

Rules under Tamil Nadu Estates Communal Forest and Private Lands (Prohibition of Alienation) Act, 1947

TAMILNADU

India

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Rule

RULES-UNDER-TAMIL-NADU-ESTATES-COMMUNAL-FOREST-AND-PRIVATE-LANDS (PROHIBITION OF ALIENATION) ACT, 1947

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Rules under Tamil Nadu Estates Communal Forest and Private Lands (Prohibition of Alienation) Act, 1947 In exercise of the powers conferred by section 4(5) of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Communal Forest and Private Lands (Prohibition of Alienation) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act 14 of 1947), His Excellency the Governor of [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] hereby makes the following rules: -

1.

In these rules, "the Act" means the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Communal Forest and Private Lands (Prohibition of Alienation) Act, 1947.

2.

Every application under section 4 (3) of the Act shall be in writing and shall be signed and verified by the applicant.

3.

The application shall be stamped with Court fee stamps to the value of rupees fifteen.

4.

Every application shall contain the following particulars: -(a)Name of the estate.(b)Name of the applicant and whether he is the landholder or other person interested.(c)Address of applicant for service of notices.(d)Name or names of any persons added as respondents.(e)Address of each respondent for service of notices.(f)Name of the district, taluk and village in which the land is situated.(g)Survey numbers and extent of the land, if surveyed. If not surveyed, name, description and extent of the land with its boundaries.(h)Classification of the land (i.e., whether forest, communal or private lands). If it is a communal land, the purpose served by it.(i)Nature of the interest which the applicant has in the land.(j)Question as to which the decision is sought and relief prayed for.Note. - The Collector of the District shall, invariably, be included as a respondent on behalf of the Provincial Government.

5.

(1)The provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), relating to-(a)the proof of facts by affidavit,(b)the enforcing of the attendance of any person and his examination on oath,(c)the enforcing of the production of documents and the marking of documents as exhibits, and(d)the issuing of commissions,shall apply to all proceedings under section 4(4) of the Act and the provision relating to the service of summonses shall apply to the service of notices thereunder.(2)The provisions of the said Code relating to the execution of decrees shall, as far as they are applicable apply to the execution of orders under section 4(4) of the Act.

6.

(1)The District Judge to whom an application is made under section 4(3) of the Act may grant copies of the documents filed, evidence recorded or orders passed in the proceedings before him in respect of such application.(2)The rules for the time being in force in Civil Courts in the [State of Tamil Nadu] [Substituted for the expression 'Province of Madras' by the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the 14th January 1969.] in regard to the grant of copies of documents filed, evidence recorded or orders passed in the proceedings of such Courts, shall, so far as may be, apply to the grant of copies under sub-rule (1).

7.

All notices under section 4(4) of the Act to the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order, 1950.] Government shall be served on the Collector of the district concerned.