

Telangana (Abolition of Cash Grants) Act, 1959

TELANGANA

India

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Act 14 of 1959

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Telangana (Abolition of Cash Grants) Act, 1959(Act No. 14 of 1959)Last Updated 15th January, 2020The Andhra Pradesh (Telangana Area) (Abolition of Cash Grants) Act, 1959 received the assent of the President on 25.01.1959. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws (No.2) Order, 2016, issued in G.O.Ms.No.46, Law (F) Department, dated. 01.06.2016.

1. Short title, extent and commencement.

(1)This Act maybe called [the Telangana (Abolition of Cash Grants) Act, 1959] [Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.].(2)It extends to the territories comprising the districts of Adilabad, Hyderabad, Karimnagar, Khammam Mahbubnagar, Medak, Nalgonda. Nizamabad and Warangal in the State of Telangana.(3)It shall come into force at once.

2. Definitions.

- In this Act, unless the context otherwise requires,-(a)'Government' means the State Government;(b)'Charitable institution' means any charitable establishment, with a specific location and known address which is dedicated to, or for the benefit of, or used as of right by, the public generally or any community or section thereof, for any pious, charitable or philanthropic purpose;(c)'prescribed' means prescribed by rules made under this Act;(d)'religious institution' means any religious establishment (such as temple, shrine, mosque or the like) with a specific location and known address which is dedicated to, or used as of right by, the public generally or any community or section thereof as a place of public religious worship.

3. Application of Act.

(1) This Act shall apply to any cash grant specified in the Schedule other than those mentioned in sub-section (2). (2) Nothing contained in this Act shall apply to any such cash grant given in the name, or for the support, of any religious or charitable institution or given to any person for the performance of any service or charity, such service or charity being of a public nature connected with any religious or charitable institution: Provided that the payment of cash grant mentioned in this sub-section shall be made to the institution or to the person concerned only so long as the institution exists. (3) For the removal of doubts, it is hereby declared that the provisions of section 5 of [the Telangana Atiyat Enquiries Act, 1952] [Adapted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.] (Act X of 1952) shall apply to the cash grants continued by this Act as they apply to Atiyat grants under that Act. (4) The Government may, by notification in the [Telangana] [Adapted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016] Gazette, alter, add to or cancel the entries in the Schedule.

4. Abolition of certain Cash Grants and payment of compensation therefor.

(1) Notwithstanding anything contained in any law, custom, usage, sanad or decree or order of a court or other authority and subject to the provisions of sub-section (2) all cash grants specified in Part A of the Schedule which were payable or enforceable during the year commencing on the 1st April 1952 or any subsequent financial year, and all cash grants specified in Part B and Part C of the Schedule which were payable or enforceable during the year commencing on the 1st day of July 1954 or any subsequent financial year, shall be discontinued and cease to have effect-(a) in the case of cash grants specified in Part A of the Schedule, - with effect from the 1st day of April 1952; (b) in the case of cash grants specified in Part B and Part C of the Schedule, - with effect from the 1st day of July 1954. (2) The grantee whose cash grant is abolished under sub-section (1) shall be paid compensation as follows:-(i) in the case of a cash grant specified in Part A of the Schedule, a sum equivalent to four times the annual amount payable to the grantee; (ii) in the case of a cash grant specified in Part B of the Schedule, a sum equivalent to six times the annual amount payable to the grantee; and (iii) in the case of a cash grant specified in Part C of the Schedule, a sum equivalent to four times the annual amount payable to the grantee: Provided that in respect of each of the cases specified in column (1) of the Table below, the cash grant specified in Part C shall be continued subject to the conditions specified in each case during the period mentioned in column (2), namely:-

(1)

(1) Where the age of the grantee, whether male or female, was not less than 60 years on the 1st day of April, 1954.

(2) Where the age of the grantee was less than 60 years on the 1st day of April, 1954-

(i) in the case of a male, or an unmarried woman if the grantee is incapable of earning a livelihood on account of being blind, deaf, dumb and mute, mentally deranged, crippled or paralytic;

(2)

Till the date of the death of the grantee

From the date of abolition till the date of the death of the grantee.

- (ii) in the case of a widow. So long as she remains a widow.
- (3) Where the grantee is a minor-
- (i) in the case of a male if such cash grant is his only source of income; From the date of abolition till the date of attainment of 18 years
- (ii) in the case of a female From the date of abolition till the date of marriage or the date of attainment of eighteen years whichever is earlier.
- (3) Where the amount of cash grant received by a male minor before attainment of 18 years of age, or by a female minor before such attainment or marriage falls short of four times the annual amount of cash grant, the deficiency shall be made good to the male minor on his attaining 18 years of age, and to the female minor on her attaining 18 years of age or her marriage, whichever is earlier.
- (4) Where a cash grant to which this Act applies is subject to the rendering of any service, the grantee shall, with effect from the date of discontinuance of the grant stand released of the liability to render that service.
- (5) The compensation payable under sub-section (2) for the cash grants specified in Part A and Part C of the Schedule shall be paid to the grantee in such manner and in such instalments as may be prescribed; and the compensation payable for the cash grant specified in Part B of the Schedule shall be paid to him either in full or in annual instalments not exceeding twelve.

5. Power to make rules.

(1) The Government may, by notification in the [Telangana] [Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.] Gazette, make rules to carry out all or any of the purposes of this Act.

(2) All rules made under this section, shall as soon as may be, after they are made, be placed on the table of the Legislature and shall be subject to such modifications, whether by way of repeal or amendment, as the Legislature may make within fourteen days thereafter during the session in which they are so laid.

6. Power to remove difficulties.

- If any doubt or difficulty arises in giving effect to the provisions of this Act the Government may, by order, make such provisions, not inconsistent with the purposes of this Act, as appear to them to be necessary or expedient for removing the doubt or difficulty.

7. Repeal.

- The Hyderabad (Abolition of Cash Grants) Act, 1952 (Hyderabad Act XXXIII of 1952) is hereby repealed.

Schedule

(Part A) Rsums payable to-

(1) Sardes mukhs, (2) Sardeshpandiyas, (3) Des mukhs, (4) Despandiyas, (5) Dastbandars (inculding

mirasi-dastbandars).(Part B) Mansab Maviza Jagir including Jagir Pension,Mansab Maviza Qarza,Mansab Maviza Arazi,Mansab Maviza Abkari,Mansab Maviza Sair,Mansab Maviza Aslaha, Kutub, Dookan, Safai,Mansab Imtiazi,Mansab Nazam Mahwars,Mahwarat Walajahi issued in lieu of Jagirs.(Part C) Ordinary Mansabs, Riayeti, Khas and Mutaferiq Mahwars, Mash, Youmia, Mamool, Saliyana, Customs Mukasas and Aghahars, Mahwarat Walajahi (other than those issued in lieu of Jagirs) Tahrir Sarishtadari, Wiquai Nigari.