to in items (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) and (xi) and in paragraph 2, together with the extent of other land if any, already held by such person, if such person is a member of a family, by such family, shall not exceed two hectares.

4. The assignment shall be liable to be modified or cancelled, if it is found that it was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the

procedure or that it was in excess of the limits prescribed in the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (Regulation 1 of 1977) or the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978.

Provided that no assignment shall be modified or cancelled if five years have elapsed after it was made.

5. In the event of the modification or cancellation of the assignment as aforesaid, the land assigned shall be resumed from the assignee, either in part or in full, as the case may be and, on such resumption the assignee, shall not be entitled to compensation for any improvement effected by him on the land but the value of the land, buildings and trees thereon paid by him may, at the discretion of the assignee, be refunded to him in part or in full. The assignee shall be liable for damages, if any, caused by him to the land and compensation for the damages shall be recovered from him by deduction from the value of the land, buildings and trees thereon paid by him and, if the compensation for the damages exceeds the value of the land, buildings and trees thereon paid by him, such excess shall be recovered from him.

6. All sums found due to the assignor under, or by virtue of, these present, shall be recovered from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970, as if such sums were arrears of land revenue, or in any other manner as the assignor may deem fit.

7. The annual assessment on the land shall be liable to periodical revision at resettlement.

8. The Government reserve the right to levy ground-rent in lieu of assessment, if the land or a portion of it is used for a non-agricultural purpose and such ground-rent shall be liable to revision from time to time in accordance with the rules in force.

9. The land assigned shall not be sold or otherwise alienated before the expiry of a period of ten years from the date of assignment or before the payment of the value of the land in full, whichever is later.

10. Where the value of the land is payable in installments (a) the first instalment shall be payable before the execution of the deed of assignment, (b) each subsequent installments shall be payable before 31st March of every year, (c) in the event of default of the payment of two consecutive installments the amount already paid shall be liable to be forfeited to the Government and the land shall be liable to be resumed and (d) if, any year, due to adverse seasonal conditions, the land revenue in respect of the land is remitted or suspended, the recovery of the instalment payable that year and of the installments payable in subsequent years shall be postponed by one year.

11. The land will vest absolutely in the assignee only after the value of the land, buildings and trees thereon is paid in full.

12. The assignee shall engage himself in the direct cultivation of the assigned.

13. The assignee shall pay on the due dates the land revenue assessment, cesses and local taxes in force from time to time in respect of the land assigned, with effect from the year in which the assignment is sanctioned.

14. The assignee shall abide by such other conditions as may be imposed.



**FORM-XIII**

[See sub-rule (4) of rule 10]

**Application for assignment of lands vested in the Government**

1. Name and address of the applicant :

2. Particulars of the land applied for :

| Region    | Taluk | Village number | Survey | Extent | Clasifica-<br>tion | Assess-<br>ment | Boundaries |
|-----------|-------|----------------|--------|--------|--------------------|-----------------|------------|
| (1)       | (2)   | (3)            | (4)    | (5)    | (6)                | (7)             | (8)        |
| H. A. Ca. |       |                |        |        |                    | Rs.P            |            |

3. Particulars of the land, if any, already held by the applicant and the other members of his family:

| Region   | Taluk | Village | Survey Number | Extent |
|----------|-------|---------|---------------|--------|
| (1)      | (2)   | (3)     | (4)           | (5)    |
| H. A. Ca |       |         |               |        |

| Classification | Assessment | Boundaries | Name of applicants interest in<br>the land |
|----------------|------------|------------|--------------------------------------------|
| (6)            | (7)        | (8)        | (9)                                        |

4. Whether the applicant is completely dispossessed of his holding by virtue of the provisions of the Regulation or as a result of execution of any irrigation or hydroelectric project.

5. Whether the extent of the applicant's holding is reduced below 1.2 hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Regulation.

6. Whether the applicant is or has been a member of the Armed Forces.

7. Whether the applicant is a member of the family of servicemen killed in action.

8. Whether the applicant is a war-widow of 1961, 1965 and 1971 wars.

9. Whether the applicant is an Ex-servicemen disabled in action.

10. Whether the applicant is a freedom fighter in indigent circumstances.

11. Whether the applicant is a repatriate from Burma, Ceylon or Vietnam.

12. Whether the applicant is a co-operative farming, the members of which are land less agricultural labourers or landless persons or a combination of both. If so, give full particulars of the members and of the lands held by them.
13. Whether the applicant is a landless agricultural labourer likely to engage himself in direct cultivation.
14. Whether the applicant is a landless person likely to engage himself in direct cultivation.
15. Whether the applicant is a cultivating tenant who is holding land which is less than two standard hectares in extent.
16. Other particulars.

Signature of the applicant

### DECLARATION

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief true and correct.

Signature of the applicant

### FORM - XIV

[See rule 10(5)(b)]

Notice inviting objections to the proposal for the assignment of land vested in the Government

The following list of applications received for the assignment of land is hereby published for general information.

Objections, if any, to the assignment of the land to the applicants, may be filed before the Deputy Collector (Revenue) on or before.

| Serial number | Name and address of the applicant | Region     | Taluk      | Village | Survey number |
|---------------|-----------------------------------|------------|------------|---------|---------------|
| (1)           | (2)                               | (3)        | (4)        | (5)     | (6)           |
|               |                                   |            |            |         |               |
| Extent        | Classification                    | Assessment | Boundaries | Remarks |               |
| (7)           | (8)                               | (9)        | (10)       | (11)    |               |
|               |                                   |            |            |         |               |

Place :

Date :

Deputy Collector (Revenue)

## FORM - XV

[See rule 10(5) (e)]

### Notice to the assignee

With reference to his application, dated.....for assignment of land vested on the Government, Thiru..... is informed that it is proposed to assign to him the land, the details of which are given below ;

Name of the region :

Name of the taluk :

Number and name of village :

| Survey number                                                                                | Extent H.A.Ca. | Classification                                          | Assessment Rs.P. | Boundaries                                                                                                                      | Date of vesting of land in the Government |
|----------------------------------------------------------------------------------------------|----------------|---------------------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| (1)                                                                                          | (2)            | (3)                                                     | (4)              | (5)                                                                                                                             | (6)                                       |
| Details of buildings (kachcha or pucca), masonry wells (in use or not use) tube wells in use |                | Details of trees (fruit or timber trees) or young on as |                  | Value of the land and the buildings and trees there on, if any, to be collected from the assignee, how the value was arrived at |                                           |
| (7)                                                                                          |                | (8)                                                     |                  | (9)                                                                                                                             |                                           |

The value of the land and the buildings and trees thereon amounting to Rs.....(in figures and words) is payable either in lumpsum or in fifteen equal annual installments of Rs..... (in first instalment shall be payable within 15 days after the expiry of one year from the date of execution of the title deed. The subsequent installments shall be payable before 31st March of every year. When the value is paid in installments, the amount outstanding after the payment of each instalment will bear interest at six per cent per annum.

Accordingly Thiru.....is hereby directed to intimate his option to pay the entire value of the land or to pay the value in installments on or before .....If he desires to pay the value of the land in lumpsum he is directed to remit the amount immediately in the Treasury and produce the chalan to the Deputy Collector (Revenue) on (date).....at.....(time) in..... (place).

Thiru.....is hereby informed that he will be required to execute a deed of assignment in Form XVI on the above date.

Station :

Date :

Signature and designation of the  
Deputy Collector (Revenue)

**FORM-XVI**

[See rule 10(5) (e)]

**DEED OF ASSIGNMENT OF LAND VESTED UNDER SECTION 12 OF  
THE YANAM LAND REFORMS (CEILING ON AGRICULTURAL HOLDING)  
REGULATION, 1977 (REGULATION No.1 OF 1977)**

The deed of assignment, made on the..... day of ..... in the year one thousand nine hundred and.....between the Lieutenant-Governor of Pondicherry (hereinafter referred to as 'the assignor') on the one part and.....Thiru..... (here enter name, age, address etc.) hereinafter referred to as the 'the assignee') on the other part ;

Whereas the assignee has applied for the assignment and the assignor has sanctioned the assignment in favour of the assignee, of the lands mentioned and described in the schedule hereunder written :

Now these presents witness and it is hereby mutually agreed as follows :-

In consideration of the sum of.....(here enter the amount in figures and words) being the value of the said lands and of the buildings and trees thereon, remitted into the treasury by the assignee.

OR

In consideration of having agreed to pay the value of the said lands and of the buildings and trees thereon in.....equal annual installments and at payment of the sum of Rs.....(here enter the amount in figures and words) being the first instalment of the value of the land and of the buildings and trees thereon by the assignee within 15 days after the expiry of one year from the date of execution of the deed, the assignor doth hereby demise unto the assignee, by way of the assignment all the land, mentioned and described in the schedule hereunder written, to hold the same permanently and forever.

2. The assignee shall pay the balance of the value of the said land and of the buildings and trees thereon in equal annual installments each instalment amounting to Rs.....(here enter the amount in figures and words) together with interest at six per cent per annum on the amount outstanding, the payments shall be made into the Treasury to the credit of the State Government, on or before the 31st day of March every year, during the next.....years commencing with the year 19.....

3. This deed of assignment shall be subject to the conditions specified in the Appendix

**SCHEDULE**

Name of the region :

Name of the taluk :

Number and name of the Village :

| Survey<br>No. | Extent<br>H. A. Ca | Classification | Assessment | Boundaries |
|---------------|--------------------|----------------|------------|------------|
| (1)           | (2)                | (3)            | (4)        | (5)        |
|               |                    |                |            |            |
|               |                    |                |            |            |

|                                                         |                                                                                                                  |                                                                          |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| Date of vesting of<br>land in the Government<br><br>(6) | Details of buildings (Kachcha<br>or pucca), masonry wells (in use<br>or not in use) tube wells in use<br><br>(7) | Details of trees<br>(fruits or timber trees<br>or young ones)<br><br>(8) |
|---------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|

In witness whereof Thiru.....the Deputy Collector (Revenue).....  
acting for and on behalf of, and by order and under the direction of the Lieutenant-Governor of  
Pondicherry and Thiru.....the assignee have hereunto  
set their hands the day and year first above written.

Signed, sealed and delivered by the above named Thiru.....

Deputy Collector (Revenue)

In the presence of (witnesses)

(1)  
(2)

Signed by the above named Thiru.....  
(the assignee)

In the presence of (witness)

(1)  
(2)

#### APPENDIX (CONDITIONS)

The assignment shall be liable to be modified or cancelled, if it is found that it was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure. The assignment shall also be modified or cancelled, if it is shown that the extent assigned to the assignee is in excess of the limits prescribed in the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (Regulation No.1 of 1977) or the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978 :

Provided that no assignment shall be modified or cancelled if five years have elapsed after it was made.

2. In the event of the modification or cancellation of the assignment, as aforesaid, the land assigned shall be resumed from the assignee, in part or in full, as the case may be and on such resumption, the assignee shall not be entitled to any compensation, for any improvement effected by him may, at the discretion of the assigner, be refunded to him, in part or in full. The assignee shall also be liable for the damage, if any, caused by him to the land, and compensation for the damages shall be recovered from the assignee, by deduction from the value of the land, buildings and trees thereon paid by him and if, compensation for the damages exceeds the value of the land, buildings and trees thereon paid by him such excess shall be recovered from him.

3. All sums found due to the assigner under, or by virtue of these presents, shall be recovered from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970 as if such sums were arrears of land revenue, or in any other manner as the assigner may deem fit.

4. The annual assessment on the land shall be liable to periodical revision at resettlement.

5. The Government reserve the right to levy ground-rent, in lieu of assessment, if the land or a portion thereof is used for a non-agricultural purpose and such ground-rent shall be liable to revision, from time to time in accordance with the rules in force.

6. The land assigned shall be heritable but not alienable. This prohibition shall not apply in hypothecating the land to Government or to a Co-operative Society or to Scheduled Bank authorised by the Government for affording credit to agriculturist for the purpose of securing a loan.

7. Where the value of the land and buildings and trees is payable in installments-

(a) the first instalment shall be payable within 15 days after one year from the date of execution of the deed of assignment.

(b) each subsequent instalment shall be payable before the 31st March of every year.

(c) in the event of default in the payment of an instalment, the amount of the instalment shall be recovered as an arrear of land revenue.

(d) in the event of default in the payment of two consecutive installments, the amount already paid shall be liable to be forfeited to the Government and the land shall be liable to be resumed, and

(e) if in any year, due to adverse seasonal conditions the land revenue in respect of the land is remitted or suspended, the recovery of the installments payable that year and of the installments payable in subsequent years shall be postponed by one year.

8. The land will vest absolutely in the assignee only after the value of the land, buildings and trees thereon is paid in full.

9. The assignee shall engage himself in the direct cultivation of the land assigned.

10. The assignee shall pay, on the due dates, the land revenue assessment, cesses and local taxes, in force from time to time in respect of the land assigned with effect from the year in which the assignment is sanctioned.

11. The assignee shall abide by such other conditions as may be imposed under rule 10.

## **FORM - XVII**

[See rule 12(2)]

IN THE OFFICE OF THE.....TRIBUNAL

C.C.No.

### **NOTICE**

Notice is hereby given to the persons mentioned in the schedule below that under section 13 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, the Tribunal proposes to determine the amount payable for the lands specified in the schedule below under section of the Regulation. All the persons having any interest in the lands may appear before the Tribunal and make any plea regarding the determination of the amount on.....(date) at.....(place) at.....(time) and for this purpose adduce such evidence as they may so desire.

(By Order of the Tribunal)

Place:

Date:

Signature of the Officer  
authorised by the Tribunal

Copies to the Tahsildar/Deputy Tahsildar.....for  
causing service of the notice on all the persons known or believed to be interested in the  
land and return of the served copy of the notice before the date of hearing.

Copy to the officer authorised by the Government to receive such notices.

#### SCHEDULE

| Taluk/<br>Village | Survey No.<br>Subdivision<br>number | Wet<br>or dry | Extent | Probable<br>amount<br>payable | Names of persons<br>known or believed<br>to be interested in<br>land |
|-------------------|-------------------------------------|---------------|--------|-------------------------------|----------------------------------------------------------------------|
| the<br>(1)        | (2)                                 | (3)           | (4)    | (5)                           | (6)                                                                  |
|                   |                                     |               |        |                               |                                                                      |
|                   |                                     |               |        |                               |                                                                      |

#### FORM-XVIII

[See rule 12(4)]

Assessment roll No.

Dated :

#### PART - I

- I. Name and address of the owner of the surplus land acquired under section 9.
- II. The area of the land acquired and the net annual income from the land exclusive of the value of tree, building, machinery, plant or apparatus acquired.
  1. Serial number.
  2. Region.
  3. Taluk.
  4. Village.
  5. Survey number.
  6. Boundaries.
  7. Government or inam.
  8. Wet or dry and the source of irrigation.
  9. Extent.
  10. Name of the registered holder or occupier.
  11. Fair rent fixed for the land.
  12. Land revenue payable for the land inclusive of cess, additional surcharge and charge for water.
  13. Net annual income from the land (column 11 minus column 12).

14. Name and address of the person or persons interested.

15. Nature of the interest of each such person.

16. Value of interest of each person.

17. Relative priority of each person and the amount due.

III. 1. Trees.

(a) Village.

(b) Survey number.

(c) Type and number of trees.

(d) Amount payable.

(e) Remarks.

2. Buildings.

(a) Village.

(b) Survey number.

(c) Temporary or permanent

(d) Amount payable

(e) Remarks.

3. Machinery, plant or apparatus.

(a) Village.

(b) Survey number.

(c) Description.

(d) Present market value.

(e) Remarks.

IV. Amount payable for the land referred to in item II above as laid down in paragraph 6 of Schedule to the Regulation.

1. The total net annual income from the land referred to in item II above.

2. (a) For the first sum of Rs.5000 or any portion thereof the net annual income noted against sub-item 1 above-Twelve times such sum or portion.

(b) for the next sum of Rs.5000 or any portion thereof the net annual income noted against sub-item 1 above-Eleven times such sum or portion.



(c) for the next sum of Rs. 5000 or any portion thereof the net annual income noted against sub-item 1 above -Ten times such sum or portion.

(d) for the balance of the net annual income noted against sub-item 1 above-Nine times such balance.

Totals

....

...

3. Total valuation on account of trees, buildings, machinery, plant or apparatus, acquired-vide paragraph 7 of Schedule to the Regulation referred to in item III above.

4. Total amount [total of sub-items (2) and (3)]

5. Amount payable to tenant, if any.

6. Net amount (sub-item 4 minus sub-item 5)

7. (a) The amount of land revenue or portion thereof in respect of the land, if any, which has been assigned in favour of any person.

(b) The amount of proportionate, quit-rent, jodi, kattubadi or other amount of a like nature payable by such person to the Government.

(c) Amount payable under the schedule

Total amount payable for all interested in the lands

Total [sub-items 6 and 7(c)] Rupees (in words.....)

V. Date from which interest is payable.

## PART - II

I. The person or persons who are entitled to the amount and the amount to which each person is entitled.

1. Serial number.

2. Name and address of the person.

3. Amount.

4. Remarks.

NOTE :- In the case of limited owner or maintenance holder on the surplus land acquired, the manner of payment should be indicated in the remarks column.

Place :

Date :

Signature of the Officer  
authorised by the Tribunal.

### **FORM -XIX**

[See rule 12(4)(a)]

Whereas the land included in the assessment roll in Form 18 (enclosed herewith) has been acquired for a public purpose by the Government under section 9 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulations, 1977(No.1 of 1977). I..... Deputy Collector after full enquiry into the case and on due consideration of the various circumstances connected therewith, have determined the amount (payable under section 13 and I hereby declare that the amount) specified in the draft assessment roll, is the entire amount payable for all the interests in the land and that subject to the other provisions of the Regulation the persons therein are the persons, who are entitled to the amount in the proportion stated therein.

Place :

Date :

Signature of the Officer  
authorised by the Tribunal.

### **FORM -XX**

[See rule 12(4)(b)]

### **NOTIFICATION**

Notice is hereby given that the amount payable for the lands vested in the Government and as determined under section 13 of Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (No. 1 of 1977) is specified in the draft assessment roll enclosed. All persons having any interest in the said lands may file a claim for the amount due to him from out of the amount payable for the lands within 30 days of this notification in the official gazette of the Union territory of Pondicherry.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer  
authorised by the Tribunal.

### **FORM-XXI**

[See rule 13]

### **DECLARATION**

**(In Duplicate)**

Under sub-section (1) of section 17 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulations, 1977 read with rule 13 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1977, I..... declare to the best of my knowledge schedule below does not exceed the ceiling area under the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977.

I further declare that the holdings of all the members of the family unit of which I am a member do not in the aggregate exceed the said ceiling area.

I further declare that my holding consists of the land described in the schedule under and it does not include any other land.

I also declare that the holdings of all the members of the family unit of which I am a member consists of the lands described in the schedule and that the holdings do not include any other land.

Place :

Date ;

Signature of the Transferor.

#### **SCHEDULE**

| Name of the persons/<br>members of a family<br>unit( in the case of a<br>member of the family<br>unit give the relationship | Region/<br>Taluk/<br>Village | Survey<br>No. Sub-<br>division<br>No. | Wet<br>or<br>dry | Extent | Remarks |
|-----------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------|------------------|--------|---------|
| (1)                                                                                                                         | (2)                          | (3)                                   | (4)              | (5)    | (6)     |

Part - A

Part - B

NOTE :- 1. This schedule shall be prepared in two parts as indicated below :-

Part - A shall contain details of lands held by the transferor.

Part - B shall contain details of lands held by the other members of the family if the transferor is a member of a family unit.

NOTE :- 2. All the lands held by a person including a member of the family unit shall be declared together with the share to which such person or member of the family unit is entitled to in the land held by a joint family, a co-operative society, a company, a firm as the case may be.

Place :

Signature of the Transferor

Date :

**FORM - XXII**

[See rule 15(3)]

**IN THE OFFICE OF THE APPELLATE TRIBUNAL**

Appeal Case No.

To

Take notice that an appeal has been filed under sub-section (1) of section 19 of the Yanam Land Reforms (Ceiling on Agricultural Holding) Regulation, 1977 against the order of the Tribunal ..... and you are mentioned in as a party to the said appeal..... The appeal will be heard on.....(date) at.....(place) at..... (time) and you may appear at the said hearing and represent your case in person or by an agent or pleader failing which the appeal will be heard and decided *ex-parte* . A copy of the appeal petition is enclosed.

(By Order of the Appellate Tribunal)

Place :

Date ;

Signature of the Officer authorised  
by the Appellate Tribunal

Copy to

Thiru.....(Appellant)

Forwarded to the Tahsildar of.....for causing service of the notice and the appeal petition and returning the served copy of the notice and the appeal petition enclosed thereto before the date of hearing.

Copy to the Government Pleader.  
(with a copy of the appeal petition).

## **THE MAHE LAND REFORMS (CEILING) RULES, 1981**

**LA GAZETTE DE L'ETAT DE PONDICHERY**

**THE GAZETTE OF PONDICHERY**

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|                |                    |                           |             |                |             |
|----------------|--------------------|---------------------------|-------------|----------------|-------------|
| <b>No. 100</b> | <b>Pondicherry</b> | <b>Mardi</b>              | <b>20</b>   | <b>Octobre</b> | <b>1981</b> |
| <b>No. 100</b> | <b>Pondicherry</b> | <b>Tuesday</b>            | <b>20th</b> | <b>October</b> | <b>1981</b> |
|                |                    | <b>( 28 Asvina 1903 )</b> |             |                |             |

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**GOVERNMENT OF PONDICHERY**  
**Revenue Department**

No. 4073/80/C (Vol. III)

Pondicherry, the 20th May 1981

**NOTIFICATION**

In exercise of the powers conferred by section 138 of the Mahe Land Reforms Act, 1968 (1 of 1968), the Lieutenant Governor, Pondicherry hereby makes the following rules, namely :-

**THE MAHE LAND REFORMS (CEILING) RULES, 1981**

**CHAPTER I**

**GENERAL**

**1. Short title and commencement.-** (1) These rules may be called the Mahe Land Reforms (Ceiling) Rules, 1981.

(2) They shall come into force on the date of their publication in the official gazette.

**2. Definitions.-** In these rules, unless the context otherwise require,-

(a) "Act" means the Mahe Land Reforms Act, 1968 (1 of 1968) ;

(b) "application" includes an interlocutory application ;

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

(d) "legal representative" means a person who, in law represents the estate of deceased person ;

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

(f) "Tahsildar" means the Tahsildar holding charge of a taluk and includes a Deputy Tahsildar in charge of a sub-taluk or a Deputy Tahsildar appointed specially for the purposes of these rule ;

**3. Interpretation.-** (1) The General Clauses Act, 1897 shall apply, as far as may be, to the interpretation of these rules, as it applies to the interpretation of an Act.

(2) The forms shall be used with such variation as the circumstances may require.

## CHAPTER II

[Sections 95 (2) and 95 3 (a) and 97]

### STATEMENT OF LAND OWNED OR HELD BY A PERSON

**4. Form of statements.-** The statement under sub-section (2) of section 95 shall be in Form No. 1.

**5. Form of statement under section 95A.-** The statement under sub-section (1) of section 95A shall be in Form No. 2.

**6. Concurrence for surrender.-** (1) The concurrence required under Explanation I or Explanation II to sub-section (2) of section 95 for surrender of land shall be in writing and duly attested by two respectable witnesses.

(2) If such concurrence is not produced, the reason for the non-production shall be mentioned in the statement referred to in rule 4.

**7. Mode of filing statement before land board.-** The statement referred to in rule 4 or rule 5 shall be filed either-

(a) by presenting it in person, or by his recognised agent, or by a pleader appearing for him ; or

(b) by sending it by registered post acknowledgment due.

**8. Statements to be numbered.-** The Land Board shall assign a number to every statement referred to in rule 4 strictly accordingly to the order in which it is received and enter it in a register to be maintained by the Land Board for that purpose.

## CHAPTER III

### VERIFICATION, ASCERTAINMENT AND DETERMINATION OF THE EXTENT AND IDENTITY OF LAND TO BE SURRENDERED.

[Sections 95 (5) and 95 (7) and 111 (4) ]

**9. Verification of statement.-** For the purpose of verifying the particulars mentioned in the statement filed under sub-section (2) or sub-section (3A) of section 95 or sub-section (1) of section 95A or sub-section (2) of section 97, the Land Board may call for any information which in its opinion is relevant for such verification from any officer of the Government or from any other person and thereupon such officer or other person shall be bound to furnish the required information in his possession.

**10. Verification of statements by Tahsildar or other officer.-** (1) The Land Board shall furnish a copy of the statement to the Tahsildar or such officer as may be specified by the Land Board, and require the Tahsildar or such other officer to verify the correctness or otherwise of the particulars contained in the statement and ascertain whether the person to whom the statement relates owns or holds any other land and send a report thereof to the Land Board.

(2) The Tahsildar or such other officer shall send the report required under sub-rule (1) to the Land Board before the expiry of six weeks from the date of the requisition or within such further time as may be allowed by the Land Board in each case.

**11. Land Board to prepare draft statement of lands to be surrendered.-** The Land Board shall, after considering the particulars furnished in the statement under sub-section (2) or sub-section (3A) of section 95 or sub-section (1) of section 95A or sub-section (1A) of section 97, the verification reports, if any, received by it, the facts and circumstances appearing in the case and such other relevant matters, and where it considers it necessary so to do, after such further verification as it deems fit, prepare a draft statement in Form No. 3 of the lands, the ownership or possession or both of which is or are to be surrendered by the person to whom such draft statement relates.

**12. Publication of draft statement.-** The draft statement prepared under rule 11 shall be published on the notice-board of the officer of the Land Board, the notice-boards of the officers of the Collector and the Tahsildar within whose jurisdiction the lands indicated in such statement as lands to be surrendered are situated and on the notice-board of the village in which such lands are situate.

**13. Service of draft statement on persons interested.-** (1) The draft statement prepared under rule 11, together with a notice in Form No. 4 inviting objections to the draft statement, shall be served-

(i) where the draft statement relates to an adult unmarried person, on such person or, where such person is a lunatic, idiot or a person subject to any like disability, or the guardian, manager or other person in charge of such person or of the property of such person ;

(ii) where the draft statement relates to a family on the husband and wife or such of them as exists or, where the family consists of only minors or where both the husband and wife are lunatics or idiots or persons subject to any like disability, on the guardian, manager or other person in charge of such minor or such husband and wife of their property.

(iii) where the draft statement relates to any other person, on the person competent to file a statement under sub-section (2) of section 95 or under sub-section (2) of section 95A on behalf of that other person.

(2) The draft statement together with the notice referred to in sub-rule (1) shall also be served on all other persons, so far as may be known, who have or are likely to have any claim to, or interest in the ownership or possession or both of the lands indicated in such draft statement as lands to be surrendered.

(3) Where in any case the Land Board is of opinion that service of notice under sub-rule (2) is not sufficient or effective or that it is not practicable to give notice under that sub-rule to all persons who have or are likely to have any such claim or interest as is specified in that sub-rule, it may cause to be published a public notice in Form No. 5 in two daily newspapers having wide circulation in the area in which the lands to which the draft statement referred to in sub-rule (1) relates are situate.

**14. Enquiry to determine extent and identity.-** (1) on the date fixed for hearing of the objections and for determination of the extent and identity of the land to be surrendered, or on any other day to which the proceedings may be adjourned, the Land Board may, after considering the objections, if any, and the oral and documentary evidence let in and after hearing such of the persons who appear and, where necessary, after such further verification and ascertainment or investigation as it may deem fit and proper, by order, determine the extent and identity of the land to be surrendered :

Provided that where the Land Board intends to rely on the particulars obtained by any such further verification, ascertainment or investigation, no such order shall be passed without giving a



reasonable opportunity of being heard to such of those parties whose interests are likely to be affected if such particulars are relied upon.

(2) Where, for the determination of the extent of land to be surrendered, it becomes necessary to decide the question as to whether any extent of land is exempted under sub-section (1) of section 91 or not, the Land Board may decide such question provided that no such decision shall be made without giving the person interested in the land a reasonable opportunity of being heard.

(3) The Land Board shall after passing the order determining the extent and identity of the land to be surrendered cause to prepare an extract of such order in Form No. 6 and such extract shall form part of the order.

(4) Where there has been any modification in the extent or identity or both of the lands to be surrendered by any subsequent order of the Land Board or by an order in revision by the High Court, the Land Board shall cause necessary changes to be made in the extract referred to in sub-rule (3) or cause a revised extract to be prepared.

### **APPLICATION TO SET ASIDE ORDER DETERMINING EXTENT OF LAND TO BE SURRENDERED**

[Section 95 (8)]

**15. Form of and procedure on application under section 95 (8).-** (1) The application under sub-section (8) of section 95 shall be in Form No. 7.

(2) The Land Board may, in order to decide whether the applicant is interested in the land to be surrendered or was prevented by sufficient cause from appearing before the Land Board, make or cause to be made such enquiries, investigations and verifications, as it deems necessary.

(3) The Land Board shall not reject an application without giving the applicant a reasonable opportunity of being heard.

**16. Re-determination of extent and identity of land.-** Where an order is set aside under sub-section (8) of section 95 at the instance of a person on whom the draft statement has been served under rule 13, the Land Board may, if it thinks fit so to do, proceed to determine, without recourse to the preparation of a fresh draft statement, the extent and identity of the land to be surrendered after issue of a notice in Form No. 8 to the persons specified in sub-rule (1) of rule 13 and to such other persons who have preferred any claim to ownership or possession or both, of the lands indicated for surrender in such draft statement.

### **STATEMENT UNDER SECTION 95 (3) WHEN LANDS OWNED OR HELD EXCEED CEILING LIMIT AFTER FINAL SETTLEMENT OF CLAIMS FOR RESUMPTION OR PURCHASE OR ACQUISITION AFTER THE DATE NOTIFIED UNDER SECTION 93.**

[Sections 95 (3) and 97 (2)]

**17. Form of statement.-** (1) Where any statement is filed after the final settlement of claims for resumption or purchase under sub-section (3) of section 95 or after acquisition of land under sub-section (2) of section 97, such statement shall be in Form No. 1 with such adaptations, modifications or variations therein as circumstances may require :

Provided that the date 1st April 1981 in the said form wherever it occurs, shall be substituted

by "the date immediately following the date of such final settlement of claim for resumption or purchase or acquisition, as the case may be".

(2) A person filing a statement under sub-rule (1) shall, along with such statement, file an additional statement in Form No. 9.

## **VESTING OF EXCESS LANDS IN GOVERNMENT**

(Section 96)

**18. Demand for surrender.-** As soon as may be after the issue of an order by the Land Board determining the extent and identity of the lands, the ownership or possession or both of which is or are to be surrendered, it shall demand the surrender of the said lands by the issue of a notice in Form No. 10 to the person bound to make the surrender.

**19. Authorisation to take possession or assume ownership.-** The authorisation by the Land Board for purposes of sub-section (3) of section 96 shall be in Form No. 11.

**20. Manner of surrender and taking possession and assumption of ownership.-** (1) The person bound to surrender the lands on receipt of the order referred to in rule 18 shall contact the officer mentioned in the notice, who shall thereupon make necessary arrangements to accept the surrender.

(2) The person making the surrender shall sign a declaration to that effect in Form No. 12 duly attested by such officer and two witnesses, preferably neighbours.

(3) On such declaration referred to in sub-rule (2) being duly signed and attested, the officer referred to in that sub-rule shall, where the demand is to surrender possession or possession and ownership, take possession of the land after removing any unauthorised occupant in such land if necessary by using such force as he thinks fit.

(4) After taking possession of the land as provided in sub-rule (3) or where the demand is only to surrender ownership without possession after the declaration is duly signed and attested as required by sub-rule (2), the officer shall make an endorsement on the declaration that ownership or possession or both, as the case may be, of the land has been surrendered by the person and that he has taken possession or, as the case may be assumed on behalf of the Government.

**21. Manner of taking possession or assuming ownership where no surrender is made.-** Where a person liable to surrendered ownership or possession or both of any land fails to make the surrender demanded, the officer authorised under sub-section (3) of section 96 shall, where demand is made to surrender possession or possession and ownership, take possession of the land after removing any unauthorised occupant, if any, on such land if necessary using such force as he thinks fit and where the demand is only for surrender of ownership, assume ownership of such land and record the fact of such taking possession, or as the case may be, assumption of ownership, in a certificate in Form No. 13 duly attested by two witnesses preferably neighbours.

**22. Procedure for interim surrender.-** (1) Where possession of any land indicated in the statement under sub-section (2) of section 95 as land proposed to be surrendered is to be taken possession pending determination, under sub-section (5) of that section, of the extent and identity of the land to be surrendered the Land Board may give intimation in Form No. 14 to the person who has failed such statement or where such person is a family, to the husband and wife or to such of them as exists, that it proposes to take possession of such land so indicated on or before a date to be specified in such intimation.

**Explanation.-** Where the land proposed to be surrendered is not indicated in the statement under sub-section (2) of section 95, but the person who has failed the statement subsequently furnishes another statement in writing specifying the lands proposed to be surrendered such latter statement shall be deemed to be part of the statement under sub-section (2) of section 95.

(2) The Land Board may depute any officer not below the rank of a village officer to take possession of the land.

(3) The officer deputed to take possession may, if the person to whom intimation under sub-rule (1) has been given does not raise any objection, take possession of the land, after removing any unauthorised occupant, if any, on such land, if necessary by using such force as he thinks fit and record the fact of taking such possession in a record of possession in Form No. 15, duly attested by two witnesses, preferably neighbours.

**23. Mahazar and sketch to be prepared.-** Where ownership or possession or both of any land is or are surrendered or assumed, as the case may be, the officer authorised under rule 19 shall prepare a Mahazar of such land containing a correct description of the land and improvement thereon and the name and address of the kudikidappukars, if any, thereon to enable the concerned authorities to identity such land or to classify such land according to the classification specified in Schedule IV to the Act ; and where the land is part of a Survey or Subdivision No. and such part is not identifiable without the assistance of a sketch, the officer shall also prepare a sketch of such land.

**24. Tahsildar to countersign.-** (1) The declaration or certificate of record of possession or surrender memo, as the case may be, together with the Mahazar and the sketch, if any, shall be submitted by the officer referred to in rule 23 to the Tahsildar of the Taluk in which the land is situate, and the Tahsildar shall if, he thinks fit, conduct any verification ; and after such verification, countersign the declaration, certificate of record of possession, as the case may be, and affix the seal of his office thereon.

(2) The records referred to in sub-rule (i) shall be kept in the Taluk Office.

**25. Modification of revenue records.-** The Tahsildar shall after countersigning the records referred to in sub-rule (1) of rule 24 and affixing his seal thereon in the manner provided in the said rule take necessary steps to carry out changes in the revenue relating to the lands.

## **CHAPTER IV**

### **ASSIGNMENT OF LANDS VESTED IN GOVERNMENT AND MANAGEMENT OF THE LANDS PENDING ASSIGNMENT**

(Sections 104 to 108)

#### **GENERAL**

**26. Land to be managed through the agency of revenue department.-** (1) Lands vested in the Government under section 96 or section 97 shall be managed by the Land Board through the agency of the revenue Department and the Deputy Collector shall act in that behalf under the general control and direction of the Land Board.

(2) A register in Form No. 16 shall be maintained in the Taluk office showing the lands vested in the Government under sections 95 and 97.

**27. Protection of land from unauthorised occupation.-** As and when any land is taken possession of under rule 20 or 21 or rule 22, the Tahsildar of the Taluk in which the land is situate shall take prompt and adequate steps to ensure its complete protection from any unauthorised occupation or other interference whatsoever.

## **ASSIGNMENT OF LAND**

**28. Applications to be invited.-** (1) As soon as may be after the possession of a parcel of land is, under section 96 or section 97 surrendered or taken, the Land Board shall except in cases where the Government holds such land as a mortgagee with possession, publish or cause to be published a notice in Form No. 17 inviting applications before a specified date for assignment on registry of such parcel or portions thereof.

(2) The notice referred to in sub-rule (1) shall be published.

(a) on the notice-boards of the office of the Taluk Tahsildar and of the local authority within whose jurisdiction the parcel of land to be assigned is situate and on the notice-board of the Village Office of the village in which such parcel of land is situate ;

(b) on the notice-boards of the Village Offices of the villages adjacent to the village referred to in clause (a) and on the notice-boards of the offices of the local authorities having jurisdiction over areas referred to in clause (a) ;

(c) where it is considered by the Land Board essential to do so, in leading daily newspapers having wide circulation in the area in which the parcel of land to be assigned is situate.

(3) The Land Board may also give or cause to be given such publicity to the proposal for assignment in such other manner as it thinks fit.

**29. Form of application, court fee and mode of presentation.-** (1) The application for assignment shall be in Form No. 18.

(2) No court fee shall be payable in respect of any application referred to in sub-rule (1).

(3) An application referred to in sub-rule (1) may be sent by registered post acknowledgment due.

**30. Conditions and restrictions regarding assignment.-** (1) Land assigned under section 106 shall be heritable but shall not, subject to the provisions of sub-rules (2) to (5) be alienable for a period of twelve years from the date of assignment or for the period during which the charge created under sub-section (3) of section 107 subsists, whichever is later.

(2) The assignee or his successor-in-interest, as the case may be, may mortgage such lands to the Government or a cooperative society, or any other financing institution recognised by the Government in this behalf as security for obtaining loans for agricultural or land improvement purposes or, where a house is required for the occupation of the assignee or his family or the successor-in-interest of such assignee, for construction of such house under any of the Housing Schemes sponsored by the Government or for payment of the purchase price payable under section 107.

(3) The Government, the cooperative society, or other financing institution referred to in sub-rule (2) may alienate lands mortgaged to them or it as security for loans in satisfaction of the terms and conditions of the loan.

(4) An assignee belonging to a scheduled caste or scheduled tribe with sanction of the Collector may alienate the whole or any portion of the land to a member belonging to such caste or tribe, as the case may be.

(5) The assignee or a member of his family or, as the case may be, his successor-in-interest shall for the period during which the alienation is prohibited under sub-rule (1) reside in the land if such land is used for purposes of residence or personally cultivate the same if such land is used for agricultural purposes, provided that the Collector, may by order in writing exempt any person subject to such restriction and conditions he may impose from the operation of this sub-rule.

(6) No account or arecanut tree or pepper plant or other trees or valuable improvements on the land shall, so long as the charge under sub-section (3) of section 107 subsists on such land, be cut, removed or wilfully damaged or destroyed by the assignee or any member of his family or any of his successors-in-interest or any person claiming under such assignee member or successor-in-interest.

(7) Any assignee who alienates any land assigned to him under section 106 in contravention of the provisions of sub-rule (1) shall not thereafter be eligible to get any other land on assignment under that section or under any other law for the time being in force relating to assignment of lands belonging to Government.

(8) Where the land to be assigned to the different assignees is a large extent of land and due to the peculiar nature or condition of the land, agricultural operations therein cannot be carried out separately by each assignee, but can be carried out only after bunding dewatering of pumping operations, etc, which require co-operative efforts, the assignees shall form themselves one or more joint farming cooperative society or societies and cultivate the land or become members of any joint farming cooperative socieity which cultivates the land within one month of the receipt of the deed of assignment and shall not voluntarily withdraw from the membership of such cooperative socieity.

(9) The assignment of any land under section 106 shall be liable to be cancelled for contravention of any of the conditions or restrictions laid down in this rule and the land assigned shall be liable to be resumed by or at the instance of the authority which assigned the land as if such land is a land belonging to Government and in the unauthorised occupation of the person then in possession or occupation, provided that no such cancellation shall be done without giving the party affected thereby a reasonable opportunity of being heard.

**31. Preparation of lists of persons eligible for assignment.-** (1) As soon as may be may be after the expiry of the date for receipt of applications specified in the notice published under rule 28, the Land Board shall verify the applications received in such manner as it thinks fit and prepare a list of persons eligible under section 106 for assignment of land showing therein the extent of land that can be assigned to each applicant, which in no case shall exceed the limits specified in sub-sections (2) and (3) of section 106, and such other particulars as the Land Board thinks necessary to be included therein.

(2) In preparing the list referred to in sub-rule (1),-

(i) first preference shall be given to the kudikidappukaran, if any, on the land, whether he is an applicant or not, and thereafter among the applicants, the following preference shall, subject to the provision of sub-section (1) of section 106 be observed as far as practicable-

(ii) second preference shall be given to-

(a) unauthorised occupants of the land, if nay, provided they have effected valuable improvements ;

(b) persons evicted from Government lands ; and

(c) agricultural workers thrown out of employment owing to the lands in which they have been working have vested in the Government under the Act ;

(iii) third preference shall be given to persons who ordinarily reside in the villages whether the land proposed to be assigned is situate ;

(iv) fourth preference shall be given to persons who ordinarily reside to villages adjacent to the village in which such land is situate ;

(v) fifth preference shall be given to persons who ordinarily reside in the taluk in which such land is situate.

(3) Among the persons entitled to preference under clause (ii) or clause (iii) or clause (iv) of sub-rule (2) a person eligible to get assignment of an extent of land higher than that of another entitled to preference under the same clause may in preferring the list under sub-rule (1), be given priority over that another.

(4) Where two or more persons are entitled to get preference under the same clause of sub-rule (2) and where such persons are eligible to get assignment of the same extent of land, the order of priority to be given to such persons may be decided by drawing lots in such manner as the Land Board thinks fit.

(5) Where any person included in the list prepared under sub-rule (1) is not assigned any land in respect of which such list was preferred, the Land Board may, if such person has in his application under rule 29 expressed his willingness to be considered for assignment of any other land, consider him an applicant for that other land which may thereafter be assigned.

**32. Offer, acceptance and assignments.-** (1) As soon as may be after the list referred to in rule 31 is preferred, the Land Board shall communicate to each person in the order of priority given in such list, an offer to assign the land on registry subject to such conditions and restrictions as specified in rule 30 and the provisions of the Act, and such offer shall in Form No. 19.

(2) Where on receipt of the offer under sub-rule (1) the person to whom the offer is made pays or deposits the purchase price in a lump or the first instalment thereof within the time allowed or within such further time as may be allowed by the Land Board, the land specified in such offer shall be assigned to him on registry and a deed of assignment in Form No. 20 shall be executed.

(3) The purchase price payable by the assignee shall be deposited in the Government Treasury nearest to the land to be assigned to the credit of the Land Board or paid in such other manner as the Land Board may direct.

(4) The deposit under sub-rule (3) shall be by a chalan in triplicate countersigned by the Secretary, Land Board.

(5) The second and subsequent installments of the purchase price shall be due for payment or deposit on the expiry of one year from the date on which the previous instalment was due for payment.

(6) Where any person fails to pay or deposit the purchase price in a lump or the first instalment thereof within the time allowed under the offer or within such further time as may be allowed by the Land Board, the offer made shall be deemed to have been cancelled, and thereupon such person shall have no right to claim assignment or to pay or deposit the purchase price in a lump or the first instalment thereof.

(7) Where any offer is deemed to have been cancelled under sub-rule (6), the Land Board shall offer to assign the land to other persons in the list selecting such persons in the order of priority in such list.



(8) After the execution of the assignment deed under sub-rule (2), the assignee shall be put in possession of the land assigned and the Collector shall cause the boundaries of the land to be demarcated.

(9) As soon as may be after the execution of the assignment deed, the Tahsildar of the taluk in which such land is situate shall take steps to make necessary changes in the Revenue records to survey and demarcate the land and to issue a patta in Form No. 21.

**33. Reservation for public purposes.-** Notwithstanding anything hereinbefore contained, the Land Board may at any stage after a land is surrendered or taken possession of and before the execution of the deed of assignment under sub-rule (2) of rule 32, reserve any such land or portion thereof for public purposes, such reservation and determination of public purposes, being made in such manner as it thinks fit ; and on such reservation, such land or portion shall be deemed to be land not available for assignment.

**34. Register of lands reserved and assigned.-** A register of lands reserved and assigned shall be maintained in Taluk Office in respect of lands within the taluk and such register shall be in Form No. 22.

#### **FORM NO. 1**

**(See rule 4)**

#### **Statement under section 95 (2)**

1. Name and address of the person filing the statement :
2. Whether the statement relates to an adult unmarried person or family or any other person :
3. Name and address of the adult unmarried person/members of the family/other person by whom the land is owned or held :
4. (a) If the person specified in item (3) is a minor, lunatic, idiot or a person subject to like disability is the person specified in item (1) :-
  - (i) His guardian ?
  - (ii) His manager ? or
  - (iii) the person in charge of such person or of the property of such person ?
- (b) If the return relates to a family, is the person specified in item (1), the husband/wife/ guardian of the minor children :
- (c) In the case of any other person, is the person referred to in item 1 of competent to file the statement ? and the nature of authority :

5. (a) If the return relates to a family, particulars of the members of the family as on the 1st April 1981 :

| Name | Date of birth | Age |
|------|---------------|-----|
|------|---------------|-----|

(i) Husband :

(ii) Wife :

(iii) Minor unmarried children :

(b) If the return relates to an adult unmarried person, his age as on 1st April 1981 and his date of birth :

6. Particulars of all lands owned or held or possessed under a mortgage in the State on the 1st April 1981 (including lands exempted under section 91) by the adult unmarried person/family/other person to whom the statement relates been furnished in Annexure A ?

7. (a) Is there any encumbrance on the land included in Annexure A and, if so,

(b) have particulars of the encumbrance been furnished in Annexure B ?

8. (a) Is there any litigation pending in respect of any land included in Annexure A and, if so,

(b) have particulars of the litigation been furnished in Annexure C ?

9. (a) Is there any arrears of land revenue or other amounts recoverable as arrears of land revenue or attachment or restraint on alienation in respect of any land included in Annexure A and, if so,

(b) have particulars of such arrears and of the proceedings pending for collection of such arrears or the particulars of such attachment or restraint on alienation been furnished in Annexure D ?

10. (a) Is any land included in Annexure A in the possession of other persons by way of mortgage or otherwise and if so,

(b) have particulars of such land been furnished in Annexure E ?

11. (a) Is exemption claimed under section 91 of the Act in respect of any land included in Annexure A, and if so,

(b) have particulars of such land been furnished in Annexure F ?

12. (a) Is any land in respect of which exemption has been granted by the Government included in Annexure A and if so,

(b) have particulars of such land been furnished in Annexure G ?

13. (a) Has any land or interest therein been disposed of (including land or interest disposed of under the transactions permitted under section 94)-

(i) in the case of a family or adult unmarried person, after the 22nd March, 1968 ; and

(ii) in the case of any other person, after the 1st April 1980 and if so,



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**Section- VI.** Land liable to be purchased by the cultivating tenants or kudikidappukars or to be resumed by the land-lord under the provisions of the Act.

**Note :-** 1. The particulars should be furnished under different sections as shown above.

2. If the land for which particulars are furnished is not a registered subdivision, boundaries of it for easy identification should be mentioned against each serial number in the remarks column.

**Signature of the person furnishing the statement.**

### **ANNEXURE - B**

#### **Particulars of encumbrance on the land included in Annexure-A**

(Details of lands mortgaged to Government, Cooperative Societies and other bodies or corporations as security for loans also should be shown in this annexure)

| Serial Number | District | Taluk | Village | Survey number and subdivision |
|---------------|----------|-------|---------|-------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                           |

| Extent acres and cents | Particulars of encumbrances with the names and addresses of the creditors (with details of amount, document creating encumbrances, etc) | Remarks |
|------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|---------|
| (6)                    | (7)                                                                                                                                     | (8)     |

Place :

Signature of the person furnishing the statement

Date:

### **ANNEXURE - C**

#### **Particulars of any pending litigation in respect of the land included in Annexure-A**

| Serial number | District | Taluk | Village | Survey number and subdivision number |
|---------------|----------|-------|---------|--------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  |

| Extent<br>acres and cents<br>(6) | Particulars of the litigation pending the case<br>number with the year, the name of the Court<br>and the names of the parties.<br>(7) | Remarks<br>(8) |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------|
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------|

Place:

Signature of the person furnishing the statement.

Date :

#### ANNEXURE - D

**Particulars of arrears of land revenue and other amounts recoverable as arrears of land revenue or attachment or restraint on alienation in force in respect of land included in Annexure-A**

| Serial<br>number<br>(1) | District<br>(2) | Taluk<br>(3) | Village<br>(4) | Survey number and<br>subdivision number<br>(5) | Extent in acres<br>and cents<br>(6) |
|-------------------------|-----------------|--------------|----------------|------------------------------------------------|-------------------------------------|
|-------------------------|-----------------|--------------|----------------|------------------------------------------------|-------------------------------------|

| Amount of<br>arrears<br>(7) | Particulars of proceedings<br>pending for collection of<br>arrears of land revenue<br>(8) | Particulars of<br>attachment<br>(9) | Particulars of<br>restraint on<br>alienation<br>(10) | Remarks<br>(11) |
|-----------------------------|-------------------------------------------------------------------------------------------|-------------------------------------|------------------------------------------------------|-----------------|
| Rs. P                       |                                                                                           |                                     |                                                      |                 |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - E

### Particulars of land in the possession of others by way of mortgage or otherwise.

| Serial Number<br>(1)              | District<br>(2)                                           | Taluk<br>(3)                                                                                          | Village<br>(4) | Survey number and subdivision number<br>(5) |
|-----------------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------|---------------------------------------------|
|                                   |                                                           |                                                                                                       |                |                                             |
|                                   |                                                           |                                                                                                       |                |                                             |
| Extent<br>acre and<br>cent<br>(6) | Name and address<br>of the person in<br>possession<br>(7) | The nature of the possession<br>with details of documents under<br>which the person possesses.<br>(8) |                | Remarks<br>(9)                              |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - F

### Particulars of land in respect of which exemption is claimed under section 91 of the Act.

| Serial number<br>(1)                 | District<br>(2)                                                              | Taluk<br>(3)                                                          | Village<br>(4)                                   | Survey number and subdivision number<br>(5) |
|--------------------------------------|------------------------------------------------------------------------------|-----------------------------------------------------------------------|--------------------------------------------------|---------------------------------------------|
|                                      |                                                                              |                                                                       |                                                  |                                             |
|                                      |                                                                              |                                                                       |                                                  |                                             |
| Extent<br>in acre<br>and cent<br>(6) | Purpose for which the<br>land is now being used<br>and from what date<br>(7) | Provision on section<br>91 under which<br>exemption is claimed<br>(8) | Reasons for<br>claiming such<br>exemption<br>(9) | Remarks<br>(10)                             |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - G

### Particulars of land for which exemption has been granted by Government.

| Serial number<br>(1) | District Taluk<br>(2)                                                             | Village Survey number and subdivision number<br>(3) (4) | (5) |
|----------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------|-----|
| Extent<br>(6)        | Purpose for which exemption was granted with Government Order No. and date<br>(7) | Have the conditions prescribed been satisfied.<br>(8)   |     |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - H

### Particulars of land or interest which have been disposed of after 22nd March, 1968 / 11th April, 1980.

| Serial number<br>(1)                                                                                                                                          | District<br>(2)                                                                              | Taluk<br>(3)                                                                                | Village<br>(4)                                                                                                                                              | Survey number and subdivision number<br>(5) | Extent in acre and cent<br>(6) | How disposed of<br>(7) |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|--------------------------------|------------------------|
| To whom dispose of and his address<br>(8)                                                                                                                     | Reason for disposal<br>(9)                                                                   | Date of disposal, number, and year of the document, the name of Sub-Registry Office<br>(10) | Whether the transfer was in favour of a person who was tenant of the holding before 28th April, 1962 and who continued so till the date of transfer<br>(11) |                                             |                                |                        |
| Whether the transfer was in favour of a religious, charitable or educational institution of a public nature solely for the purpose of the institution<br>(12) | If by way of gift, the name (of person) and the address to whom the gift was given ?<br>(13) | Remarks<br>(14)                                                                             |                                                                                                                                                             |                                             |                                |                        |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - I

**Particulars of land disposed from 28th April, 1962 to 22nd March, 1968 (both days inclusive).**

| Serial number | District | Taluk | Village | Survey number and subdivision number | Extent | How disposed of |
|---------------|----------|-------|---------|--------------------------------------|--------|-----------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  | (6)    | (7)             |

  

| To whom disposed of and his address | Reason for disposal | Date of disposal, number of the document, with year and name of the Sub-Registry Office. | Whether the transfer was in favour of a person who was the tenant of the holding before 28th April, 1962 and continued so till the date of transfer |
|-------------------------------------|---------------------|------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| (8)                                 | (9)                 | (10)                                                                                     | (11)                                                                                                                                                |

  

| Whether the transfer was in favour of a religious, charitable or educational institution of a public nature solely for the purpose of the institution | Whether by gift and if so, the name and address of the person to whom the gift was given ? | Remarks |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------|
| (12)                                                                                                                                                  | (13)                                                                                       | (14)    |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - J

**Particulars of land desired to be retained and particulars of land proposed to be surrendered.**

### Section - I

#### LAND TO BE RETAINED

| Serial number | District | Taluk | Village | Survey number and subdivision number | Class of land in Schedule II to the Mahe Land Reforms Act as on 22nd March, 1968. |
|---------------|----------|-------|---------|--------------------------------------|-----------------------------------------------------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  | (6)                                                                               |

| Extent in ordinary<br>acres and centre | Extent in<br>standard<br>acres | Whether mortgage to Government.<br>Co-operative Societies or other<br>bodies or Corporation as security<br>for loan | Remarks |
|----------------------------------------|--------------------------------|---------------------------------------------------------------------------------------------------------------------|---------|
| (7)                                    | (8)                            | (9)                                                                                                                 | (10)    |

Place :

Signature of the person furnishing the statement.

Date :

## SECTION - II

### Lands proposed to be surrendered

| Serial number | District | Taluk | Village | Survey number and subdivision num-<br>ber |
|---------------|----------|-------|---------|-------------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                       |

| Class of land in Schedule II to the Mahe<br>Land Reforms Act as on 22nd March 1968 | Extent in ordinary<br>acres and cents | Extent standard<br>acres |
|------------------------------------------------------------------------------------|---------------------------------------|--------------------------|
| (6)                                                                                | (7)                                   | (8)                      |

| Whether mortgaged to<br>Government or other<br>bodies or Corporations<br>for as security loan | Details of<br>improvements | Market value of land<br>and improvements<br>(separate value of<br>land and improvements<br>to be furnished) | Remarks |
|-----------------------------------------------------------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------|---------|
| (9)                                                                                           | (10)                       | (11)                                                                                                        | (12)    |

Place :

Signature of the person furnishing the statement.

Date :

**FORM NO. 2**

(See rule 5)

**Statement under section 95A**

1. Name and address of the person filing the statement :

2. Whether the statement relates to an adult unmarried person or family or any other person

3. Name and address of the adult unmarried person/members of the family/other person by whom the land is owned or held :

4. (a) If the person specified in item (3) is a minor, lunatic, idiot or a person subject to a like disability, is the person specified in item (1) :-

(i) His guardian ?

(ii) His manager ? or

(iii) the person in charge of such person or of the property of such person ?

(b) If the return relates to a family, is the person specified in item (1), the husband/wife/ guardian of the minor children :

(c) In the case of any other person, is the person referred to in item 1 of competent to file the statement ? and the nature of authority ?

5. (a) If the return relates to a family, particulars of the members of the family as on the 1st April 1981.

| Name | Date of birth | Age |
|------|---------------|-----|
|------|---------------|-----|

(i) Husband :

(ii) Wife :

(iii) Minor/ unmarried children :

1.

2.

(b) If the return relates to an adult unmarried person, his age as on 1st April 1981 and his date of birth :

6. Have particulars of all lands owned or held or possessed under a mortgage in the State on the 1st April 1981 (including lands exempted under section 91) by the adult unmarried person/family/ other person to whom the statement relates been furnished in Annexure A ?

7. (a) Is there any encumbrance on the land included in Annexure A and, if so,

(b) have particulars of the encumbrance been furnished in Annexure B ?

8. (a) Is there any litigation pending in respect of any land included in Annexure A and, if so,



(b) Have particulars of the litigation been furnished in Annexure C ?

9. (a) Is there any arrears of land revenue or other amounts recoverable as arrears of land revenue or attachment or restraint on alienation in respect of any land included in Annexure A and, if so,

(b) Have particulars of such arrears and of the proceedings pending for collection of such arrears or the particulars of such attachment or restraint on alienation been furnished in Annexure D ?

10. (a) Is any land included in Annexure A in the possession of other persons by way of mortgage or otherwise and if so,

(b) Have particulars of such land been furnished in Annexure E ?

11. (a) Is exemption claimed under section 91 of the Act in respect of any land included in Annexure A, and if so,

(b) Have particulars of such land been furnished in Annexure F ?

12. (a) Is any land in respect of which exemption has been granted by the Government included in Annexure A and if so,

(b) Have particulars of such land been furnished in Annexure G ?

13. (a) Has any land or interest therein been disposed of (including land or interest disposed of under the transactions permitted under section 94)-

(i) in the case of a family or adult unmarried person, after the 22nd March, 1968 ; and

(ii) in the case of any other person, after the 1st April 1980 and if so,

(b) Have particulars of such transaction and the land or interest involved in such transaction been furnished in Annexure H ?

14. (a) Where any land or interest therein disposed of between the 28th April 1962 and 22nd March 1968 (including land or interest disposed of under the transactions permitted under section 95 (1), by adult unmarried person or family and if so,

(b) Have particulars of such transaction and the land or interest involved in such transaction been furnished in Annexure I ?

I have furnished in Annexure J, the particulars of land which is desired to be retained and the land which is proposed to be surrendered.

I hereby declare that to the best of my knowledge and belief, the information furnished in the form and in Annexure A to J is a full and complete information of the entire holding of the person or family specified in item 3 within the Mahe region and that the said person or family or any member of the family does not own or hold any other land either individually or jointly with others within the Mahe region.

Place :

**Signature of the person furnishing the statement.**

Date :

## ANNEXURE- A

### Particulars of all lands owned or held or possessed under mortgage on the 1st April 1981 by adult unmarried person or family or other person.

| Serial number | District | Taluk | Village | Survey number and subdivision number | Class of land specified in Schedule II to the Mahe Land Reforms Act as on 22nd March, 1968 |
|---------------|----------|-------|---------|--------------------------------------|--------------------------------------------------------------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  | (6)                                                                                        |

| Extent in ordinary acres and cents | Extent in standard acres | Nature of interest in the land | Remarks |
|------------------------------------|--------------------------|--------------------------------|---------|
| (7)                                | (8)                      | (9)                            | (10)    |

**Section- I.** Land held as owner.

**Section- II.** Land held as mortgagee.

**Section- III.** Land held as tenant.

**Section- IV.** If the person to whom the statement relates is the creator of a Private Trust or the person establishing an institution or the successor-in-interest of such person, such lands owned or held by private trust or private institutions.

**Section- V.** Where a member of a family or an adult unmarried person has share in the lands owned or held by a co-operative society or a joint family the particulars of the lands owned or held by the Cooperative Society or joint family and the share of such member or adult unmarried person in such lands.

**Section- VI.** Land liable to be purchased by the cultivating tenants or kudikidappukars or to be resumed by the land-lord under the provisions of the Act.

**Note :-1.** The particulars should be furnished under different sections as shown above.

**2.** If the land for which particulars are furnished is not a registered subdivision, boundaries of it for easy identification should be mentioned against each serial number in the remarks column.

**Signature of the person furnishing the statement.**

## ANNEXURE - B

**Particulars of encumbrance on the land included in Annexure-A**

(Details of lands mortgaged to Government, Cooperative Societies and other bodies or corporations as security for loans also should be shown in this annexure)

| Serial number | District | Taluk | Village | Survey number and subdivision number |
|---------------|----------|-------|---------|--------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  |

| Extent in ordinarily acres<br>and cents | Particulars of encumbrances with the names<br>and addresses of the creditors (with details of<br>amount, document, creating encumbrances, etc.) | Remarks |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (6)                                     | (7)                                                                                                                                             | (8)     |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - C

**Particulars of any pending litigation in respect of the land included in Annexure-A**

| Serial number | District | Taluk | Village | Survey number and subdivision number |
|---------------|----------|-------|---------|--------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  |

| Extent<br>acres and cents | Particulars of the litigation pending the case<br>number with the year, the name of the Court<br>and the names of the parties. | Remarks |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------|---------|
| (6)                       | (7)                                                                                                                            | (8)     |

Place :

Signature of the person furnishing the statement.

Date :

#### ANNEXURE - D

**Particulars of arrears of land revenue and other amounts recoverable  
as arrears of land revenue or attachment or restraint on alienation in force in  
respect of land included in Annexure-A**

| Serial<br>number     | District                                                                           | Taluk | Village                      | Survey number and<br>subdivision number      | Extent in acres<br>and cents |
|----------------------|------------------------------------------------------------------------------------|-------|------------------------------|----------------------------------------------|------------------------------|
| (1)                  | (2)                                                                                | (3)   | (4)                          | (5)                                          | (6)                          |
|                      |                                                                                    |       |                              |                                              |                              |
| Amount of<br>arrears | Particulars of proceedings<br>pending for collection of<br>arrears of land revenue |       | Particulars of<br>attachment | Particulars of<br>restraint on<br>alienation | Remarks                      |
| (7)                  | (8)                                                                                |       | (9)                          | (10)                                         | (11)                         |

Place :

Signature of the person furnishing the statement.

Date :

#### ANNEXURE - E

**Particulars of land in the possession of others by way of mortgage or otherwise.**

| Serial Number                  | District                                           | Taluk | Village                                                                                         | Survey number and subdivision number |
|--------------------------------|----------------------------------------------------|-------|-------------------------------------------------------------------------------------------------|--------------------------------------|
| (1)                            | (2)                                                | (3)   | (4)                                                                                             | (5)                                  |
|                                |                                                    |       |                                                                                                 |                                      |
| Extent in<br>acre and<br>cent, | Name and address<br>of the person in<br>possession |       | The nature of the possession<br>with details of document<br>under which the person<br>possesses | Remarks                              |
| (6)                            | (7)                                                |       | (8)                                                                                             | (9)                                  |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - F

**Particulars of land in respect of which exemption is claimed under section 91 of the Act.**

| Serial number                 | District                                                                 | Taluk                                                          | Village                                | Survey number and subdivision number |
|-------------------------------|--------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------|--------------------------------------|
| (1)                           | (2)                                                                      | (3)                                                            | (4)                                    | (5)                                  |
|                               |                                                                          |                                                                |                                        |                                      |
| Extent in<br>acre<br>and cent | Purpose for which<br>the land is now<br>being used and<br>from what date | Provision in section<br>91 under which<br>exemption is claimed | Reasons for claiming<br>such exemption | Remarks                              |
| (6)                           | (7)                                                                      | (8)                                                            | (9)                                    | (10)                                 |

Place :

Signature of the person furnishing the return

Date :

## ANNEXURE - G

**Particulars of land for which exemption has been granted by Government.**

| Serial number | District                                                                      | Taluk                                             | Village | Survey number and subdivision number |
|---------------|-------------------------------------------------------------------------------|---------------------------------------------------|---------|--------------------------------------|
| (1)           | (2)                                                                           | (3)                                               | (4)     | (5)                                  |
|               |                                                                               |                                                   |         |                                      |
| Extent        | Purpose for which exemption was granted<br>with Government Order No. and date | Have the conditions prescribed been<br>satisfied. |         |                                      |
| (6)           | (7)                                                                           | (8)                                               |         |                                      |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - H

**Particulars of land or interest which have been disposed of after 22nd March, 1968 / 11th April, 1980.**

| Serial number                                                                                                                                         | District            | Taluk | Village                                                                                | Survey number and subdivision number                                                 | Extent in acre and cent                                                                                                                                 | How disposed of |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|-------|----------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| (1)                                                                                                                                                   | (2)                 | (3)   | (4)                                                                                    | (5)                                                                                  | (6)                                                                                                                                                     | (7)             |
|                                                                                                                                                       |                     |       |                                                                                        |                                                                                      |                                                                                                                                                         |                 |
| To whom disposed of and his address                                                                                                                   | Reason for disposal |       | Date of disposal, number and year of the document, the name of the Sub-Registry Office |                                                                                      | Whether the transfer was in favour of a person who was the tenant of the holding before 28th April, 1962 and who continued so till the date of transfer |                 |
| (8)                                                                                                                                                   | (9)                 |       | (10)                                                                                   |                                                                                      | (11)                                                                                                                                                    |                 |
|                                                                                                                                                       |                     |       |                                                                                        |                                                                                      |                                                                                                                                                         |                 |
| Whether the transfer was in favour of a religious, charitable or educational institution of a public nature solely for the purpose of the institution |                     |       |                                                                                        | If by way of gift, the name (of person) and the address to whom the gift was given ? | Remarks                                                                                                                                                 |                 |
| (12)                                                                                                                                                  |                     |       |                                                                                        | (13)                                                                                 | (14)                                                                                                                                                    |                 |

Place :

Signature of the person furnishing the statement.

Date :

## ANNEXURE - I

**Particulars of land disposed of from 28th April, 1962 to 22nd March, 1968 (both days inclusive).**

| Serial number                       | District            | Taluk | Village                                                                                 | Survey number and subdivision number | Extent                                                                                                                                          | How disposed of |
|-------------------------------------|---------------------|-------|-----------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| (1)                                 | (2)                 | (3)   | (4)                                                                                     | (5)                                  | (6)                                                                                                                                             | (7)             |
|                                     |                     |       |                                                                                         |                                      |                                                                                                                                                 |                 |
|                                     |                     |       |                                                                                         |                                      |                                                                                                                                                 |                 |
| To whom disposed of and his address | Reason for disposal |       | Date of disposal, number of the document, with year and name of the Sub-Registry Office |                                      | Whether the transfer was in favour of a person who was tenant of the holding before 28th April, 1962 and continued so till the date of transfer |                 |
| (8)                                 | (9)                 |       | (10)                                                                                    |                                      | (11)                                                                                                                                            |                 |
|                                     |                     |       |                                                                                         |                                      |                                                                                                                                                 |                 |

|                                                                                                                                                       |                                                                                            |         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------|
| Whether the transfer was in favour of a religious, charitable or educational institution of a public nature solely for the purpose of the institution | Whether by gift and if so, the name and address of the person to whom the gift was given ? | Remarks |
| (12)                                                                                                                                                  | (13)                                                                                       | (14)    |

Place :

Signature of the person furnishing the statement.

Date :

### ANNEXURE - J

**Particulars of land desired to be retained and particulars of land proposed to be surrendered.**

#### Section - I

#### LAND TO BE RETAINED

| Serial<br>ber | District | Taluk | Village | Survey number and<br>subdivision number | Class of land in Schedule num-<br>II to the Mahe Land Re-<br>forms Act as on 22nd<br>March, 1968. |
|---------------|----------|-------|---------|-----------------------------------------|---------------------------------------------------------------------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                     | (6)                                                                                               |

| Extent in ordinary<br>acres and cents | Extent in<br>standard<br>acres | Whether mortgaged to Government<br>Cooperative Societies or other bodies<br>or corporations as security for loan | Remarks |
|---------------------------------------|--------------------------------|------------------------------------------------------------------------------------------------------------------|---------|
| (7)                                   | (8)                            | (9)                                                                                                              | (10)    |

Place :

Signature of the person furnishing the statement.

Date :

#### SECTION - II

#### Lands proposed to be surrendered

| Serial number | District | Taluk | Village | Survey number and subdivision number |
|---------------|----------|-------|---------|--------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                  |

| Class of land in Schedule II to the Mahe<br>Land Reforms Act as on 22nd March 1968                                   | Extent in ordinary<br>acres and cents | Extent in standard<br>acres                                                                                |         |
|----------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------|---------|
| (6)                                                                                                                  | (7)                                   | (8)                                                                                                        |         |
| <hr/>                                                                                                                |                                       |                                                                                                            |         |
| Whether mortgaged to Government or<br>Co-operative societies or other bodies<br>or corporations as security for loan | Details of<br>improvement             | Market value of land<br>and improvements<br>(separate value of<br>land and improvement<br>to be furnished) | Remarks |
| (9)                                                                                                                  | (10)                                  | (11)                                                                                                       | (12)    |

Place :

Signature of the person furnishing the statement.

Date:

### FORM 3

(See rule 11)

IN THE LAND BOARD ... ..

#### Draft statement of lands to be surrendered

#### GENERAL

- (a) Number assigned to the case by the Land Board :
- (b) Name and address of the person who filed the ceiling statement :
- (c) Whether the ceiling statement relates to adult unmarried person/family/any other person

**Note :** Items (b) and (c) need not be filled where proceedings are initiated under section 85 (7).

#### PART - A

Description and other details of the person to whom this draft statement relates (figures in columns 4 to 9 to be given in acres and cents)

1. Whether the draft statement relates to adult unmarried person/family/any other person ?
2. Where it relates to adult unmarried person or a person other than a family, the name and address of such person :



3. Where it relates to a family, the name and address of the members of the family with status (whether husband, wife or children).

1.

2.

3.

4.

5.

6.

7.

4. Total extent of land owned, held and possessed under a mortgage :

5. Total extent of land to which exemption under section 91 applies :

6. Ceiling area applicable to the person to whom the statement relates :

7. Extent of land to be surrendered :

8. Extent of land if any taken possession under section 96 (5) :

9. Balance extent if any, to be surrendered.

## PART - B

Details of the total extent of lands (including lands exempted under section 91 and lands voluntarily transferred after 22nd March, 1981 in respect of which the transfer is treated as invalid under section 94) owned, held and possessed under a mortgage as provisionally assessed for the purpose of determining the extent of land to be surrendered.

| Taluk | Village | Survey | Extent and as for as practicable description sufficient to identify (where in respect of any land any voluntary transfer is treated as invalid under section 94 the name of the registry and the year and number of the document effecting such transfer should be specified and the words "invalid under section 94" noted against such description) | Classification according to Schedule II to the Act |
|-------|---------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| (1)   | (2)     | (3)    | (4)                                                                                                                                                                                                                                                                                                                                                   | (5)                                                |

**PART - C**

**Details of land eligible for exemption under section 91 (1) and lands exempted section 91 (3)**

| Taluk | Village | Survey number and subdivision number | Extent in acres & cents with description (to the extent practicable) sufficient to identify the land. | Reasons for exemption |
|-------|---------|--------------------------------------|-------------------------------------------------------------------------------------------------------|-----------------------|
| (1)   | (2)     | (3)                                  | (4)                                                                                                   | (5)                   |

**PART - D**

**Details of extent of land (in acres and cents) taken possession under section 96 (5)**

| Taluk | Village | Survey number and subdivision number | Extent with description (to the extent practicable) sufficient to identify the land. | Date of taking possession |
|-------|---------|--------------------------------------|--------------------------------------------------------------------------------------|---------------------------|
| (1)   | (2)     | (3)                                  | (4)                                                                                  | (5)                       |

**Part - E**

**Particulars of the extent in (acres and cents) and identify of the lands to be surrendered after excluding lands taken possession under section 96 (5) as provisionally assessed)**

| Taluk | Village | Survey number and subdivision number | Extent with description (to the extent practicable) to identify the lands | Name of other persons if any claiming interest in the lands |
|-------|---------|--------------------------------------|---------------------------------------------------------------------------|-------------------------------------------------------------|
| (1)   | (2)     | (3)                                  | (4)                                                                       | (5)                                                         |

(By order of the Land Board)

Place :

Signature :

Date :

Designation :

**FORM 4**

[ See rule 13 (1) ]

**Individual notice of draft statement**

IN THE LAND BOARD ... ..

Ceiling Case No. ... ..

TO

... ..

... ..

(Here enter name and address)

Please take notice that if you have any objection to the Land Board determining under section 95 (5) (c) the extent and identify of the lands to be surrendered by the person to whom the enclosed draft statement relates on the basis of the particulars of extent and identify specified in Part E of the said draft statement, you may file or cause to be filed through a pleader or a recognised agent or sent by registered post acknowledgment due, your objection in writing on or before the expiry of fifteen days from the date of receipt of this notice ; and appear before the Land Board at ... .. on the ... .. day of ... .. 1981 ... to participate in the enquiry to determine the extent and identify of the land to be so surrendered, failing which you are informed that the Land Board will in your absence proceed to determine the extent and identity to be so surrendered.

Given under the hand and seal of the Land Board on this the ... .. day of ... .. 1981  
... ..

( By order of the Land Board)

Place :

**Signature** ... ..

Date :

**Designation** ... ..

Seal

**Form 5**

[ See rule 13 (3) ]

**Public notice regarding surrender of surplus lands**

LAND BOARD ... ..

Ceiling Case ... ..

In the matter of determination of the extent and identity of lands to be surrendered in excess of the ceiling area applicable to ... .. ( here enter the name and address of the adult unmarried person/members of the family/other person) the Land Board has prepared under rule 11 of the Mahe Land Reforms (Ceiling) Rules, 1981, a draft statement indicating the extent and identity of such lands and has under rule 12 of the said rules published in such statement ... .. (here enter the names of the offices where it is published).

Any person who has any claim to or interest in ownership or possession or both of such lands may file or cause to be filed their objections, if any, in writing to the Land Board within 15 days from the

date of publication of this notice and appear before the Land Board at ... .. a. m./ p. m. on  
... .. 198 ... .. in support of his objections.

(By order of the Land Board)

**Signature** ... ..

**Designation** ... ..

## **FORM 6**

(See rule 14)

### **Extract of order under section 95 (5) (c)**

IN THE LAND BOARD ... ..

#### **GENERAL**

1. Number assigned to the case by the Land Board :
2. Name and address of the adult unmarried person/members of the family/other person to whom the order relates :
3. Total extent of land owned, held and possessed under a mortgage :
4. Total extent of land to which exemption under section 91 applies :
5. Ceiling area applicable to the person to whom the order relates :
6. Extent of land to be surrendered :
7. Extent of land, if any, taken possession under section 96 (5) :
8. Balance extent, if any, to be surrendered :

#### **PART - A**

**Details of the total extent (in acres and cents) of lands (including lands exempt under section 91 and lands voluntarily transferred after 19th day of March, 1968 and in respect of which the transfer is treated as invalid under section 94) owned, held and possessed under a mortgage.**

---

| Taluk | Village | Survey number and subdivision number |
|-------|---------|--------------------------------------|
| (1)   | (2)     | (3)                                  |

---

---

Extent and as far as practicable description sufficient to identify the lands (where in respect of any land any voluntary transfer is treated as invalid under section 94, the name of the registry, and the year and number of the document effecting such transfer should be specified and the words "invalid under section 94" noted against such description)

Classification according to Schedule II to the Act.

(4)

(5)

---

## **PART - B**

### **Details of land exempted under section 91 (1) and (3).**

---

| Taluk | Village | Survey number and subdivision number | Extent (in acres and cents with description (to the extent practicable) sufficient to identify the lands |
|-------|---------|--------------------------------------|----------------------------------------------------------------------------------------------------------|
| (1)   | (2)     | (3)                                  | (4)                                                                                                      |

---

## **PART - C**

### **Details of extent of land taken possession under section 96 (5)**

---

| Taluk | Village | Survey number and subdivision number | Extent with sufficient description (to the extent practicable) to identify the land | Date of taking possession |
|-------|---------|--------------------------------------|-------------------------------------------------------------------------------------|---------------------------|
| (1)   | (2)     | (3)                                  | (4)                                                                                 | (5)                       |

---

## Part - D

### Particulars of the extent (in acres and cents) and identity of the lands to be surrendered after excluding lands taken possession under section 96 (5)

| Taluk | Village | Survey number and subdivision number | Extent with description sufficient to identify the lands | Whether owned and held or owned but not held or held but not owned or possessed under a mortgage (where any land is in possession of a person by virtue of or claiming under section 94 the transfer or is to be treated as person in possession) | Name(s) and address (es) of the person(s) bound to surrender and to whom notice under section 96(1) is to be sent. |
|-------|---------|--------------------------------------|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| (1 )  | (2)     | (3)                                  | (4)                                                      | (5)                                                                                                                                                                                                                                               | (6)                                                                                                                |

**Note :** The name of the person if any in possession by virtue of or claiming under a transfer invalid under section 94 and to whom notice under section 96 (1) is sent should also be included as one of the persons bound to surrender.

(By order of the Land Board)

Place :

Signature :

Date :

Designation :

## FORM 7

[ See rule 15 (1) ]

### Application to set aside order under section 95 (5) or 95 (7)

BEFORE THE LAND BOARD ... ..

Number assigned by Land Board to the ceiling case in which the order sought to be set aside is passed :

Date on which the order under section 95 (5) or 95 (7) sought to be set aside is passed by the Land Board :

Applicant (Name and address) :

The applicant is interested in the land directed to be surrendered, his interest being -

(Here enter the nature and extent of the interest and also specify the land in which he has interest)

The Land Board determined the extent of land to be surrendered without hearing the applicant :

The applicant was not able to appear before the Land Board before it passed the order because,

(Here set forth the ground relied on to show that the applicant was prevented by sufficient causes from appearing)

The applicant will be substantially prejudiced if the order is not set aside.

The applicant therefore prays that the order passed by the Land Board determining the extent of land to be surrendered without hearing this applicant be set aside.

**Applicant**

### **DECLARATION**

I declare that what is stated above is true to the best of my knowledge and belief.

**Applicant**

### **FORM 8** (See rule 16)

#### **Notice of re-hearing date**

IN THE LAND BOARD ... ..

Ceiling Case No. : ... ..

TO

... ..  
... ..  
... ..

(Here enter name and address)

Whereas the Land Board has on the ... .. day of ... .. 198 ... .. determined the extent and identity of the land to be surrendered by Thiru ... .. in this case ;

And whereas the Land Board on the ... .. day of ... .. 198 ... .. on application under section 95 (8) made by Thiru ... .. set aside an order determining the extent and identity of the land ;

And whereas the Land Board has reposted the case for determination afresh of the extent and identity of the land to be surrendered in this case to the ... .. to the ... .. day of ... .. 198 ... .. at ... .. a.m./p.m. at ... ..

You are informed that you may appear before the Land Board at the said time and place and participate in the hearing of the case ;

Failing which you are informed that the Land Board will proceed to determine in your absence the extent and identity of the land to be surrendered.

Given under the hand and seal of the Land Board.

(By order of the Land Board)

Place :  
Date :

**Signature : ... ..**

**Designation : ... ..**

**FORM 9**  
[ See rule 17 (2) ]

**Additional separate statement**

BEFORE THE LAND BOARD ... ..

1. Name and address of the person filing the statement :

2. (1) whether this statement is filed after -

(a) the final settlement of claims for resumption of lands held by a person as tenant ? or

(b) acquisition (after the date notified under section 93) ?

(2) The date of final settlement or acquisition referred to in sub-item (1) :

3. Whether any statement under section 95 (2) has been previously filed or whether Land Board has taken any proceedings under section 95 (7) if so, the number assigned to such statement or proceedings and the result of it or the stage at which it stands :

4. Full details of final settlement of claims for resumption or acquisition, as the case may be

Place:

Date:

**Signature:**

I declare that the facts stated above are true.

**Signature :**

**FORM 10**  
(See rule 18)

**Notice of demand for surrender**

IN THE LAND BOARD ... ..

Case No. ... .. of 19 ... ..

To

(Here enter name and address)

Whereas the Land Board has determined on ... .. 19 ... .. that the ownership/possession/ownership and possession of the lands mentioned in the sub-joined schedule be surrendered by you ;

And whereas such lands have vested in the Government ;

You are hereby directed to surrender the same to (here enter name and designation of the office) before the expiry of seven days from the date of service of this notice.

Take notice that in case you default to make the surrender before the said date, the officer above said shall, on behalf of the Government, take possession of the lands or assume ownership thereof.



## SCHEDULE

| Taluk and village | Survey number | Extent with description sufficient to identify the land | Whether ownership or possession or both to be surrendered |
|-------------------|---------------|---------------------------------------------------------|-----------------------------------------------------------|
| (1)               | (2)           | (3)                                                     | (4)                                                       |

Given under the hand and the seal of the Land Board on this the ... .. day of ...  
... .. 19 ... ..

(By order of the Land Board)

Seal

Signature ... ..

Designation ... ..

### FORM 11 (See rule 19)

#### Authorisation

IN THE LAND BOARD ... ..

Case No. ... .. of 19 ... ..

To

(Here enter name and designation of officer)

Whereas the Land Board has demanded the surrender of the land specified in the notice of demand for surrender hereto enclosed, you are hereby authorised to accept the surrender of the said land.

If the person bound to make the surrender fails to do so, you are authorised to take possession of the land or assume ownership of such land soon after the date specified for the surrender and demarcating the land before the date specified in that notice for taking possession or assuming ownership by you.

Given under the hand and seal of the Land Board on this the ... .. day ...  
... .. of ... .. 19 ... ..

(By order of the Land Board)

Seal

Signature ... ..

Designation ... ..

**FORM 12**  
[ See rule 20 (2) ]

**Declaration**

BEFORE THE LAND BOARD ... ..

Case No. ... .. of 19 ... ..

I, ... .., son/daughter of Thiru/Tmt ... .. residing at ... ..  
... do hereby declare that i have surrendered this the ... .. day of ... .. 19 ... ..  
... .. the ownership/possession/ownership and possession of the lands described in the subjoined  
schedule in due compliance with the demand made on me by the Land Board in its notice dated ... ..  
... .. under sub-section (1) of section 96 in Form 10.

**SCHEDULE**

| Taluk | Village | Survey number and<br>subdivision number | Extent with description sufficient to identify<br>the land. |
|-------|---------|-----------------------------------------|-------------------------------------------------------------|
| (1)   | (2)     | (3)                                     | (4)                                                         |

**Signature**

Witnesses :

1.

2.

Party and witnesses signed in my presence

**Signature of the officer**

Endorsement of officer

Taken possession/assumed ownership

**Name and signature of the officer**

Witnesses :

Name, address and signature :

1.

2.

Countersigned  
Name and signature of the **Tahsildar**

(Seal of Tahsildar)

Date : ... ..

**FORM 13**

(See rule 21)

**Certificate**

BEFORE THE LAND BOARD ... ..

Case No. ... .. 19 ... ..

Whereas the Land Board had demanded under section 96 (1) Thiru/Tmt ... .. son/daughter of Thiru/Tmt, ... .. residing at ... .. notice dated ... .. in Form 10 to surrender on or before the ... .. day of ... .. 198 ... .. ownership/possession/ownership and possession of the lands described in the subjoined schedule to me ;

And whereas the above said person has failed to make the surrender ... .. (Here enter the name and designation of the officer) authorised by Authorisation No. ... .. dated ... .. to take possession/assume ownership have this the ... .. day ... .. 198 ... .. taken possession/ assumed ownership of the lands described in the said Schedule.

**SCHEDULE**

| Taluk | Village | Survey number and subdivision number | Extent with description sufficient to identify the land. |
|-------|---------|--------------------------------------|----------------------------------------------------------|
| (1)   | (2)     | (3)                                  | (4)                                                      |

**Signature**

Witnesses :

Name, address and designation :

1.

2.

Countersigned

Name and signature of the Tahsildar

Date ... ..

(Seal of Tahsildar)

## FORM 14

[ See rule 22 (1) ]

BEFORE THE LAND BOARD ... ..

Case No. ... .. of 19 ... ..

TO

... ..

... ..

(Here enter name and address)

Whereas in your statement under sub-section (2) of section 95 you have indicated the lands described in the sub-joined as land proposed to be surrendered.

And whereas the Land Board has proposed to take under section 96 (5) possession of such lands :

You are hereby informed that Thiru ... .. (Here enter name and address of the officer to be deputed) has been deputed to take possession of such land on or before the ... .. day of ... .. 19 ... ..

## SCHEDULE

| Taluk | Village | Survey number and<br>subdivision number | Extent with description sufficient to identify<br>the land. |
|-------|---------|-----------------------------------------|-------------------------------------------------------------|
| (1)   | (2)     | (3)                                     | (4)                                                         |

(By order of the Land Board)

Place : Signature ... ..

Date : Designation ... ..

## FORM 15

[ See rule 22 (3) ]

### Record of possession

BEFORE THE LAND BOARD ... ..

Case No. ... .. of 19 ... ..

I, ... .. (here enter name and address of the officer) deputed by the Land Board to take possession of the lands described in the subjoined schedule do hereby take possession of the same.

## SCHEDULE

| Taluk | Village | Survey number and subdivision number | Extent with description sufficient to identify the land. |
|-------|---------|--------------------------------------|----------------------------------------------------------|
| (1)   | (2)     | (3)                                  | (4)                                                      |

Place :

Signature ... ..

Date :

Name, address and signature of witnesses :

1.

2.

**Note :** The officer should as far as practicable try to obtain the signature of the person to whom intimation has been given. If he is willing to sign his signature may be obtained below.

Countersigned

Name and signature of the Tahsildar

Date : ... ..

(Seal of Tahsildar)

## FORM NO 16 (See rule 26)

### Register of lands vested in Government under sections 96 and 97

| Serial No.                                 | Case/File number of the Land Board and Taluk Office proceedings in which possession, ownership or both was or were surrendered, taken or assumed. | Village                                                                                                                     | Survey number and subdivision number | Extent with description sufficient to identify the land |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------------------------|---------------------------------------------------------|
| (1)                                        | (2)                                                                                                                                               | (3)                                                                                                                         | (4)                                  | (5)                                                     |
| Class of land as in Schedule IV to the Act |                                                                                                                                                   | Nature of interest vested in Government and where ownership only vests, name and address of the person who is in possession |                                      |                                                         |
| (6)                                        |                                                                                                                                                   | (7)                                                                                                                         |                                      |                                                         |

| Name and address of kudikidappukars, if any thereon at the time of surrender or taking possession | How dealt with whether reserved for public purpose or assigned on registry and the number of the proceedings in which orders were passed for reservation or assignment | Remarks |
|---------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| (8)                                                                                               | (9)                                                                                                                                                                    | (10)    |

## FORM NO. 17

[ See rule 28 (1) ]

## Notice inviting applications for assignment of surplus lands

The undersigned invites applications to reach his office on or before the ... .. day of ... .. 198 from persons eligible under section 106 of the Mahe Land Reforms Act, 1968 for assignment on registry subject to the conditions and restrictions enumerated in rule 30 of Mahe Land Reforms (Ceiling) Rules, 1981 and on payment of the purchase price specified in section 107 for the land described in the subjoined schedule. The undersigned shall be competent to reserve any of the lands described in the schedule at any time before the execution of the deed of assignment under sub-rule (2) of rule 32.

## SCHEDULE

| Taluk                                                                                  | Village | Survey number<br>and subdivision<br>number | Extent with description<br>sufficient to identify<br>the land                          | Name and address of the<br>person who surrendered<br>the land or from whom<br>possession taken |
|----------------------------------------------------------------------------------------|---------|--------------------------------------------|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| (1)                                                                                    | (2)     | (3)                                        | (4)                                                                                    | (5)                                                                                            |
|                                                                                        |         |                                            |                                                                                        |                                                                                                |
| Whether right to possession alone<br>or possession with ownership<br>is to be assigned |         |                                            | Classification of land as in Schedule<br>IV to the Act as decided by the Land<br>Board | Approximate<br>purchase price<br>per acre                                                      |
| (6)                                                                                    |         |                                            | (7)                                                                                    | (8)                                                                                            |

Place :

Land Board/Secretary Land Board

Date :

(Seal)

**FORM 18**  
[ See rule 29 (1) ]

**Application for assignment of surplus lands before the Land Board**

1. Name of applicant and his address (specifying in particular the village where he ordinarily resides) :

2. Occupation of the applicant :

3. Whether the applicant is a landless agricultural labour ?

4. Whether the applicant is a kudikidappukaran on the land ?

5. If the applicant is a kudikidappukaran, whether he has filed any application under section 88 B for purchase of the kudikidappu and lands adjoining thereto ? If so, the details of the application and the stage at which it stands :

6. Whether the applicant is-

(a) a member of any scheduled caste ?

(b) a member of any scheduled tribe ?

(c) convert to Christianity from

(i) Scheduled Castes ?

(ii) Scheduled Tribes ?

7. Whether the applicant is-

(a) a landlord who is not entitled to resume any land

(b) a small holder ?

(c) a tenant of a kudiyruppu ?

[ If answer to sub-item (a) or (b) or (c) of item 6 or item 7 is "Yes", furnish in a separate sheet (to be attached to this application) the reasons for claiming to be such ] :

8. Whether the applicant possesses any land ? If so, its extent, the taluk and village in which it is situate, its survey number and sub-division number and other particulars thereof :

9. Names of all members of the applicants family with age of each and his/her relationship with the applicant :

10. Whether the members of his family (husband, wife and their unmarried minor children or such of them as exist) possesses any land and if so, its extent, the taluk and village in which it is situate, its survey number and subdivision number and other particulars thereof :

11. Whether the applicant is willing to pay the purchase price in lump ?

12. Where the parcel of land available for assignment is more than one acre in extent, a descriptions of the portion which the applicant prefers for assignment :

13. If the land applied for is not assigned to him, is he willing to be considered for assignment of any other parcel of surplus land that may become available -

(i) in the same village where the land is situate ?

(ii) in adjacent villages ?

### **Declaration**

I hereby declare that the particulars furnished in the application are true and correct to the best of my knowledge and belief.

I also declare that no other members of my family has applied for assignment of any surplus land or any other Government land.

I further declare that in the event of the land being assigned to me, I shall abide by all the terms and conditions of the assignment in the deed of assignment and in the Mahe Land Reforms (Ceiling) Rules 1981 for the time being in force.

Place :

**Signature of applicant.**

Date :

### **FORM 19**

[ See rule 32 (1) ]

IN THE LAND BOARD ... ..

### **Offer of Assignment**

Proceedings No. ... ..

To

(Here enter name and address)

Whereas in pursuance of a notice issued on ... .. under rule 28 of the Mahe Land Reforms (Ceiling) Rules 1981, inviting applications or assignment of land specified in such notice, you have applied for assignment ;

And whereas the Land Board has decided to offer the land mentioned in the subjoined schedule for assignment to you subject to the conditions and restrictions specified in rule 30 of the said rules and on payment of the purchase price specified in section 107 of the Mahe Land Reforms Act, 1968 ;

And whereas the Land Board fixes the purchase price of the land offered for assignment to you at Rs. ... .. calculated at the rate of ... .. per acre, the said land being classified as ... .. (here enter the class in Schedule IV to the Act to which it belongs) ;

You are requested to deposit the purchase price in lump or its first instalment thereof, you being entitled to pay the purchase price either in lump or in 16 equal annual installments, in the Government Treasury at ... .. to the credit of the Land Board and produce the chalan receipt before the Office of the ... .. on or before the ... .. day of ... .. 198 ... ..



Failing which you are informed that this offer will stand cancelled as provided in sub-rule (6) of rule 32 of the said rules.

Please note (i) that if you want the time for payment of the purchase price to be extended, you may apply to the Land Board for such extension and the Land Board may, if good reasons exist, extend such time ; (ii) if you require any assistance to identify and locate the land offered for assignment to you, you may approach the Village Officer of the village in which the land is situate who will render all assistance to you to identify the land.

#### **SCHEDULE**

| Taluk and village | Survey number and subdivision number | Extent and sufficient description to identify the land | Nature of interest to be assigned whether right to possession or possession with ownership | Name and address of the person who surrendered or from whom possession was taken |
|-------------------|--------------------------------------|--------------------------------------------------------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| (1)               | (2)                                  | (3)                                                    | (4)                                                                                        | (5)                                                                              |

Place :

Name, designation and address.

Date :  
(Seal)

#### **FORM 20**

[ See rule 32 (2) ]

#### **Deed of Assignment**

The deed of assignment made on ... day of ... One thousand nine hundred and ... between the Lieutenant-Governor of Pondicherry (hereinafter called the Assignor of the one part and Thiru ... (here enter name, age, address, etc) (hereinafter called the Assignee) of the other part ;

Whereas the assignee has applied for the assignment and assignor has sanctioned the assignment in favour of the assignee of the land mentioned and described in the schedule hereunder written ;

Now these prevents witness and it is hereby mutually agreed as follows :-

1. In Consideration of the sum of Rs. ... being the entire purchase price of the said land remitted into the Treasury by the assignee to the credit of the Land Board, the assignor both hereby demise into the assignee by way of assignment all the land mentioned and described in the schedule hereunder written to hold the same permanently and for ever, subject to the provisions of Mahe Land Reforms Act, 1968 ; the conditions and restrictions specified in rule 30 of the Mahe Land Reforms (Ceiling) Rules, 1981 and the conditions herein set forth ;

In Consideration of the sum of Rs. ... being the entire purchase price of the said land out of which a sum of Rs. ... has been remitted into the ... Treasury as per chalan No. ... has been agreed to be paid in installments as hereinafter mentioned, the assignor both hereby demise into the assignee by way of assignment all the lands mentioned and described in the schedule hereunder written to hold the same permanently and for ever, subject to the provisions of Mahe Land Reforms Act, 1968 ; the conditions and restrictions specified in rule 30 of the Mahe Land Reforms (Ceiling) Rules, 1981 and the conditions herein set forth ;

2. The assignee shall pay the balance of purchase price of the said lands in ... .. equal annual installments, each instalment amounting to Rs. ... .. together with the interest ... .. % per annum on the amount outstanding. The payments shall be made into the Treasury to the credit of the Land Board on or before the ... .. day of month of ... .. every year during the next ... .. years commencing with the year 198 ... .. or paid to ... .. on or before such day.

3. The assignee shall pay on the due dates the land revenue assessment, cess and local taxes, and such other dues if any, in force from time to time in respect of the said lands with effect from the year in which the assignment is sanctioned.

4. The assignment shall be liable to be modified or cancelled if it is found that it was made under mistake of facts or owing to misrepresentation or fraud. The assignment shall also be modified or cancelled if it is known that the extent assigned to the assignee is in excess of the limits prescribed in the Mahe Land Reforms Act, 1968, or the rules issued thereunder or has made the total land in his possession more than one acre.

5. In the event of the modification or cancellation of the assignment as aforesaid, the lands assigned to the assignee shall be resumed summarily in part or in full as the case may be and on such resumption the assignee shall not be entitled to any compensation for his improvement but may be refunded the amount of the purchase price paid by him or proportionate part thereof. The assignee shall however be liable for the damages, if any, caused by him the same shall be recovered from the assignee by appropriating the purchase price to be refunded by him and if the amount of the damages claimed exceeds the purchase price paid by him, the balance shall be recovered from the assignee.

6. All sums found due to the assignor under or by virtue of these present shall be recovered from the assignee and his properties movable and immovable under the provisions of the Pondicherry Revenue Recovery Act, as if such sums were arrears of land revenue.

In witness whereof the ... .. for and on behalf of the Lieutenant-Governor of Pondicherry and Thiru/Tmt, ... .. the assignee have hereunto set their hands and the seal of ... .. has been affixed hereto the day and year first above written.

## SCHEDULE

| District<br>Taluk and<br>Village                                                                                                                                                  | Survey number<br>and subdivision<br>number | Extent with description<br>sufficient to identify the<br>land | Nature of interest assigned<br>whether right to possession<br>with ownership |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------------------|
| (1)                                                                                                                                                                               | (2)                                        | (3)                                                           | (4)                                                                          |
| Name and address of the persons who surrendered the land or<br>from whom possession was taken as land in excess of the ceiling<br>limit number of the proceedings relating to it. |                                            |                                                               | Remarks                                                                      |
| (5)                                                                                                                                                                               |                                            |                                                               | (6)                                                                          |

Signed, sealed and delivered by Thiru ... .. for and on behalf of the Lieutenant-Governor of Pondicherry.

In the presence of witnesses :

1.

2.

Signed by Thiru ... .. (The Assignor)

In the presence of witnesses :

1.

2.

Signed by Thiru ... .. (The Assignee)

### **FORM 21**

[ See rule 32 (9) ]

#### **Form of patta**

Number :

Taluk :

Village :

Pattadar : Name and address

The amount of tax as per this patta should be paid to the Village Officer of the village according to the kist bandi mentioned below and the receipt obtained therefor.

Station :

Tahsildar

Date :

Kist :

Amount

Rs. P

1. Survey number :

2. Subdivision number :

3. Wet or dry :

4. Area : Acre (Hectares)

Cent (Acre)

5. Tax :

**FORM 22**

(See rule 34)

**Register of Land reserved and assigned**

(For each order of reservation or assignment a separate page should be used)

1. Serial number :

2. Serial number assigned to it in Form No. 16 of the Register :

3. Total extent of the parcel of land as entered in the register in Form No. 16 :

4. If reserved for public purposes, the extent so reserved, the nature of public purpose and the proceedings number of the order :

5. If assigned, the name and address of the assignee and the reference number of the proceedings relating to assignment and date and number of the Deed of Assignment :

6. Extent assigned with sufficient description :

7. Amount of purchase price :

8. Payment of purchase price in a lump :

Chalan No. and date and name of Treasury :

Amount of purchase price and interest if any :

9. If purchase price is paid in installments, details of remittance :

| Amount of instalment due<br>(1) | Amount of interest due<br>(2) | Date due<br>(3) | Date of remittance<br>(4) | Name of Treasury<br>(5) | Particulars of remittance into Treasury (Chalan number and date.)<br>(6) |
|---------------------------------|-------------------------------|-----------------|---------------------------|-------------------------|--------------------------------------------------------------------------|
| 1.                              |                               |                 |                           |                         |                                                                          |
| 2.                              |                               |                 |                           |                         |                                                                          |
| 3.                              |                               |                 |                           |                         |                                                                          |
| 4.                              |                               |                 |                           |                         |                                                                          |
| 5.                              |                               |                 |                           |                         |                                                                          |
| 6.                              |                               |                 |                           |                         |                                                                          |
| 7.                              |                               |                 |                           |                         |                                                                          |
| 8.                              |                               |                 |                           |                         |                                                                          |
| 9.                              |                               |                 |                           |                         |                                                                          |
| 10.                             |                               |                 |                           |                         |                                                                          |
| 11.                             |                               |                 |                           |                         |                                                                          |
| 12.                             |                               |                 |                           |                         |                                                                          |

## **THE LAND REFORMS REVIEW BOARD (PROCEDURE) RULES, 1981**

**LA GAZETTE DE L'ETAT DE PONDICHERRY**

**THE GAZETTE OF PONDICHERRY**

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|              |                            |            |              |             |
|--------------|----------------------------|------------|--------------|-------------|
| <b>No. 9</b> | <b>Pondicherry Mardi</b>   | <b>6</b>   | <b>Avril</b> | <b>1982</b> |
| <b>No.9</b>  | <b>Pondicherry Tuesday</b> | <b>6th</b> | <b>April</b> | <b>1982</b> |

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**GOVERNMENT OF PONDICHERRY**

**REVENUE DEPARTMENT**

No. 5406/81-C

Pondicherry, the 20th January, 1982.

**NOTIFICATION**

G.S.R. No. 4- In exercise of the powers conferred by section 138 of the Mahe Land Reforms Act, 1968 (1 of 1968), the Lieutenant Governor, Pondicherry, hereby makes the following rules regarding the procedure to be followed by the Land Reforms Review Board in the performance of its functions under the said Act, namely :-

1. (1) These rules may be called the Land Reforms Review Board (Procedure) Rules, 1981.  
(2) They shall come into force on the date of their publication in the official gazette.
2. The Convener of the Land Reforms Review Board shall convene a meeting of the Board at least once in six months at the place and time fixed by the Chairman.
3. In the absence of the Chairman, the Convener shall preside over the meeting.
4. No meeting shall be held unless notice of the day and time of the meeting and business to be transaction thereat has been given at least three clear days before the day of the meeting. In cases of urgency, the Convener may convene a meeting on giving a shorter notice, with the approval of the Chairman.

**Explanation :-** In the computation of clear days, Sundays and holidays shall not be excluded but the day of the meeting and the day of receipt of notice shall be excluded.

5. The Chairman and two non-official members shall form the quorum at any meeting of the Land Reforms Review Board:

Provided that where the Chairman is absent, the Convenor and two non-official members shall form the quorum.

6. The agenda for a meeting of the Land Reforms Review Board shall be prepared by the Convenor in consultation with the Chairman.

7. Any member raise any matter outside the agenda for discussion provided that it is within the scope of the Board and if a question arises as to whether any matter is within the scope of the Board, the decision of the Chairman thereon shall be final.

8. The Convener shall arrange to furnish to the members a note on the progress achieved in the implementation of the Mahe Land Reforms Act from time to time.

9. After each meeting, the minutes of the meeting shall be drawn up by the Convener and communicated to the members within ten days.

## **THE MAHE LAND REFORMS (TENANCY) RULES, 1981**



## LA GAZETTE DE L'ETAT DE PONDICHERRY

### THE GAZETTE OF PONDICHERRY

|                     |             |           |     |       |      |
|---------------------|-------------|-----------|-----|-------|------|
| No. 34              | Pondicherry | Mercredi  | 1er | Avril | 1981 |
| No. 34              | Pondicherry | Wednesday | 1st | April | 1981 |
| ( 11 Chaitra 1903 ) |             |           |     |       |      |

### GOVERNMENT OF PONDICHERRY

#### Revenue Department

No. 4073/80/c.Vol. I.

Pondicherry, the 27th March 1981.

#### NOTIFICATION

G. S. R. No. 4. — In exercise of the powers conferred by section 138 of the Mahe Land Reforms Act, 1968 ( 1 of 1968 ), the Lieutenant-Governor hereby makes the following rules, namely :

#### THE MAHE LAND REFORMS (TENANCY) RULES, 1981

##### CHAPTER I

##### General

1. **Short title and commencement.**— (1) These rules may be called the Mahe Land Reforms (Tenancy) Rules, 1981.

(2) They shall come into force on the 1st day of April, 1981.

2. **Definitions.**— In these rules, unless the context otherwise requires,—

- (a) "Act" means the Mahe Land Reforms Act, 1968 (1 of 1968) ;
- (b) "Application" includes an interlocutory application ;
- (c) "Form" means a form appended to these rules ;
- (d) "legal representatives" means a person who, in law, represents the estate of a deceased person ;
- (e) "Section" means a section of the Act ;
- (f) "Tahsildar" means the Tahsildar holding charge of a taluk and includes a Deputy Tahsildar in charge of a sub-taluk or a Deputy Tahsildar appointed specially for the purpose of these rules ;
- (g) "village officer" includes a village Karnam.

3. **Interpretation.**— (1) The General Clauses Act, 1897 (Central Act No. 10 of 1897), shall apply, as far as may be, to the interpretation of these rules, as it applies to the interpretation of an Act.

(2) The forms shall be used with such variations as the circumstances may require.

### **Ascertainment of normal produce**

#### **[ Sections 2 (17) and (36A) ]**

4. **Matters to be taken into account.**— For ascertaining the normal produce in respect of any land, the Land Tribunal may take into consideration—

- (a) the normal produce of the class of land to which it belongs ;
- (b) the season reports and rainfall accounts ;
- (c) the results of crop cutting experiments conducted by the Government ;
- (d) the statistics of gross produce published under section 50 ;
- (e) the accounts of landlords and cultivating tenants, wherever available, in respect of that land and in respect of similar lands enjoying similar advantages ; and
- (f) the oral or documentary evidence adduced by parties and judgments and decrees of civil courts ; if any.

### **Determination of extent of land necessary for the convenient enjoyment of residential building**

#### **[ Section 2 (25) ]**

5. **Locality etc., to be considered.**— (1) The extent of land necessary for the convenient enjoyment of any residential building shall be determined by the Land Tribunal with reference to the locality in which the residential buildings is situate.

(2) In determining the extent under sub-rule (1), the Land Tribunal may take into consideration the habits of the person enjoying the same, his financial circumstances and profession, the use to which the site is ordinarily put and other similar factors.

## **CHAPTER II**

### **Resumption**

#### **(Section 8 and 9 to 15)**

6. **Certificate by Collector.**— An application for the certificate referred to in section 9, shall be disposed of by the Collector as expeditiously as practicable and a copy of his order thereon shall, as soon as it is passed, be furnished to the Land Tribunal, Mahe.

7. **Application for resumption of land.**— An application for resumption of land by a

landlord shall be in Form No. 1 and all persons who have interest in the land to be resumed, including a kudikidappukaran, shall be made parties to it.

**8. Enquiry by Land Tribunal into the application.—** (1) As soon as may be after the receipt of an application referred to in rule 7, the Land Tribunal shall issue notice thereof to the persons interested in the land directing them to appear before it on a specified date for being heard.

(2) Any objections to, or claims as regards, the value of improvements, arrears of rent or any other matter in regard to the land sought to be resumed, shall be adjudicated by the Land Tribunal, and the Land Tribunal shall pass orders setting the rights of each such person and specifying the person entitled to resumption.

**9. Land Tribunal to await order of Collector on application for certificate.—** (1) An application under section 9 for the resumption of land for the purpose of extending a place of public religious worship shall be accompanied by the original or a certified copy of the Collector's certificate.

(2) If the Collector's certificate has been applied for but not received, the fact shall be stated in the application, and the Land Tribunal shall, after satisfying itself that such an application has been made to the Collector in time, await the order of the Collector on such application before disposing of the application for resumption.

**10. Contents of order.—** (1) Besides the particulars mentioned in sub-section (2) of section 15, the order passed by the Land Tribunal shall specify the survey numbers and sub-division numbers, if any (or an adequate description), of the land allowed to be resumed, the extent of land that will be left after resumption, and the value of the improvements belonging to the cultivating tenant and the other persons, if any, interested in the land allowed to be resumed.

(2) The order referred to in sub-rule (1) shall also specify the amounts to be paid by the landlord resuming the land, and the persons to whom the payments are to be made, and shall further direct that the amounts shall be deposited with the Land Tribunal within a period of thirty days from the date of the order and on such deposit being made, the Land Tribunal shall pay the amounts to the parties and obtain receipts therefor.

(3) The order of the appellate authority against the order of the Land Tribunal under sub-section (2) of section 15 shall, so far as may be, specify the particulars mentioned in the said sub-section and also the particulars mentioned in sub-rules (1) and (2).

#### **Restoration of land to dispossessed person or tenant from whom resumed.**

#### **( Section 8A, 29 and 31 )**

**11. Application for restoration of land.—** An application under sub-section (2) of section 8A or sub-section (1) of section 29 for restoration of possession of land shall be in Form No. 2.

**12. Determination of fair rent and other amounts payable by cultivating tenant in respect of holding to be restored.—** (1) A cultivating tenant applying for restoration may simultaneously file an application for determination of fair rent in respect of the land, if no such fair rent has been already determined and where any such application has been made, the Land Tribunal shall, when allowing restoration, pass an order determining the fair rent payable by the cultivating tenant after the land is restored to him.

(2) Where resumption is ordered under section 29, the order of restoration shall also specify the amounts to be paid by the cultivating tenant under sub-section (2) of section 31.

### **Procedure to put applicant in possession of land**

**[ Section 8A, 15 (7), 29 (2), 35A (7), 35B (2), 88 (C) (3) ]**

**13. Procedure to be followed by Land Tribunals.—** (1) Where an applicant has complied with an order under sub-section (3) of section 8A or sub-section (2) of section 15 or where an order of restoration has been passed under section 29, the cultivated tenant applies to the Land Tribunal for putting him in possession or where a kudikidappukaran presents within ninety days of the receipt of the certificate of purchase issued under sub-section (2) of section 88C or within such further time as may be allowed by the Land Tribunal for sufficient reason, an application in writing to the effect that he may be put in possession of the land to which the certificate relates, the Land Tribunal shall issue to any of the members of his staff a warrant in Form No. 3 to put the applicant in possession of the land.

(2) The person to whom a warrant is issued under sub-rule (1) shall, after putting the applicant in possession of the land, return that warrant and the Land Tribunal shall, on being land, return that warrant has been duly executed countersign the same and keep it as part of the records of the case.

(3) Where the person directed to execute the warrant fails on the date fixed therein to put the applicant in possession, the Land Tribunal may issue another warrant to the same person or any other member of his staff.

(4) The Land Tribunal may at any time recall or cancel any warrant issued under sub-rule (1) of sub-rule (3) and may also order necessary police or other assistance to be rendered for the due execution of any warrant.

(5) If on the date specified on the warrant for putting the applicant in possession of the land, crops not ripe for immediate harvest are found on the property, the execution shall be postponed and a report of such fact shall be made to the Land Tribunal and on receipt of such report the Land Tribunal shall postpone execution till such time as the crops are harvested.

**14. Procedure to be followed by Deputy Collector and Tahsildars.—** where (a) an order under sub-section (4) of section 35A has not been complied with and the applicant has made a request in writing to the Deputy Collector (Revenue) that he may be restored to possession of the land ; or

(b) The Tahsildar decides under sub-section (2) of section 35B that an applicant under sub-section (1) of that section is entitled to cultivate the land to which the applicant relates and such applicant who is entitled to cultivate is not in possession of such land the Deputy Collector (Revenue) or the Tahsildar, as the case may be, shall issue to any of the members of his staff or to the village officer of the village in which the land part thereof is situate a warrant in Form No. 3 and thereupon the provisions of rule 13 shall **mutatis mutandis** be applicable to the execution of such warrant

### **Recovery of arrears of rent**

**( Section 32 and 81 )**

**15. Application for recovery of arrears of rent.—** An application for recovery of arrears of rent shall be in Form No. 4.

**16. Notice of claim to be given to tenant.—** (1) As soon as may be, after the receipt of the application referred to in rule 15, the Land Tribunal shall issue notice thereof to the respondent in Form No. 5 together with a copy of the application.

(2) The date fixed in a notice under sub-rule (1) for appearance of the respondent shall be so fixed by the Land Tribunal as to allow a period of not less than seven days between the date of service of the notice and the date fixed for appearance and if the date of appearance is within a period of seven days from the date of service of the notice, the Land Tribunal shall adjourn the hearing of the application to a day beyond seven days from the date originally fixed for hearing and direct the issue of fresh notice to the respondent.

**17. Enquiry in applications where claim exceeds five hundred rupees.—** The procedure prescribed in the code of Civil Procedure 1908, in regard to suits shall be followed as far as it can be made applicable to the enquiry in an application where claim exceeds five hundred rupees.

**18. Period of limitation for certain interlocutory application.—** The period of limitation specified in Article 121 of Article 122 of Article 123 of Article 124 of the Schedule to the Limitation Act, 1963, shall, as the case may be, apply in the case of an application filed in connection with an application under sub-section (1) of section 32.

**19. Court, Land Tribunal and appellate authority to prepare extracts of certain orders.—** (1) Where under an order of any Court under sub-section (2) or sub-section (4) of section 81 or an order in appeal or revision against such order or under an order of the Land Tribunal under sub-section (2) of section 32 or section 81 or under an order of the appellate authority in appeal against such order, a tenant is bound to pay or deposit any amount towards arrears of rent or interest on such arrears the Court in which or the Land Tribunal before whom, such amount is to be deposited, or the appellate authority, as the case may be, shall prepare an extract of its order in Form No.6 and such extract shall form part of the records of the case.

(2) Where under an order of the High Court in revision the tenant is bound to pay or deposit before the Land Tribunal any amount towards arrears of rent or interest on such arrears, the Land Tribunal shall, as soon as may be after the receipt of the orders of the High Court, prepare an extract of such order in Form No. 6 and file it as part of the records of the case.

**20. Recovery of amounts determined under sub-section (2) of section 32.—** An application under sub-section (3) of section 32 for the recovery of amounts determined under sub-section (2) of that section shall be in Form No. 7.

**21. Manner of recovery.—** (1) On receipt of an application referred to in rule 20, the Land Tribunal shall proceed to execute the order passed by it under sub-section (2) of section 32 as if the Land Tribunal were a civil court and the order of the Tribunal were a decree passed by that civil court, for payment of money.

(2) The provisions of the Code of Civil Procedure 1908, and the rules made thereunder and the Limitation Act, 1963, shall, so far as may be, apply to execution under sub-rule (1) and all matters connected therewith.

(3) The Land Tribunal shall not reject an application referred to in rule 20 presented within the time specified in sub-section (3) of section 32 until —

- (a) the claim under the order in execution is satisfied in full ; or
- (b) it is satisfied that the amount due is irrecoverable ; or

(c) it is satisfied that the applicant is guilty of gross negligence in complying with the direction of the Land Tribunal.

(4) Where the Land Tribunal rejects an application referred to in rule 20, it shall record its reasons therefor.

**22. Written requisition to District Collector.—** (1) If the tenant does not deposit the amount due from him in the Court of before the Land Tribunal within the time specified in sub-section (7) of section 81, the Court or the Land Tribunal, as the case may be, shall send a written requisition to the District Collector together with a copy of its order, the order in appeal or revision against such order, if any, the extracts of the order prepared in Form No. 6.

(2) Any person entitled to any amount deposited under sub-section (7) of section 81 in any Court of Land Tribunal, may file before such Court or Land Tribunal, as the case may be, a statement in duplicate in writing and signed by him furnishing full particulars of the name and address of the tenant liable to make the deposit and the details of the movable and immovable properties if any, belonging to such tenant, and the Court or the Land Tribunal, as the case may be, shall on receipt of such statement, forward one such statement to the District Collector together with the written requisition referred to in sub-rule (1) or if such statement is filed only after the despatch of such requisition, subsequent to such despatch.

### **Determination of fair rent**

#### **( Section 37 )**

**23. Application for determination of fair rent.—** An application for determination of fair rent shall be in Form No. 8.

**24. Gross annual income in case of nilam where fishing is carried on.—** The gross annual income derived from fishing in the case of a nilam where fishing is carried on for part of the year by a varamdar shall be the average of the annual income derived from fishing from that nilam for the three years immediately preceding the date of the application for determination of the fair rent in respect of that nilam, or, where fishing was not carried on in any year during the three years immediately preceding the date of such application, the annual income derived from fishing for the year in which fishing was carried on in the nilam last immediately preceding the said date.

**25. Government to be made party where landowner of immediately is a religious, charitable or educational institution of a public nature.—** Where the application for determination of fair rent is respect of a holding, the landowner or intermediary of which is a religious, charitable or educational institution of a public nature, the Government shall also be made a party to the application, and notice shall be issued by the Land Tribunal to the Collector to the District in which the holding is situate on behalf of the Government.

**26. Form of notice under section 37 (2).—** An notice under sub-section (2) of section 37 shall be in Form No. 9.

## Remission of rent

### ( Section 44 )

**27. Application for remission of rent.—** An application by the tenant for remission of rent shall be in Form No. 10.

**28. Time for submission of application for remission of rent.—** (1) For the purpose of remission of rent, the Tahsildar may, if necessary, notify, with reference to the seasons and the conditions prevailing in the region, the date or dates by which applications for remission of rent shall be presented in respect of various crops.

(2) The application shall be made by the tenant to the Tahsildar or any other officer authorised by the Government under sub-section (2) of section 44 sufficiently in time so as to facilitate the inspection of the damage to or the failure of the crops.

(3) The tenant shall also, at the time of making the application, furnish a copy of the same to the landlord to whom he is liable to pay the rent.

**29. Suo motu remission of rent.—** (1) The Tahsildar or the officer authorised by the Government under sub-section (2) of section 44 shall, before initiating proceedings suo motu for remission of rent in respect of a holding, record in writing the reasons which prompted him to initiate such proceedings.

(2) Proceedings for **suo motu** remission of rent shall be initiated sufficiently in time so as to facilitate the inspection of the damage to, or failure of, crops.

**30. Enquiry to determine extent of damage.—** (1) As soon as may be, after the receipt of an application for remission of rent, or soon after the decision to initiate proceedings suo motu, the Tahsildar or the authorised officer, as the case may be, shall cause the affected land to be inspected.

(2) The officer inspecting the land under sub-rule (1) shall, as far as practicable, give previous notice of the inspection to the parties concerned and submit a full and the detailed report to the Tahsildar or the authorised officer, as the case may, without expressing any opinion on the merits of the case.

(3) On receipt of the report under sub-rule (2), the Tahsildar or the authorised officer, as the case may be, shall issue notice to the parties concerned to appear before him in person or by an authorised agent on a specified date to putforth objections or claims, if any.

(4) The Tahsildar or the authorised officer, as the case may be, shall, after hearing the parties and after considering the objections and claims, if any, pass orders in writing,

(a) determining, where there is damage to, or failure of crops, the extent of such damage or failure, and the quantum of remission ; or

(b) where there is no damage to, or failure of crops, refusing to grant remission.

(5) The enquiry under the foregoing provision of this rule shall be of a summary nature.



## **Abatement or reduction or rent**

### **( Section 45 )**

31. **Form of application.**— An application for abatement or reduction of rent shall be in Form No. 10 with suitable changes

32. **Procedure for disposal of application.**— The procedure specified in rule 30 shall as far as may be followed in the disposal of an application for abatement or reduction of rent.

## **Publication of prices of commodities.**

### **( Section 49 )**

33. **Publication of lists of prices.**— The Collector shall publish, in the months of January, April, July and October every year, in the official gazette, the average market prices prevailing in Mahe region during the three months immediately preceding the date of publication, of all the commodities notified by the Government under that section.

## **Statistics of gross procedure**

### **( Section 50 )**

34. **Publication of statistics of gross produce.**— On the first of April, every year, or as soon as may be thereafter, the Bureau of Economics and Statistics shall publish in the official gazette, statistics showing the gross procedure per acre of the following crops in respect of Mahe region :

- |               |               |
|---------------|---------------|
| (a) arecanut  | (f) pulses    |
| (b) cashewnut | (g) sugarcane |
| (c) coconut   | (h) groundnut |
| (d) paddy     | (i) cotton    |
| (e) pepper    |               |

## **Tenant's right to obtain receipt for rent**

### **( Section 51 )**

35. **Particulars to be specified in the receipt.**— The receipt granted by the landlord for payment of rent by the tenant shall specify—

- (a) the village in which the holding is situate and its survey number and subdivision number, if any, or a description of the holding adequate for its identification ;
- (b) the name of the person from whom received and on whose behalf received ;



- (c) the date of payment ;
- (d) the amount paid ; and
- (e) the period to which the amount paid relates.

**Note :—** A reference to the date and registration number of the document under which the holding is held and also the name of the sub-registration district in which the said holding is situate, shall be deemed to be a sufficient description of the holding for the purpose of this rule.

### **Application of Land Tribunal for permission to pay arrears of rent due**

#### **( Section 52 )**

**36. Form of application.—** An application to the Land Tribunal for permission to pay the arrears of rent due shall be in Form No. 11.

### **Apportionment of rent on severance of interest of landlord or tenant**

#### **( Section 54 )**

**37. Form of application .—** An application for apportionment of rent shall be in Form No.12.

**38. Execution of lease deed by Land Tribunal.—** (1) Every application to the Land Tribunal under sub-section (4) of section 54 for execution of lease deed shall be accompanied by a draft of the lease deed drawn up in accordance with the order of appointment.

(2) The Land Tribunal shall thereupon cause the draft to be served on the person who defaulted to execute the lease deed together with a notice in Form No. 13 requiring his objections, if any, to be made within such time as the Land Tribunal fixes in this behalf.

(3) Objections, if any, to the draft lease deed shall be made in writing within the time fixed under sub-rule (2), and the Land Tribunal shall, after the expiry of the time, make such order approving or altering the draft as it thinks fit.

(4) The person in whose favour the deed is to be executed shall deliver to the Land Tribunal a copy of the draft with such alterations, if any, as the Land Tribunal may have directed, upon the proper stamp paper, if a stamp is required by the law for the time being in force, and the Land Tribunal shall execute the lease deed so delivered.

(5) The execution of a lease deed under this rule may be in the following form, namely :—

"C. D. Land Tribunal . . . . . for A. B. in an application by E. F. against A. B." and shall have the same effect as the execution of the lease deed by the party ordered to execute the same.

(6) The Land Tribunal or such officer as it may appoint in this behalf, shall cause the lease deed to be registered if its registration is required by the law for the time being in force and may make such order as it thinks fit as to the payment of expenses of the registration including travelling and other expenses of the officer deputed for getting the lease deed registered.

## **Acquisition of interest in the holding of a tenant**

### **( Section 55 )**

**39. Application of Land Tribunal for apportionment of rent.—** An application for apportionment of rent or arrears of rent under sub-section (3) of section 55 shall be made in Form No. 12 with suitable changes.

**40. Procedure for disposal of application.—** The procedure for the disposal of an application referred to in rule 39 shall, as far as may be, the same as that laid down in sub-section (3) of section 54.

## **Surrender or abandonment of holding by tenant**

### **( Section 57 and 58 )**

**41. Filing of statement before Land Tribunal.—** (1) A tenant intending to surrender his interest in any land held by him shall file a written statement before the Land Tribunal specifying the following particulars, namely :—

- (a) description of the holding—
  - (i) district, region and village in which situate ;
  - (ii) survey number and subdivision number, if any, or a description of the holding adequate for its identification ;
  - (iii) boundaries ;
  - (iv) extent ;
  - (v) class of land (nilam, garden, dry land etc.) ;
- (b) name and address of the landlord to whom rent is payable by the tenant ;
- (c) names of other persons having interest in the land and the nature of their interest ;
- (d) particulars of the document, if any, evidencing the tenancy ;
- (e) the extent in respect of which the surrender is proposed, its description and the nature of the interest to the surrendered ;
- (f) amount of the rent payable in respect of the holding.

(2) The statement referred to in sub-rule (1) shall be signed by the tenant and attested by two respectable witnesses.

**42. Procedure for registration of surrender.—** (1) On receipt of the statement referred to in sub-rule (1) of rule 41, the Land Tribunal shall issue notice to the person who has made the statement and the landlord for appearance before it on the date specified therein.

(2) If the Land Tribunal is satisfied that the person surrendering is the tenant and if the surrender is admitted by the tenant, the surrender shall be forthwith registered in the register in Form No. 14

(3) True extracts from the register shall be delivered to the Tahsildar who shall take action for carrying out changes, if any, in the revenue records.

**43. Procedure to take possession where tenant abandons and ceases to cultivate.—** (1) As soon as may be after the receipt of information that a tenant has abandoned and has ceased to cultivate, his holding, the Tahsildar shall publish a notice in Form No. 15 declaring his intention to take possession of the land.

(2) The notice shall be published by affixture on the land. The notice shall also be published on the notice-boards of the taluk office, the village office of the village in which the land is situate and the office of the local authority having jurisdiction over the area in which the land is situated and be served individually on the tenant and the landlord of such tenant and on such other persons interested in such holding where their addresses are known to the Tahsildar.

(3) The Tahsildar shall, on the day specified in such notice or on any other day to which the enquiry may be adjourned, inquire in a summary manner into the claims and objections, if any, hear such of the persons who appear in pursuance of the notice, make such other enquiries as he deems necessary to ascertain whether there is abandonment and cessation of cultivation, and record his decision with reasons in writing ; and whether the Tahsildar decides that there is abandonment and cessation he shall give written intimation of the date on which and the time at which he intends to take possession of the land, to the tenant and to the landlord to whom such tenant is liable to pay rent, if they had appeared before him in pursuance of the notice.

**44. Time to take possession of land surrendered or abandoned.—** Where the Tahsildar receives under rule 42 a true extract of the register of surrender in Form No. 14 from the Land Tribunal, or where the Tahsildar decides under rule 43 that there is abandonment and cessation of cultivation, he shall, as soon as may be after such receipt or decision, take possession of the land, provided that where he has given intimation under sub-rule (3) of rule 43 of the date and time of taking possession, shall be taken only at the time so intimated or on any subsequent day.

**45. Letting of lands abandoned or surrendered.—** (1) Where the Tahsildar takes possession of any land under rule 44, he shall take immediate steps to lease out such land and if for any reason such land cannot be so leased out, he shall make arrangements to cultivate or otherwise make use of the land.

(2) The Tahsildar shall invite applications for leasing out the land taken possession of by him under rule 44.

(3) The notice calling for applications shall be in Form No. 16.

(4) The publication of the notices shall be made by beat of drum in the village in which the land is situate and also by affixture on the notice-board of the concerned taluk office, office of the local authority and the village office and at the site of the land to be leased out.

(5) The notice shall also be published in a newspaper having circulation in the area.

(6) Copies of the notice shall be sent to the local authority concerned and to all regional officers.

(7) The Tahsildar shall also ascertain whether the land is required for any public purpose.

(8) The application for lease shall be made to the Tahsildar in Form No. 17.

(9) The Tahsildar may, after conducting such enquiry as may deem necessary, pass orders on the applications, sanctioning the lease in favour of any applicant, taking into consideration his eligibility therefor.

(10) The lease of land surrendered or abandoned shall, far as practicable, be made to the categories of persons and the order of preference mentioned below :—

- (a) Government Departments requiring land for any public purpose ;
- (b) Local authorities if they require the land for any public purpose ;
- (c) Kudikidappukars in the land surrendered or abandoned ;
- (d) Landless agricultural labourers belonging to scheduled castes or the scheduled tribes in the village or adjacent villages ;
- (e) Other landless agricultural labourers in the village or adjacent villages ;
- (f) Cultivators whose holdings do not exceed five acres
- (g) Other persons whose annual income does not exceed one thousand five hundred rupees ;

Provided that in leasing the lands, preference shall be given to Ex-servicemen belonging to the respective classes over others.

(11) No person shall be eligible for lease of more than five acres in extent and where a person possesses any land, only so much land as will make the total of extent of land in his possession five acres shall be leased to him.

(12) The reasons for sanctioning the lease in favour of any applicant and rejecting the other applications shall be recorded clearly in writing.

(13) The person or the Department or the local authority to whom the land is leased shall execute the necessary lease deed with the Government.

(14) The lessee shall be liable to pay fair rent as determined under the Act to the landlord from the date of his induction into the land, and he shall, immediately on being inducted into the land, get the fair rent of the holding fixed by the Land Tribunal concerned.

(15) The Tahsildar shall maintain a register in Form No. 18 for entering details of land taken possession of and leased out under this rule, separate pages being set apart in such register to note the details of each case.

### **Purchase of landlord's rights by cultivating tenant**

#### **( Section 62 )**

**46. Application for purchase.—** An application for purchase of the landlord's rights by the cultivating tenant shall be in Form No. 19.

### **Procedure before the Land Tribunal regarding application for purchase**

#### **( Section 65 )**

**47. Form of notice.—** The notice referred to in sub-section (1) of section 65 to the landowner, intermediaries and other interested persons, shall be in Form No. 20.

**48. Preparation of preliminary findings and notice of such findings to landowner, intermediaries and holders of encumbrances etc.—** (1) Where the Land Tribunal is of opinion that an application for purchase has to be allowed, it shall, before it passes an order under section 65, prepare preliminary findings on—

- (a) the fair rent in respect of the holding or part thereof to which the purchase relates ;
- (b) the value of sixteen times the fair rent in respect of the holding or part thereof to which the purchase relates ;
- (c) the value of structures, wells and embankments of permanent nature, if any, belonging to the landowner ;
- (d) the value of structures, well and embankments of a permanent nature, if any, belonging to the intermediary or intermediaries ;
- (e) one-half of the value of timber trees, if any, belonging to the intermediaries ;
- (f) one-half of the value of timber trees, if any, belonging to the intermediaries ;
- (g) the purchase price payable by the cultivating tenant ;
- (h) the amount due to the intermediary or each out of the purchase price (with name and address of the landowner) ;
- (i) amount due to the intermediary or each of the intermediaries, if any, on apportionment of the purchase price (with name and address of the intermediary of intermediaries) ;
- (j) the amount payable to the holder of encumbrance, if any, with name and address of such holder and whether such amount is charged on the right, title and interest of the lands owner or intermediary ;
- (k) the amount payable to the person entitled to maintenance, if any, with the name and address of such person and whether such amount is charged on the right, title and interest of the landowner or intermediary ;
- (l) the amount payable to the person entitled to alimony, if any, with the name and address of such person and whether such amount is charged on the right title and interest of the landowner or intermediary ;
- (m) the amount payable to the landowner and to the intermediary or each of the intermediaries, if any, after deducting the value of encumbrances or the claims for maintenance or alimony, if any.

(2) The Land Tribunal shall issue a notice of its findings referred to in sub-rule (1) in Form No. 21 to the landowner, every intermediary, every holder of encumbrance and every persons entitled to maintenance or alimony, calling upon them to refer in writing claims for the purchase price or part there of within a specified date.

(3) Copy of the notice under sub-rule (2) shall also be published on the notice-board of the Office of the Land Tribunal, on the notice-board of the village office of the village in which the land is situate and on the land by affixing the same on a prominent part of it, stating, inter alia that any objections or claims that may be preferred in the matter by any interested person will be duly considered by the Land Tribunal.

(4) The Land Tribunal shall, on receipt of the objections or claims, if any, consider the same and decide the claims after giving a reasonable opportunity to the parties to produce such evidence as may be necessary and then proceed to pass the order under section 65.

**49. Orders allowing application for purchase to be accompanied by statement.—**

(1) The order of a Land Tribunal allowing an application for purchase or the order of an appellate authority except where its order is for dismissal of an appeal or rejection of an application for purchase shall be accompanied by a statement in a tabular form specifying—

- (a) the description of the land allowed to the purchaser and its extent ;
- (b) the purchase price ;
- (c) the name and address of the landowner ;
- (d) the name and address of the intermediaries if any ;
- (e) the names and address of other interested persons, if any ;
- (f) value of encumbrances subsisting or claims for maintenance or alimony, if any, charged on the right, title and interest of the intermediaries ;
- (g) value of encumbrances subsisting or claims for maintenance or alimony, if any, charged on the right title and interest of the intermediaries ;
- (h) the names and addresses, if any, of the holders of encumbrances and the persons entitled to maintenance or alimony ;
- (i) the amount payable to the landowner from out of the purchase price after deducting the value of encumbrances or the claims for maintenance or alimony, if any, charged in his right, title and interest ;
- (j) the amount payable to each of the intermediaries, if any, after deducting the value of encumbrances or claims for maintenance or alimony, if any, charged on their right, title and interest
- (k) details of the persons, if any, at whose instance the property has been attached by a civil court and the amount payable under the decree or order of the court ;
- (l) the relative priority of the holders of encumbrances or persons entitled to maintenance or alimony, if any,

(2) The Land Tribunal shall, on receipt of an order of the High Court passed in revision, other than an order dismissing a petition of revision or rejecting an application for purchase prepare a statement referred to in sub-rule (1) on the basis of such order and file such statement as part of the records of the case.

**Issue of certificate of purchase**

**[ Section 67 (2) ]**

**50. Form of certificate.—** The certificate of purchase referred to in sub-section (2) of section 67 shall be in Form No. 22 and shall bear the seal of the office of the Land Board.

**51. Copy of certificate to be furnished to Tahsildar.—** A true copy of the certificate of purchase shall be furnished by the Land Board to the Tahsildar who shall take action for carrying out the necessary changes in the revenue records.

## **Deposits of installments of purchase price**

### **[ Section 67 (4) ]**

**52. Manner of deposit.—** (1) The second or any subsequent instalment of the purchase price shall be deposit on or before the date in the Government treasury in a chalan in triplicate, countersigned by the Land Tribunal under the appropriate head which will be specified by the Land Board.

(2) One copy of the chalan shall be furnished by the purchaser to the Land Tribunal which shall maintain such accounts as may be directed by the Land Board.

## **Direction regarding deposit of purchase price**

**53. Deposit of purchase price or value of encumbrance due to private trusts, persons suffering from legal disability, etc.—** (1) The purchase price or the value of encumbrance due to a private trust or endowment or a minor or a person suffering from any legal disability, or a limited owner, shall be deposited either in Savings Security Scheme or in the State Bank of India or in any Co-operative Bank as defined in clause (b) (ii) of section 2 of the Reserve Bank of India Act, 1934 and which is entitled to carry on the business of "banking" as defined in clause (b) of section 5 of the Banking Regulation Act, 1949 as applicable to co-operative societies.

(2) In making the deposit, under sub-rule (1), the wishes of the person entitled to the amount or of his legal guardian shall be ascertained and respected as far as possible.

(3) The benefit of the person entitled to the amount shall be the paramount consideration in making the deposit.

(4) Where the amount is due to a minor, the period of the deposit shall, as far as possible, be such as will end on his attaining majority.

(5) Where a limited owner has an interest in the amount to be deposited, the deposit may be for the probable duration of such interest.

## **Procedure for vesting of rights of religious, charitable or educational institutions in Government and determination of annuity.**

### **( Section 74 )**

**54. Form of application for vesting the rights of institutions in Government.—** (1) An application by a religious, charitable or educational institution of a public nature to the Land Board for the vesting of its right, title and interest in the Government shall be in Form No. 23.

(2) On receipt of an application under sub-rule (1) the Land Board, after entering it in a register in Form No.24, shall direct the Land Tribunal along with a copy of the application to conduct enquiry and determine the annuity payable in respect thereof.

**55. Enquiry about public nature of institutions.—** (1) If question arises as to whether an institution of a public nature, the Land Board shall publish a notice in the official gazette calling upon persons who object to the treating of the institution as an institution of a religious, charitable or educational institution of a public nature to file their objections within one month from the date of a publication of the notice.



(2) A copy of the notice shall also be served on the institution and published on the notice-board of —

(a) the village office of the village in which, and of the office of the local authority within whose jurisdiction, the institution is situate ;

(b) the office of the Land Tribunal and the village office of the village in which any such holding is situate.

(3) On the expiry of the time allowed for filing objections, the Land Board shall conduct such enquiries as it deems fit into the objections, if any, and after giving the institution and the persons who have filed objections, a reasonable opportunity of being heard, pass orders.

(4) A copy of the order passed under sub-rule (3) shall be communicated to the institution.

**56. Payment of interim annuity.—** (1) A religious, charitable or educational institution of a public nature which has applied to the Government or the Land Board for the payment of annuity shall, on application made by it in that behalf and subject to the provisions of this rule, be paid by the Government interim annuity for the year 1981 and for every subsequent year until the annuity payable to it under the Act is paid.

(2) The application under sub-rule (1) shall be in Form No.25 and may be sent by registered post, or presented by post, or presented in person, to the Secretary, Revenue Department, Pondicherry.

(3) A separate application shall, be made for each year after the commencement of that year.

(4) The interim annuity payable to an institution for an year shall be such amount, not exceeding forty per cent of the money value of the annual contract rent to which such institution is entitled from the holdings in respect of which it has applied for annuity, as may be determined by the Government.

**Explanation :—** For the purpose of this sub-rule, the money value of the annual contract rent to which an institution is entitled shall be deemed to be the value specified as such in the application under sub-rule (1).

(5) On receipt of an application under sub-rule (1) the Government shall, if they are satisfied that there are sufficient grounds to believe that the applicant is a religious, charitable or educational institution of a public nature and that the institution has applied for annuity issue an order in Form No. 26 in favour of the institution.

(6) The interim annuity paid to an institution under this rule shall be adjusted towards the annuity payable to that institution under the Act, in such manner as may be determined by the Government.

(7) Without prejudice to any other mode of recovery, any amount paid under this rule to an institution which is found to be not entitled to annuity under the Act, shall be recoverable from such institution in the same manner as if such amount were an arrear of public revenue due on land.

#### **Rent payable by Government when intermediaries rights vest in rent payable by the Government**

**57. (1)** Where the right, title and interest of a religious charitable or educational institution of a public nature having interest as an intermediary in respect of a holding, are vested in the Government and the Government become a tenant holding under the landlord of the intermediary



aforesaid, the Government shall be bound to pay such landlord, the rent to which he would have been entitled, had the right, title and interest of the intermediary not vested in the Government.

(2) The rent shall be payable on the same date on which it would be payable and the arrears of rent shall bear the same rate of interest which the arrears would have carried, had the right, title and interest of the intermediary not vested in the Government.

(3) The Land Board shall issue to every person who entitled to payment of rent by the Government an order in such form as may be prescribed by the Land Board specifying the amount of rent due to him, the date on which the rent is due the rate of interest the arrears of rent will bear and a clear description of the land in respect of which the rent is payable.

(4) The rent shall be disbursed to the person entitled to it by the Branch Officer, Pay and Accounts Office, Mahe on the presentation of claim in a Contingent Bill duly countersigned by the Tahsildar.

(5) Copy of the order referred to in sub-rule (3) shall be furnished to the Pay and Accounts Officer, Pondicherry and Branch Officer, Pay and Accounts Office, Mahe, for admitting the claim referred to in sub-rule (4).

(6) Before countersigning the claim referred to in sub-rule (4) the Tahsildar shall satisfy himself that the liability of the Government to pay the rent continues.

(7) The Branch Officer, Pay and Accounts Office, Mahe, shall maintain a register of such payments in such form as may be prescribed by the Land Board in consultation with the Pay and Accounts Officer.

(8) The Land Board shall prepare and submit to the Government every year estimates of the rents payable by the Government to the various landlords for inclusion in the Budget under such head and on such date as the Government, in the Finance Department may prescribe.

### **Person continuing as tenants under Government**

#### **( Section 79 )**

#### **58. Register of persons holding as tenants under Governments—**

(1) The Land Board shall cause—

(a) the preparation of a register of persons continuing as tenants under the Government in a form to be prescribed by the Land Board ; and

(b) the cancellation of the pattas in respect of the lands held by such tenants, and the issue of fresh documents to the tenants specifying—

(i) the land revenue assessment, taxes and cesses, if any, payable in respect of the land and the dates on which they are payable ;

(ii) the rent payable to the Government and the date on which it shall be payable, and the rate of interest on arrears of rent.

(2) The Land Board or any other authority duly authorised in that behalf by the Land Board, may call for from any persons or institution such statement of information necessary for the purpose of this rule 59, and every person or institution required to furnish such statement or information shall be bound to furnish the same.

**59. Rent to whom to be paid.—** (1) The rent due in respect of the land shall be paid to the Village Officer of the village in which the land is situate and every village officer shall maintain a register for the purpose in such form as may be prescribed by the Land Board.

(2) The Land Board shall prepare and submit to the Government every year estimates of receipts by way of rents payable by persons continuing as tenants under the Government, for inclusion in the Budget under such head and on such date as the Government, in the Finance Department, may prescribe.

### **Acquisition of alternative sites for shifting kudikidappukaran**

#### **[Section 83 (3) to 83 (3F) ]**

**60. Form of application for shifting Kudikidappukaran.—** (1) The application to the Government by a holder of land for acquisition of land for shifting a Kudikidappukaran shall be in Form No. 27.

(2) Upon receipts of such an application, the officer authorised by the Government in this behalf shall make such enquiry as he may deem fit after giving the applicant as well as the kudikidappukaran an opportunity of being heard and after giving them copies of documents on which reliance is placed by him and if he is satisfied that the applicant requires the land occupied by kudikidappu for constructing a building for his own residence and that the total extent of land held by him on the 24th day of January 1971 either as owner or as tenant was less than one acre, he shall require the applicant to deposit eighty-seven and a half per cent of the cost of acquisition of the land to be acquired and to execute an agreement undertaking to pay the same percentage of any increase in the compensation for the land acquired.

(3) If the officer is satisfied after the enquiry referred to in sub-rule (2) that the applicant does not require the land occupied by the kudikidappu for constructing a building for his own residence or that the total extent of land held by the applicant on the 24th day of January 1971, either as owner, or as tenant was one acre or more or if the applicant is not prepared to deposit eighty-seven and a half per cent of the cost of acquisition of the land to be acquired or to execute an agreement undertaking to pay the same percentage of any increase in the compensation for the land to be acquired, the officer shall forward a report of his enquiry together with his conclusion thereon to the Government for their orders.

(4) The Government shall, after considering the report and the conclusion of the officer and after affording an opportunity to the person affected to state his case, pass such order thereon as they think fit.

(5) The order of the Government under sub-rule (4) shall not be called in question in any court solely on the ground that the inquiry by hearing the parties and furnishing relevant records was conducted by the officer and not the Government.

(6) As soon as may be, after the applicant deposits his share of the cost of acquisition, the officer shall take steps to acquire the necessary land, transfer possession of such land to the kudikidappukaran and require him to shift to the said land.

(7) In choosing the necessary land for acquisition, the following order of preference shall, as far as possible, be observed, namely :—

(a) land in the vicinity of the kudikidappu ;

(b) land situate within the jurisdiction of the same local authority within whose jurisdiction the kudikidappu is situate.

(8) The land to be acquired shall be fit for erecting a homestead and shall, as far as possible, be not greater in value than the land on which the kudikidappu is situate.

(9) Where the kudikidappukaran shifts to the land so acquired, the officer shall arrange for the issue of a patta in Form No. 28 to the kudikidappukaran in respect of such land.

**61. Eviction of kudikidappukaran.—** (1) If a kudikidappukaran does not shift the kudikidappu before the date specified in the order of the Land Tribunal under sub-section (2) of section 85 or where the certificate of purchase issued to a kudikidappukaran under section 88C is in respect of another portion of the land and the kudikidappukaran does not vacate the existing kudikidappu within a reasonable time, the person in possession of the land in which the kudikidappu is situate may apply in writing to the Land Tribunal requesting for eviction of the kudikidappukaran from the kudikidappu.

(2) On receipt of an application under sub-rule (1), the Land Tribunal may, after such inquiry as it deems fit, issue a warrant in Form No. 29 to any of the members of his staff or to the Village Officer of the Village in which the kudikidappu is situate, to evict the kudikidappukaran from the kudikidappu.

(3) The person to whom the warrant is issued under sub-rule (2) shall, after evicting the kudikidappukaran from the kudikidappu, return the warrant, and the Land Tribunal shall on being satisfied that the warrant has been duly executed, countersign the same and keep it as part of the records of the case.

(4) Where the person directed to execute the warrant fails on the date fixed therein to evict the kudikidappukaran, the Land Tribunal may issue another warrant to the same person or any other member of his staff.

(5) The Land Tribunal may, at any time, recall or cancel any warrant issued under sub-rule (2) of sub-rule (4) and may also order necessary police or other assistance to be rendered for the due execution of the warrant.

### **Register of kudikidappukaras**

#### **( Section 88 )**

**62. Form of register of kudikidappukars.—** (1) The register of kudikidappukars shall be in Form No. 30.

(2) Besides the particulars specified in sub-section (2) of section 88, the register shall contain the following particulars namely :—

(a) whether the kudikidappu consists of homestead or hut ;

(b) name and address of the person to whom the hut belongs ;

(c) plinth area of the homestead or hut ;

(d) whether the homestead or hut has been repaired, improved or reconstructed by the kudikidappukaran on or after the 24th January 1971 by extending the plinth area and if so—

(i) when ; and

(ii) the original plinth area and the extended plinth area.

**63. Procedure for registration and form of application.—** (1) Any kudikidappukaran desirous of having his name registered in the register of kudikidappukars may apply in Form No. 31 to Tahsildar within whose jurisdiction his kudikidappu is situate.

(2) On receipt of the application, the Tahsildar shall arrange to obtain through its staff a report in Form No. 32 of the particulars necessary for the preparation of the register and a sketch of the land in which the kudikidappu is situate, showing the location of the kudikidappu, the part ordinarily used by the occupant of the kudikidappu for ingress to and egress from the kudikidappu and other easements, if any.

(3) On receipt of the report and the sketch, the Tahsildar shall give notice in Form No. 33 together with copies of the application and the report without the sketch to the applicant, the landowner, the person in possession of the land in which the kudikidappu is situate and the owner of the hut, if any, calling upon them to file objections, if any, and requiring them to for enquiry into the application.

(4) The notice under sub-rule (3) shall also be published in the notice-boards of the Office of the Tahsildar, Office of the local authority and of the village office of the village in which the kudikidappu is situate.

(5) On the date specified in the notice or on any other date to which the enquiry may be adjourned, the Tahsildar shall conduct a summary enquiry into the matter, pursue the application, the report, the sketch prepared under sub-rule (2), and the claims or objection filed, if any, hear such of the persons who appear and decide whether registration should be refused or allowed, and if allowed, the local authority shall also settle the particulars to be entered in the register.

(6) Any interested person who has not received the notice referred to in sub-rule (3), may also appear before the Tahsildar and put forth his claims and objections, if any, at the time of enquiry.

(7) The decision about registration shall be by an order in writing, which shall specify the date on which it was pronounced, the exact particulars, if any, to be entered in each column of the register and the reasons for registration or its refusal ; and such order shall be pronounced openly at the close of the enquiry or on any other date to which the pronouncement of the order may be adjourned.

**64. Appeal against registration or refusal.—** (1) Any person aggrieved by the registration of, or refusal to register, a kudikidappukaran may, within ninety days from the date of pronouncement of the order of the Tahsildar under sub-rule (7) of rule 63 present a petition of appeal in writing to the Deputy Collector (Revenue), Mahe setting forth briefly the grounds for such appeal.

(2) Where, for the purpose of appeal, record of the proceeding is called for, the record shall be forwarded by the Tahsildar and where the appeal relates to a case of registration, of Tahsildar shall also forward a true copy of the relevant entries in the register.

(3) Where the Deputy Collector (Revenue), Mahe hearing the appeal, is of the opinion that any entry or entries in register should be modified, or, in a case where the appeal is against refusal of registration, that the appellant is entitled to registration, the Deputy Collector, shall, where he is not remanding the case, specify in his order, the modifications to be made, or, as the case may be, the entries to be made in the register.

(4) The Deputy Collector (Revenue), Mahe, shall communicate a copy of the order passed in the appeal to the Tahsildar concerned.

**65. Maintenance of register, certified copies and inspection.—** (1) The Tahsildar

concerned or an officer nominated by him shall be responsible for the maintenance of the register.

(2) The officer responsible for the maintenance of the register shall as soon as may be after the Tahsildar pronounces order allowing registration or where the Tahsildar receives copy of the order passed in appeal against its order, after receipt of such order, make necessary entries in the register or modify the entries in the register on the basis of the order in appeal and attest the same by initialling it.

(3) The officer responsible for the maintenance of the register shall not have the power to make any corrections to the entry except on the orders of any competent authority.

(4) Any person desiring to obtain a certified copy of the entries in the register may present an application in that regard with a court-fee stamp of twenty-five paise to the Tahsildar and thereupon the Tahsildar shall grant a certified copy of the entries asked for to the applicant.

(5) Every application for a certified copy shall be accompanied by sufficient number of copying sheets necessary for preparing the copy and a fee of one rupee in cash.

(6) All certified copies shall be certified to be true copies by the Tahsildar granting such copies and shall also be sealed with his office seal.

(7) The Tahsildar shall arrange to prepare a village and survey numberwise index for the register of kudikidappukars.

(8) Any person desiring to inspect the register of kudikidappukars shall present an application to the Tahsildar specifying the village, the survey number and the subdivision number of the land in which the kudikidappu is situate.

(9) The fee for such inspection shall be two rupees and the applicant shall pay the fee in cash along with application.

(10) On the receipt of an application under sub-rule (8), the Tahsildar shall arrange for the inspection of the register his presence during office hours and the applicant shall entitled to read the entries in the register, but shall be entitled to take a copy of the entries in the register or part thereof or to take extracts therefrom.

### **Purchase of kudikidappu**

#### **( Section 88A to 88G )**

**66. Lands adjoining kudikidappu and determination of market value.—** (1) The Land Tribunal shall, as far as possible, make available to the kudikidappukaran for his purchase, such portion of the land adjoining the kudikidappu which is necessary or useful for the convenient enjoyment of the kudikidappu :

Provided that the Land Tribunal shall, as far as practicable, make available the portion which when purchased will cause the least inconvenience to the person in possession of the land in which the kudikidappu is situate.

(2) The market value of the land to be purchased by a kudikidappukaran shall be determined in the manner provided in the Land Acquisition Act, 1894 for acquisition of land under that Act.

**67. Time for application to require kudikidappukaran to purchase another portion and procedure thereon.—** (1) The application under sub-section 10 of section 88A by the per-

son in possession of the land in which the kudikidappu is situated shall be made within thirty days from the date fixed for his appearance before the Land Tribunal in the notice duly served on him under sub-rule (2) of rule 68.

(2) The application shall be in writing setting forth all the grounds on which he claims his relief and shall be accompanied by a rough sketch of the land in which the kudikidappu is situate showing the location of —

- (a) the kudikidappu to which the application for purchase relates ;
- (b) other kudikidappus, if any, on the land ;
- (c) buildings, if any, in the land ; and
- (d) other particulars, if any, material to elucidate such grounds.

(3) An additional copy of the application and the rough sketch and other particular, if any, material to elucidate such grounds shall also be furnished to the Land Tribunal for service on the kudikidappukaran.

(4) The Land Tribunal shall give notice of the application to the kudikidappukaran, specifying the date to which the application is posted for hearing, together with the copy of the application and the rough sketch.

(5) The Land Tribunal shall thereafter conduct such summary enquiry as he deems fit and, after giving the applicant and the kudikidappukaran a reasonable opportunity of being heard, pass such order as it thinks fit.

(6) Where the Land Tribunal requires the kudikidappukaran to purchase another portion, it shall arrange for the option to be exercised by the kudikidappukaran within such time as is allowed by the Land Tribunal and in the presence of a member of its staff deputed for the purpose, and, as far as practicable in the presence of the applicant and two witness.

(7) The member of the staff of the Land Tribunal deputed for the purposes of sub-rule (6) shall, in a sketch to be drawn by him of the land in which the kudikidappu is situate, mark the portion for which option is exercised, obtain the signature of the kudikidappukaran and the witnesses, if any, and also of the applicant in cases where the option is exercised with his consent.

(8) The Land Tribunal shall on perusal of the sketch and the report, if any, of the member of its staff, or where such member reports that the kudikidappukaran failed to exercise option, on perusal of such report, and after giving the applicant and the kudikidappukaran reasonable opportunity of being heard pass such order as it thinks fit.

(9) Where the Land Tribunal holds that the option exercised is in accordance with the provisions of sub-section 10 of section 88A, it shall, in the application for purchase, determined the market value of the portion of the land so opted and proceed to pass orders under sub-section (3) of section 88B.

(10) Where the Land Tribunal holds that the kudikidappukaran has failed to exercise the option or that the option exercised is not in accordance with the provisions of sub-section (10) of section 88A, it shall dismiss his application for purchase under sub-section (3) of section 88B.

**68. Application for purchase of kudikidappu and procedure thereon.—** (1) The application under sub-section (1) of section 88B shall be in Form No. 34.



(2) On receipt of an application referred to in sub-rule (1), the Land Tribunal shall issue notice of such application in Form No. 35 to the person in possession of the land in which the kudikidappu is situate, the landowner and the intermediaries if any, in respect of such land, the holder of encumbrance, if any, charged on the right, title and interest of the landowner or intermediaries or the person in possession of such land, the person, if any, entitled to maintenance or alimony charged on such right, title and interest and other kudikidappukaras, if any in such land and, where the hut belongs to any person other than the landowner, intermediary or person in possession of the land, to such person also.

(3) A copy of such notice shall also be published, —

(a) on the notice-board of the Office of the Land Tribunal, the village office of the village in which the kudikidappu to which the application for purchase relates is situate, and the office of the local authority within whose jurisdiction such kudikidappu is situate ;and

(b) by affixture on the land in which such kudikidappu is situate.

**69. Person in possession to disclose certain information.—** (1) The person in possession of the land in which a kudikidappu is situate shall, where he appears before the Land Tribunal in pursuance of a notice under sub-rule (2) of rule 68, or when required by the Land Tribunal, file a written statement of his defence, if any, to the application, accompanied by a statement certified by him to be correct setting forth—

(a) the extent of lands as specified in sub-section 13 of section 88A held by him ;

(b) the taluk and village in which, and the local authority within whose jurisdiction, each item of such lands is situate ;

(c) the survey number and subdivision number, or a sufficient description of each item of such lands ;

(d) the extent of each item of such lands ;

(e) whether there are kudikidappukars in any item of such lands ;

(f) the number of kudikidappukars, if any, each item of land with the names and addresses of such kudikidappukars ;

(g) whether to his knowledge any application for purchase of kudikidappu and lands adjoining thereto in respect of any land held by him has been filed by any person and if so the details of such application ;

Provided that where the extent of lands as specified in sub-section 13 of section 88A held by a person is five acres or more, it shall not be necessary for him to furnish the particulars referred to in clause (b) to (g) of this sub-rule.

(2) The Land Tribunal may, where it thinks it necessary so to do, summon and examine on oath the person in possession of the land in which the kudikidappu is situate to ascertain any particulars necessary for the disposal of the application for the purchase of that kudikidappu.

(3) Where any person fails to file a statement under sub-rule (1) or to appear when summoned under sub-rule (2) or fails to disclose particulars when examined under that sub-rule, he shall be liable, without prejudice to any other penalties to which he may be liable, to have his defence, if any, struck out and to be placed in the same position as if he had not defended the application .

**70. Status of applicant to be decided as a preliminary issue.—** Where there is dispute as to whether the applicant is or is not a kudikidappukaran, the Land Tribunal shall decide such dispute as a preliminary issue and record a finding on such issue ; and where such finding is that he is not a kudikidappukaran, the Land Tribunal shall forthwith dismiss his application.

**71. Local enquiry where person admits possession of five acres or more of land.—**  
(1) Where, in an application for purchase, the person in possession of the land in which the kudikidappu is situate admits that the extent of lands held by him is five acres or more, the Land Tribunal shall,—

(a) where an application by such person to require the kudikidappukaran to opt for any other portion is rejected after such rejection, or

(b) where there is a dispute as to whether the applicant is a kudikidppukaran or not, after the decision on such dispute ; or

(c) where there is no such application or such dispute after the period referred to in sub-rule (1) of rule 67 is over, cause of local enquiry to be made through a member of the staff of the Land Tribunal—

(i) to ascertain as to whether there are any other kudikidappukars or other persons claiming to be kudikidappukars in the land in which the kudikidappu is situate ;

(ii) to find out whether such kudikidappukars or other persons have applied for purchase of their kudikidappu and if applied the details of such applications ; and

(iii) to collect such other information as it considered necessary by the Land Tribunal for the disposal of the application :

Provided that no such enquiry need be made in a case where an enquiry under this rule has been made on another application for purchase of a kudikidappu in the same land.

(2) The Land Tribunal shall also direct the officer making such enquiry to serve on the kudikidappukars and other persons claiming to be kudikidappukars in the land who have not by then applied for purchase of their kudikidappus a written requisition requesting them to apply for purchase on or before a date to be specified by the Land Tribunal.

(3) Where the report of the local enquiry discloses that there are no other kudikidappukars or other persons claiming to be kudikidappukars, on the land, the Land Tribunal shall proceed to dispose of the application for purchase.

(4) Where such report discloses that there are other kudikidappukars or other person claiming to be kudikidappukars or both on the land and that all of them have filed applications for purchase, the Land Tribunal shall proceed to have a joint consideration of all the applications for purchase of kudikidappus in respect of that land.

(5) Where such report discloses that there are other kudikidappukars or other persons claiming to be kudikidappukars in the land, the Land Tribunal shall wait till the time specified under sub-rule (2) is over and then verify from the records in its office as to whether any other application for purchase has been received till then and,—

(a) if no such application has been received proceed to dispose of the application for purchase already received ;

(b) if other applications have been received proceed to have a joint consideration of all applications for purchase relating to that land received till then.



**72. Local enquiry in cases not falling under rule 71.—** (1) In application for purchase of kudikidappu not falling under rule 71, the Land Tribunal shall cause a local enquiry to be made in respect of all the lands held by the person in possession of the land in which the kudikidappu is situate and the provisions of sub-rules (1) and (2) of rule 71 shall, so far as may be, apply to such enquiry.

(2) Where the report of the local enquiry discloses that there are no other kudikidappukars or other persons claiming to be kudikidappukars in such lands, the Land Tribunal shall proceed to dispose of the application for purchase.

(3) Where such report discloses that there are other kudikidappukars or other persons claiming to be kudikidappukars or both and that such kudikidappukars or other persons are land situate within its jurisdiction and that all of them has filed applications for purchase, the Land Tribunal shall proceed to have a joint consideration of all the applications for purchase in respect of such lands.

(4) Where all or some of the kudikidappukars or other persons referred to in sub-rule (4) have not applied for purchase, the Land Tribunal shall wait till the time allowed for presenting applications for purchase is over and then verified from the records in its office as to whether any other application for purchase has been received till then and,—

(a) if no such application has been received, proceed to dispose of the application for purchase already received ;

(b) if there are other applications, proceed to have a join consideration of all applications for purchase relating to such lands received till them.

**73. Land Tribunal to determine number of kudikidappus.—** Before the extent of land that a kudikidappukaran is entitled to purchase is determined, the Land Tribunal shall, after such enquiry as it thinks fit, decide the number of kudikidappus (including the kudikidappus for which applications for purchase have not been filed) situate—

(a) in the land in which the kudikidappus are situate, in case where the person in possession of such land held five acres or more of land on the 24th January 1971, and

(b) in all the lands held by the persons in possession of the land in which the kudikidappus are situate, in other cases.

**74. Contents of order on application for purchase of kudikidappu.—** An order on an application for purchase of kudikidappu, where the purchase allowed is on another portion of the land in which the kudikidappu is situate, shall, besides the particulars mentioned in sub-section (4) of section 88B, specify the price of the homestead, if any, the cost of shifting the kudikidappu payable to the kudikidappukaran and the purchase price payable, if any, after set off of such amounts.

**75. Statement to be appended to certain orders.—** (1) The order of Land Tribunal allowing an application for purchase or the order of an appellate authority (except where the order is for dismissal of an appeal or remand of the case or rejection of an application for purchase) shall be accompanied by a statement in a tubular form specifying—

(a) the name and address of the kudikidappukaran who has been allowed to purchase ;

(b) the extent of land which the kudikidappukaran is entitled to purchase ;

(c) whether the purchase relates to kudikidappu and lands adjoining thereto or another

portion of the land in which the kudikidappu is situate ;

(d) the amount of the purchase price and the amount due from the kudikidappukaran ;

(e) the name and address of the landowner ;

(f) the name and address of the person in possession of the land in which the kudikidappu is situate ;

(g) the name and address of the intermediary or each of the intermediaries, if any ;

(h) the purchase price due on price due on apportionment to—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession ;

(i) the name and address of the holders of encumbrances if any, and persons, if any, entitled to maintenance or alimony, and the amount due to each of them and charged on the right, title and interest of.—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession of the land ;

(j) the purchase price due to—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession of the land in which the kudikidappu is situate ; after deduction of the value of encumbrances and claims for maintenance or alimony ;

(k) the order of priority for payment of encumbrances and claims for maintenance or alimony ;

(l) where the order relates to another portion of the land,—

(i) the price of the homestead ;

(ii) the cost of shifting the kudikidappu ;

(iii) the name of the person liable to pay the same to the kudikidappukaran ;

(iv) the purchase price after set off of the amounts due to the kudikidappukaran ;

(v) the amounts payable on apportionment of such purchase price to—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession of the land

(2) The Land Tribunal shall, on receipt of an order of the High Court passed in revision (other than an order dismissing a petition of revision or rejecting an application for purchase) prepare the statement referred to in sub-rule (1) on the basis of such order and file such statement as part of the records of the case.

**76. Certificate of purchase.—** The certificate of purchase of kudikidappu and the lands of adjoining thereto, or any other portion of the land in which the kudikidappu is situate, shall be in Form No. 36.

**77. Plan of kudikidappu and lands adjoining thereto be appended to certificate or purchase.—** (1) Where a Land Tribunal allows an application for purchase the land allowed to be purchased, inclusive of the land on which the kudikidappu is erected or constructed, shall be plotted in a sketch of the land in which such kudikidappu is situate ; and such sketch shall form part of the records of the case.

(2) Where an appellate authority makes any modification to the extent or location or both of the land allowed to be purchased by the Land Tribunal, it shall indicate in the sketch referred to in sub-rule (1) the extent or location or both as modified by such authority and certify in that sketch in its own hand the fact of such modification.

(3) Where the High Court in revision makes any modification to the extent or location or both the land allowed to be purchased by the Land Tribunal or the appellate authority, the Land Tribunal shall arrange to prepare a revised sketch in accordance with the modifications so ordered.

(4) A copy of the final sketch prepared or modified under this rule shall be appended to the certificate of purchase.

**78. Copy of certificate of purchase and final sketch to be furnished to the Tahsildar and the Director of Survey and Land Records.—** A true copy of the certificate of purchase referred to in rule 76 together with a true copy of the final sketch referred to in sub-rule (4) of rule 77 shall be furnished by the Land Tribunal—

(i) to the Tahsildar and thereupon the Tahsildar shall take action for carrying out the necessary changes in the revenue records ;

(ii) to the Director of Survey and Land Records there upon the Director shall take action to note the change of ownership in the resurvey records.

**79. Manner of deposit of purchase price and authority or bank in which purchase price due to private trust, endowment, etc., is to be deposited.—** The provisions of rules 52 and 53 shall, so far as may be, apply to the deposit of the second and subsequent installments of the purchase price payable by the kudikidappukars and to the payment of purchase price by the Government and the kudikidappukars to the persons mentioned in sub-section (7) of section 88E.

### **CHAPTER III**

#### **Land Board, Appellate Authority and Land Tribunal**

**80. Headquarters of Land Tribunal, appellate authority and Land Board.—** (1) The headquarters of the Land Board shall be the headquarters of the Government or such other place as may be fixed by the Government.

(2) The headquarters of the Land Tribunal or the appellate authority shall be at such place as may be fixed by the Government, but it may hold camp sittings at any other place within or outside its area of jurisdiction under the general or special orders of the Land Board.

**81. Power to call for particulars.—** The Land Board and the Land Tribunal shall be competent to call for any particulars from any party for the purpose of implementing the provisions of the Act, and the party, when so called upon, shall be bound to furnish the same.

**82. Powers of the Land Board to implead parties.—** The Land Board shall have the power to implead as parties in any proceeding pending before it the assignees or parties or the legal representatives of deceased parties ; and the provisions of section 146 of the Code of Civil Procedure, 1908 and order XXII of the First Schedule to the said Code shall, as far as may be apply to the proceedings for impleading the assignees or the legal representatives.

**83. Power of Land Tribunal.—** (1) For the purpose of implementing the provisions of the Act and these rules the Land Tribunal shall have power to issue commissions, grant injunctions, appoint receivers and make during the pendency of the proceedings such other interlocutory orders as may appear to the Tribunal to be just and necessary to meet the ends of justice.

(2) The Land Tribunal shall have power to allow amendments of petitions or applications made before it, or send to it for disposal, in accordance with the procedure laid down therefor in the Code of Civil Procedure, 1908.

(3) The Land Tribunal shall also have to the power to add as parties the legal representatives of a deceased party in any proceedings pending before it ; and the provisions of Order XXII of the First Schedule to the Code of Civil Procedure, 1908, shall, as far as may be, apply to the proceedings for impleading the legal representatives.

(4) The period of limitation for applications for impleading legal representatives shall be ninety days from the date of death of the party.

**84. Appearance through recognised agent.—** A recognised agent may examine and cross-examine witnesses, argue and do such other acts as are necessary for the proper conduct of the case on behalf of the party appointing him.

### **Appeals and revision**

#### **( Sections 112 and 113 )**

**85. Time for appeal.—** (1) Any appeal from the orders of the Land Tribunal shall be filed within sixty days from the date of the order appealed against

(2) Any petition to the High Court against any final order passed in an appeal against the orders of the Land Tribunal or any final order passed by the Land Board shall be preferred within forty-five days of the date of the order against which the petition is to be preferred :

Provided that the time within which such a petition may be preferred by the Government shall be one year from the date of the order against which the petition is to be preferred

(3) In computing the time prescribed under sub-rule (1) or sub-rule (2), the time requisite for obtaining an attested copy of the order shall be excluded.

**86. Government to be made party in certain revision petitions before High Court.—** In every petition before the High Court against any final order passed by the Land Board under the Act, other than an order passed under clause (d) of sub-section (2) of section 111, the Government shall also be made a party.

**87. Staff of Land Board, appellate authority and Land Tribunal.—** (1) The Land Board shall have a Secretary not lower in rank than that of a Revenue Officer and such other staff as the Government may sanction from time to time.

(2) Every Land Tribunal, appellate authority shall have such staff as may be sanctioned by the Government.

(3) Members of the staff of the Land Board the appellate authority and the Land Tribunal shall be regular Government servants, and may be appointed from the Revenue or Judicial or other departments of the Government as may be determined by the Government, and persons so appointed shall be treated as temporary additions to the respective cadres.

(4) A member of the Land Board's staff so appointed by the Land Board shall function as the Head Ministerial Officer of the Board, and a member of the staff of the appellate authority or of the Land Tribunal so appointed by the appellate authority or the Land Tribunal, as the case may be, shall function as its Head Ministerial Officer.

**88. Working days and office hours.—** The working days and office hours of the Land Board, the appellate authorities and the Land Tribunal shall be the same as those of the offices of the Government .

Provided that the Land Board or appellate authority or Land Tribunal may, for reasons to be recorded in writing, hold sitting outside office hours or on any day other than a working day.

**89. Sitting to be open.—** The sitting of the Land Board and of every appellate authority and the Land Tribunal shall be held openly.

**90. Posting book.—** (1) There shall be a posting book in Form No, 37 in the Land Board and in every appellate authority and Land Tribunal.

(2) The entries in the posting book shall be made by the bench clerk on each day immediately after the sitting for the day is over.

(3) The details of posting of all the cases which had come up before the Land Board, the appellate authority or the Land Tribunal, as the case may be, on the day shall be entered in the posting book.

**91. Roll call of cases.—** The bench clerk shall make the posting book available to the Land Board, the appellate authority or the Land Tribunal, as the case may be, and the case posted for each day shall be called out as soon as the sitting commences.

**92. Diary register.—** (1) A diary register shall be maintained in Form No. 38 by the Land Board, the appellate authorities and the Land Tribunals, and separate pages must be allotted in the register for each case.

(2) The diary register shall contain concise but faithful entries relating to every proceeding and state in the application or appeal, as the case may be beginning with its institution and ending with its final disposal.

(3) The gist of the application or appeal, as the case may be, and the orders thereon shall be entered in the register.

(4) The gist shall be written up by the bench clerk promptly and systemically in blue ink and shall be initialled on the dates of posting by the Land Board or by the appellate authority or by the Land Tribunal, as the case may be.

**93. Extract from diary register to be furnished to appellate or revising authority along with records of case.—** Whenever the records of the Land Tribunal or the appellate authority or the Land Board in a case are called for by the appellate or revising authority under the Act, the Land Board, as the case may be, shall along with the records, furnish a true extract from the diary register to that case duly signed—

(a) by the Land Tribunal ; or

(b) by the appellate authority ; or

(c) by the Land Board.

**94. Order sheets.—** There shall be an order sheet for every case in the hand of the Land Tribunal, or the appellate authority, or the Land Board, as the case may be hearing the proceeding.

(2) Entries shall be made in the order sheet on each day of the posting of the case, noting the date, purpose of the posting, the work transacted on the day and the day and the date and purpose of the succeeding posting, if any.

**95. Seal of office and notice-board.—** For the Land Board and for every appellate authority and Land Tribunal, there shall be a seal of office and a notice-board.

**96. Stamps.—** (1) If any application or appeal which requires court-fee stamp is unstamped or insufficiently stamped the Head Ministerial Officer shall direct the person presenting it to cure the defect within a specified time, not exceeding one week.

(2) If the defect is not cured within the time fixed, the Head Ministerial Officer shall produce the application before the Land Board, or the appellate authority of the Land Tribunal, as the case may be, who shall pass thereon such order as is deemed fit.

**97. Impounding of instruments.—** The Head Ministerial officer shall examine every instrument produced before him so as to ascertain whether it is duly stamped, and if a document is not properly stamped, the Land Tribunal or the appellate authority or the Land Board shall impound the same.

**98. Permanent advance.—** Every Land Tribunal, appellate authority and the Land Board shall have such permanent advance as may be allowed by the Government.

**99. Collection of postage, etc.—** (1) Amounts necessary for postage, commission batta,

mileage, witness batta, etc., payable by parties, shall be collected in advance by the Head Ministerial Officer on issuing receipts and kept under safe custody to be utilised by him for the requisite purpose.

(2) The Land Tribunal shall verify and satisfy himself that the amounts of such collections made as per receipt books have been duly accounted for in cash book and that all payments made out of such collections are supported by proper vouchers.

(3) The Land Tribunal shall see that out of such collections, any amount exceeding two hundred and fifty rupees at a time is deposited in the Government Treasury, under or separate head of account, to be drawn later when occasion demands.

**100. Accounts.—** (1) The Head Ministerial Officer shall keep the accounts of the office to which he is attached.

(2) There shall be a cash book in which entries relating to all cash transaction shall be entered in the course of business of the office, and the balance of the cash shall be struck therein at the end of the day.

(3) A ledger also shall be kept allotting separate pages for each case.

**101. Security deposit.—** The Head Ministerial Officer shall deposit with the Government such security and in such manner as the Government may, by order, specify.

**102. Audit.—** The Government shall arrange for the periodical audit of the accounts of and of the movable held by the Land Tribunals, the appellate authorities and the Land Board.

**103. Fair copies of order.—** Final orders passed by the Land Tribunal, the appellate authority, and the Land Board on applications or appeals, as the case may be, heard by them shall be fair copied duly compared with the original, and then signed by the person or persons who passed them or by his or their successor or successors in office, the originals of such orders being permanently preserved.

**104. Register of final orders.—** (1) There shall be register of final orders in Form No. 39 in every Land Tribunal, the appellate authority and the Land Board.

(2) Entries in the register of final orders shall be made promptly and date-wise and at the end of the register and index of its contents shall be entered.

**105. Return of documents.—** (1) Any document produced for evidence in any case, other a document which has become void or useless by force of the order finally disposing of the case, shall be returned to the party producing the same on his application made within a period of one year from the date of such order :

Provided that a document constituting the title deeds shall be returned to the party producing the same on his application made within the said period, notwithstanding the fact that such document has become void or useless by force of such order.

(2) where any document has become partly void or partly useless by force of the order finally disposing of a case such document shall be returned with an endorsement thereon, in red ink, duly attested by the Land Tribunal or the appellate authority or the Land Board, as the case may be indicating the extent to which such document has become void or useless.



(3) If the application for the return of a document is not made within the period specified in sub-rule (1), the party shall not be entitled to claim the document back :

Provided that the Land Tribunal or the appellate authority, or the Land Board, as the case may be, may return the document after the expiration of the said period, if it is satisfied that the application had sufficient cause for not making the application within that period.

**Explanation.—** For the purpose of this rule, a case shall be deemed to be finally disposed of only after the appeal and division, if any, are finally decided.

**106. Arrangement of records after disposal of case.—** Soon after the final decision of a case, the records relating to it shall be completed, arranged and indexed and consigned to the records.

### **Records**

**107. Records to be kept safely.—** (1) In every Land Tribunal, the appellate authority and the Land Board, there shall be provision for keeping the records safely and intact.

(2) The records shall be arranged year-wise and in the order of their numbers, and indices of the records shall be prepared for reference.

**108. Register of Land Tribunal.—** Every Land Tribunal shall maintain the following registers namely :—

- (1) Register of applications in Form No. 40 ;
- (2) Register of court-fees in Form No. 41 ;
- (3) Register of instruments impounded in Form No. 42 ;
- (4) Register of applications for return of documents in Form No. 43 ;
- (5) Register of copy application in Form No. 44 ;
- (6) Posting Booked in Form No. 37 ;
- (7) Diary Register in Form No. 38 ;
- (8) Cash book in form prescribed in Treasury Rules ;
- (9) Stock Register of stationery and forms in Form No. 45 ;
- (10) Stock account of furniture and other office stores prescribed in General Financial Rules ;
- (11) Register of Commissions issued in Form No. 46 ;
- (12) Personal Register ;
- (13) Register of papers despatched in Form No. 47 ;
- (14) Stock Register of service Postage in Form No. 48 ;



- (15) Acquittance Roll as prescribed in Treasury Rules ;
- (16) Register of permanent advance in form prescribed in the Treasury Rules ;
- (17) Register of contingent charges ;
- (18) Such other registers in such forms as the Land Board may direct ;

**109. Register of Land Board and appellate authorities.—** The Land Board shall maintain such registers as are specified by the Government and the appellate authorities shall maintain such registers as are specified by the Land Board.

**110. Maintenance of registers.—** (1) The Head Ministerial Officer shall be responsible for the proper maintenance of the registers.

(2) The registers shall be periodically inspected by the Land Tribunal, the appellate authority, or the Land Board as the case may be.

**111. Inspection of documents.—** (1) Any party shall be at liberty to inspect any document recited or referred to in any proceeding to which he is party and filed in the Land Tribunal or the appellate authority or the Land Board.

(2) Every party desiring to inspect any document filed in the Land Tribunal or the appellate authority or the Land Board shall present a memorandum specifying the document of which inspection is required and inspection shall be allowed, without the payment of any fee, during the pendency of the proceeding.

(3) If leave to inspect is granted, the inspection of the record shall be made in the presence of any officer specified by the Land Tribunal or the appellate authority or the Land Board.

(4) The fee for inspection, except where inspection without payment is permitted under sub-rule (2), shall be seventy -five paise for every hour or part of an hour, during which the specified officer shall be engaged for the purpose, and shall be paid by way of court-fee stamps affixed to the applications, and the fees so levied shall not be refunded on any account.

**112. Search of records and search fee.—** On every application for search of any documents or record, search fee at the following rates shall be paid in court-fee stamps.—

(a) When the document or recorded belongs to any year prior to the calendar year in which the search is made but is not more than 10 years old . . . . . Re. 0.50.

(b) When the document or record is more than ten years old Re. 100.

Provided that no such fee need be paid by a party to the proceeding where the application for search is made in a proceeding which is pending disposal on the date of application :

Provided further that no such fee need be paid by a party to the proceeding in the case of an application for a copy of an order passed thereon within one year prior to the date of the application.

**Explanation.—** For the purpose of this rule, only one search fee need be paid for all documents forming part of the record in the same proceeding, and the document shall be deemed to be of the date of institution of the proceedings of which it forms part of the record.

**113. Certified copies.—** (1) Any person entitled to obtain a copy of any proceeding or document filed in, or in the custody of the Land Tribunal or the appellate authority or the Land Board, may present an application for the same.

(2) Copies of minutes or notes of the Land Board or of the appellate authority or the Land Tribunal, or other confidential papers shall not be granted.

(3) Along with every application for copy, copying stamp papers necessary for preparing the copy, shall be supplied and the number of papers to be supplied shall be calculated at the rate of one copy stamp paper of the value of twenty paise for every 175 words in English or 125 words in Malayalam, or the fractions of 175 or 125 words, as the case may be.

**Note :—** Each statement, account, report, petition, order or the like should be treated as a separate document and should be written on separate copy stamp paper.

(4) Where the copies applied for are of maps, plans or genealogical trees which cannot be copied on an ordinary stamp paper, they shall be prepared by skilled labour, and a reasonable fee shall be fixed in each case by the Land Board or the appellate authority or the Land Tribunal, as the case may be, and deposited by the party in cash.

(5) Three-fourths of the fee under sub-rule (4) shall be paid to the person employed in preparing the copy and the remaining shall go to the Government which shall be credited under a head of account to be specified by the Government.

(6) Copies shall be transcribed only on the front page of every copy stamp paper, and all copies shall be certified to be true copies by the Head Ministerial Officer and shall also be sealed with the seal of the Land Tribunal or the appellate authority or the Land Board, as the case may be.

(7) Every copy shall bear an endorsement showing the following particulars and be initialled by the persons preparing the copy :—

- (a) the year and number of the proceeding ;
- (b) the authority which granted the copy ;
- (c) the name of the applicant ;
- (d) the number and date of application ;
- (e) the date of calling for additional stamp papers, if any ;
- (f) the date of production of the same ;
- (g) the date of appearance to receive the copy ; and
- (h) the date of delivery of the copy.

(8) A list of copies ready for delivery shall be posted in the notice-board of the Office of the Land Board or of the appellate authority or of the Land Tribunal, as the case may be and shall remain thereon for three clear days other than holidays.

(9) The copy and any unused copy stamp paper shall be delivered to the applicant at any time during office hours and the copy is not claimed by the applicant within twelve months of the date of posting of the said list, it shall be destroyed after the notice to the applicant, and the unused stamp papers, if any shall be forwarded to the Superintendent of Stamps for disposal according to rules.

## CHAPTER IV

### Court fees

#### ( Section 123 )

114. **Levy of fees.—** No document under the Act or under these rules shall be filed, exhibited or recorded in, or be acted on by any Land Tribunal or appellate authority or the Land Board or any other authority or officer, unless it is duly stamped with the requisite court-fee at the rates specified in the statement appended to rule 118.

115. **Collection of fees by stamp.—** All fees chargeable under the Act or under these rules shall be collected by way of court-fee stamps, unless otherwise expressly provided for in these rules.

116. **Stamps to be impressed or adhesive.—** The stamps used to denote any fee chargeable under the Act or under these rules may be impressed or adhesive, or partly impressed and partly adhesive.

117. **Cancellation of stamp.—** No document requiring a stamp under these rules shall be acted upon in any proceedings unless the stamp has been cancelled.

118. **Fees.—** For the document mentioned in column (2) of the statement appended, fixed fee at the rates mentioned against each in column (3) thereof shall be payable :

Provided that no such fee shall be payable in respect of any such document presented by--

- (a) a member of any scheduled caste or scheduled tribe ; or
- (b) a member of the Armed Forces ; or
- (c) a seaman :

Provided further that no such fee shall payable on an application presented by a person for the return of a document filed by him before any Land Tribunal or for the repayment of any amount deposited by him with any Land Tribunal :

Provided also that no such fee shall be payable—

- (i) on any application or petition of appeal by or on behalf of the Government ; or
- (ii) on any application under or incidental to any proceedings under sections 80 to 80S filed before the Land Tribunal or the Land Board ; or
- (iii) on any application under or incidental to any proceedings under section 88A to 88G filed before the Land Tribunal ; or
- (iv) on any application to the Land Board under sub-section (2) of section 118B.

## APPENDIX

| Sl. No.<br>(1)                                                                                                                                       | Name of document<br>(2)                                                                                                            | Rate of fee.<br>(3) |
|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|                                                                                                                                                      |                                                                                                                                    | Rs. P               |
| 1. Section 15 (1) :                                                                                                                                  | Application by landlord for resumption of land . . .                                                                               | 1.00                |
| 2. Section 29 (1) :                                                                                                                                  | Application by tenant for restoration or possession of land previously resumed . . .                                               | 2.00                |
| 3. Section 32 (1) :<br>1.00                                                                                                                          | Application for recovery of arrears of rent . . .                                                                                  |                     |
| 4. Section 37 (1) :                                                                                                                                  | Application by cultivating tenant or landlord for determination of fair rent . . .                                                 | 1.00                |
| 5. Section 39 :                                                                                                                                      | Statement regarding agreed rent . . .                                                                                              | 1.00                |
| 6. Section 44 (2) :                                                                                                                                  | Application by tenant for remission or rent . . .                                                                                  | 1.00                |
| 7. Section 45 (1) :                                                                                                                                  | Application by cultivating tenant for abatement or reduction of rent . . .                                                         | 1.00                |
| 8. Section 52 (1) :                                                                                                                                  | Application by tenant for permission to pay arrears of rent through Land Tribunal . . .                                            | 1.00                |
| 9. Section 54 (1) :                                                                                                                                  | Application by landlord or tenant for apportionment of rent and security for rent . . .                                            | 1.00                |
| 10. Section 55 (3):                                                                                                                                  | Application by person acquiring interest in part of the holding. . .                                                               | 1.00                |
| 11. Section 57 :                                                                                                                                     | Statement by tenant regarding surrender of interest in the holding . . .                                                           | 1.00                |
| 12. Section 57 (3):<br>and 58 (4)                                                                                                                    | Application for lease of land surrendered or abandoned. . .                                                                        | 0.75                |
| <b>Note :—</b> No fee need be paid under this item in respect of the application made by any local authority or by any department of the Government. |                                                                                                                                    |                     |
| 13. Section 60 (6):                                                                                                                                  | Application in case of dispute regarding rights over timber trees . . .                                                            | 1.00                |
| 14. Section 62 (1):                                                                                                                                  | Application by cultivating tenant for purchase of the landlord's rights in his holding . .                                         | 2.00                |
| 15. Section 74 (1):                                                                                                                                  | Application by religious, charitable or educational institutions of a public nature for vesting of their rights in Government. . . | 5.00                |
| 16. Section 83 (4):                                                                                                                                  | Application to Government for acquisition of alternative site for shifting kudikidappu . . .                                       | 2.00                |

| Sl. No.<br>(1)      | Name of document<br>(2)                                                                       | Rate of fee.<br>(3) |
|---------------------|-----------------------------------------------------------------------------------------------|---------------------|
|                     |                                                                                               | Rs. P               |
| 17. Section 35 (1): | Application for shifting of kudikidappu . . .                                                 | 5.00                |
| 18.                 | Application for registration of kudikidappukars . . .                                         | 2.00                |
| 19. Section 19 :    | Application for restoration of possession of lands delivered . . .                            | 2.00                |
| 20.                 | Application for issue of copies . . .                                                         | 0.25                |
| 21.                 | Applications for petitions or appeals, if any, for purpose other than those specified above : |                     |
|                     | (i) to the Government . . .                                                                   | 2.00                |
|                     | (ii) to the Land Board . . .                                                                  | 2.00                |
|                     | (iii) to the Appellate Authority . . .                                                        | 1.00                |
|                     | (iv) to the Land Tribunal . . .                                                               | 0.75                |
|                     | (v) to the Collector . . .                                                                    | 1.00                |
|                     | (vi) to the Deputy Collector (Revenue) . . .                                                  | 0.75                |
|                     | (vii) to the Tahsildar . . .                                                                  | 0.50                |

## CHAPTER V

### Rules of procedure

119. **Stamp duty payable on power of attorney under section 122.—** The stamp duty payable on a power of attorney referred to in sub-section (2) of section 122 shall be the same as that specified in the Indian Stamp Act, 1899 as applicable to the Union territory of Pondicherry.

120. **Language in proceedings before Land Tribunal appellate authority and Land Board.—** The language in proceedings before the Land Tribunal, the appellate authority, and the Board shall be English or Malayalam.

121. **Extension of time.—** Where any period is fixed or granted by the Land Tribunal or the appellate authority or the Land Board or any other authority or officer for the doing of they act prescribed or allowed by these rules, it or he may, in its or his discretion, from time to the, extend such period even though the period originally fixed or granted may have expired.

122. **Land Tribunal or appellate authority or Land Board not to try proceedings in**

**which it is interested.—** (1) The Land Tribunal or the appellate authority or the Land Board shall not try or hear any proceedings in which it or he is party or is otherwise personally interested nor shall adjudicate upon any connected proceedings.

(2) Where any such proceedings comes before any Land Tribunal or the appellate authority, it shall report the circumstances to the Land Board and the latter shall thereupon transfer the proceedings to any other Land Tribunal or appellate authority, as the case may be.

**123. Copy of application to be filed.—** Every application presented under the Act or any rule made thereunder shall be accompanied by a true copy thereof.

**124. Written statement.—** (1) The respondent may, and if so required by the Land Tribunal or the Land Board, shall at or before the first hearing or within such time as it may permit, present a written statement of his defence or of any claim for relief and with such written statement shall produce all documents in his possession or power on which he bases his defence or any claim for relief.

(2) where the respondent relies on any other documents as evidence in support of his defence or claim, he shall enter such documents in a list to be added to the written statement.

(3) A document which ought to be produced or to be entered in the list, but which has not been so produced or entered accordingly, shall not, without the leave of the Land Tribunal or the Land Board, be received in evidence on the respondent's behalf at the hearing of the proceeding.

(4) A party, recognised agent, or pleader, filing any proceedings, shall, on demand in writing, furnish to any other party a copy of the proceedings upon payment therefor at the rate of nine paise for every hundred words if in manuscript, or at double this rate if the copy is typed or printed, four figures being calculated as one word, provided that one copy of the application, the written statement and the petition of appeal, or of objection, shall, on like demand, be furnished free of charge to each party proceeding in person or by a separate pleader or recognised agent.

**125. Summons how served.—** The summons to a witness may be delivered to the party applying for such summons for making service on the witness :

Provided that when the party so desires or the Land Tribunal or the Land Board deems fit the summons shall be sent by registered post acknowledgment due.

**126. Fees for service of processes.—** For service of every summons or notice, fee shall be levied at the following rates, namely :—

|                                                       |                                                                                                                                                         |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| (a) When sent by registered post                      | Actual cost                                                                                                                                             |
| (b) When served by an officer deputed for the purpose | Seventy-five paise or an amount equal to the travelling allowance to which the officer deputed would be entitled under the Rules, whichever is higher : |

Provided that no such fee shall be levied for service of summons (other than summons to witness), or notices in connection with any proceedings before the Land Tribunal under sections 80 to 80S or sections 88A to 88G.

**127. Land Tribunal or Land Board or other authority of officer may grant adjourn-**

**ment.—** The Land Tribunal or the Land Board or any other authority or officer exercising any power or performing any functions under the Act or these rules, may if sufficient cause is shown, at any stage of the proceeding, grant time to the parties or to any of them, and may, from time to time, adjourn the hearing of the proceeding.

**128. Correction of mistakes in orders of Land Tribunal and Land Board.—** Clerical or arithmetical mistakes in orders of the Land Tribunal or the Land Board or errors arising therein from any accidental slip or omission may at any time be corrected by the Land Tribunal or the Land Board as the case may be either of its own motion or on the application of any of the parties.

**129. Power to inspect.—** The Land Tribunal or the Land Board or any other authority or officer, may, at any stage of the proceedings, inspect any property or thing concerning which any question may arise.

**130. Term of office of non-official members of Land Reforms Review Board.—** The term of office of the non-official members of the Land Reforms Review Board shall be two years from the date of its constitution.

**Procedure to be followed by authorised officer and other matters.**

**[ Section 115, 116 116A, 117 and 128 (1) ]**

**131. Particulars to be furnished.—** The authorised officer may, in addition to the information referred to in sub-section (1) of section 115, call for the following particulars, namely:—

- (a) classification of land ;
- (b) improvements on the land ;
- (c) details regarding particulars of the family ; and
- (d) any other particulars which he deems necessary.

**132. Manner of obtaining information.—** When the authorised officer has to obtain any information, he or his agent may obtain it in the following manner, namely :—

- (a) by making such enquiry as he or his agent may deem fit ; or
- (b) by local inspection ; or
- (c) by reference to any Government record ; or
- (d) in such other manner as the authorised officer may deem fit.

**133. Manner of verification of information obtained by authorised officer.—** (1) After obtaining the information under rule 132, the authorised officer shall fix the date on which the enquiry in respect of such information will be held, and shall issue a notice to person concerned.

(2) While serving the notice on any person under sub-rule (1), a copy of the statement containing the information shall also be furnished whenever necessary and unobjectionable.

(3) On the date fixed for the enquiry or on such other date to which the enquiry may be adjourned by the authorised officer, the authorised officer shall give to the person concerned a reasonable opportunity to adduce any documentary or oral evidence.

(4) The authorised officer may also examine such other persons or admit such other document as he considers necessary to verify the correctness of the information furnished in the statement specified in sub-rule (2).

**134. Procedure to be followed by authorised officer.—** The proceedings of the authorised officer shall be summary and shall, subject to the provisions of the Act and these rules, be governed as far as possible, by the provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of—

- (a) the issue and service of summons ;
- (b) the examination of parties and witness ;
- (c) the production of documents ;
- (d) the amendment of parties ;
- (e) the addition of parties ;
- (f) the reviewing of orders passed on grounds of apparent error ;
- (g) local inspection ; and
- (h) the passing of orders.

**135. Refixation of rent in respect of lease for commercial or industrial purpose.—** (1) At any time after the expiry of twelve years from the date of the contract of tenancy of the date of refixation or rent under this rule, the lessor or lessee may apply to the Land Tribunal for refixation of the rent.

(2) On receipt of such application, the Land Tribunal shall give notice to the opposite party and after making due enquiry pass orders on the application.

(3) In passing orders under sub-rule (2), the Land Tribunal shall have regard to the rates of rent prevailing in the locality in respect of lands used for similar purpose.

**136. Rent payable for building used by kudikidappukaran for commercial or industrial purpose.—** While determining the rent payable by a kudikidappukaran for the use and occupation of any building used for commercial or industrial purpose, the Land Tribunal shall have regard to the rates to rent prevailing in the locality in respect of similar buildings used for similar purpose.

**137. Determination of costs and execution thereof.—** (1) In an order for payment of costs, the Land Tribunal or the appellate authority, as the case may be, may after taking into consideration the expenses which in its opinion have been reasonably incurred or met for the conduct of the proceedings specify the total amount of costs allowed by such order.

(2) An order referred to in sub-rule (1) shall setforth the name or names of the person or persons entitled to the cost and the person or persons liable to pay the same and shall also specify whether such right or liability is joint or several or both.



(3) The Land Tribunal or the appellate authority, as the case may be, shall, as far as practicable in order itself, grant remission to the party liable to pay the costs set off such costs towards other amounts, if any, due to him from the person or persons entitled to the costs.

(4) An order for payment of costs, where execution for its recovery is necessary, shall, on application by the party entitled to the costs, be executed by the Land Tribunal or by the appellate authority which passed the order for costs, as if it were a civil court and its order were a decree passed by this civil court for payment of money.

(5) The provisions of the Code of Civil Procedure, 1908 and the rules made thereunder and the Limitation Act, 1963, shall so far as may be, apply to execution under sub-rule (4) and all matters connected therewith.

**138. Declaration under section 128.—** The declaration to be made by a transferor or transferee under sub-section (1) of section 128 shall be in Form No. 49.

**Explanation.—** Where the transferor or the transferee is—

(a) dead before the filing of the declaration, any legal representative of the deceased transferor or transferee as the case may be, shall file it ;

(b) a minor, lunatic, idiot or one who is subject to like disability, the declaration shall be made and filed by the guardian, manager or other person in-charge of such person or of the property of such person.

#### **Service of notice or order**

**139. Manner of service of notice or order.—** Any notice or order issued or made under the Act or under these rules shall be served on the person concerned in the following manner, namely :

(a) in the case of any society or institution, on the Secretary or Manager or the Trustee in the manner specified below :—

(i) by delivery or tender to the person concerned or his counsel or his authorised agent ; or

(iii) by affixing the notice or order in some conspicuous part of last known place or residence of the person concerned ;

(b) in the case of a family, on the person in management of such family or of the property of the family, in the manner specified below :—

(i) by delivery or tender to the person concerned or his counsel or his authorised agent ; or

(ii) by delivery or tender to some adult member of the family ; or

(iii) by sending the notice or order to the person concerned by registered post acknowledgment due; or

(iv) by affixing the notice or order in some conspicuous part of the last known place of residence of the person concerned ;

(c) in the case of a company—

(i) on the Secretary or on any Director or other Principal Officer of the company in the manner specified in sub-clauses (i) to (iii) of clause (a) ; or

(ii) by leaving it or sending it by registered post acknowledgment due addressed to the company at the registered office or if there is no registered office, then at the place where the company carries on business.

**140. Repeal and saving.—** The Mahe Land Reforms (Tenancy) Rules, 1969, are hereby repealed :

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provision of these rules.

**FORM No. 1**

**( See rule 7 )**

**Application for resumption of land**

BEFORE THE LAND TRIBUNAL OF .....

Application No ..... of 19 .....

Name(s) and address(es) of applicant(s) :

Name(s) and address(es) of respondents) :

1. Particulars of the holding to which the application relates—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the holding sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. Particulars of the document, if any, evidencing the contract of tenancy (or of the order in which the fair rent was determined) :

3. Nature of the tenancy (i.e., kanam, kuzhikanam, verumpattam, etc.) :

4. Interest of the applicant in the holding, (i.e., whether landowner or intermediary, etc.) :

5. Annual rent of the holding :

6. Particulars (including survey number, class and the extent) of other lands in the possession of the applicant or his family or in which they have interest as landowner or

intermediary or as mortgagee in possession (Particulars to be shown separately under each head)

7. Name and address of the cultivating tenant and the total extent of land in his possession and their particulars (as far as known) :

8. Name and address of the kudikidappukaran, if any, on the land to be resumed and the particulars of the kudikidappu :

9. Name and address of other persons interested in the holding and the nature of the interest (as far as known) :

10. Extent, location and other particulars of land sought to be resumed :

11. Number and date of the Collector's certificate or if the certificate is not received, the date of application for the same (in the case of resumption for extension of place of public religious worship) :

12. Grounds for resumption. (set out the grounds in detail in consecutive numbered paragraphs) :

13. Prayer (set out the reliefs claimed in consecutive numbered paragraphs) :

14. Where the application is not presented within prescribed period reasons for not presenting the application within such period [ in cases where resumption is under section 8 or where the applicant(s) is/are landlords falling in categories (c) and (d) under the proviso to condition (i) section 13 ].

Date this the ..... day of ..... 19 .....

Applicants (1) .....

(Signature)

(2) .....

(Signature)

### DECLARATION

1. I/We declare that the particulars stated in columns ..... of this application are true to the best of my/our knowledge and that the particulars stated in columns ..... of this application are based on information which I/we believe to be true.

2. I/We declare that I/we were not having possession or interest in land, immediately before, the 28th April, 1962, in excess of the limits specified in term (46) of section 2 nor have I/we acquired any interest in land after the said date either by way of partition or transfer.

Applications (1) ..... (Signature)

(2) ..... (Signature )

**Note :—** This declaration is to be furnished only by small holder applying for resumption

for resumption under section 11A or section 12.

**FORM No. 2**

**( See rule 11 )**

BEFORE THE LAND TRIBUNAL OF .....

Application No. .... of 19 .....

Name(s) and address(es) of applicant(s) ..... Name(s) and address(es) or respondent(s) .....

1. Particulars of the land sought to be restored :—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. The date of dispossession or resumption :

3. The name of the court or Land Tribunal which passed the decree or order for dispossession or resumption and the year and the number of the suit or application in which such decree or order was passed :

4. Name and address of the person who dispossessed the applicant or resumed land from him :

5. The nature and extent of the interest held and of the possession over the land by the applicant immediately before his dispossession or the terms of the tenancy under which he held the land before resumption :

6. The Survey Nos., extent and other particulars of the lands in the possession of the applicant (to be filed in only where the application is under section 29) :

7. The amount, if any, received by the applicant on account of the dispossession or resumption :

8. The grounds which entitle the applicant to restoration, if any (set out the grounds in detail in consecutive numbered paragraphs) :

Dated this the ..... day of ..... 19 .....

Applicants (1) ..... (Signature)

(2) ..... (Signature)

**DECLARATION**

I/We declare that the particulars stated in columns. . . . .  
. of this application are true to the best of my/our knowledge and that the particulars stated in  
columns. . . . . of this application are based on information which I/We  
believe to be true.

Applicants (1). . . . . (Signature)

(2). . . . . (Signature)

### FORM No. 3

( See rules 13 and 14 )

#### Warrant to Officer to give possession of land

Before the Land Tribunal/Deputy Collector/Tahsildar of . . . . .  
. . . . .  
...

Application No. . . . . of . . . . .

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

To.

Whereas the property described in the schedule below has to be put into the possession of  
. . . . .

You are hereby directed to put the said person in possession of the same on the . . . . .  
. . . . . day of . . . . . 19 . . . . . and you are hereby  
authorised to remove any person who may refuse to vacate the same.

Give under my hand and seal this . . . . . day of . . . . .

#### SCHEDULE

Date :

Place :

Land Tribunal/Deputy Collector/  
Tahsildar.

#### Certificate of Execution

I, . . . . .  
. do hereby declare that the property scheduled above has been put into possession of . . . . .  
. . . . . on the day of . . . . . 19 . . . . .  
. . . in the presence of two witnesses described below :

Name and address of

Witness and their signature.

1.

2.

**Date :**

**Place :**

**Signature**  
**Officer executing the warrant**

**DECLARATION**

I/We declare that I/we have received today possession of the property described in the schedule.

Name(s) and address(es) of the party receiving possession from the officer and the signature of such persons.

**Date :**

**Place :**

**(Countersigned)**

**Date :**

**Place :**

**Land Tribunal/Deputy Collector/  
Tahsildar.**

**FORM No. 4**

**( See rule 15 )**

**Application for recovery of arrears of rent**

BEFORE THE LAND TRIBUNAL OF .....

Application No. \_\_\_\_\_ of \_\_\_\_\_ 19\_\_\_\_

Name(s) and address(es) of applicant(s) \_\_\_\_\_ Name(s) and address(es) of respondent(s) \_\_\_\_\_

1. Particulars of the holding :—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. Particulars of the documents, if any, evidencing the contract or the order in which the fair rent was determined :
3. Nature of the tenancy (i.e., kanam, kuzhi-kanam, verumpattam, etc.) :
4. Interests of the applicant in the holding (i.e., whether landowner or intermediary) :
5. Nature of interest of the respondents (i.e., whether cultivating tenant or intermediary) :
6. Details of the rent due and the date or dates on which the rent or installments of rent are payable :
7. Whether the applicant is a small holder :
8. Total extent of land possessed, whether as owner, mortgagee, lessee or otherwise, by the tenant from whom rent is claimed :
9. Amount of the arrears of rent and periods to which the arrears relate and the rate of interest, if any :
10. Amount of the rent, if any, set off or relinquished or assigned to a third party :
11. Prayer (state the reliefs claimed and the grounds therefor) :

Dated this the ..... day of ..... 19 .....

Applicants (1) ..... (Signature)

(2) ..... (Signature)

#### DECLARATION

I/We declare that the particulars stated in columns. .... of this application are true to the best of my/our knowledge and that the particulars stated in columns .... of this application are based on information which I/we believe to be true

Applicants (1) ..... (Signature)

(2) ..... (Signature)

**Note :—** Columns 7 and 8 to be filled in only where the claims involves arrears of rent accrued due before the 1st day of March, 1971.

#### FORM No. 5

( See rule 16 )

IN THE LAND TRIBUNAL OF .....

Application No.

of

19

Applicant(s) :

Respondent(s) :

(Name, address and rank of the respondent)

Take notice that an application for recovery of rent under sub-section (1) of section 32 has been filed in this Tribunal and that the ..... day of .....19 .  
...has been fixed by this Tribunal for the appearance of parties and filing of objections, if any, by the respondent to the claim

If you fail to appear at 10 A. M. before this Tribunal sitting at .....  
on the date above fixed the claim will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this .....  
day of .....19 .....

By order

( Seal )

( Signature )

**Head Ministerial Officer.**

**FORM No. 6**

( See rule 19 )

**Extract of order under sub-section (2) of section 32 or section 81**

IN THE COURT/LAND TRIBUNAL/APPELLATE AUTHORITY OF .....

Application No. ....

**PART I** (For rent accrued due prior to the 1st day of March, 1971)

1. Name and address of the person entitled to the amount :
2. The amount that the tenant should deposit under sub-section (7) of section 81 :
3. Where there are more than one applicant and such applicants are severally entitled, the amount due to each of the applicants :
4. The name and address of the tenant who should make the deposit under sub-section (7) of section 81 and where there are more than one tenant and the liability of such tenants are not joint but only several, the amount which each of such tenants are liable to deposit :
5. Where the extracts is of an order in appeal or revision, the number and, year of such appeal or revision and the name of the appellate authority or the revision court :



6. Date of the order :

**PART II** (For rent accrued due after 1st day of March, 1971)

1. The name and address of the person entitled to the amount :

2. The amount of arrears of rent with interest, if any, determined as payable to the landlord  
:

3. Where there are more than one applicant and such applicants are severally entitled, the amount due to each of the applicant :

4. The amount which carries future interest, with date from which such interest accrues :

5. The name and address of the tenant liable for the amount shown in column (2) and where there are more than one tenant and the liability of such tenants are not joint but only several the amount for which each of such tenants are liable :

6. The name of the tenant, whose interest is charged under section 48 for the amount shown in column (2) and whether such tenant is a tenant in possession or an intermediary in respect of the holding for which the claim for rent is allowed :

7. Details for the holding, wherein there is such interest charged under section 48 (sufficient details for identification should be given) :

8. Where the extract is of an order in revision, the number and year of revision petition :

9. Date of the order :

**Court/Land Tribunal/Appellate Authority**

**FORM No. 7**

**( See rule 20 )**

**Application for Execution**

BEFORE THE LAND TRIBUNAL OF .....

Application No.

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

1. The number and year of the application in which the order under sub-section (2) of section 32 was passed and the date of the order :

2. The name and address of the applicant seeking recovery of the amount :

3. Where the applicant is a person other than a person in whose favour, the order under sub-section (2) of section 32 was passed, the circumstances under which the right to recover such amounts developed upon such applicant :

4. The amount determined as payable to the landlord for the period after 1st day of March, 1971 (excluding costs) due on the date of the application :

5. The name and address of the tenant liable to pay the amount :

6. Where the liability of the tenant against whom the order under sub-section (2) of section 32 has been passed has developed upon any other person on the date of application, the name of such person and the circumstances under which such devolution took place :

7. Whether the tenant who is liable for the amount is an intermediary :

8. Description of the holding wherein the interest of the tenant is charged under section 48:

9. Prayer (Here state the mode in which the assistance of the Tribunal is required) :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Applicants (1) .....(Signature)

(2) .....(Signature)

### **DECLARATION**

I/We declare that the particulars stated in columns .....  
... of application are true to the best of my/our knowledge and that the particulars state in columns.  
..... of this application are based on information which I/we believe to  
be true.

Applicants (1) .....(Signature)

(2) .....(Signature)

### **FORM No. 8**

**( See rule 23 )**

### **Application for determination of fair rent**

BEFORE THE LAND TRIBUNAL OF .....

Application No. \_\_\_\_\_ of 19\_\_\_\_

Name(s) and address(es) of applicant(s) \_\_\_\_\_ Name(s) and address(es) or respondent(s)

1. Particulars of the holding :—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the land  
sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. Particulars of the documents if any, evidencing the contract of tenancy :
  3. Nature of tenancy (i.e., kanam, kuzhikanam, verumpattam, etc.) :
  4. Details regarding the fair rent, if any fixed under any law in force immediately before 22nd March, 1968 :
  5. Names and addresses of the landowners and intermediaries and of the other persons interested in the holding, so far as known, and the nature of their interest (where the applicant is a landlord state also the name and address of this tenant) :
  6. The kind of cultivation usually conducted in the holding :
  7. If nilam —
    - (a) Whether irrigated with water for the first time after the commencement of the tenancy from irrigation work constructed, repaired or maintained wholly at the cost of the Government or local authority or a co-operative society or by the tenant :
    - (b) if double crop nilam, whether converted into double crop nilam by the tenant:
    - (c) whether Kole nilam or Karinilam :
    - (d) the number of crops raised and the gross produce in respect of each crop :
  8. If garden land —
    - (a) the number and age of coconut trees, arecanut trees and pepper vines (bearing as well as not bearing) belonging to the landowner and each intermediary in respect of which the landlord is bound to pay compensation under the Act.
    - (b) the number and age of coconut trees, arecanut trees and pepper vines (bearing as well as not bearing) in respect of which the landlord is not bound to pay compensation under the Act :
    - (c) the approximate yield of the trees and vines (Give separately for items (a) and (b) above)
  9. If any other class, crops raised and gross produce :
  10. The rent payable (in kind or in cash) in respect of the holdings ; instalment, if any in which it is payable the date or dates on which the rent or installments of rent are payable ; and the rate of interest ; if any :
  11. Whether the tenant has opted for fair rent by notice sent by registered post ; if opted to what date. (Produce postal receipt and acknowledgment) :
  12. Whether application has been made for preparation of record of rights :
  13. Other relevant particulars, if any :
  14. Prayer (state the reliefs claimed and the grounds therefor) :
- Dated this the ..... day of ..... 19 .....
- Applicants (1) ..... (Signature)
- (2) ..... (Signature)

## DECLARATION

I/We declare that the particulars stated in columns .....  
.. of this application are true to my/our knowledge and that particulars stated in columns .....  
.. are based on information which I/we believe to be true.

Applicants (1) ..... (Signature)

(2) ..... (Signature)

## FORM No. 9

( See rule 26 )

### Notice under section 37 (2)

IN THE LAND TRIBUNAL OF .....

Application No. .... of 19 .....

Applicants :

Respondents :

To

(Name and address, number and ranks of the applicants).

Take notice that an application for fixation of fair rent under sub-section (1) of section 37 of the Mahe Land Reforms Act, 1968 in respect of survey No. .... measuring ..... hectares of the ..... village, has been filed in this Tribunal on ..... and that the ..... day of ..... has been fixed by this Tribunal for the appearance of parties, filing of written statement, production of documents and settlement of issues.

If you fail to appear before the Tribunal at time on the date above fixed, either by yourself or by pleader or by someone by law authorised to act for you in this case, the same will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this ..... day of ..... 19 .....

(By order)

(Seal)

( Signed )

Head Ministerial Officer.

**FORM No. 10**

**( See rules 27 and 31 )**

**Application for remission/abatement/reduction of rent**

BEFORE .....

Application No. .... of 19 .....

Name(s) and address(es) of applicant(s)  
respondent(s)

Name(s) and address(es) or

1. Particulars of the holding—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the holding sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land, etc.) :

2. Particulars of the documents, if any, evidencing the contract of tenancy :

3. Nature of the tenancy (kanam, kuzhikanam, verumpatta, etc.) :

4. Name and address of the landlord under whom the applicant holds and the nature of his interest :

5. If the landlord is not the owner, the names and addresses of the landowners and other intermediaries, if any, and the nature of their interest so far as known :

6. Names and addresses of other persons interested in the land, if any, and the nature of their interest, so far as known :

7. Kind of crop cultivated on the land and the nature and extent of the damage to, and extent of failure of crop ; and the reasons for the same ; and the extent of the land affected :

8. Probable date of harvest :

9. Normal produce of the land :

10. Rent payable (whether in kind or in cash) in respect of the land and the rate of interest, if any :

11. Date or dates on which the rent or instalment of rent are payable :

12. Particulars of fair rent ; if any, determined (with the details of the order determining such rent) ; whether the tenant has opted for fair rent, if opted the rent so opted :

13. Has a copy of the application been furnished to the landlord to whom the tenant is liable to pay rent as required by rule 28 (3) ? If so, when and how ?

Dated this the ..... day of ..... 19 .....

Applicants (1) ..... (Signature)

(2) ..... (Signature)

### DECLARATION

I/We declare that the particulars given in columns .....  
.. of this application are true to my/our knowledge and that the particulars given in columns .....  
..... of this application are based on information which I/we believe to be true.

Applicants (1) ..... (Signature)

(2) ..... (Signature)

### FORM No. 11

( See rule 36 )

#### Application of Land Tribunal for permission to pay arrears of rent due

BEFORE THE LAND TRIBUNAL OF .....

Application No. .... of 19 .....

1. Name and address of the applicant :
2. Particulars of the holding—
  - (a) District, taluk and village in which situate :
  - (b) Survey number, subdivision number, or a description of the holding sufficient for its identification :
  - (c) Boundaries :
  - (d) Extent :
  - (e) Class (i.e., nilam, garden, dry land etc.) :
3. Rent payable in respect of the holding and rate of interest if any :
4. Details about the terms of the lease, whether oral or documentary, the date and year of the lease, and the dates on which rent accrues due for payment :
5. Where fair rent is determined, details about such determination :
6. Name and address of the landlord to whom rent is payable :
7. Where the applicant is doubtful as to the person entitled to receive the same, the name

and address of the person or persons whom the applicant considers to be entitled or to have a claim to receive the rent :

8. Rent due till date of application and interest, if any :

9. The amount of rent and interest, if any, deposited by the applicant with the Land Tribunal :

10. The period to which the rent deposited relates :

11. Whether an application or other proceedings for the recovery of the arrears is pending before the Land Tribunal :

12. Prayer (state reliefs claimed and the grounds therefor).

Signed this the ..... day of .....

Applicant ..... (Signature)

#### **DECLARATION**

I/We do hereby declare that the particulars furnished in this application are true to the best of my/our knowledge and belief.

Applicant ..... (Signature)

#### **FORM No. 12**

**( See rule 37 and 39 )**

#### **Application for apportionment of rent on severance of interest of landlord or tenant**

BEFORE THE LAND TRIBUNAL OF .....

Application No. .... of 19. ....

1. Name and address of the applicant :

2. Particulars of the holding—

(a) District, taluk and village in which situate :

(b) Survey number, subdivision number, or a description of the holding sufficient for its identification :

(c) Boundaries :

(e) Class (i.e., nilam, garden, dry land etc.) :

3. (a) Rent payable in respect of the holding, and the rate of interest, if any :

(b) Security for rent, if any, paid for the holding :

4. Land Revenue and other taxes and cesses payable in respect of the holding and by whom payable :

5. Particulars of the documents evidencing the contract of tenancy, if any, or the order in which fair rent was determined :

6. Nature of the tenancy (i.e., kanam, kuzhikanam, verumpattam, etc.) :

7. Particulars of improvements (including coconut trees, arecanut trees and pepper vines) and the persons to whom they belong—

(a) on the entire extent of the holding prior to severance on interest or sub-lease :

(b) on the extent sub-lease or in respect of which the interest has been severed :

(c) approximate normal yield of the trees (i) under column 7 (a) and (ii) column 7 (b) :

8. Nature of the applicant's interest in the holding :

9. Name and address of the tenant, if (a) the landlord is the applicant, and the nature of his interest, (b) name and address of the landlord, if the tenant is the applicant, and the nature of his interest :

10. Names and addresses of other persons interested in the land and the nature of their interest so far as is known to the applicant :

11. Extent of land sub-leased or in respect of which the interest is severed and the name of the lessee or the person on whom such interest has devolved, or is entitled to hold such interest :

12. How the severance has taken place (whether by act of parties or by operation of law and particulars of the document, decree, order of Court, if any) :

13. How rent is to be apportioned :

14. Prayer (state reliefs claimed and the ground therefor) :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Applicant .....(Signature)

#### DECLARATION

I/We declare that the particulars stated in columns. ....  
of this application are true to my/our knowledge and that the particulars stated in columns . . . . .  
..... of this application are based on information which I/we believe to be true.

Applicant .....(Signature)



**FORM No. 13**

**[ See rule 38 (2) ]**

**Notice**

To

(Residence and description)

Application No. .... of the file of the Land Tribunal by .....

Take notice that on the ..... day of ..... the above named applicant presented an application to this Land Tribunal that the Land Tribunal may execute on your behalf a leased deed, a draft whereof is hereunto annexed, of the immovable property specified hereunder and that the ..... day of ..... is appointed for the hearing of the said applicant ; and that you may appear on the said day in person or by pleader and state in writing any objection thereto of which you shall give not less than two days notice in writing to the applicant, his pleader or his recognised agent ;

And also take notice that the address for service of the applicant is .....  
.....

**DESCRIPTION OF PROPERTY**

(Set out description as contained in the draft lease deed)

**( Sd. )**

**Land Tribunal**

**[ See rule 42 (2) ]**

|      |                                                                                                                                                              |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)  | Serial number                                                                                                                                                |
| (2)  | District, Taluk and village                                                                                                                                  |
| (3 ) | Survey number and sub-division number of the land in respect of which interest is surrendered, or a description of the land adequate for its identification. |
| (4)  | Boundaries                                                                                                                                                   |
| (5)  | Extent                                                                                                                                                       |
| (6)  | Class of land ( nilam, garden, dry land etc. )                                                                                                               |

(13)

**FORM No. 15**

**[ See rule 43 (1) ]**

**Public notice of intention to take possession of land abandoned by tenant**

OFFICE OF THE TAHSILDAR OF ..... TALUK

Whereas information is available that (here enter the name and address of the tenant).

Holding as a tenant under (here enter the name and address of the landlord if known)..... has abandoned his holding and ceased to cultivate the land comprised in the holding described below :

(here enter description of the land sufficient for identification)

Take notice that the Tahsildar of ..... Taluk intends to take on behalf of the Government of Pondicherry possession of land described above.

Any person claiming any rent or right to possession or cultivation in respect of the land comprised in the holding or objecting to the Government taking possession of such land may file his claims or objections, and appear before the Tahsildar of ..... Taluk ..... day of .....19 ..... at ..... A. M/ P. M. with the necessary, evidence in support of his claims or objections failing which all concerned are hereby informed that the Tahsildar on behalf of the Government will take possession of the land.

Place : ( Sd. )

Date : (Seal) Tahsildar

**Note :** When individuals are to be served, enter their names and serve.

**FORM No. 16**

**[ See rule 45 (3) ]**

**Notice inviting applications for lease**

It is hereby notified that the land specified in the schedule hereunder surrendered to the Government to the under sub-section (1) of section 57 or abandoned under sub-section (2) of section 58 of the Mahe Land Reforms Act, 1968 and taken possession of by the Government is proposed to be given on lease. Those who are desirous of getting the said land on lease, may apply to the Tahsildar, within ..... in Form No. 17.

The terms and conditions of the lease shall be a those specified in the Appendix.

**SCHEDULE**

| Taluk | Village | Survey number<br>and sub-division | Extent | Class of<br>land | Details of<br>improvements<br>on the land | Other remarks<br>if any |
|-------|---------|-----------------------------------|--------|------------------|-------------------------------------------|-------------------------|
|       |         |                                   |        |                  |                                           |                         |
|       |         |                                   |        |                  |                                           |                         |

Station : (Seal) Tahsildar  
Date :

## APPENDIX

(1) The lease shall be for a period of .....  
..... year/year commencing from .....

(2) The lease is liable to cancellation if it is found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or in excess of the limits of authority delegated to the officer granting the lease or that there was an irregularity in procedure. Cancellation on any of these grounds may be ordered by any authority to whom the assigning authority is administratively subordinate.

(3) In the event of such cancellation of the lease, the lessee shall not be entitled compensation for any loss caused to him by the cancellation.

(4) The lessee shall, so long as the lease is in force, be liable to pay fair rent as determined under the Mahe Land Reforms Act, 1968, to the landlord. The fair rent shall be paid from the date of his induction into the land and for this purpose, he shall, immediately on being inducted into the land get the fair rent of the holding fixed by the Land Tribunal concerned.

(5) The lease shall not use the land or suffer it to be used except for the purpose for which it is leased out.

(6) The lessee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the lands aforesaid to view the condition of the land.

(7) The lessee shall not assign or underlet the benefits arising under this lease or a part thereof.

(8) The lease shall not erect any building, fence or structure of a permanent or temporary character on the land without the previous written sanction of the assigning authority.

(9) The lease shall not without the previous sanction of the assigning authority permit any person to use the land.

(10) The lease shall, on the termination or revocation of this lease restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(11) The lease shall be answerable to the Government for all or any injury or damage done to the said land except as is permitted by the foregoing conditions.

(12) The assigning authority may revoke the lease wholly or in part, if the lessee shall have broken any of the conditions of the lease herein contained and assume control or otherwise dispose of all or any part of the land and any building, fence and structure thereon and the lease shall not be entitled to any compensation therefor.

(13) The lease hereby given may be revoked by the assigning authority after giving sixty days notice in writing any by the Government without notice in an emergency (the said Government being the sole judge of the emergency) and shall be terminable by the lessee by giving to the assigning authority sixty days' notice in writing but without prejudice to any antecedent breach of any of the foregoing conditions. The lease shall not in case of such revocation or termination be entitled to any compensation in respect of any improvement effected by the lessee on the land or for any loss caused by any interruption of his occupation.

(14) In the event of termination of the lease, under conditions (12) or (13), the Government shall be at liberty to levy proportionate rent upto the date of such termination.

(15) If any doubt or dispute shall at any time hereafter arise between the Government or

their Officers on the one part and the lessee on the other as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of the lease or the constructions the meaning or all or any of the provisions herein contained, the said dispute or difference shall be referred to the Collector for settlement by arbitration and his decision thereon shall be final.

(16) The lease includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of the Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of the Government to the mines and quarries, subjacent to the land are however reserved and are in no way affected by the lease.

### **FORM No. 17**

**[ See rule 45 (8) ]**

#### **Form of application for lease.**

1. Name of applicant and his present address :
2. His permanent address :
3. Occupation :
4. Particulars of lands held by him and the nature of his title thereto :
5. Whether he is kudikidappukaran on any land and if so, its details :
6. Whether he belongs to any scheduled caste or scheduled tribe :
7. The annual income of the applicant and its sources :
8. Other details, if any, which the applicant desires to furnish :

**Station :**

**Signature or thumb-impression of applicant.**

**Date :**

### **DECLARATION**

I hereby declare that the particulars furnished above, to the best of my knowledge and belief, true and correct.

I further declare that in the event of the land being leased out to me I shall execute the lease deed under the relevant provisions of the Mahe Land Reforms (Tenancy) Rules, 1981 and I also abide by the terms and conditions of the lease.

**Signature or thumb-impression  
of applicant**

[ See rule 45 (15) ]

Case No.

471

**FORM No. 19**

**( See rule 46 )**

**Application for purchase of landlord's rights**

Application No. \_\_\_\_\_ of 19 \_\_\_\_\_

Name(s) and address(es) of applicant(s)  
respondent(s)

Name(s) and address(es) of

1. Particulars of the holding—
  - (a) District, taluk and village in which situate :
  - (b) Survey number and subdivision number, if any, or a description of the land sufficient for its identification :
  - (c) Boundaries :
  - (d) Extent :
  - (e) Class (i.e., nilam, garden, dry land, etc.) :
2. Particulars of the documents, if any, evidencing the contract of tenancy :
3. Nature of the tenancy (i.e., kanam, kuzhikanam, kudiyruppu, karaima, verumpattam etc.) and the applicant's interest in the land :
4. Name and address of the landlord to whom rent is payable by the applicant :
5. Name and address of the landowner :
6. Name and address of the intermediary, if any :
7. Where the applicant is holding under an intermediary, the details of the rent payable by the intermediary, so far as known, to the landowner.
8. Name and address of the other person interested in the holding so far as known and the nature of their interest :
9. The class of land as described in Schedule III in which the land to which the application relates will fall and the appropriate Serial number with the item in the Schedule to which the land relates :
10. The kind of cultivation usually conducted in the holding :
11. If nilam—
  - (a) If irrigated whether irrigated with water for the first time after the commencement of the tenancy from an irrigation work constructed repaired or maintained wholly at the cost of the Government or a local authority or a Cooperative Society or by the tenant.
  - (b) The number of crops raised and the gross produce in respect of each crop :
12. Structure, wells and embankments of a permanent nature their approximate value and the persons to whom they belong :

13. If garden lands—

(a) Details of coconut trees, arecanut trees and pepper vines the persons to whom they belong and the approximate yield :

(b) Details of timber trees, their approximate value and particulars of the persons to whom they belong :

14. If dry land—

(a) The nature of the cultivation thereon with details of timber trees if any, their approximate value and the persons to whom they belong :

(b) Details of coconut trees, arecanut trees and pepper vines if any, their approximate yield and the persons to whom they belong :

15. The contract rent payable (in kind or in cash) in respect of the holding, instalments, if any in which it is payable, the date or dates on which the rent or instalments of rent are payable, and the rate of interest, if any :

16. Where fair rent is determined under any law in force immediately before 22nd March, 1968 the details of such fair rent and the number and year of the order determining such fair rent :

17. Whether the applicant has opted for fair rent by notice sent by registered post and if opted, for what date (produce postal receipt and acknowledgment) :

18. Other lands in which the applicant or the members of his family have interested either as owner with possession, landowner, intermediary, cultivating tenant, or mortgagee in possession, their extent and description :

19. Extent and description of the land proposed to be purchased :

20. Other relevant particulars, if any :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19

Applicants (1) .....(Signature)

(2).....(Signature)

### DECLARATION

I/We declare that the particulars stated in columns .....  
of this application are true to my/our knowledge and that particulars stated in paragraphs .....  
..... are based on information which I/we believe to be true.

Applicants (1) .....(Signature)

(2).....(Signature)



**FORM No. 20**

**( See rule 47 )**

**Notice to landowner, intermediaries, etc**

BEFORE THE LAND TRIBUNALS OF .....

**NOTICE**

Reference :— Application No. .... of 19 .....

Name(s) and address(es) of applicant(s) :

Name(s) and address(es) of respondent(s) :

To

(Names and address of the party to whom notice is sent)

Take notice that an application for purchase of the right, title and interest of the landowner and intermediaries in respect of land(s) specified below has been filed before this Tribunal by Thiru/ Tmt. .... under section 62 and that the same has been posted for hearing at ..... a.m/p.m on ..... day of ..... 19 ..... . You may enter appearance before the Tribunal at the time and date, and put forth objections and claims, if any, in regard to the application aforesaid.

If so such appearance is made, the application will be heard and decided in your absence.

**Specification of land(s)—**

1. District, Taluk and Village :
2. Description of lands (Survey number, subdivision number and extent) :
3. Class of land (garden, nilam, dry land etc.) :

(By Order)

**Head Ministerial Officer.**

**FORM No. 21**

**[ See rule 48 (2) ]**

**Notice to landowner, intermediary, etc.**

BEFORE THE LAND TRIBUNAL OF .....

Reference : Notice O. A. No. .... of 19 .....

To

(Name and address of the party to whom notice is sent)

Take notice that the application for the purchase of the right, title and interest of the land-owner and intermediaries in respect of land(s) specified below filed before this Land Tribunal by Thiru/Tmt . . . . . under section 62 has been duly enquired into and that the following preliminary findings have been tentatively recorded— (here copy in a tabular form the preliminary findings recorded).

You may/any person interested may/enter appearance before the Land Tribunal on or before . . . . . (here enter the date) and prefer in writing claims or objections, if any, for the purchase price or part thereof.

Any objections or claims that may be preferred in the matter by you/any interested person/ before the specified date will be heard by the Land Tribunal on . . . . . at . . . . . claims and objections received after the specified date at . . . . . will not be considered.

### **SPECIFICATION OF LAND(S)**

1. District, taluk and village :
2. Description of lands (Survey number, sub-division number and extent) :
3. Class of land (garden, nilam, dry land, etc) :

(By Order)

**Head Ministerial Officer.**

### **FORM No. 22**

**( See rule 50 )**

### **Certificate of purchase**

No.

Office of the Land Board

Reference :

Dated . . . . .

- (1) Number and date of the applicant for purchase.
- (2) Number and date of the Land Tribunal's order allowing purchase.
- (3) Number and year of appeal or revision, if any.

This is to certify that Thiru/Tmt. . . . . the cultivating tenant of the land specified in the Schedule below, has purchased the right, title and interest of the landowner and the intermediaries in respect of the land, he/she, having deposited with the Land Tribunal of the sum of Rupees . . . . . (in words) . . . . . being the whole/the first instalment, of the price payable and that the right, title and interest in respect of the land shall vest in the said Thiru/Tmt . . . . . with effect from the . . . . . day of the month of . . . . . 19 . . . . . free from all encumbrances, but subject to the liability for payment of future instalments of purchase price, if any, together with the interest thereon, and subject also to the liability for all taxes and cesses payable to the Government or to any local authority.

Given under my hand and the seal of the Land Board this day . . . . . of . . . . . 19

(Seal of Office)

**Land Board.**

## SCHEDULE

| Serial Number | District, Taluk and village | Survey number, subdivision number or a description sufficient for identifying the land | Description of the land |            | Class of land | Name of the landowner whose right, title and interest are purchased | Name of the intermediaries, if any whose right, title and interest are purchased | Extent of the land to which the right, title and interest purchased relate. |
|---------------|-----------------------------|----------------------------------------------------------------------------------------|-------------------------|------------|---------------|---------------------------------------------------------------------|----------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| (1)           | (2)                         | (3)                                                                                    | Extent                  | Boundaries | (6)           | (7)                                                                 | (8)                                                                              | (9)                                                                         |
|               |                             |                                                                                        |                         |            |               |                                                                     |                                                                                  |                                                                             |

  

| Purchase of price                                                       |                                                                                                                                                                        | Rate of interest. | Date of deposit of the purchase price in lump or first instalments thereof. | Date from which the purchase takes effect | Name of the person (cultivating tenant) who has purchase and in whom the right, title and interest over the vests. | Remarks |
|-------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|-----------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------|---------|
| (10)                                                                    | (11)                                                                                                                                                                   | (12)              | (13)                                                                        | (14)                                      | (15)                                                                                                               | (16)    |
| Amount of purchase price and whether payable in lump or in instalments. | If in instalments the number of instalments, the amount of each instalment, the amount of each instalment is payable and the date on which each instalment is payable. |                   |                                                                             |                                           |                                                                                                                    |         |

## FORM No. 23

[ See rule 54 (1) ]

### Form of application for vesting right, title and interest of religious, charitable or educational institutions of a public nature in Government

1. Name of the institution :
2. Its location (Village, Taluk and District in which situate) :
3. Address :
4. Nature of the institution as religious, charitable or educational :

5. It is religious, charitable or educational institution of a public nature and if so, how ?

### SCHEDULE

Details of holdings in respect of which the institution desires to be paid annuity :—

| Serial number | District | Taluk | Village | Survey number and subdivision number or descriptionsufficiently for its identification |
|---------------|----------|-------|---------|----------------------------------------------------------------------------------------|
| (1)           | (2)      | (3)   | (4)     | (5)                                                                                    |

| Extent | Whether the institution is the landowner or an intermediary ; if intermediary state the name and address of the landlord under whom it holds. | The name and address of the person to whom the institution had given the lease. | The annual contract rent payable to the institution by the tenant. |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------------------------------|
| (6)    | (7)                                                                                                                                           | (8)                                                                             | (9)                                                                |

| Where the institution is an intermediary, the annual contract rent payable by the institution to its landlord. | Whether fair rent had been fixed under any law in force immediately before 22nd March, 1968 if fixed, the quantum of fair rent and the rent payable to the institution and where the institution is an intermediary, also the amount of rent payable by the institution to its landlord under such order; and the number and year of application in which fair rent was determined and the authority which passed the order determining fair rent. | Whether fair rent had been fixed under Mahe Land Reforms Act, 1968. If so furnish details of the number and year of the application in which fair rent was determined and Land Tribunal whichdetermined such fair rent. |
|----------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (10)                                                                                                           | (11)                                                                                                                                                                                                                                                                                                                                                                                                                                               | (12)                                                                                                                                                                                                                    |

---

|                                                                                                     |                                                                                              |                                                                                                                                                                                                                                            |                                                             |
|-----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| Name and address of the tenant in possession of the land comprised in the holding (so far as known) | Name and address of any other person or persons interested in the holding (so far as known). | Whether the right title and interest of the institution over the holding is subject to any encumbrance, if so, the details of the documents creating the encumbrances and the amount of encumbrance subsisting on the date of application. | Any other particulars considered relevant by the applicant. |
| (13)                                                                                                | (14)                                                                                         | (15)                                                                                                                                                                                                                                       | (16)                                                        |

---

I/We certify and declare that the details of all the holding in respect of which the institution desires to be paid annuity are given above and that those details are true and correct to the best of my/our knowledge and belief.

**Signature**

**FORM NO. 24**

**[ See rule 54 (2) ]**

**Register of applications from religious, charitabel or educational institutions for vesting  
in Government of their right, title and interest**

|      |                                                                                                                                                                                          |
|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)  | Serial number.                                                                                                                                                                           |
| (2)  | Name of the intitution                                                                                                                                                                   |
| (3)  | Its location (village, taluk and district in which situate).                                                                                                                             |
| (4)  | Nature of the institution as religious charitable or educational.                                                                                                                        |
| (5)  | Date of application for vesting.                                                                                                                                                         |
| (6)  | Date of receipt of the applicaiton by the Land Board.                                                                                                                                    |
| (7)  | Whether an enquiry under rule 55 was conducted to ascertain whether the institut-<br>ion is eligible to claim annuity. If so,<br>the result (here note number and date of<br>the order). |
| (8)  | Date of the direction issued to the Land<br>Tribunal (with current number and date).                                                                                                     |
| (9)  | The name or names of the Land<br>Tribunal to whom direction was<br>issued and the date or dates of<br>forwarding the application for<br>determination of annuity.                        |
| (10) | Date or dates of receipt of annuity<br>statements from the Land Tribunal<br>of the Land Tribunals.                                                                                       |
| (11) | If the statements returned to the<br>Land Tribunal, the date of such<br>return and to which Land Tribunal<br>(with current number and date).                                             |
| (12) | When returned, the date on which<br>the annuity statement is received<br>back from the Land Tribunal                                                                                     |
| (13) | Date of forwarding of the annuity<br>statement to the Government (with<br>current number and date).                                                                                      |
| (14) | Government orders (number and date)<br>in which the annuity was sanctioned and<br>the amount of annuity                                                                                  |
| (15) | Remarks.                                                                                                                                                                                 |

**FORM No. 25**

**( See rule 56 )**

**Application for interim annuity**

1. Name and the institution :
2. Its location (Village, Taluk and District in which situate) :
3. Address :
4. Nature of the institution as religious, charitable or educational :
5. Is it religious, charitabel or educational institution of a public nature and if so, how ?
6. Whether the application for annuity was to Government/Land Board ?
7. Date on which the application was made and how ? (whether by registered post or presented in person) :
8. Money value of the total annual contract rent (as estimated by the applicant) to which the applicant is entitled for the holding or holdings in respect of which it has applied for annuity (the commutation rate for commodities, if any, to be at the rate published under section 49 for the quarter previous to the quarter in which this application is made).
9. Name of the Treasury at which payment is required ;

I/We certify and declare that the particulars given above are true and correct to the best of my/our knowledge and belief.

I/We agree that in case it is found that the institution is not entitled to any amount by way of annuity, the interim annuity paid to the institution may be recovered by the Government from it as arrears of public revenue due on land.

Applicants :

- (1) .....(Signature)
- (2) .....(Signature)
- (3) .....(Signature)

**FORM No. 26**

**( See rule 56 )**

**Interim annuity payment order number**

INSTITUTION/TREASURY

Government of Pondicherry

Debitable to .....

Head of account .....

Major head . . . . .

Minor head . . . . .

Voted. . . . .

Charged/Non-voted. . . . .

Name and address of the institution

Amount of interim annuity (in words). . . . .  
.. in (figures). . . . .

Name of Treasury at which payable. . . . .

Pondicherry :

Date :

**Deputy**

**Secretary to Government /**

**Secretary to Government**

---

(Score out the designation not applicable)

Office of the Pay and Accounts Office

Dated the . . . . .

Sir,

Please pay to . . . . . the sum  
of rupees . . . . . being the amount of interim annuity payable  
under rule 56 of the Mahe Land Reforms (Tenancy) Rules, 1981, upon the production of this order  
and a receipt according to the usual form.

**Signature**

**Designation**

To

The Treasury Officer,

.....

Payable at. . . . . Treasury.

**FORM No. 27**

**[ See rule 60 (1) ]**

**Application to Government for acquisition of land for shifting kudikidappukaran**

To

The Government of Pondicherry

**Application under section 83 (3) of the Mahe Land Reforms Act, 1963**

Applicant :— (Names and address)



The above said applicant stated as follows :—

1. The applicant holds . . . . . cents of land in Survey No. . . . .  
of . . . . . Village, Taluk in the limits of the Mahe Municipality.

2. Within the said land there is a kudikidappu measuring about . . . . .  
cents the kudikidappukaran being ; (Name and address).

3. The land including the kudikidappu is required by the applicant for constructing a building  
for his own residence.

4. The applicant is, therefore, obliged to request the Government to acquire necessary land  
to shift the said kudikidappu to that land.

5. The applicant is prepare to deposit, whenever called for his share of the cost of the  
acquisition.

6. The applicant declares that on the 24th January, 1971, the total extent of land held by him  
either as owner or tenant was less than one acre. The details of the land held ( including the land  
referred to in para 1 in which the kudikidappu is situate ) on the date are given below in the  
Schedule.

\* 7. This application is made with the consent of the kudikidappukaran (Produce also  
necessary documentary evidence to show the consent).

The applicant, therefore, prays that the Government be pleased to direct (a) acquisition of  
land under the Land Acquisition Act, the applicant bearing 87 1/2 % of the cost of acquisition of land,  
for the above said purpose, (b) the allotment of such land to the above said kudikidappukaran and  
(c) shifting of the kudikidappu to the land so allotted.

**Schedule of the total extent of land held either as owner or as tenant as on 24th  
January, 1971**

| Serial<br>number | District | Taluk | Village | Survey and sub<br>division number<br>if any, or a des-<br>cription of the<br>land sufficient<br>for its identifica-<br>tion. | Extent<br>of<br>land | Nature of<br>possession<br>whether as<br>tenant or<br>owner. |
|------------------|----------|-------|---------|------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------------------------------|
| (1)              | (2)      | (3)   | (4)     | (5)                                                                                                                          | (6)                  | (7)                                                          |

Dated this . . . . . day of . . . . . 198

(Sd.) Applicant.

**[ See rule 60 (9) ]**

**[ See rule 61 (2) ]**

I. .... do hereby declare that I have evicted the kudikidappukaran named above from the kudikidappu described in the schedule above on ..... day of ...  
 ..... 19. .... in the presence of two witnesses described below :—

Name(s) and address(es) of witnesses and their signature.

1. ....
2. ....

Date :

Place :

**Signature of the Officer Executing the Warrant**

Date :

Place :

Countersigned  
 Land Tribunal

### FORM 30

[ See Rule 62(1) ]

### Register of Kudikidappukars

| Serial Number | Name and address of kudikidappukaran                                                                                                                                                                                                        | Date of registration | Taluk | Village | Survey and subdivision number of the land in which the kudikidappu is situate or a description sufficient for identification. | Extent of the land in which the kudikidappu is situate | Extent of the land occupied by the kudikidappu | Exact location of the kudikidappu | Name and address of owner of the land in which the kudikidappu is | Name and address of the person in possession of the and in which the kudikidappu is situate. |
|---------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-------|---------|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|------------------------------------------------|-----------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| (1)           | (2)                                                                                                                                                                                                                                         | (3)                  | (4)   | (5)     | (6)                                                                                                                           | (7)                                                    | (8)                                            | (9)                               | (10)                                                              | (11)                                                                                         |
|               | Description of the rights if any accrued to the kudikidappukaran by custom, usage of agreement and which he was enjoying immediately before the 22nd March, 1968.                                                                           |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | Easement attached to the kudikidappu, if any.                                                                                                                                                                                               |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | Whether the kudikidappu consists of homestead or hut ?                                                                                                                                                                                      |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | Name and address of the person to whom the hut belongs.                                                                                                                                                                                     |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | The plinth area of the homestead or hut.                                                                                                                                                                                                    |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | Whether the homestead or hut has been repaired, improved or reconstructed by the kudikidappukaran as on 24th January, 1971 by extending the plinth area and if so— (a) when; and (b) the original plinth area and the extended plinth area. |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | Remarks (here enter the number and date of the order of the Tahsildar).                                                                                                                                                                     |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |
|               | Signature of the Tahsildar.                                                                                                                                                                                                                 |                      |       |         |                                                                                                                               |                                                        |                                                |                                   |                                                                   |                                                                                              |

**FORM No. 31**

**( See rule 63 )**

**Application for registration as kudikidappukaran**

BEFORE THE

Tahsildar. ....

Application No..... of 19 .....

1. Name and address of the applicant :
  2. Particulars of the land in which the kudikidappu is situate :
    - (a) Taluk :
    - (b) Village :
    - (c) Survey number and subdivision number or a description of the land sufficient for its identification :
    - (d) Extent :
    - (e) Name and address of the owner :
    - (f) Name and address of the person in possession :
  3. Particulars of the kudikidappu—
    - (a) extent :
    - (b) location :
    - (c) its dimension :
    - (d) the plinth area of the homestead or hut as on the 24th January, 1971 :
    - (e) the plinth area of the homestead or hut as on the date of applicant :
  4. whether the kudikidappu consists of homestead or hut
  5. If the kudikidappu consists of hut—
    - (a) names and address of the person to whom the hut belongs :
    - (b) the cost at the time of construction of the hut :
    - (c) the rent which the hut would have yielded at the time of construction :
- Note :—** Answer to (b) and (c) to be furnished on the basis of the estimate of the applicant.
6. Whether the applicant had continuous occupation of the homestead or hut form 22nd March, 1968 to 24th January, 1971 ?
  7. If the applicant began occupation of the homestead or hut only after 22nd March, 1968, the name and address of the person who gave permission to erect the homestead or occupy the hut ;

8. Whether the kudikidappu right is claimed—

(i) after redemption of the mortgage over the land in respect of which the kudikidappu right is claimed, as a revival of the kudikidappu right which existed before the kudikidappukaran secured the mortgage with possession of such land ; or

(ii) after redemption of the mortgage over the land in respect of which the kudikidappu right is claimed, on the ground that while the applicant was the mortgagee, he erected a homestead or resided in a hut already in existence there ; or

(iii) as a transferee from a kudikidappukaran ; or

(iv) by inheritance ; or

(v) in respect of a hut belonging to the owner of a plantation and situate in the plantation

9. Whether the applicant possesses any land, either as owner or as tenant, if in possession give the extent and other details of the land so possessed and name or names of the local authority or authorities within whose jurisdiction such lands are situate ; state also whether on the land so possessed, he could erect a homestead and if not why ?

10. Description of the rights, if any, accrued to the applicant by custom, usage or agreement and which he was enjoying immediately before the 22nd day of March, 1968 :

11. Easements attached to the kudikidappu, if any :

I/We declare that the particulars stated above are correct and true to the best of my/our knowledge and belief.

Place :

Date :

**Signature**

**FORM No. 32**

**[ See rule 63 (2) ]**

**Report of the particulars of kudikidappu**

Application No.

19

1. Name and address of kudikidappukaran :

2. Date of inspection :

3. Taluk :

4. Village :

5. Survey and subdivision number of the land in which the kudikidappu is situate or a description sufficient for identification :

6. Extent of the land in which the kudikidappu is situate :
7. Extent of the land occupied by the kudikidappu :
8. Exact location of the kudikidappu :
9. Name and address of owner of the land in which the kudikidappu is situate :
10. Name and address of the person in possession of the land in which the kudikidappu is situate :
11. Description of the rights, if any, accrued to the kudikidappukaran by custom, usage or agreement and which he was enjoying immediately before the 22nd March, 1968 :
12. Easements attached to the kudikidappu, if any :
13. Whether the kudikidappu consists of homestead or hut :
14. Name and address of the person to whom the hut belongs :
15. The plinth area of the homestead or hut :
16. Whether the homestead or hut has been improved, repaired or reconstructed by the kudikidappukaran on or after 24th January, 1971 by extending the plinth area and if so—
  - (a) when, and
  - (b) the original plinth area and the extended plinth area :
17. Where the kudikidappu consists of a hut,—
  - (a) the cost of hut at the time of construction ; and
  - (b) the rent which the hut would have yielded at the time of construction :
18. Period of possession of the homestead or hut by the kudikidappukaran :
19. Details of other lands held by the kudikidappukaran in the state, as far as known.

**Place :**

**Signature**

Name and designation of the reporting Officer

**Date :**

**FORM No. 33**

**[ See rule 63 (3) ]**

**Notice of enquiry on application for registration of kudikidappu.**

Application No. \_\_\_\_\_ of \_\_\_\_\_ 19

To \_\_\_\_\_

(Here enter name and address of the person to whom it is issued).

When (enter name and address of the application). . . . .  
.. has applied under section 88 of the Mahe Land Reforms Act, 1968 for registering his name in the register of kudikidappukars in respect of his kudikidappu situate on the land described herein below (here enter a sufficient description of the Land in which the kudikidappu is situate) . . . . .  
. . . . . and where the application has been posted for enquiry on the \_\_\_\_\_ day of \_\_\_\_\_ 19. . . . . at . . . . .  
. . . . . a.m/p.m at the Office of Tahsildar/Land Tribunal. . . . . to ascertain.

- (i) Whether the applicant is a kudikidappukaran ; and
- (ii) to settle the particulars necessary for the preparation of the register.

You are hereby informed that if you are interested in the subject matter of the enquiry, you may enter appearance at the time and date and put forth in writing your claims if any to the registration.

Date :

**By order**

Place :

**Tahsildar/Land Tribunal**

**Note :—** A sketch of the land in which the kudikidappu is situate showing the location of the kudikidappu is kept in this Office. You may on any day, before the date fixed for the enquiry, inspect the same during the working hours of this Office.

**FORM No. 34**

**[ See rule 68 (1) ]**

**Application for purchase of kudikidappu**

BEFORE THE LAND TRIBUNAL OF . . . . .

Application No. \_\_\_\_\_ of \_\_\_\_\_ 19

- 1. Name and address of the applicant :
- 2. Particulars of the land in which the kudikidappu is situate—
  - (a) District, taluk and village :
  - (b) Name of the local authority within whose jurisdiction the land is situate :
  - (c) Survey number and subdivision number if any or description of the land sufficient for identification :

- (d) Boundaries :
- (e) Extent :

3. Whether the kudikidappu consists of homestead or hut :

4. If the kudikidappu consists of hut—

(a) approximate cost of the hut at the time of construction :

(b) the monthly rent which it would have yielded at the time of construction :

5. Whether the applicant had continuous occupation of the hut or homestead from 22nd March, 1968, to 24th January, 1971 ; if he had no such continuous possession, the name and address of the person who gave permission to erect the homestead or occupy the hut and the date, month and year or in which such permission was given ;

6. Whether the applicant possesses any land either as owner or as tenant ; if in possession give the extent and other details of the land so possessed and name or names of the local authority of authorities within whose jurisdiction such lands are situate :

7. Where the total extent of land possessed by the applicant exceeds 200 sq. metres, state whether he could erect a homestead on such land possessed by him and if not why :

8. Whether the kudikidappu right is claimed—

(i) after redemption of the mortgage over the land in respect of which kudikidappu right is claimed, as revival of the kudikidappu right which existed before kudikidappukaran secured the mortgage with possession of such land ; or

(ii) after redemption of the mortgage over the land in respect of which kudikidappu right is claimed on the ground that while the applicant was the mortgagee, he erected a homestead or resided in a hut already in existence there ; or

(iii) as a transferee from a kudikidappukaran ; or

(iv) by inheritance ; or

(v) in respect of a hut belonging to the owner of a plantation and a situate in the plantation

**Note :—** Score out the grounds not applicable to him and state clearly the facts which entitle him to be a kudikidappukaran.

9. The extent of land held by the person in possession of the land in which the kudikidappu is situate as on the 24th January, 1971 (so far as known to the applicant),—

(a) less than 40.47 ares :

(b) 40.47 ares or more but less than 80.94 ares :

(c) 80.94 ares or more but less than 1.21 hectare :

(d) 1.21 hectare or more but less than 1.61 hectare :

(e) 1.61.88 hectare or more but less than 2.03.35 hectares :

(f) 2.03.35 hectares or more :

**Note :—** Score out the items not applicable.



10. Name and address of the holder of encumbrance charged on the right, title and interest, in respect of the land in which the kudikidappu is situate, (so far as known to the applicant) of the-

(a) landowner :

(b) intermediary :

(c) person in possession :

11. Name and address of the person entitled to maintenance or alimony and charged on the right, title and interest, in respect of the land in which the kudikidappu is situate (so far as known to the applicant) of the —

(a) the landowner :

(b) the intermediary :

(c) the person in possession :

12. Name and address of the person in possession of the land in which the kudikidappu is situate :

13. Name and address of the landowner of the land in which the kudikidappu is situate (so far as known to the applicant) ;

14. Name and address of the intermediaries, if any, in the land in which the kudikidappu is situate (so far as known to the applicant) :

15. Name and address of the person to whom the hut, in any belongs :

16. Where there are other kudikidappus in the land in which the kudikidappu of the applicant is situate. If so the number of such other kudikidappus and the name and address of such kudikidappukars :

17. Whether there are other kudikidappus (so far as known to the applicant) in other lands, if any, whether situated in the jurisdiction of this Land Tribunal, held by the person in possession of the land in which the kudikidappu of the applicant is situate. If so, the number of such kudikidappus and details as far as possible of the lands in which those are situate and the name and address of the kudikidappukars of such kudikidappus :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Applicants (1). . . . . ( Signature)

(2). . . . . (Signature)

#### DECLARATION

I/We declare that the particulars stated in columns. . . . . of this application are true to the best of my/our knowledge and that the particulars stated in columns. . . . . of this application are based on information which I/We believe to be true.

Applicant (1). . . . . ( Signature)

(2). . . . . (Signature)

**FORM No. 35**

**[ See rule 68 (2) ]**

**Notice of application for purchase of kudikidappu**

BEFORE THE LAND TRIBUNAL OF .....

**NOTICE**

Reference : Application No. .... of ..... 19.....

To

All whom it may concern

(Name and address of the party when issued as individual notice).

Whereas (here enter the name and address of the applicant). ....  
. has applied under section 88B of the Mahe Land Reforms Act, 1968 to purchase his kudikidappu  
situate in the land described herein below (give the Survey number and subdivision number and  
description sufficient for the identification of the land) ..... and  
situate within the jurisdiction of ..... of Municipality .....  
..... and in the possession of (here enter the name of the person in  
possession of the land in which the kudikidappu is situate). .... and  
whereas the ..... day of ..... 19..... has  
been fixed by this Tribunal for appearance of parties and filing of written statement.

You are hereby informed that if you have any objection to the applicant being allowed to  
purchase his kudikidappu or any claim to or over the purchase price payable by him, you may enter  
appearance before this Tribunal sitting at ..... on the date above fixed at  
..... a.m/p.m and put forth by a written statement your objections  
against the aforesaid application being allowed or your claims if any to or over the purchase price.

If you are a kudikidappukaran in the land described above, you may, if you are entitled to and  
desirous or purchasing you kudikidappu and the land adjoining thereto, apply to this Tribunal for  
such purchase on or before the day above fixed for the appearance of the parties.

A copy of the application in Form 34 is appended.

(By Order)

**Place :**

**Date :  
Officer.**

**Head Ministerial**

FORM No. 36

( See rule 76 )

Certificate of purchase of kudikidappu

No.  
Tribunal

Office of the Land

Dated :

**Reference :** Number and year of the application for purchase.

This is to certify that Thiru/Tmt. . . . .  
.. has purchased under the provisions of the Mahe Land Reforms Act, 1968, the land, the land with the kudikidappu thereon, described in the Schedule below and more particularly specified in the plan herewith appended and that the purchase price is Rs. . . . .(in words)  
.. of which one-half is payable by the purchaser. The purchaser, the whole of having deposited Rs.. . . . (in words). . . . .  
.. being the whole of his share of the purchase price, the first instalment of his share of the purchase price being not bound to deposit and purchase price on account of set off allowed to him, he is declared to be the owner of the land, the land with the kudikidappu thereon on and from the . . . . . day of . . . . .  
.. 19 . . . . . and it is further declared that with effect from that day the right, title and interest of the landowner, intermediary or intermediaries, and the person in possession, in respect of the land/ the land with kudikidappu have vested in the purchaser free from all encumbrances, but subject to the liability for payment of future instalments of purchase price, if any, together with the interest thereon, and subject also to the liability for all taxes and cesses payable to the Government or to any local authority.

Given under my hand and the seal of the Land Tribunal, this day . . . . . of  
19

(Seal of Office)

Land Tribunal

SCHEDULE

| District, taluk and village. | Survey number, subdivision number or a description sufficient for identifying the land. | Extent. | Name and address of the landowner whose right, title and interest are purchased. | Name and address of the intermediary whose right, title and interest are purchased. | Name and address of the person in possession whose right, title and interest are purchased. | If the purchase price is paid in instalment, the number of instalments the amount of each instalments and date on which each instalment is payable. |
|------------------------------|-----------------------------------------------------------------------------------------|---------|----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                          | (2)                                                                                     | (3)     | (4)                                                                              | (5)                                                                                 | (6)                                                                                         | (7)                                                                                                                                                 |

**FORM No. 37**  
[ See rule 90 (1) ]

## The land Tribunal/Appellate Authority/the Land Board

Posting book for the ..... day of ..... 19 .....

| Serial number | Year and number of case | Previous posting | Purpose of the adjournment | Adjourned date | Purpose of adjournments |
|---------------|-------------------------|------------------|----------------------------|----------------|-------------------------|
| (1)           | (2)                     | (3)              | (4)                        | (5)            | (6)                     |

**FORM No. 38**  
[ See rule 92 (1) ]

## Diary Register

In the Land Board / Appellate Authority / Land Tribunal of .....  
 ..... No. .... of 19 .....

**Between A.B. and C.D.**

| Date | Purpose of<br>of Proceeding | Orders<br>passed | Adjourned<br>date | Purpose of<br>adjourned | Initials of memberof the Land<br>Board or Appellate Authority<br>or Land Tribunal |
|------|-----------------------------|------------------|-------------------|-------------------------|-----------------------------------------------------------------------------------|
| (1)  | (2)                         | (3)              | (4)               | (5)                     | (6)                                                                               |

**FORM NO. 39**  
[See Rule 104(1)]  
**Register of Final Orders**

|      |                                                                            |
|------|----------------------------------------------------------------------------|
| (1)  | Serial number.                                                             |
| (2)  | Original application number.                                               |
| (3)  | Date of application.                                                       |
| (4)  | Name of the applicant.                                                     |
| (5)  | Name of the respondent.                                                    |
| (6)  | Gist of claim with relevant section of the act.                            |
| (7)  | Date of final orders.                                                      |
| (8)  | Gist of the final order.                                                   |
| (9)  | Number of appeal. if any and gist of appellate order with date of order.   |
| (10) | Number of revision if any and gist of revisional order with date of order. |
| (11) | Initials of the Land Tribunal/Land Board.                                  |



( See rule 106 )

THE LAND TRIBUNAL OF .....

|      |                                                          |     |                                              |
|------|----------------------------------------------------------|-----|----------------------------------------------|
| (8)  | Stamp duty already paid.                                 | (1) | Serial number.                               |
| (9)  | Deficiency to be made good                               | (2) | Date of filing the document.                 |
| (10) | Penalty                                                  | (3) | Date of order.                               |
| (11) | Total of columns 9 and 10                                | (4) | Number and year of the applicant.            |
| (12) | Date of payment and address of payer impounded.          | (5) | Nature and date of instrument                |
| (13) | Initials of Head Ministerial Officer.                    | (6) | Name and address of person by whom produced. |
| (14) | Date of remittance to the treasury and number of chalan. | (7) | Proper stamp duty.                           |
| (15) | Date of sending the copy or original to the Collector.   |     |                                              |
| (16) | Date of return of original.                              |     |                                              |
| (17) | Remarks.                                                 |     |                                              |

FORM No. 43

( See rule 198 )

Register of applications for the return of documents

THE LAND TRIBUNAL OF .....

---

| (1)                          | (2)                 | (3)                                                                      | (4)                                                                | (5)                                      | (6)                                  | (7)                                | (8)                                                            | (9)     |
|------------------------------|---------------------|--------------------------------------------------------------------------|--------------------------------------------------------------------|------------------------------------------|--------------------------------------|------------------------------------|----------------------------------------------------------------|---------|
| Serial number of application | Date of application | Name and rank of the applicant in the proceeding in which the documents. | Number and year of the proceeding in which the document was filed. | Description of the document applied for. | The Court's order on the application | The date of return of the document | The acknowledgment by the party of the receipt of the document | Remarks |
|                              |                     |                                                                          |                                                                    |                                          |                                      |                                    |                                                                |         |

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**FORM No. 44**

( See rule 108 )

**Register of Copy application****THE LAND TRIBUNAL OF .....**

| Serial number | Name of the applicant | Date of application | Description of the document applied for | Date of order on the application | Date of calling for copying sheets | Number of copying sheets produced with date | Date of prepatation of copies | Date of receiving copies | Date of issue of copies | Acknowledgment of the issue | Number of sheets supplied | Number of sheets returned | Acknowledgment of return | Remarks |
|---------------|-----------------------|---------------------|-----------------------------------------|----------------------------------|------------------------------------|---------------------------------------------|-------------------------------|--------------------------|-------------------------|-----------------------------|---------------------------|---------------------------|--------------------------|---------|
| (1)           | (2)                   | (3)                 | (4)                                     | (5)                              | (6)                                | (7)                                         | (8)                           | (9)                      | (10)                    | (11)                        | (12)                      | (13)                      | (14)                     | (15)    |

**FORM No. 45**

( See rule 108 )

**Stock Register of Stationery and Forms****THE LAND TRIBUNAL OF .....***N. B.* : — One page should be set apart for each kind of article or form.Name of article or form. ....  
..

| Date | Receipts | Total including<br>balance in<br>hand | Issue<br>_____ _____<br>To whom number<br>and date quantity | Balance | Initials of<br>the person<br>to whom<br>issued |
|------|----------|---------------------------------------|-------------------------------------------------------------|---------|------------------------------------------------|
| (1)  | (2)      | (3)                                   | (4)                                                         | (5)     | (6)                                            |



FORM No. 46

( See rule 108 )

Register of Commissions

THE LAND TRIBUNAL OF .....

|                                                                                                             |                                                                |                                                                                         |                                                   |                                                                                                        |                                                                                   |                                                                        |                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|-----------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Date of issue of commission.                                                                                | Number and year of the case in which the commission is issued. | Date of order for issue of the commission and the circumstances under which it is made. | Nature of the commission ordered com- and issued. | The locality in which the commission.                                                                  | Distance of the locality from the of the Tribunal/Board                           | Remuneration fixed for the commission and the date of payment thereof. | Name and qualifications of the persons to whom the commission is issued and if, to another tribunal, the name of that tribunal. |
| (1)                                                                                                         | (2)                                                            | (3)                                                                                     | (4)                                               | (5)                                                                                                    | (6)                                                                               | (7)                                                                    | (8)                                                                                                                             |
| Amount (if any) paid into the hands of the commissioner for the expenses of the execution of the commission | Date of such payment.                                          | Date fixed for the return of the mission.                                               | Date of return.                                   | Result of the execution of the com- mission and the fact production of vouchers for expenses incurred. | Date of payment of remuneration to commissioner and the commissioner's signature. | Remarks.                                                               |                                                                                                                                 |
| (9)                                                                                                         | (10)                                                           | (11)                                                                                    | (12)                                              | (13)                                                                                                   | (14)                                                                              | (15)                                                                   |                                                                                                                                 |

**FORM No. 47****( See rule 108 )****Register of papers despatched for the year 19. . . . .****THE LAND TRIBUNAL OF . . . . .**

| Serial<br>number | Number of the letter<br>and date of despatch | To whom addressed | Cost of stamp<br>Rs. P. |
|------------------|----------------------------------------------|-------------------|-------------------------|
| (1)              | (2)                                          | (3)               | (4)                     |
|                  |                                              |                   |                         |
|                  |                                              |                   |                         |

**FORM No. 48****( See rule 108 )****Stock Register of service postage stamps for the year 19 . . . . .****THE LAND TRIBUNAL OF . . . . .**

| Date | Particulars<br>of receipts<br>of issue in-<br>cluding<br>opening<br>balance | Stamps |       |      |      |     |     |     | Value<br>of<br>stamps | Initials<br>of<br>head<br>ministerial<br>officer |
|------|-----------------------------------------------------------------------------|--------|-------|------|------|-----|-----|-----|-----------------------|--------------------------------------------------|
| (1)  | (2)                                                                         | Re. 1  | 50 P. | 25P. | 10P. | 5P. | 2P. | 1P. | (10)                  | (11)                                             |
|      |                                                                             |        |       |      |      |     |     |     |                       |                                                  |
|      |                                                                             |        |       |      |      |     |     |     |                       |                                                  |

Number of stamps received    Number of stamps issued with    Number of letter and name of  
addressee Balance.

**FORM No. 49**

**( See rule 138 )**

**Declaration to be made under section 128**

1. (a) Name of the transferor/transferee :

(b) Address in full :

2. Particulars of the land to which the document relate.

---

| Serial number. | District. | Taluk. | Sub-division. | Village. | Survey number. | Extent. | Boundaries. | Nature of transfer. | Remarks. |
|----------------|-----------|--------|---------------|----------|----------------|---------|-------------|---------------------|----------|
| (1)            | (2)       | (3)    | (4)           | (5)      | (6)            | (7)     | (8)         | (9)                 | (10)     |

---

3. whether the total extent of land held by the transferor/transferee including the land transferred exceeds the ceiling area.

4. Particulars of all land already held by the transferor or transferee.

---

| Serial<br>Remarks | District<br>number | Taluk | Village | Survey | Sub-division<br>number | Extent<br>number |     |
|-------------------|--------------------|-------|---------|--------|------------------------|------------------|-----|
| (1)               | (2)                | (3)   | (4)     | (5)    | (6)                    | (7)              | (8) |

---

I declare that the best of my knowledge and belief, the information furnished above is correct and complete.

Declarant's identify proved by

**Signature of the  
transferor/transferee**

Name

Occupation

Address

1.

2.

Particulars to be furnished by the Registering Authority.

Name of the office of registration :

Date of registration of the document:

Number of the document :

Registering Authority.

**Place :**

**Date :**

**THE MAHE LAND REFORMS ( VESTING AND  
ASSIGNMENT ) RULES, 1981**

**LA GAZETTE DE L'ETAT DE PONDICHERRY**

**THE GAZETTE OF PONDICHERRY**

**EXTRAORDINAIRE**

**EXTRAORDINARY**

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|                            |                    |                  |            |              |             |
|----------------------------|--------------------|------------------|------------|--------------|-------------|
| <b>No. 35</b>              | <b>Pondicherry</b> | <b>Mercredi</b>  | <b>ler</b> | <b>Avril</b> | <b>1981</b> |
| <b>No. 35</b>              | <b>Pondicherry</b> | <b>Wednesday</b> | <b>1st</b> | <b>April</b> | <b>1981</b> |
| <b>( 11 Chaitra 1903 )</b> |                    |                  |            |              |             |

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**GOVERNMENT OF PONDICHERRY**

**Revenue Department**

No. 4073/80/C-Vol I.

Pondicherry, the 31st March, 1981.

**NOTIFICATION**

G. S. R. No. 5 - In exercise of the powers conferred by section 138 of the Mahe Land Reforms Act, 1968 ( 1 of 1968 ), the Lieutenant - Governor, Pondicherry hereby makes the following rules, namely :-

**THE MAHE LAND REFORMS ( VESTING AND ASSIGNMENT ) RULES, 1981**

**CHAPTER I**

**GENERAL**

**1. Short title and commencement :-** (1) These rules may be called the Mahe Land Reforms ( Vesting and Assignment ) Rules, 1981.

(2) They shall come into force on the date of their publication in the official gazette.

**2. Definitions :-** In these rules, unless the context otherwise requires, -

(a) "Act" means the Mahe Land Reforms Act, 1968 ( 1 of 1968 ) ;

(b) "application" includes an interlocutory application ;

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

(d) "legal representative" means a person who, in law, represents the estate of a deceased person ;

(e) "section" means a section of the Act.

**3. Interpretation :-** (1) The General Clauses Act, 1897 ( Central Act No.10 of 1897 ), shall apply, as far as may be, to the interpretation of these rules, as it applies to the interpretation of an Act.

(2) The forms shall be used with such variations as the circumstances may require.

## **ASSIGNMENT OF RIGHT VESTED IN GOVERNMENT**

### **UNDER SECTION 80**

**4. Application for assignment :-** An application for assignment of the right, title and interest of landlords vested in the Government under section 80 shall be in Form A.

**5. Land Tribunal to initiate suo motu proceedings :-** (1) Where a Land Tribunal receives information that the right, title and interest of the landowner and intermediaries in respect of a holding or part of a holding situate within its jurisdiction have vested in the Government under section 80, it shall, notwithstanding that an application referred to in rule 4 has not been received in respect of that holding or part, as the case may be, of its own motion assign such right, title and interest to the cultivating tenants entitled thereto in the manner hereinafter provided.

(2) The Land Tribunal shall initiate separate proceedings under sub-rule (1) in respect of each holding or part of a holding, as the case may be.

(3) Where after the initiation of proceedings under sub-rule (1) for the assignment of the right, title and interest in respect of a holding or part of a holding, an application referred to in rule 4 in respect of that holding or part, as the case may be, is received by the Land Tribunal, such proceedings and application shall be disposed of by the Land Tribunal jointly.

(4) The Land Tribunal shall maintain a register of cases in which it has initiated proceedings under sub-rule (1) in Form B.

**6. Application by landowner or intermediaries :-** (1) Any landowner or intermediary whose right, title and interest in respect of a holding or part of a holding have vested in the Government under section 80, may apply for the assignment of such right, title and interest to the cultivating tenant and for payment of compensation due to him under section 80A, in Form C to the Land Tribunal and a separate application shall be made in respect of each holding or part of a holding.

(2) Where an application is made under sub-rule (1) in respect of a holding or part of a holding after an application referred to in rule 4 in respect of that holding or part, as the case may be is received by the Land Tribunal or after the initiation of proceedings under sub-rule (1) of rule 5 in respect of that holding or part as the case may be, the Land Tribunal shall dispose of the application referred to in rule 4, the proceedings referred to in sub-rule (1) of rule 5 and the application referred to in sub-rule (1) jointly.

**7. Notice under section 80H :-** (1) The public notice under sub-section (1) of section 80H shall be in Form D ; and the individual notice under sub-section (2) of that section shall be in Form E.

(2) The public notice under sub-section (1) of section 80H shall, be published-

(a) on the notice - boards of-

(i) the office of the Land Tribunal ;

(ii) the village office of the village in which the land to which the public notice relates is situate ; and

(b) by affixture on some prominent part of such land.

**8. Requisition by the Land Tribunal to the village committee :-** A requisition by the Land Tribunal to the village committee under sub-section (4) of section 80H shall be in Form E1.

**9. Procedure to be followed by the village committee :-** (1) On receipt of the requisition referred to in rule 8 the convener of the village committee shall assign a number to every such requisition strictly according to the order in which it is received, and enter it in a register to be maintained by the village committee. The register shall be in Form E2.

(2) The convener of the village committee shall also maintain a book in which a separate page shall be allotted to each survey number in the village, the survey number being entered in the chronological order.

(3) Each page of the book maintained under sub-rule (2) shall be in Form E3.

**10. Village committee may furnish further particulars :-** The village committee may, in addition to the matters mentioned in sub-section (5) of section 80H furnish any other particulars it considers relevant to the case pending before the Land Tribunal.

**11. Manner of obtaining information :-** When the village committee desires to obtain any information, such committee or any one of its members may obtain it in any one or more of the following modes, namely-

(a) by making such enquiry as the village committee or member may deem fit ;

(b) by local inspection ;

(c) by reference to any Government record ; or

(d) in such other manner as the village committee or member deems fit.

**12. Further procedure to be followed by village committee :-** (1) After obtaining necessary information, the village committee shall give an opportunity to the persons concerned to be heard regarding the correctness of the information.

(2) For the purposes of sub-rule (1) the village committee may secure the presence of the persons concerned and read over the information received by the committee to such persons.

(3) The committee may also examine documentary evidence produced by the persons concerned or received by it from any other person.

**13. Advice to be forwarded to Land Tribunal : -** As soon as may be after the completion of the enquiry under rule 12, the village committee shall, before the date specified in the requisition received from the Land Tribunal under rule 8, forward its advice to the Land Tribunal. The advice shall be in Form E4.

**14. Monthly abstract :-** The convener of the village committee shall, at the end of every month, enter in Form E3 an abstract of the requisitions received by the committee during that month together with a statement showing the following particulars, before entering the requisitions for the subsequent month, namely-



- (a) the total area of all holding comprised in each survey number ;
- (b) the number of cases in respect of which requisition under sub-section (4) of section 80H have been received by the village committee during the month ;
- (c) the total area of the holdings in respect of which such requisitions have been received during the month ;
- (d) the number of cases in respect of which advice has been tendered by the village committee during the month ; and
- (e) the total area covered by the holding in respect of which such advice has been tendered during the month.

**15. Application by intervener :-** (1) An application under sub-section (6) of section 80H shall be in Form F and shall be presented before the date of the order of the Land Tribunal under sub-section (7) of that section.

(2) Where the application is presented before the date referred to in sub-rule (1), the Land Tribunal shall implead the applicant as a party to the proceedings before it in respect of the land to which the application relates, and, where he is so impleaded, he may, within the time allowed by the Land Tribunal in that behalf, file a statement duly verified by him setting forth his claims and objections regarding the assignment of the right, title and interest of the landowner and intermediaries in respect of that land to the cultivating tenant or any matter connected therewith.

**16. Dispute about tenancy or vesting :-** (1) Where after the publication of the public notice under sub-section (1) of section 80H and the service of the individual notice under sub-section (2) of that section in respect of a holding, any of the parties to the proceedings pleads that the land comprised in such holding is not held by any cultivating tenant or that the right, title and interest of the landowner and the intermediaries in respect of such holding have not vested in the Government, the Land Tribunal shall decide such question as a preliminary point and pass an order thereon with reasons for such order.

(2) Where the order under sub-rule (1) is that such land is not held by any cultivating tenant or that such right, title and interest have not vested in the Government, the Land Tribunal shall forthwith reject the application referred to in rule 4 or discontinue the proceedings referred to in rule 5 and such order for rejection or discontinuance, as the case may be, shall be deemed to be an order under section 80H for all purposes of the Act.

**17. Further proceedings for assignment and determination of compensation, purchase price, etc. :-** (1) Where in any proceedings for the assignment of the right, title and interest of the landowner and intermediaries in respect of a holding vested in the Government, to the cultivating tenant, there is no dispute of the nature referred to in sub-rule (1) of rule 16 or, where there is such a dispute, the Land Tribunal has ordered that the holding is held by a cultivating tenant or that the right, title and interest of the landowner and intermediaries have vested in the Government, as the case may be, the Land Tribunal shall, after perusal and consideration of the application, if any, referred to in rule 4, the information referred to in rule 5, the written statement if any filed by the parties, other documentary evidence if any, produced and the report if any, of the officer appointed under section 115A and after such further enquiries as it may deem necessary and after giving a reasonable opportunity of being heard to all the persons to whom individual notices have been issued under sub-section (2) of section 80H and to the other persons who have preferred claims and objections and appeared before the Tribunal in pursuance of the notice issued under sub-section (1) of that section, pass an order under sub-section (7) of the said section :

Provided that the order on a dispute referred in sub-rule (1) of rule 16 shall not be reviewed by the Land Tribunal.

(2) The Land Tribunal shall before passing the order under sub-section (7) of section 80H, ascertain from persons claiming to be cultivating tenants, in case they appear before it, as to whether they opt to pay the purchase price in a lump.

**18. Certain orders to be accompanied by statements :** - (1) The order of the Land Tribunal under sub-section (7) of section 80H ( including an order passed after remand ) shall be accompanied by a statement in Form I :

Provided that no such statement shall be necessary in cases referred to in sub-rule (2) of rule 16.

(2) The order of the appellate authority in appeal against an order of the Land Tribunal under sub-section (7) of section 80H ( including an order passed after remand by the High Court ) shall be accompanied by a statement in Form I :

Provided that no such statement shall be necessary in cases where the appellate authority:-

(i) is satisfied that the land, the right, title and interest in respect of which are proposed to be assigned, is not held by a cultivating tenant or that the right, title and interest of the landowner and intermediaries in respect of the land have not vested in the Government ; or

(ii) dismisses the appeal or remands the case.

(3) The Land Tribunal shall, on receipt of the order of the High Court passed in revision, prepare a statement in Form I on the basis of such order and file such statement as part of the records of the case :

Provided that no such statement shall be necessary in cases where the High Court -

(i) holds that the land, the right, title and interest in respect of which are proposed to be assigned is not held by a cultivating tenant or that the right, title and interest of the landowner and intermediaries in respect of the land have not vested in the Government ; or

(ii) dismisses the petition for revision or remands the case.

**19. Annuity instead of compensation :-** (1) Where any institution claiming to be a religious, charitable or educational institution of a public nature has applied for payment of annuity and the Government have not issued a direction to the Land Tribunal to determine the annuity payable to that institution, the Land Board shall decide whether such institution is a religious, charitable or educational institution of a public nature.

(2) The Land Board shall communicate its decision under sub-rule (1) to the Land Tribunal.

(3) Where in any proceedings initiated under section 80B or section 80D, it appears to the Land Tribunal that the landowner or an intermediary is a religious, charitable or educational institution, it shall, before it passes an order under sub-rule (1) of rule 17 ascertain from the Land Board-

(i) whether such institution has been sanctioned annuity by the Government ; or

(ii) whether the Government have issued any direction to the Land Tribunal to determine the annuity payable to such institution ; or

(iii) whether such institution has applied before the 31st December 1981 for payment of annu-

ity, and if applied whether any decision has been taken as to whether such institution is a religious, charitable or educational institution of a public nature or not :

Provided that no reference to the Land Board shall be necessary in cases where the Land Tribunal is already in receipt of such information.

**20. Procedure for determination and payment of annuity :-** (1) On receipt of the decision of the Land Board declaring an institution as a religious, charitable or educational institution of a Public nature, the Land Tribunal shall initiate action to determine the annuity for the holdings in respect of which the institution desires to be paid annuity in its application and to assign the right, title and interest of the institution to the cultivating tenants.

(2) The Land Tribunal shall after determining the annuity in respect of all the holdings held by the cultivating tenants under the institution for which, such institution has desired for annuity, prepare a draft annuity statement in Form J, specifying the annuity payable to the institution.

(3) As soon as may be after the preparation of the draft annuity statement, the Land Tribunal shall furnish to the institution the said draft together with a notice inviting claims or objections, if any, to be made in writing within ten days from the date of receipt of the notice.

(4) The Land Tribunal shall consider any claim or objection which may be preferred under sub-rule (3) and after giving the institution a reasonable opportunity of being heard, prepare a final statement in Form J, determining the annuity payable to the institution. The final statement shall then be sent to the Land Board.

(5) On receipt of the final statement in Form J, the Land Board shall scrutinise the same and if necessary, return it to the Land Tribunal for the purpose of correcting patent mistakes or errors apparent on the face of the record. The Land Board shall thereafter forward it to the Government, with its remarks, if any.

(6) The Government shall on receipt of the statement enter the details in a register in Form K, sanction the payments to be made to the persons concerned towards the satisfaction of the encumbrances in accordance with provisions of section 75 and shall thereafter issue an Annuity Payment Order in favor of the institution in Form L.

(7) The Annuity Payment Order shall specify the amount of the annuity and the date on which it is payable where it is payable in lump and where it is payable in installments, the dates on which the installments are payable, and also the Government treasury at which the annuity is payable.

(8) The Annuity Payment Order shall be prepared in duplicate and forwarded to the Pay and Accounts Officer for authorising payment at the treasury under intimation to the institution concerned, and on receipt of the authorisation from the Pay and Accounts Officer, the Sub-Treasury Officer shall forward the institution's half of the Annuity Payment Order to the institution.

(9) The annuity shall be disbursed to the person entitled to receive it on behalf of the institution by the Sub-Treasury Officer on presentation of the institution's half of the Annuity Payment Order, together with a claim in Form M.

(10) The Sub-Treasury Officer shall maintain a register of annuities in Form N.

**21. Assignment with consent and procedure therefor : -** (1) Where the right, title and interest of the landowner and the intermediaries, if any, in respect of a holding have vested in the Government, the cultivating tenant, the landowner, the intermediaries, if any, the holder of the encumbrance, if any, charged on such right, title and interest and person entitled to maintenance or

alimony, if any, charged on such right, title and interest and person entitled to maintenance or alimony, if any, charged on such right, title and interest may jointly make an application in Form O to the Land Tribunal within whose jurisdiction such holding is situate :

Provided that no such application shall be made in cases where the cultivating tenant owns an extent of land ( including the land, the right, title and interest in respect of which are to be assigned ) in excess of the ceiling area.

(2) The application under sub-rule (1) may be presented before the Land Tribunal by any one of the signatories to such application, either in person or by recognized agent or by pleader.

(3) On receipt of an application under sub-rule (1), the Land Tribunal shall issue a notice in Form E to the District Collector concerned and publish in the manner specified in sub-rule (2) of rule 7 a public notice in Form D :

Provided that no such publication is necessary in respect of a holding for which such publication has been already made.

(4) On the day specified in the public notice under sub-rule (3) for preferring claims or objections or on any subsequent day to which the proceedings may be adjourned or, where the application under sub-rule (1) is presented after the Land Tribunal has initiated proceedings under section 80B or section 80D on the day specified in the public notice published in respect of such proceedings or on any subsequent day to which such proceedings may be adjourned, the Land Tribunal, if satisfied after making such inquiries as it may deem fit and after considering the advice given by the village committee or village committees, as the case may be-

(i) that the cultivating tenant whose name is specified in the application is the cultivating tenant entitled to the assignment of the right, title and interest of the landowner and intermediaries in respect of the holding ;

(ii) that the tenancy claimed and admitted is not created for the purpose of defeating the provisions of the Act relating to restriction on ownership and possession of land in excess of the ceiling area and disposed of excess lands ;

(iii) as to any other matter which the Land Tribunal thinks necessary to be satisfied may, notwithstanding anything contained in rule 17 pass on order 4 in Form P assigning the holding to the cultivating tenant on the basis of the particulars furnished in the application :

Provided that no such order shall be passed in cases where the Land Tribunal is not so satisfied or any person other than the signatories to the application appears before the Land Tribunal and files claims or objection or requests time for filing claims or objections.

(5) Where the claims of any person referred to in the proviso to sub-rule (4) are genuine and such person is found to have an interest in the holding or where the Land Tribunal is not satisfied as to the matters specified in that sub-rule, it shall, after giving all parties concerned an opportunity to be heard, forthwith dismiss the application and initiate  **suo motu**  proceedings under section 80D for assigning the holding to the cultivating tenant, ignoring the agreements.

**22. Form of certificate of purchase and time of issue :-** As soon as may be after an order for the assignment of the right, title and interest of the landowner and intermediaries vested in the Government, to the cultivating tenant has become final, the Land Tribunal shall issue a certificate of purchase in Form Q to the cultivating tenant.

**23. Copy of certificate to be furnished to the Deputy Tahsildar and Village Officers :-**  
(1) A true copy of every certificate of purchase referred to in rule 22 shall be furnished by the Land

Tribunal to the Deputy Tahsildar and also to the concerned Village Officer or Village Officers and they shall take action for carrying out necessary changes in the revenue records.

(2) The Land Tribunal shall furnish a copy of the certificate of purchase to the Director of Survey also.

**24. Deposits of installments of purchase price :-** (1) The Second and subsequent installments of purchase price shall be deposited with the Land Tribunal in the manner specified in sub-rule (2) by the cultivating tenant within one year from the due date for payment of the previous instalment.

(2) Such deposit shall be made on or before the due date in the Government treasury in a chalan in triplicate countersigned by the Land Tribunal under the appropriate head specified by the Land Board. One copy of the chalan shall be furnished by the purchaser to the Land Tribunal who shall maintain such accounts as may be directed by the Land Board.

**25. Payment on behalf of the Land Board :-** (1) Where a cultivating tenant to whom the right, title and interest of the landowner and intermediaries in respect of a holding have been assigned, has paid the purchase price in lump, or where purchased price in lump has been recovered from him, the Land Tribunal, on application by the landowner or intermediary, as the case may be, and on being satisfied that the compensation due to such landowner or intermediary for the vesting in the Government of his right, title and interest in respect of all holdings held by cultivating tenants, after deducting the value of encumbrances and claims for maintenance or alimony, is not more than Rs. 20,000, may, with the approval of the Land Board, pay, in addition to the 50 per cent of the compensation payable to him by the Land Tribunal in respect of holding to which the assignment relates, the remaining 50 per cent of the compensation in respect of that holding payable to him under section 80K by the Land Board.

(2) An application referred to in sub-rule (1) shall be in Form R.

**26. Tenancy rules to apply to certain matters :-** The Mahe Land Reforms ( Tenancy ) Rules 1981, shall so far as may be, apply to all matters relating to the assignment of the right, title and interest of the landowners and intermediaries vested in the Government under section 80 to the cultivating tenants, in respect of which provision has not been made in these rule.

**FORM A**

**Application for assignment of landlord's rights**

( See rule 4 )

Application No. \_\_\_\_\_ of 19 \_\_\_\_\_

Name(s) and address(es) of applicant(s) :

Name(s) and address(es) of respondents :

1. Particulars of the holding :-

(a) District, taluk and village in which situate :

(b) Survey number and sub-division number, if any, or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class ( i. e., nilam, garden, dry land, etc.) :

2. Particulars of the documents, if any, evidencing the contract of tenancy :

3. Nature of the tenancy ( i. e., kanam, kuzhikanam, kudiyruppu karaima, verumpattom, etc.) and the applicant's interest in the land :

4. Name and address of the landlord to whom rent was payable by the applicant immediately before 1st April 1981 :

5. Name and address of the landowner whose right, title and interest have vested in the Government :

6. Name and address of the intermediary, if any, whose right, title and interest have vested in the Government :

7. Where the applicant was holding under an intermediary, at the time of vesting, the details of the rent which was payable by the intermediary, so far as known, to the landowner :

8. Name and address of the other persons who were interested in the holding at the time of vesting so far as known and the nature of their interests :

9. Structures, wells and embankments of a permanent nature, their approximate value and the persons to whom they belonged at the time of vesting :

10. Details of timber trees, their approximate value and particulars of the person to whom they belonged at the time of vesting :

11. The contract rent which was payable ( in kind or in cash ) in respect of the holding ; installments, if any in which it was payable ; the date or dates on which the rent or installments of rent were payable ; and the rate of interest, if any :

12. Where fair rent had been determined in respect of the holding under any law in force immediately before 22nd March 1968 the details of such fair rent and the number and year of the order determining such fair rent :

13. Are you agreeable for fixing one-half of the contract rent as fair rent in respect of nilam and three-fourths of the contract rent as fair rent in respect of other lands :

14. Other lands in which the applicant or any member of his family has interest either as owner with possession, cultivating tenant, or mortgagee with possession ; their extent and description :

15. Extent and description of the land, the right, title and interest in respect of which are sought to be assigned :

16. Other relevant particulars, if any :

Dated this the ..... day of ..... 19

Applicants : (1) ..... ( Signature )

(2) ..... ( Signature )

#### DECLARATION

I/We declare that the particulars stated in columns ..... of this application are true to my/our knowledge and that the particulars stated in paragraphs ..... are based on information which I/We believe to be true.

Applicants : (1) ..... ( Signature )

(2) ..... ( Signature )

## Register of suo motu cases

[See rule 5 (4) ]

LAND TRIBUNAL OF ..... Case No ..... 19 .....  
Initiated on .....

| (1)            | (2)                                                                                                                                                                                               | (3)                                                                                                                                                                                                                       | (4)                                 | (5)                                              | (6)                                           | (7)                                                                                                   | (8)                                         | (9)                                                               | (10)                                                                       | (11)     |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------------------------------|-----------------------------------------------|-------------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------|----------------------------------------------------------------------------|----------|
| Serial number. | Details of source of information (like application under sections 15, 37 62 etc, ) statement of information under rule 6, reports of officer appointed under section 115A, record of rights, etc. | Description of the holding to which the proceedings relate (specify the taluk, village, survey number and subdivision number, if any, boundaries, extent or a description of the land sufficient for its identification). | Name and address of the land owner. | Name and addresses of the intermediaries, if any | Name and addresses of the cultivating tenant. | If jointly considered with application referred to in rule 4 the number and year of such application. | Date of order under section 80H and result. | Appeal number and result of appeal with deate of appellate order. | Revision number and result of revision with date of the order in revision. | Remarks. |



## FORM C

### Application by Landlord for assignment

[ See rule 6 (1) ]

**BEFORE THE LAND TRIBUNAL OF .....**

1. Name and address of the person furnishing the information :
2. Whether the applicant is the landowner or an intermediary :
3. Particulars of the holding or part of the holding in respect of which the right, title and interest have vested in the Government under section 80,-
  - (a) District, taluk and village in which situate :
  - (b) Survey number and sub-division number, if any, or a description of the land sufficient for its identification :
  - (c) Boundaries :
  - (d) Extent :
  - (e) Class ( i.e., nilam, garden, dry land, etc. )
4. Name and address of the cultivating tenant ( tenant in actual possession of the holding or part of the holding to which the application relates ) ( so far as known ) :
5. Names and address of the persons who liable to pay rent, before the date of vesting, to the informant :
6. If the applicant is an intermediary-
  - (a) the name and address of the landlord immediately above him :
  - (b) whether such landlord is the landowner or an intermediary ( so far as known ) :
  - (c) if such landlord is an intermediary the name and address of the landowner ( so far as known ) :
  - (d) the amount of annual rent payable by him to such landlord :
7. Where fair rent had been determined in respect of the holding under any law in force immediately before 22nd March 1968, the details of such fair rent and the number and year of the order determining such fair rent :
8. Whether fair rent had been determined in respect of the holding under the Mahe Land Reforms Act, 1968 ; if so, the details of such fair rent and the number and year of the order determining such fair rent :
9. Whether the cultivating tenant had referred any application under section 62 of the Mahe Land Reforms Act, 1968, in respect of the holding, if so, the details of the proceedings, the number and year of such proceedings and the stage at which they stood on 1st April 1981 :

10. Whether the applicant had any structure, wells and embankments of a permanent nature belonging to him in the holding at the time of vesting ; if so, the details and estimated value of such structure etc.

11. Whether the applicant had any timber trees belonging to him in the holding at the time of vesting ; if so, the details and the estimated value of such trees :

12. Whether the right, title and interest of the applicant is subject to-

(a) encumbrance :

(b) maintenance :

(c) alimony

If so, the details and the names, address of the holders thereof.

13. Annual contract rent in kind or cases which the applicant is entitled to get from his tenant :

14. Whether the applicant is a small holder ; if so whether he is eligible to claim the solatium provided in section 116B :

15. Whether there are other persons entitled to the compensation ; if so, the names and address of such persons ( so far as known ) :

16. Other relevant particulars, if any :

Dated this the ..... day of ..... 19

Applicants : (1) ..... ( Signature )

(2) ..... ( Signature )

### DECLARATION

I/We declare that the particulars stated in columns .....  
of this application are true to my/our knowledge and that the particulars stated in columns  
..... are based on information which I/we believe to be true.

Applicants : (1) ..... ( Signature )

(2) ..... ( Signature )

**FORM D**

**Public notice under sub-section (1) of section 80H**

[ See rule 7 (1) ]

**PUBLIC NOTICE ISSUED BY THE LAND TRIBUNAL OF .....**

To All whom it may concern.

Whereas the Land Tribunal has, information that the land/lands described in the subjoined schedule is/are in the possession of a cultivating tenant/cultivating tenants and that the right, title and interest of the landowner/landowners and intermediary/intermediaries in respect of the land/lands have vested in the Government under section 80 ;

And whereas the Land Tribunal intends to assign the right, title and interest so vested to the cultivating tenant/cultivating tenants of the land/lands ;

Notice is hereby given to the landowner/landowners, intermediary/intermediaries and cultivating tenant/cultivating tenants of the land/lands and also the holders of encumbrances charged on such right, title and interest and persons entitled to maintenance or alimony charged on such right, title and interest, to prefer in writing their claims and objections, if any, to the proposed assignment and matters connected therewith before the Land Tribunal at 10 A. M.. on the ..... day of ..... 19 ..... at ..... and to appear before it in person or by pleader or recognized agent on the said day at the said time and place with all relevant records to prove their respective claims or in support of their objections :

Failing which all persons concerned are informed that the proceedings relating to the assignment will be heard and decided in their absence.

**SCHEDULE**

| Serial number | Application number or suo motu proceedings number. | Taluk | Village | Survey number or a description of the land sufficient for its identification. | Approximate extent of land. | Name and address of cultivating tenant (so far as known). | Name and address of the landowner (so far as known). | Names and addresses of intermediaries (so far as known). |
|---------------|----------------------------------------------------|-------|---------|-------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------|------------------------------------------------------|----------------------------------------------------------|
| (1)           | (2)                                                | (3)   | (4)     | (5)                                                                           | (6)                         | (7)                                                       | (8)                                                  | (9)                                                      |
|               |                                                    |       |         |                                                                               |                             |                                                           |                                                      |                                                          |

Dated this ..... day of ..... 19 .....

( Seal )

By order of the Land Tribunal

**Head Ministerial Officer**

**FORM E**

**Individual notice under sub-section (2) of section 80H**

[ See rule 7 (1) ]

BEFORE THE LAND TRIBUNAL OF

Application No ..... of ..... 19..... **suo motu** Proceedings No..... of ..... 19 .....

To

( Name and address )

Whereas the Land Tribunal has information that the land described in the subjoined schedule is in the possession of a cultivating tenant and that the right, title and interest of the landowner and intermediaries in respect of that land have vested in the Government under section 80 ;

And whereas the Land Tribunal intends to assign the right, title and interest so vested to the cultivating tenant of the land ;

Take notice that the proceedings for assignment of such right, title and interest to the cultivating tenant is posted for hearing before the Land Tribunal at 10 A. M.. on the ..... day of ..... 19 ..... at ..... and that you may prefer in writing your claims and objections, if any to the proposed assignment and matters connected therewith and also appear in person, by pleader or by recognized agent on the said day at the said time and place with all relevant records to prove your claims or in support of your objections ;

Failing which you are informed that the proceedings relating to the assignment will be heard and decided in your absence.

You are also informed that if you enter appearance and apply for a copy of the application by the cultivating tenant or the material on the basis of which **suo motu** proceedings have been initiated, as the case may be, you will be furnished with the same free of charge.

| Serial number | Taluk | Village | Survey number or a description of the land sufficient for its identification. | Approximate extent of land. | Name and address of cultivating tenant (so far as known). | Name and address of the landowner (so far as known). | Names and addresses of intermediaries (so far as known). | Name and addresses of other persons interested (so far as known) |
|---------------|-------|---------|-------------------------------------------------------------------------------|-----------------------------|-----------------------------------------------------------|------------------------------------------------------|----------------------------------------------------------|------------------------------------------------------------------|
| (1)           | (2)   | (3)     | (4)                                                                           | (5)                         | (6)                                                       | (7)                                                  | (8)                                                      | (9)                                                              |

Given under my hand and seal of the Tribunal this ..... day of ..... 19

By Order,

**Head Ministerial Officer.**

## FORM E1

( See rule 8 )

No.

Requisition to the Village Committee ..... Land Tribunal  
.....

O. A. No ..... Year .....

Whereas the Land Tribunal has information that the land/lands described in the schedule to the notice in Form D enclosed is/are in the possession of a cultivating tenant/cultivating tenants whose name(s) and address(es) are shown in the statement appended and that the right, title and interest of the landowner/landowners and intermediary/intermediaries ( details are shown in the statement appended) in respect of the land/lands have vested in the Government under section 80 ;

And whereas (1) the cultivating tenant/the landlord/the intermediary/all persons interested have jointly/applied for assignment ;

(2) the Land Tribunal has, on its own motion, taken steps for assignment, this requisition is hereby given to the Village Committee (s) ..... to advise the Land Tribunal on the following matters before ..... day of .....  
19 .....

1. The names and address of the landowner, the intermediary if any, and the cultivating tenant ;

2. The names and addresses of all other persons interested in the land ;

3. The particulars as are necessary for the identification of the land comprised in the holding,  
viz :-

Village :

Survey number :

Sub-division number :

Extent :

Boundaries :

4. The value of incumbrances subsisting or claims for maintenance or alimony charged on the right, title and interest of the landowner and intermediaries, if any :

5. The amount due to the holders of encumbrances or the persons entitled to maintenance or alimony and the order of priority in which the amount is payable :

6. Whether the lease claimed is one subsisting on 22nd March, 1968 :

7. Whether the lease claimed is a bogus one created to defeat the ceiling provisions of the Act ( reasons to be stated ) :

8. Whether the cultivating tenant owns an extent of land ( including the land, the right, title and interest in respect of which are to be assigned ) in excess of the ceiling area ( reasons to be stated )

9. Improvements ( including timber trees ) on the land belonging to the landowner or intermediary :

10. Value of each of the improvements and the total value thereof :

11. Purpose for which the land used on 22nd March, 1968 :

12. Fair rent/contract rent of the holding :

13. ( here enter any other matter the Land Tribunal has decided to refer ) :

Copy of the public notice and a statement of the details of persons to whom individual notice have been served are enclosed.

( By order of the Land Tribunal )

Head Ministerial Officer.

Place :

Date :

\* Strike out if inapplicable.

## FORM E2

( See rule 9 )

| Serial number | Name of the cultivating tenant | Survey number | Page number in the book containing E3 register. |
|---------------|--------------------------------|---------------|-------------------------------------------------|
| (1)           | (2)                            | (3)           | (4)                                             |
|               |                                |               |                                                 |
|               |                                |               |                                                 |

## FORM - E3

( See rule 9 )

Register to be maintained by the Village Committee

Name of Village committee ..... Survey number .....

| Serial number in E2 Register. | Date or receipt of requisition. | Reference number and name of Land Tribunal. | Survey number/Sub-division number to which assignment proceedings relates. | Name of cultivating tenant as furnished by the Land Tribunal. | Due date for furnishing the advice to the Land Tribunal. | Gist of advice of the village committee. | Signature of the convenor of the committee. | Date on which the advice is furnished to the land Tribunal. | Remarks. |
|-------------------------------|---------------------------------|---------------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------------|----------------------------------------------------------|------------------------------------------|---------------------------------------------|-------------------------------------------------------------|----------|
| (1)                           | (2)                             | (3)                                         | (4)                                                                        | (5)                                                           | (6)                                                      | (7)                                      | (8)                                         | (9)                                                         | (10)     |
|                               |                                 |                                             |                                                                            |                                                               |                                                          |                                          |                                             |                                                             |          |
|                               |                                 |                                             |                                                                            |                                                               |                                                          |                                          |                                             |                                                             |          |

## FORM E4

( See rule 13 )

Advice given by the Village Committee of .....  
village to the Land Tribunal ..... in the matter of O. A .....  
year .....

The Village Committee on the basis of the requisition received from the Land Tribunal, has considered the matters referred to it and the advice of the Village Committee on each item is as furnished below :-

(1) The names and addresses of -

(a) the land owner ;

(b) the intermediary, if any ; and

(c) the cultivating tenant ;

(2) The names and addresses of all other persons interested in the land :

(3) Such particulars as are necessary for the identification of the land comprised in the holding, viz :-

Village :

Survey number :

Sub-division number :

Extent :

Boundaries :

(4) The value of encumbrances subsisting or claim for maintenance or alimony charged on the right, title and interest of the landowner and intermediaries, if any :

(5) The amount due to the holders of encumbrances or the persons entitled to maintenance or alimony and the order or priority in which the amount is payable :

(6) Whether the lease claimed is one subsisting on 22nd March 1968 :

(7) Whether the lease claimed is a bogus one created to defeat the ceiling provisions of the Act ( reasons to be stated ) :

(8) Whether the cultivating tenant owns an extent of land ( including the land, the right, title and interest in respect of which are to be assigned ) in excess of the ceiling area ( reasons to be stated ) :

(9) Improvements ( including timber trees ) on the land belonging to the landowner or intermediary :

(10) Value of each of the improvements and total value thereof :

(11) Purpose for which the land was used on 22nd March 1968 :

(12) Fair rent/contract rent of the holding :

(13) Here enter the advice on any other matter which the Land Tribunal has requested :

**Signature of Chairman-Member(s)**

**Signature of the Convener of the Village Committee**

Place :

Date :

To

The Land Tribunal .....

### **FORM F**

#### **Application under sub-section (6) of section 80H**

[ See rule 15 (1) ]

Before the Land Tribunal of ..... in application No.....  
of 19 ..... In **Suo motu** proceeding No ..... of 19 .....

Applicant : ( here enter the name and address ) .....

Application submitted by the above said applicant under sub-section (6) of section 80H of the  
Mahe Land Reforms Act, 1968 ( Act 1 of 1968 ).

1. The applicant has an interest in the land sought to be assigned in the case, the interest  
being ( here enter the nature and details of the interest ).

2. The applicant has no notice under sub-section (2) of section 80H about the proceedings.

3. The applicant will be substantially prejudiced, if his interest are not taken into consideration

4. The applicant, therefor, prays, that he may be impleaded in the case as an additional party,  
and his claims be heard, and adjudicated

Dated

day of

19

Applicant.



## FORM I

### Statement to accompany order under sub-section (7) of section 80H

(See rule 18)

Before the Land Tribunal of .....

Before the Appellate Authority of .....

Original application No. of 19

**Suo Motu** Proceedings No. of 19

Appeal No. of 19

High Court Revision Petition No. of 19

Present ( Name of Land Tribunal or Appellate Authority )

#### Part A

1. Particulars of the holding in respect of which the right, title and interest of the landowner and intermediaries have vested in Government.

(a) District, taluk and village in which situate :

(b) Survey No and sub-division No if any or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class, i.e., nilam, garden, dry land, etc. :

2. Particulars of the land, the right, title and interest in respect of which is assigned to the cultivating tenant :

(a) District, taluk and village in which situate :

(b) Survey number and sub-division number if any or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class i.e., nilam, garden, dry land, etc. :

#### Part B

1. Name and address of cultivating tenant :

2. Whether the purchase price is payable in lump or in installments and the amount of purchase price-

(a) where payable in lump :

(b) where payable in installments.

3. Details of set off and adjustments against purchase price :-

(a) under sub-section (9) of section 80H ;

(b) under sub-section (1) of section 80R ;

(c) under sub-section (2) of section 80R ;

(d) under clause (b) of sub-section (2) of section 80S ;

(e) under clause (d) of sub-section (2) of section 80S ;

Purchase price actually payable by cultivating tenant after set off and adjustments.

### **Part C**

1. Amount of compensation payable to the landowner and intermediaries in respect of the entire holding [ in filling up this item, the provisions of sub-section (4) of section 80A shall be taken into consideration ].

2. Amount of compensation due on apportionment.

(a) to the landowner :

(b) to the intermediary or each of the intermediaries :

**Note** : where the right, title and interest of an intermediary are held of two or more persons jointly, the amount of compensation due to the different persons need not be shown and it would be sufficient if the amount of compensation due to all such person jointly, is shown.

### **Part D**

1. Name and address of the landowner whose right, title and interest have vested in the Government.

2. Details of set off and adjustments against compensation due to landowner-

(a) under sub-section (9) of section 80H ;

(b) under sub-section (1) of section 80R ;

(c) under sub-section (2) of section 80R ;

(d) under clause (b) of sub-section (2) of section 80S ;

3. Amount of compensation actually payable to the landowner after set off and adjustments :

4. Name and address of the holder of encumbrances charged on the right, title and interest of the landowner :

5. Amount of encumbrance charged on the right, title and interest of the landowner :

( Where there are more than one encumbrance, note the names and addresses of the holders of encumbrances in the order of priority and the amount due to each such holder. )

6. Name and address of the person entitled to maintenance or alimony charged on the right, title and interest of the landowner :

7. Amount of the value of maintenance or alimony charged on the right, title and interest of the landowner.

( Where there are more than one claimant, note the names and addresses of such claimants in the order of priority and the amount due to each such claimant ).

8. Amount of compensation actually payable to the landowner after deducting the amount of encumbrance and value of maintenance or alimony.

( Where more than one person is entitled to share the compensation and where the Land Tribunal allots separate shares to each such person, the name and address of each landowner and the amount due to him shall be specified ; and if jointly awarded, it should be specifically stated that it is jointly awarded ).

### **Part E**

1. Name and address of the intermediary whose right, title and interest have vested in Government :

2. Details of set off and adjustments against the compensation due to intermediary or each of intermediaries :

(a) under sub-section (9) of section 80H ;

(b) under sub-section (1) of section 80R ;

(c) under sub-section (2) of section 80R ;

(d) under clause (b) of sub-section (2) of section 80S.

3. Amount of compensation actually payable to the intermediary or each of the intermediaries after set off and adjustments :

4. Name and address of the holder of encumbrance charged on the right, title and interest of the intermediary :

5. Amount of encumbrance charged on the right, title and interest of the intermediary or such of the intermediaries ( where there are more than one encumbrance, note the names and address of the holders of encumbrances in the order of priority and the amount due to each such holder ) :

6. Name and address of the person entitled to maintenance or alimony charged on the right, title and interest of the intermediary :

7. Amount of the value of maintenance or alimony charged on the right, title and interest of the intermediary or each of the intermediaries :

( Where there are more than one claimant, note the names and addresses of such claimants in the order of priority and the amount due to each such claimant ).

8. Amount of compensation actually payable to the intermediary or each of the intermediaries after deducting the amount of encumbrance and the value of maintenance or alimony :

( Where more than one person is entitled to share the compensation and where the Land

Tribunal allots separate shares to each such person, the name and address of each intermediary and the amount due to him shall be specified and if jointly awarded, it should be specifically stated that it is jointly awarded ).

#### **Part F**

1. Name and address of the institution which is entitled to annuity and the amount of annuity

2. Where the right, title and interest of the institution have vested in the Government on a day subsequent to 1st April 1981 the amount of rent which the institution is entitled for the period from 1st April 1981 to the date of such vesting and the name and address of the person who is liable to pay such rent to the institution :

#### **Part G**

1. In case the cultivating tenant is not entitled to assignment of the whole or a part of the holding, annual rent payable by the cultivating tenant for the holding or portion not assigned under section 80F to the Government :

#### **Part H**

1. Date on which the right, title and interest of the landowner and intermediaries vested in Government or is deemed to have vested in the cultivating tenant :

**Seal :**

**Land Tribunal.**

**Note :** Where the landowner or an intermediary is to be given annuity instead of compensation, the compensation due to that landowner or intermediary including the amount of encumbrances charged on the right, title and interest of such landowner or intermediary shall not be paid, but shall be earmarked to the Government.

## FORM J

### Draft/Final Statement of Annuity

[ See rule 20(2) ]

### BEFORE THE LAND TRIBUNAL OF

Application No ..... of ..... 19

1. Name of the institution :
2. Its location ( Village, taluk and district in which situate ) ;
3. Nature of the institution as religious, charitable or educational :

| Sl. number of the holding | Particulars of the holding |       |         |                               | (1) | (2a) | (2b) | (2c) | 2(d) | 2(e) | (3)                                                                       | (4)                                                  | (5)                                 | (6)                                                                                                                 | (7)                                                                                       | (8)                 | (9)                                                     | (10)                                                                                                                                                                             | (11)                                                                                     | (12)     |
|---------------------------|----------------------------|-------|---------|-------------------------------|-----|------|------|------|------|------|---------------------------------------------------------------------------|------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|---------------------|---------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------|
|                           | District                   | Taluk | Village | Survey number and subdivision |     |      |      |      |      |      |                                                                           |                                                      |                                     |                                                                                                                     |                                                                                           |                     |                                                         |                                                                                                                                                                                  |                                                                                          |          |
|                           |                            |       |         |                               |     |      |      |      |      |      | Whether the institution is entitled to annuity in respect of this holding | Name(s) and address(es) of the tenants in possession | Fair rent in respect of the holding | If the institution is an intermediary, the rent payable by it to its landlord with the name and address of landlord | Rent to which the institution will be entitled if fair rent is determined for the holding | Collection charges. | Amount of annuity to which the institution is entitled. | Details of encumbrances if any subsisting and charged on the right, title and interest of the institution with name and address of the holder of encumbrance and the amount due. | Where there are more than one encumbrance the order of the priority of each encumbrance. | Remarks. |

## Register of Statement of Annuity of Religious Institution etc.

**Government Secretariat - Revenue Department**

| (1)            | (2)                      | (3)                                                          | (4)                                                               | (5)                                                           | (6)                                                                                   | (7)                                         | (8)                 | (9)      |
|----------------|--------------------------|--------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------|---------------------|----------|
| Serial number. | Name of the Institution. | Its location (village, taluk and district in which situate). | Nature of the Institution as religious, charitable or educational | Date of receipt of the annuity statement from the Land Board. | Date of notification vesting in Government of the rights of the institution in lands. | Date of issue of the annuity payment order. | Amounts of annuity. | Remarks. |

**FORM L**

**Annuity Payment Order No.....**

[ See rule 20 (6) ]

Institution's Half/Treasury Half

**GOVERNMENT OF PONDICHERRY**

Debitable to

Head of Account

Major head :

Minor head :

Voted

Charged / Non-voted

Name of Institution .....  
Amount of annuity : ( In words ) .....  
..... ( In figures ) .....  
Payable in lump/..... installments.

Date or dates on which payable .....  
Name of Treasury at which payable .....

**Secretary to Government**

**\* Deputy Secretary to Government**

\* Score out the designation not applicable

**OFFICE OF THE PAY AND ACCOUNTS OFFICER PONDICHERRY**

Dated, the .....

Sir,

UNTIL FURTHER NOTICE and on the expiration of every year, be pleased to pay ..... the sum of Rs.....  
being the amount of annuity payable under section 75 of the Mahe Land Reforms Act 1968 upon the production of this ORDER and a receipt according to usual form.

The payment should commence from .....

Signature .....

Designation .....

To

The Treasury Officer,  
.....

Payable at ..... Treasury

Amount of annuity :

( In words and figures )

---

( Every separate payment is to be recorded below by the Disbursing Officer )

---

| Year for which<br>annuity is due | Number of instalment<br>if any | Date of<br>payment | Disbursing officer'<br>initials |
|----------------------------------|--------------------------------|--------------------|---------------------------------|
| (1)                              | (2)                            | (3)                | (4)                             |

---

19 .....

19 .....

19 .....

19 .....

19 .....

19 .....

19 .....

19 .....

19 .....

---



**FORM M**

**Claim form for Annuity**

[ See rule 20 (9) ]

To

The Treasury Officer,

1. Name and address of the institution entitled to annuity.
2. Particulars of the Government Order by which annuity is sanctioned :
3. Amount of annuity ( in words and figures ) :
4. Year for which annuity is claimed :
5. Name and address of the person(s) claiming annuity on behalf of the institution :
6. In which capacity the money is being received from the Treasury ( whether Trustee, Manager, Executive Officer, etc. ) :
7. Number and date of authorisation issued by Pay and Accounts Officer, Pondicherry :
8. Head of account to which the amount relates :

**Declaration**

I/We hereby declare that I am/we are competent to receive the annuity on behalf of the above described institution.

**Signature of claimant(s)**

**Place :**

**Date :**

( Seal of the Institution, if any )

**For the use of Audit Officer**

## FORM N

### Register of Annuities

[ See rule 20 (10 ) ]

Name of Treasury :

1. Name and address of the Institution to which annuity is payable.

2. Person to whom the annuity is payable on behalf of the Institution.

| Annuity payment order number | Amount of annuity |                   | Number and date of pay and Accounts Officer's letter authorising payment. | The period for which annuity is payable |
|------------------------------|-------------------|-------------------|---------------------------------------------------------------------------|-----------------------------------------|
|                              | in words<br>Rs.   | in figures<br>Rs. |                                                                           |                                         |
| (1)                          | (2)               | (3)               | (4)                                                                       |                                         |

| Nature of payment (state whether annuity is payable in lump or instalments) | The date on which the annuity becomes due for payment | The Voucher number of the treasury and the date of payment made by the treasury | Signature of the Treasury Officer with date who effected the payment | Remarks |
|-----------------------------------------------------------------------------|-------------------------------------------------------|---------------------------------------------------------------------------------|----------------------------------------------------------------------|---------|
|                                                                             | (5)                                                   | (6)                                                                             | (7)                                                                  | (8)     |
| (5)                                                                         | (6)                                                   | (7)                                                                             | (8)                                                                  | (9)     |

**FORM O**

**Joint application**

( See rule 21 )

BEFORE THE LAND TRIBUNAL OF .....

1. Particulars of the land, the right, title and interest in respect of which are to be assigned to the cultivating tenants-

(a) District, taluk and village in which situate :

(b) Survey number and sub-division number, if any, or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class ( i. e. nilam, garden, dry land, etc. ) :

2. Details of contract of tenancy :

3. Name and address of the cultivating tenant(s) :

4. Name and address of landowner(s) :

5. Name and address of intermediary (ies) :

6. Name and address of holder of encumbrance, if any, charged on the right, title and interest of the landowner/intermediary :

7. Name and address of the persons entitled to maintenance or alimony, if any, charged on the right, title and interest of landowner/intermediary :

8. Total amount of compensation :

9. Amount of compensation due to each of the landowners and/or intermediaries :

10. Amount of purchase price due to each of the cultivating tenants :

11. Amount due to each of the holders of encumbrance :

12. Amount due to each of the persons entitled to maintenance or alimony :

**Signatures** : [ Here enter signatures of all persons referred to in items (3) to (7) both inclusive ].

- 1.
- 2.
- 3.
- 4.

Witnesses :

**Place** :

**Date** :

## CERTIFICATE

I/We whose name(s) and address(es) is/are specified in item (3) do hereby declare that I am/ we are/the cultivating tenant(s) for the holding specified in item (1), that to the best of my/our knowledge and belief there is no other person entitled to that right.

**Cultivating tenant(s)**

Witnesses :

**Place :**

**Date :**

We, whose names and addresses are specified in items (3) to (7) ( both inclusive ) do hereby declare that the particulars furnished in items (1) to (12) are true and correct, that to the best of our knowledge and belief there is no other person entitled to any of the rights specified in any of those items.

**Signature of persons referred to  
in items (3) to (7)**

Witnesses :

- 1.
- 2.
- 3.
- 4.

Place :

Date :

## FORM T

### Order of assignment

[ See rule 21 ]

To

All whom it may concern

WHEREAS a joint application in Form O, attached to this order has been filed before this Land Tribunal on ..... for the assignment of the right, title and interest of the landowner(s) ( here enter names and addresses ) intermediary(ies) ( here enter names and addresses ) and encumbrance holders ( here enter names and addresses ) and persons entitled for maintenance or alimony ( here enter names and addresses ) in respect of the lands described in the sub-joined schedule to the cultivating tenant(s) (here enter names and addresses) ;

AND WHEREAS after due enquiry this Land Tribunal has been satisfied that-

1. all persons interested in the holding are parties to the application ;
2. the cultivating tenant(s) is/are entitled for assignment ;

3. the landowner or any intermediary of the holding is not a religious, charitable or educational institution of a public nature which has opted for annuity ;

NOW, therefore, the properties described in the schedule below are hereby assigned in terms of the said joint application to the cultivating tenant(s) mentioned above without any liability to the Government for the payment of compensation or any other amount to any persons in respect of the holding to which this order relates.

#### SCHEDULE

| Serial number | Number of the statement | Taluk | Village | Survey number or a description of the land sufficient for its identification | Extent of the land. |
|---------------|-------------------------|-------|---------|------------------------------------------------------------------------------|---------------------|
| (1)           | (2)                     | (3)   | (4)     | (5)                                                                          | (6)                 |

Dated this ..... day of .....

( Seal )

Land Tribunal

#### FORM Q

#### Certificate of purchase

( See rule 22 )

LAND TRIBUNAL

Dated .....

Assignment certificate No ..... of 19 .....

Reference :

Application No ..... of 19 .....

**Suo motu** Proceedings No ..... of 19 .....

This is to certify that the Government have assigned to Thiru/Tmt .....

The cultivating tenant of the land specified in the schedule below, the right, title and interest of the land owner and intermediaries in respect of the said land which vested in the Government under section 80.

Given under my hand and seal this ..... day of 19 .....

Seal of Office.

Land Tribunal

#### SCHEDULE

| Serial number | District, taluk and village. | Survey number/<br>Sub-division number<br>or a description<br>sufficient for<br>identifying the land. | Extent. | Boundaries. | Class of land. | Purchase price, if<br>any due and the date<br>or dates on which it<br>is payable. | Remarks. |
|---------------|------------------------------|------------------------------------------------------------------------------------------------------|---------|-------------|----------------|-----------------------------------------------------------------------------------|----------|
| (1)           | (2)                          | (3)                                                                                                  | (4)     | (5)         | (6)            | (7)                                                                               | (8)      |

## FORM R

### Application for payment of compensation on behalf of Land Board

[ See rule 25 (2) ]

Before the Land Tribunal .....

In O. A. No ..... 19 ..... of .....  
in **suo motu** Proceedings No ..... of 19 ..... of .....  
Name(s) and address(es) of the applicant :

- 1.
- 2.
- 3.

I am a/We are party(ies) to the abovementioned proceedings ( here specify the number and year of the proceedings ) ..... relating to assignment of the right, title and interest of the land owner and intermediaries in respect of the holding to which the above said proceedings relate.

I/We have been jointly/awarded a compensation of Rs ..... and the cultivating tenant Thiru ..... to whom the right, title and interest have been assigned has/have paid the purchase price in lump.

I/We declare that to the best of my/our knowledge and belief that my/our total compensation due to me/us in respect of all my/our holdings situate in the State and held by cultivating tenants after deducting the value of encumbrances and claims for maintenance or alimony is not more than Rs. 20,000.

I/We request that the remaining 50% of the compensation payable to me/us by the Land Board under section 80K of the Act in respect of this holding to which this proceeding relates may be paid to me/us by the Land Tribunal in full acquittance of my/our claims for compensation in respect of this holding.

I/We agree that in case it is found out that the abovesaid declaration is not correct and that I/ we have been paid any amount in excess of what I am/we are entitled to, such excess may be recovered from me/any one of us as provided in section 137A of the Act.

**Place:**  
**Date :**

**Signature(s) of the applicant(s)**