

Andhra Pradesh (Andhra Area) Inams (Assessment) Act, 1955

ANDHRA PRADESH

India

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Act 17 of 1955

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Andhra Pradesh (Andhra Area) Inams (Assessment) Act, 1955(Act No. 17 of 1955)Received the assent of the Governor on 7th December, 1955 and was Published in the Andhra Pradesh Gazette, Extraordinary, Part IV-B, page 49, dated 8-12-1955.An Act for the levy of full assessment on certain inam lands in the State of Andhra.Whereas it is expedient to provide for the levy of full assessment on certain inam lands in the State of Andhra.Be it enacted in the Sixth Year of the Republic of India as follows:

1. Short title, application and commencement:.

(1)This Act may be called [The Andhra Pradesh (Andhra Area) Inams (Assessment) Act, 1955] [Short title of the Act was amended by the Andhra Pradesh Amendment of Short Title Act, 1961 (9 of 1961).](2)It applies to all inams in the State of Andhra. described in Section 2 (b).(3)It shall come into force at once.

2. Definitions:.

- In this Act, unless the context otherwise requires,(a)"Collector" means a Revenue Divisional Officer and includes any person appointed by the State Government, whether by name or in virtue of his office, to exercise any of the functions of a Collector under this Act;(b)"Inam" means an inam land as defined in clause (c) or on assignment of land revenue on such inam land;(c)"Inam land" means any land the grant of which an inam has been made, confirmed or recognised by the Government, and includes an inam land in a ryotwari area [and any land in the merged territory of Banganapalle in respect of which the grant in inam has been made, confirmed or recognised by any former Ruler of that territory] [Inserted by Act 3 of 1964.] but does not include an inam constituting an estate under the Madras Estates Land Act, 1908 (Madras Act 1 of 1908);(d)"prescribed" means prescribed by rules made under this Act;(e)"settlement" includes resettlement.

3. Levy of full Assessment:.

(1) Notwithstanding anything contained in any engagement, contract, grant or other law for the time being in force, it shall be lawful for the State Government to levy on every inam land, with effect from the fasli year commencing on the 1st July, 1955, an assessment at the following rates; (a) if a settlement is in force in the village in which the inam land is situated, at the rates of assessment set out in such notification for lands of the same tarram and classification; (b) in cases not falling under clause (a), at the rates of assessment to be fixed by the Collector with reference to settlement rates for similar lands in neighbouring ryotwari villages: Provided that if any jodi or kattubadi is payable in respect of an inam to the landholder of an estate, the amount of such jodi or kattubadi shall be deducted from the assessment payable to the State Government under this Section: Provided further that in the case of an inam granted on service tenure which is proved to consist of an assignment of land revenue only, no assessment under this sub-section shall be leviable and the inamdar shall be liable to pay only the quit rent, jodi, kattubadi or other amount of a like nature, if any, which, he has been paying before the commencement of this Act: Provided also that no assessment under this sub-section shall be leviable where a service inam belongs to any of the following classes of inams, namely (i) village carpenter, (ii) village black smith, (iii) village barber (iv) village washerman, (v) village potter, (vi) village pumhit or priest (vii) village astrologer, (viii) village archaka, (ix) village vetti, (x) village nirganti, (xi) village madiga and such other service inams which the State Government may by special or general order notify in that behalf in the Andhra Pradesh Gazette, and the holder of such inam shall be liable to pay only the quit rent, jodi, kattubadi or other amount of a like nature, if any, which he has been paying before the commencement of this Act, provided that the inamdar continues to be in possession and enjoyment of the inam land. Explanation: If any quit rent, jodi, kattubadi or other amount of a like nature was payable to the State Government immediately before the commencement of this Act in respect of any inam, the assessment leviable on such inam under this Section shall be in lieu of such quit rent, jodi or other amount aforesaid. (2) (a) Before making the assessment, the Collector shall publish in the District Gazette and in such other manner as may be prescribed, a draft notification specifying the inam lands in respect of which the assessment is proposed to be levied under sub section (1) and the rates of such assessment together with a notice specifying a date not being less than one month from the date of such publication, at or after which such draft will be taken into consideration, and shall confirm or modify the assessment or pass such orders as he deems fit after considering any objections which may be made in respect of the draft of the inamdar or other person interested before the specified date and after making such enquiry, if any, as he deems fit; (b) Any person deeming himself aggrieved by a decision of the Collector under clause (a) may prefer an appeal to the District Collector within the prescribed period, and the District Collector may, after giving the appellant an opportunity of being heard, pass such orders on the appeal as he thinks fit; (c) The decision of the District Collector under clause (b), and in case where no appeal has been preferred the decision of the Collector under clause (a), shall, subject to provisions of this Act, be final and shall not be liable to be questioned in a court of law. (3) The inam lands and rates of assessment leviable thereon as finally decided, shall then be published in the District Gazette and in such other manner as may be prescribed.

4. Presumption of service inams:.

- In the case of an inam granted for the purpose of any service, it shall be presumed, in the absence of evidence to the contrary, that the inam consists not merely of an assignment of land revenue payable in respect of the land but also of the land,

5. Resumption of service inams:.

- Nothing contained in this Act shall be deemed to affect the power of the State Government to resume any inam in accordance with the rules and orders in force.

6. Rights as between inamdar and other persons not affected:.

- Nothing contained in this Act shall be deemed to define, limit, infringe, or destroy the rights as between the inamdar and other persons, if any, in possession or enjoyment of the inam land.

7. Power to correct mistakes:.

- If the State Government are satisfied that in any notification published under sub section (3) of Section 3, there is any error, including any clerical or arithmetical error, or error arising from any accidental slip or omission, they may by notification in the District Gazette concerned, correct such error.

8. Delegation of powers:.

- The State Government may, by order, direct that any power or duty which is conferred or imposed on them by this Act shall, in such circumstances and under such conditions, if any, as may be specified in that direction, be exercised or discharged by such officer or authority as may be specified by them. The exercise of the powers so delegated shall be subject to control and revision by the State Government.

9. Power to remove difficulties:.

- If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

10. Power to make rules:.

(1)The State Government may, by notification in the Andhra Pradesh Gazette, make rules to carry out the purposes of this Act.(2)In particular, and without prejudice to the generality of the foregoing power, such rules may provide for:(a)the procedure to be followed by the Collector and the District Collector in inquiries and appeals under this Act;(b)the manner of publication of notification under

Section 3, sub-sections (2) and (3). (3) All rules made under this Section shall be published in the Andhra Pradesh Gazette and upon such publication shall have effect as if enacted in this Act. The rules so made shall be placed on the table of the Legislative Assembly as soon as possible after they are published and shall be subject to such modifications, whether by way of repeal or amendment, as the Assembly may make within fourteen days during the session in which they are so laid.