

Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965

TAMILNADU

India

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Rule

TAMIL-NADU-MINOR-INAMS-ABOLITION-AND-CONVERSION-INTO-RYOTWARI RULES OF 1965

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Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965Published vide Notification No. G.O. P. No. 345, Revenue, dated 10th February 1965G.O. P. No. 345. - In exercise of the powers conferred by section 48 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), the Governor of Tamil Nadu hereby makes the following rules : -

1. Short title.

- These rules may be called the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965.

2. Definitions.

- In these rules, unless the context otherwise requires, -(1)"Act" means the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963);(2)"Form" means a form appended to these rules;(3)"section" means a section of the Act;(4)"Tahsildar" means the Tahsildar of the taluk having jurisdiction over the area and includes an Independent Deputy Tahsildar or any other officer of the rank of Tahsildar specially appointed in this behalf by the District Collector.

3. Publication of notification regarding vesting of minor inams, etc., in Government.

- As soon as may be after the publication of the notification under sub-section (4) of section 1 in the [Fort St. George Gazette] [Now Tamil Nadu Government Gazette.], the Assistant Settlement Officer shall cause to be published in the village concerned a copy of the notification as so published, together with the following particulars, namely : -(1)Name of the district.(2)Name of the taluk.(3)Name of the village.(4)Description of the minor inam with T.D.N., if any.(5)Survey number, extent and classification.(6)Name of the inamdar or occupant, if known.

4. Procedure for taking possession of minor inam.

(1)The officer authorised by the Government to take possession of; minor inam on their behalf under clause (d) of section 3, shall take charge of only such of the accounts, registers, pattas, muchilikas, maps, plans and other documents relating to the minor inam, if any in his opinion, necessary for the administration of the minor inam in his opinion. He shall prepare; detailed inventory of those documents in the presence of the inamdar or, any person deputed, in writing, by the inamdar in that behalf, and give; copy of such inventory to the inamdar or his deputy, certified copies of & documents shall be made and given to the inamdar, if so required by him.(2)Where the officer referred to in sub-rule (1) has reason to believe that there are other documents in the possession or custody of the inamdar and is of opinion that such documents are essential for the administration of the minor inam, he may summon the inamdar to produce all such documents and the inamdar shall be bound to produce them.

5. Procedure for taking possession of land in a minor inam.

(1)Before taking possession of any land in a minor inam under the proviso to clause (d) of section 3, the Tahsildar shall examine whether any person holding the land is prima facie entitled to ryotwari patta in respect of that land or not.(2)If the Tahsildar considers that the occupant of a land is prima facie entitled to ryotwari patta in respect of that land, he shall tentatively allow such occupation to continue, subject to the payment of assessment of the extent occupied, as fixed under section 12 and subject to the condition that the payment of such assessment shall not confer any right of occupancy.Explanation. - For the purpose of this rule, occupation for a part of fasli year shall be deemed to be occupation for the whole of the fasli year.(3)If the Tahsildar considers that the occupant of a land on the appointed day is prima facie not entitled to ryotwari patta in respect of that land and that the occupation is objectionable, he shall cause a notice in Form No. 1 to be served on his calling upon him to show cause why he should not be disposed of the land.(4)The Tahsildar shall examine the representation, if any, made on the date fixed for the enquiry and after such further enquiry as he may consider necessary shall pass orders either holding that the occupant prima facie is or in not entitled to ryotwari patta in respect of the land. If the Tahsildar considers that the occupant is prima facie not entitled to ryotwari patta and that the occupation is objectionable, he shall cause a notice in Form No. 2 to be served on the occupant.(5)On the expiry of the time allowed for filing appeal or revision petition or, if an appeal or revision petition has been

filed, after the disposal of such appeal or revision petition and if the decision in the appeal or revision is that the occupant is prima facie not entitled to ryotwari patta in respect of the land, an officer not lower in rank than a Revenue Inspector duly authorised in this behalf, may formally enter upon the land in question and take possession of it and record certificates of the Village Officers and of at least one ryot of the village that the land has been taken possession of by the Government.(6)If the decision is that the occupant of land on the appointed day is prima facie not entitled to ryotwari patta in respect of that land, but that occupation is not objectionable, the occupation may be allowed, subject to the payment by the occupant, of the assessment on the land under section 12, until the ryotwari settlement of the land is effected under section 15 or until the land is required by the Government for any purpose, whichever is earlier. The payment of such assessment shall not confer on the occupant any occupancy right. Every decision in this regard shall be communicated to the occupant concerned in Form No. 3.

6. Period within which appeal against an order under the proviso to section 3(d) can be filed.

- Every appeal against an order under the proviso to clause (d) of section 3, deciding the question whether a person is prima facie entitled to a ryotwari patta in respect of a land or not, shall be preferred within thirty days from the date of such order or within such further time, as the appellate authority may, in its discretion, allow.

7. Revision petition to the Settlement Officer.

- Every petition under sub-section (2) of section 5 for revision of the order, act or proceeding of an Assistant Settlement Officer shall be preferred to the Settlement Officer within thirty days from the date of communication of the order, or of the date of the Act complained of:Provided that the Settlement Officer may admit a petition preferred after the period aforesaid if he is satisfied that the petitioner had sufficient cause for not preferring the petition within the said period.

8. Revision petition to the [Board of Revenue.] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now the Commissioner of Land Administration, vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.]

- Every petition under clause (c) of section 6 for revision of the order, act or proceeding of the Settlement Officer shall be preferred to the Board of Revenue within sixty days from the date of communication of the order or of the date of the act complained of:Provided that the [Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now the Commissioner of Land Administration, vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] may admit a petition preferred after the expiry of the period aforesaid, if it is satisfied that the petitioner had sufficient reason for not preferring the petition within the said period.

9. Enquiry into claims for ryotwari patta under section 8 or 9.

(1) Every application for grant of ryotwari patta in respect of any land under section 8 or 9 shall be in Form No. 4 and shall be either presented in person or sent by registered post, to the Assistant Settlement Officer, within six months from the appointed day. (2) Every such application shall be signed and verified by the applicant and restricted to lands in a single village. (3) If, in respect of any land, no person has applied under sub-rule (1), the Assistant Settlement Officer shall proceed to enquire into the nature and history of the land suo motu and determine, if any, person is prima facie entitled to a ryotwari patta in respect of that land. (4) The Assistant Settlement Officer shall fix a date for the enquiry and shall cause a notice in Form No. 5 to be served on the person, who has applied for ryotwari patta or who, in the opinion of the Assistant Settlement Officer, is prima facie entitled to a ryotwari patta, to produce any record or make any representation, which he may wish to make at the enquiry. A copy of the notice shall also be sent to the Tahsildar. (5) The Assistant Settlement Officer shall also publish a notice in Form No. 6 requiring any person, who has any objection to any of the proposals to grant ryotwari patta, to file before by him a settlement of his objections, within a week from the date of the notice and also requesting all interested persons to be present at the enquiry either in person or through an authorised representative and make their representations. A copy of the notice shall be affixed on the notice board of the office of the Assistant Settlement Officer. (6) The date of the enquiry shall not be earlier than fifteen days from the date of publication of the notice referred to in sub-rule (5). (7) The enquiry shall be summary. The Assistant Settlement Officer shall hear the parties and afford them a reasonable opportunity for adducing any oral or documentary evidence. (8) Before giving a decision in respect of claims falling under sub-clause (b) of sub-section (2) of section 8, the Assistant Settlement Officer shall give a notice in Form No. 7 calling upon the claimant to state, in writing, whether he is willing to pay twenty times the difference between the fair rent in respect of the land-determined in accordance with the provisions in the Schedule to the Act and the land revenue due on it: Provided that no such notice shall be necessary where the claim for ryotwari patta is not established. (9) If the claimant referred to in sub-rule (8) fails to give his consent as required in the notice, the claim shall be rejected. If he gives his consent and thereupon the Assistant Settlement Officer is satisfied that the claimant is entitled to a ryotwari patta, the Assistant Settlement Officer shall issue an order declaring him entitled to ryotwari patta on payment of the consideration due to the Government, and shall also make a reference to the Tahsildar to fix the fair rent and to determine the quantum of consideration. (10) The decision of the Assistant Settlement Officer shall be published in Form No. 8. A copy of the decision shall be given to the party concerned in person or sent to him by registered post. A copy of the decision shall also be sent to the Tahsildar.

10. Appeal to the Tribunal.

(1) On receipt of an appeal preferred under subsection (3) of section 11, the Tribunal shall cause a notice in Form No. 9 to be published requiring all persons, who have applied to the Assistant Settlement Officer under section 8 or 9 or filed statement before the Assistant Settlement Officer in the course of the enquiry under sub-section, to appear before it. (2) A copy of the notice shall be served on the applicant, the Tahsildar and every other person affected by the appeal, by sending the notice to the individual concerned by registered post. (3) A copy of the final order of the Tribunal

shall be communicated to the appellant, the respondent and the Tahsildar.

11. Eviction of occupant of land not entitled to ryotwari patta in respect of it consequent on decision under section 11.

- In cases in which the Assistant Settlement Officer, the Tribunal or the Special Appellate Tribunal decides that the occupant of an inam land is not actually entitled to ryotwari patta in respect of it, the Tahsildar shall serve on the occupant a notice in Form No. 10. The Tahsildar shall also take such further steps as are necessary to evict the occupant. Any such eviction shall be carried out in accordance with the provisions of sub-rule (5) of rule 5: Provided that if the occupation is unobjectionable and if the occupant states, in writing that he accepts the decision of the Assistant Settlement Officer, the Tribunal or the Special Appellate Tribunal, as the case maybe, that he is not entitled to ryotwari patta in respect of the land and that he will surrender actual possession of it to the Government forthwith if the land is not assigned to him under the darkhast rules, his petition being treated as his darkhast application is such cases to continue, subject to the payment of assessment of the land under section 12, until orders are passed on the darkhast application or until the land is required by the Government for any purpose, whichever is earlier.

12. Unauthorised occupant of land to be proceeded against under law.

- Nothing contained in these rules shall be construed as exempting any person unauthorisedly occupying land from liability to be proceeded against, under any law for the time being in force.

13. Eviction of occupants of buildings vesting in other persons.

- The provisions of rule 11 shall apply mutatis mutandis to cases of eviction of the occupant of any building which vests under section 13 in other persons.

14. Authority to fix land revenue under section 12(1).

- The land revenue payable under sub-section (1) of section 12 shall be fixed by the Tahsildar.

15. Computation of net miscellaneous revenue.

- For the purpose of determining the net annual miscellaneous revenue referred to in section 19, ten per cent of the gross annual miscellaneous revenue shall be deducted.

16. Procedure in regard to service inams.

- The option referred to in sub-section (3) of section 21 shall be in Form No. 11. It shall be exercised within six months from the date on which he was granted ryotwari patta.

17. Procedure in respect of payments to institutions.

- The amounts payable to any religious, educational or charitable institution under sub-section (4) of section 8 and sub-section (4) of section 20 shall be paid to the trustee or manager or other person in charge of the institution already on the records by the District Collector. Before making the payment, the District Collector, may, if he thinks it necessary, and shall, if the claim for the management of the institution on or the right to receive payment of the amount on behalf of the institution is in dispute, obtain an indemnity bond from the payee the disputants being asked to establish their claim in a competent Court of law.

18. Mode of payment.

(1) Any sum payable to a religious, educational or charitable institution under sub-section (4) of section 8 and sub-section (4) of section 20 shall be paid in cash from the sub-treasury of the taluk in which minor inam is situated. (2) The payments referred to in sub-rule (4) shall be subject to adjustment as provided in sub-sections (4), (5) and (6) of section 33 and shall be made before the end of the fasli year to which they relate.

19. Enquiry under sections 21(6)(b) and 21(7)(b).

(1) The enquiry under clause (b) of sub-section (6) of section 21 and clause (b) of sub-section (7) of section 21 shall be either suo motu or on application from the institution concerned or from other persons interested and shall be conducted by the Revenue Divisional Officer of the division concerned. (2) Notice recording the date, time and place of enquiry shall be in Form No. 12 in respect of the enquiry under clause (b) of sub-section (6) of section 21 and in Form No. 13 in respect of the enquiry under clause (b) of sub-section (7) of section 21 shall be served on the service-holder concerned. A copy of the notice shall also be served on the applicant and on the institutions, if the institution is not the applicant. (3) The Revenue Divisional Officer shall make a summary enquiry into the matter. He shall hear the service-holder, the institution and other person interested, if any, and give his decision after giving them a reasonable opportunity for adducing evidence. (4) If the decision aforesaid is that there has been failure to render the service by the service-holder, the Revenue Divisional Officer shall notify such failure in Form No. 14 in respect of cases falling under clause (b) of sub-section (6) of section 21 and in Form No. 15 in respect of cases, falling under clause (b) of subsection (7) of section 21 and shall publish such failure. (5) The decision of the Revenue Divisional Officer shall be communicated to the parties concerned. (6) The declaration referred to in clause (b) of sub-section (6) of section 21 and in clause (b) of sub-section (7) of section 21 shall be made immediately after the publication of the notification referred to in sub-rule (4) and shall be in Form No. 16 or 17, as the case may be. Copies of the declaration shall be served on the service-holder and on the institution.

20. Application for a copy of the date when to be made.

- An application for a copy of the date on the basis of which the Settlement Officer proposes to

determine the tasdik allowance or the compensation shall be made by the inamdar or other person interested, within two months, from such date as may be notified by the Settlement Officer in this behalf.

21. Communication of orders.

(1)The Settlement Officer shall communicate every order passed under sub-section (1) of section 22 to every inamdar concerned and also to every applicant under sub-section (2) of section 22 in the manner specified below : -(a)by sending the order by registered post; or(b)by getting the order served through the Tahsildar.(2)In cases where the order is to be served on any inamdar or any applicant, the Settlement Officer shall send the order in duplicate to the Tahsildar, who shall arrange to serve one copy on the person concerned, obtain his acknowledgment on the duplicate and return the duplicate copy to the Settlement Officer, within fifteen days from the date of receipt of the order.

22. Apportionment of compensation and interim payment.

(1)As soon as may be after any amount is deposited under sections 24 and 29 in the office of the Tribunal, the Settlement Officer shall publish the fact of such deposit in the Fort St. George Gazette, with particulars of the amounts so deposited, the date of deposit and the minor inam to which it relates.(2)As soon as may be after such publication is made, the Tribunal shall publish on its notice-board, both in English and Tamil, a copy of the notification as published in the [Fort St. George Gazette] [Now the Tamil Nadu Government Gazette.].(3)The fact of deposit shall also be published on the notice board of the taluk office of the taluk in which the minor inam is situated and also in the headquarters village of the minor inam by affixing a copy of the notice in the village chavadi or in some other conspicuous place in the village and also by beat of tom tom.(4)If there are persons, whose claims to any amount deposited previously in respect of the same minor inam have been recognised by the Tribunal, it shall give notice to all such persons, and the expenses for issue of such notice shall be distributed among all the claimants, who are before the Tribunal within the time specified in section 25.(5)The Tribunal shall pass no orders regarding the apportionment of any amount so deposited with it until after the expiry of one month from the date of publication of the notification in respect of the deposit on its notice board.(6)No claim shall be allowed by the Tribunal except on a claim petition made to it.(7)The claimants and another person interested may appear before the Tribunal in person or through pleaders authorised by them in this behalf.(8)When the compensation payable has to be apportioned by the Tribunal among the inamdar and any other persons interested, the Tribunal shall first determine which creditors, if any, are lawfully entitled to have their debts paid from and out of the assets of the minor inam and the amount, to which each of them is entitled; and only the remainder of the aggregate compensation shall be divisible among the inamdar and other persons.(9)For the purpose of securing that the amount of compensation payable to the inamdar and any other person is apportioned among them on an equitable basis, the Tribunal shall have power, wherever necessary, to reopen any arrangement already made, whether by a decree or order of a Court, award or other instruments in writing or contract or family arrangements.(10)The balance of the aggregate compensation shall, subject to the provisions of sub-section (3) of section 27, be divided among the inamdar and any other persons interested, in

proportion to their respective interests in the minor inam, immediately before the appointed day.

23. Appeal to the Special Appellate Tribunal.

(1) Every appeal to the Special Appellate Tribunal shall be in Form No. 18 and shall be signed by the appellant or his advocate and presented by such appellant, advocate or the registered clerk of the advocate at the office of the Registrar, High Court, during working hours. (2) It shall set forth briefly the grounds of objection to the decision appealed against. (3) It shall be accompanied by a vakalatnama duly executed, if the appellant appears by advocate, by a certified copy of the order appealed against by as many authenticated copies thereof as there are respondents, together with the prescribed process fee: Provided that in the case of an appeal filed under sub-rule (4), the process fee shall be paid within three days, after the delay is condoned under sub-rule (5). (4) Whereas appeal is filed after the period of limitation prescribed therefor in sub-section (1) of section 30, it shall be accompanied by a petition for condoning the delay. The petition shall be supported by an affidavit setting forth the facts, on which the appellant relies to satisfy the Court that he had sufficient reason for not preferring the appeal within such period. (5) The petition shall, then, be posted for orders before the judges nominated for the purpose under sub-section (1) of section 30. (6) As soon as the appeal is numbered, it shall be placed before the Registrar for orders as to issue of notice and preparation of the record for the hearing of the appeal. (7) The record of the case for the use of the Special Appellate Tribunal shall consist of all material papers on which either party proposes to rely at the hearing of the appeal. (8) Unless otherwise ordered by the Judge or the Registrar at the instance of a party the record shall be translated, if need be, and typed at the office of the Registrar and the charges therefor shall be calculated at the rates prescribed in the rules of the High Court, Appellate Side. (9) In case the record is to be prepared at the office of the Registrar, the appellant shall, within two weeks after the receipt of an office memorandum to the effect, pay into the Registrar's office such charges, as maybe specified, in the said office memorandum. (10) The respondent shall, within three weeks from the date of service of the notice of appeal on him, obtain the direction of the Registrar as to the preparation of the record and shall pay the charges therefor within such time as may be fixed by the Registrar.

24. Award of costs.

(1) No costs, by way of process fee, pleader's fee and witness batta, shall be allowed in proceedings before a Tribunal and the Special Appellate Tribunal in case where the claim is uncontested or is decreed on admission or compromised. (2) Where a claim is contested before a Tribunal or the Special Appellate Tribunal, but is allowed in whole or in part, costs shall be allowed to the claimant or appellant in proportion to his success against contest and the contesting party or respondent shall pay such costs to the claimant or appellant. (3) In the event of any claim before a Tribunal or the Special Appellate Tribunal being dismissed wholly or in part, costs shall be allowed to the contesting party or respondent in proportion to his success. (4) In cases of frivolous or vexatious claims or defences, costs shall be allowed also by way of compensation as laid down in section 35-A of the Code of Civil Procedure, 1908 (Central Act V of 1908). (5) Where costs are awarded by a Tribunal or the Special Appellate Tribunal, the order for costs shall be executable by a Civil Court having jurisdiction over the area with reference to which the Tribunal or the Special Appellate Tribunal

gave its decision, as if it were a decree passed by such Court.

25. Procedure to be adopted in the case of proceedings before a Judge of High Court.

- The provisions of rules 25 and 26 shall apply to the proceedings before a Judge of the High Court hearing a case under sub-section (2) of section 30, as they apply in relation to the proceedings before the Special Appellate Tribunal.

26. Mode of entertaining appeal or revision petition, enquiry thereon and grant of interim stay.

(1) Every Appeal or revision petition under the Act or these rules, shall be accompanied by a duly authenticated copy of the order appealed against or sought to be revised. (2) In respect of any order passed under the Act which is subject to appeal or revision, the appellate or revisional authority, as the case may be, may suspend the execution of the order pending its decision on the appeal or in revision. (3) Notice of hearing of any appeal or revision, as the case may be, shall be given to the appellant or the revision petitioner and the respondent or respondents and to the other persons interested, if any. (4) Before passing orders on every appeal or revision petition, the parties concerned shall be given a reasonable opportunity of being heard. (5) A copy of the final order in any appeal or revision shall be communicated by the appellant or revision petitioner and the respondent or respondents and other persons interested, if any, or the counsel concerned, if any of them is represented by counsel by registered post, and also the Tahsildar, the Assistant Settlement Officer. Explanation. - For this purpose of this rule, "persons interested" means the inamdar and includes any other person claiming an interest in the compensation payable for the minor inam or part thereof.

27. Time barred application, appeal or revision petition to be dismissed.

- Section 5 of the Limitation Act, 1963 (Central Act 36 of 1963) shall not apply to the applications, appeals or revision petitions coming under the purview of these rules. Subject to the provisions of the Act and these rules, every application made and every appeal and revision petition filed to the authorities or officers having jurisdiction under the Act and these rules, after the period of limitation prescribed therefor in the Act and these rules, shall be dismissed, although limitation has not been set up as a defence.

28. Deposit in District Court of unclaimed and undisbursed amounts deposited with the Tribunals.

(1)(a) All amounts deposited in the office of the Tribunal under sub-section (1) of section 24 and sub-sections (4) and (7) of section 29 and remaining unpaid and with reference to which no claim has been made within the time specified in sub-section (1) of section 25 or no application for payment has been made within the time specified in section 34; and (b) all amounts deposited as

aforesaid and remaining unpaid after the expiry of a period of six months from the date of disposal of the application under section 34 shall be withdrawn by the Tribunal and deposited in the District Court having jurisdiction over the minor inam.(2)As soon as any amount is withdrawn by the Tribunal from its personal depositor other account and deposited in the District Court having jurisdiction under sub-section (1) of section 35, the Tribunal shall publish the fact of such deposit in the District Gazette concerned in Form No. 19. The Tribunal shall also cause a copy of the notification. Form 18 to be affixed to the notice board of its office. It shall also send copies of the notification to the District Judge, the Settlement Officer, the District Collector and the Tahsildar, who shall cause them to be affixed to the notice boards of their respective offices, and send certificates of such publication to the Tribunal.(3)On the transfer of the amount from the personal deposit or other account of the Tribunal to the account of the District Court, it shall be charged off as expenditure in the account of the Tribunal.

29. Form in which claim should be made.

- Every person making a claim to, or enforceable against, any amount held in deposit by the District Court shall apply in Form No. 20.

30. Levy of process fees, award of costs, etc.

- In respect of levy of process fees, award of costs, including costs by way of compensation for frivolous claims or vexatious claims or defence, pleaders fee and witness batta, the District Court shall follow the rules as applicable to the Tribunal.

31. Procedure for dealing with amounts transferred to deposit of the District Court.

- The amount transferred to the deposit of the District Court shall be finally dealt with in accordance with the procedure laid down in rules 51 to 60 in Chapter III in Part I of the Civil Rules of Practice and Circular Orders (Volume II).

32. Decision of questions regarding forest.

(1)The Assistant Settlement Officer determine question regarding forest under section 40 either suo motu or application.(2)Any person requiring a decision under section 40 shall apply to the Assistant Settlement Officer in Form No. 21.(3)Except where the said application is on behalf of the Government, it shall be signed and verified by the applicant.(4)Every such application shall be restricted to lands in each minor inam.(5)Every such application shall be presented in person or sent by registered post.(6)As many copies of the application, as there are respondents with one additional copy for the Tahsildar of the taluk, in which the land is situated be filed with the application.(7)On receipts of the application, the Assistant Settlement Officer shall fix a date of hearing and issue notices in Form No. 22 to the parties, the Tahsildar of the taluk concerned and the respondents. A copy of the application shall also be sent along with the notice.(8)The Assistant

Settlement Officer shall make a summary enquiry into the application and give his decision, after giving the parties a reasonable opportunity for adducing evidence.(9)A copy of the order shall be served on the applicant and on each of the respondents. A copy shall also be sent to the Settlement Officer and Tahsildar concerned.(10)Every appeal against an order of the Assistant Settlement Officer under section 40 shall be preferred to the Settlement Officer within thirty days from the date of communication of the order.(11)On receipt of the appeal, the Settlement Officer shall fix a date of hearing and give notices in Form No. 23 to the parties concerned and pass orders after giving them a reasonable opportunity of being heard.

33. Procedure for determination of fair rent.

(1)In determining the fair rent for a land for the purpose of sub-clause (b) of clause (b) or clause (i) of sub-section (2) of section 8-D or clause (i) of sub-clause (3) of section 20 or sub-section (4) of section 21, the Tahsildar may call upon the inamdar or the occupant of the land to furnish the following particulars and such other particulars as he may consider necessary : -(a)The extent of land of each class, such as wet, dry, garden, tope, orchard and land used for non-agricultural purposes.(b)The rates or rent or lease amount, as the case may be, levied on each class of land immediately before the fasli year, in which the appointed day falls.(c)The particulars of cultivation with details of extent, crop yield and nature of occupation, as the case may be.(2)The Tahsildar may also call upon the inamdar to produce his accounts containing the particulars specified in sub-rule (1).(3)In the case of the lands referred to in paragraph (1) of the Schedule to the Act, the Tahsildar, for the purpose of determining the fair rent, ascertain the lease amount on a similar land similarly situated and possessing similar advantages, in the neighbourhood.(4)Subject to the provisions contained in paragraph 2 of the Schedule to the Act, the Tahsildar shall, for determining the normal gross produce in respect of any land for any specified crop, ascertain the quantity of the produce which would be obtained, if such crop were grown in a year in which the rainfall and the seasons were of a normal character, on a land of the same class, as the land in question, similarly situated and possessing similar advantages. For the purposes of such determination, the Tahsildar may take into consideration : -(a)The soil classification of the land and the normal or standard out turn of paddy in the case of wet land and of the dry or irrigated crop in the case of dry unirrigated or irrigated land for the different classes and sorts of soil;(b)The Government records containing the season and crop reports and rainfall accounts;(c)The accounts of the inamdars and occupants, wherever available, for similar lands enjoying similar advantages;(d)The oral or documentary evidence adduced by any of the interested parties and decrees of Civil Courts.(5)Before determining the fair rent in the case of lands referred to in paragraphs 1 and 2 of the Schedule to the Act, the Tahsildar shall issue notice in Form No. 24 to the service holder or occupant, and the institution concerned to make representations, if any, which they desire to be considered, in fixing the fair rent.(6)After considering the pre-presentations and with reference to other materials before him, the Tahsildar shall determine the fair rent in respect of the land concerned.(7)In commuting the fair rent in terms of cash, the Tahsildar 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:Provided that where the average market price of any crop has been published by the Collector of the district in the District Gazette under sub-section (1) of section 12 of the Tamil Nadu

Cultivating Tenants (Payment of Fair Rent) Act, 1956 (Tamil Nadu Act XXIV of 1956) and such price is in force on the appointed day, the authorised officer shall adopt such price in computing the fair rent in terms of cash: Provided further that if the accounts of the fasli year commencing on the appointed day are not available, the Tahsildar shall take into account the yield of the crops in a normal year as the normal Gross produce and apply thereto the approved price of the relevant crop for determining the fair rent.

34. Investing in securities money due to a person under disability.

- In cases where the Tribunal does not order the payment of compensation or any other money to any person on behalf of another under disability or to a guardian, the Tribunal shall invest the money in any one of the securities specified in the Appendix to Chapter IV, Part II of the Civil Rules of Practice and Circular Orders (Volume I).

35. Extent or boundaries of land covered by orders of any authority under Act.

- The extent or boundaries of the land covered by any order passed by any authority or officer in any proceedings under the provisions of this Act shall be, subject to any changes consequent on the determination of the area and any plotting by the survey authorities.

36. Transfer of proceedings.

- The proceedings pending before any Tribunal, authority or officer may be transferred to any other Tribunal, authority or officer, as the case maybe, by the authority to whom appeal or revision petition lies against the decision of such Tribunal, authority or officer, or where there is no such appellate or revisional authority, by the Government.

37. Power to issue summons.

- Every Assistant Settlement Officer or Settlement Tahsildar shall have power to issue summons to any person either for appearance or for production of documents in connection with the enquiries into questions pending before such officer under the Act and such person shall be bound to obey such summons. The form of summons shall be that used by Revenue Court.

38. Manner of service and publication of notices and orders under the Act or the rules.

(1) 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) by delivering or tendering the notice or order to the person concerned or his counsel or authorized agent or some adult member of his family; or (b) by sending the notice or order to the person concerned by registered post acknowledgment due; or (c) if none of the aforesaid modes of service 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.(2)Any notice or order which is intended for publication for a general information shall, in addition to the special mode of publication prescribed in these rules, also be published by affixture in the village chavadi of the village in which the minor inam situates and, if there is no village chavadi, in any conspicuous public place in the village and by announcing the fact of such publication by the place and date of publication and the said date shall be certify to the place and date of publication and the said date shall be deemed to be the date of communication of the notice or order, as the case may be, to the parties concerned.

39. Court-fees and process-fees payable.

(1)The Court-fee payable in respect of the documents specified in column (2) of the Table below under the section specified in column (1) of the said Table shall be the amount specified in the corresponding entry in column (3) thereof : -Table

Section	Description of documents	Court-fee
(1)	(2)	(3)
6(c)	Revision to the Board of Revenue	2.00
11	Application to the Assistant Settlement Officer	0.75
	Appeal to the Tribunal	2.00
	Application to the Tribunal	0.75
	Vakalatnama to the Tribunal	1.50
22(6)	Appeal to the Board of Revenue	2.00
30(1)	Memo, of appeal to the Special Appellate Tribunal -(a) if the claim does not exceed Rs.3,000	15.00
	(b) if the claim exceeds Rs. 3,000, but is less than Rs. 10,000	100.00
	(c) if the claim is Rs. 10,000 or more	500.00
	Interlocutory application to the Special Appellate Tribunal	2.00
	Vakalatnama to the Special Appellate Tribunal	3.00
35(3)	Application to the District Court - (a) if the claim does not exceed Rs.100	5.00
	(b) if the claim exceeds Rs.100	10.00
40	Applicant to the Assistant Settlement Officer	0.75
	Appeal to the Settlement Officer	1.00
	Revision petition to the Board of Revenue	1.50

Explanation. - No Court-fee need be paid in the case of appeals filed on behalf of the Government.(2)In proceedings before the Tribunal, process fees shall be paid at 6 rates prescribed for the District Court on processes issued at the instanced parties. In proceedings before the Special Appellate Tribunal, process fee shall be paid in accordance with the process-fees prescribed under section 80 of the Tamil Nadu Court-fees and Suits Valuation Act, 1955 (Tamil Nadu Act XIV of 1955). The rates of process fees payable for service of notices and summons on respondents and witness and for production of records in other cases shall be calculated as follows : -

- | | | |
|---|--|------|
| 1 | For service of notices or summons on a single person. | 0.50 |
| 2 | For service of notices or summons on every additional person residing in the same village if applied for at the same time. | 0.75 |

40. Fees to pleaders.

- The following principles shall be adopted in fixing the fees to pleaders for work connected with the proceedings under the Act before the Special Appellate Tribunal and the Tribunal : -(1) Fees payable to pleaders for appearance before the Special Appellate Tribunal shall, for taxation, fix the fees payable to pleaders for work connected with the proceedings before it in the same manner in which the High Court fixes advocates fee for taxation in appeals against the orders of the lower Courts, irrespective of the fact, whether it allows cost to any of the contesting parties or not: Provided that in respect of a batch of connected cases, in which the result is determined by a single case, only one regulation fee shall be fixed. (2) Fees payable to pleaders for appearance before Tribunal. -(a) The Tribunal shall fix the fee payable to the pleaders for work connected with the following original proceeding before them so as not to exceed Rs.500 in ordinary cases and Rs.1,000 in important cases : -(i) Proceedings connected with the apportionment of compensation under section 27; (ii) Proceedings connected with the apportionment of interim payments under section 29: Provided that in respect of a batch of connected cases in which the result is determined by a single case, only one regulation fee shall be fixed. (b) (i) The Tribunal shall fix the fee payable to pleaders for work connected with proceedings under the other provisions of the Act, on the following basis, namely : -(1) For appearance before the Tribunals and for preparation of the case. - A fixed fee of Rs.15 for each case in respect of appeals under sub-section (3) of section 11. (2) For appearance before the Tribunal for arrangements in respect of appeals under sub-section 3 of section 11, if the time does not exceed 3 hours a fixed fee of Rs. 15 for each case, if the time taken exceeds 3 hours, but does not exceed 6 hours, a fixed fee of Rs.30 for each case, if the time taken exceeds 6 hours, a fixed fee of Rs. 50 for each case: Provided that in respect of a batch of connected cases under, subsection (3) of section 11, in which the result is determined by a single case, the Tribunal shall fix one regulation fee. (ii) The Tribunal shall fix the fees payable to each of the pleaders who appear before them in each case, irrespective of the fact whether they allow any costs to any of the contesting parties or not. (3) (i) Fees payable to pleaders for appearance before the Special Appellate Tribunal and for preparation of the case. - A fixed fee of Rs.100 for each case. (ii) Fees payable to pleaders for appearance before the Special Appellate Tribunal for arguments, if the time taken does not exceed three hours, a fixed fee of Rs.25 for each case, if the time taken exceeds three hours but does not exceed six hours, a fixed fee of Rs.50 for each case, if the time taken exceeds six hours, a fixed fee of Rs.75 for each case: Provided that in respect of a batch of connected cases, in which the result is determined by a single case, the Special Appellate Tribunal shall fix one regulation fee under item (ii) above. (iii) The Special Appellate Tribunal shall fix the fee payable to the pleaders in each case irrespective of the fact whether it allows costs or not. Appendix Form No. 1 [See rule 5(3) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] To Sri..... residing at

.....village

.....taluk. Whereas, you are reported to be in occupation of the land specified in the Schedule hereunder, which has vested in the Government under section 3(b) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil

Nadu Act 30 of 1963), and whereas there are grounds to believe that you are not prima facie entitled to ryotwari patta in respect of the said land and that your occupation is objectionable, you are hereby given notice that, if you so desire, you may appear before me on.....[(date)] [The date shall be at least seven days after the date of service of the notice.] at.....(time) at.....(place) or show cause, in writing, before that date, why you should not be disposed of the said land, under the proviso to section 3(d) of the said Act.

Schedule

Description of the Land

District Name and taluk	Name of the village	Description of the minor inam with title deed, number, if any	Survey and subdivision number, if surveyed or local name, if un-surveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied North, South, East and West	Classifications	Nature of occupation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Form No. 2[See rule 5(4) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Proceedings of the Tahsildar of Taluk

No..... Dated

Whereas the land specified in the Schedule hereunder has been under the occupation of Sri.....residing atAnd Whereas in pursuance of rule 5(4) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965,I,.....Tahsildar of taluk, do hereby consider that Sri.....occupant of the said land is prima facie not entitled to ryotwari patta in respect of the said land;And Whereas I,....., Tahsildar of taluk consider that the occupation is objectionable, the occupant, Sri. will be disposed of the land after lapse of the time-limit specified in rule 5(5) of the said rules.

Schedule 2

Description of the Land

District Name and taluk	Name of the village	Description of the minor inam with title deed, number, if any	Survey and subdivision number, if surveyed or local name, if un-surveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied North, South, East and West	Classifications	Nature of occupation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Tahsildar. Form No. 3 [See rule 5(6) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rule, 1965] Proceedings of the Tahsildar of Taluk

No..... Dated

Whereas, the land specified in the Schedule hereunder has been under the occupation of Sri.....residing atAnd Whereas, it has been decided that the said occupant is prima facie not entitled to ryotwari patta in respect of the said land;And Whereas, I,..... Tahsildar of taluk consider that the occupation is objectionable, the occupant, will be allowed to be in occupation of the said land, subject to the payment of assessment on the land under section 12 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), until the ryotwari settlement of the said land is effected under section 15 of the said Act or until the said land is required by the Government for any purpose, whichever is earlier. Explanation. - The payment of the assessment shall not confer on the occupant any right of occupancy in respect of the land.

District Name and taluk	Name of the village	Description of the minor inam with title deed, number, if any	Survey and subdivision number, if surveyed or local name, if un-surveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied North, South, East and West	Classifications	Nature of occupation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Form No. 4 [See rule 9(1) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Form of Application Name of the applicant: Address of the applicant: (List of lands in respect of which the applicant claims ryotwari patta.)

1. Serial number :
2. Name of the district :
3. Name of the taluk :
4. Name of the village :
5. Local name, if any, of the land :
6. Description of the minor inam with title deed number, if any :
7. Survey number and sub-division number, if surveyed :
8. Extent :
9. Classification-whether wet or dry :
10. Survey numbers of adjacent lands-

North :

South :

East :

West :

11. Provision of law under which the claim is preferred
12. Summary of evidence proposed to be adduced
13. Remarks

Place: Date: Signature of applicant.

(Note. - A separate form should be used for each village) Form No. 5 [See rule 9(4) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Notice is hereby given to Sri that the Settlement Tahsildar/Assistant Settlement Officer..... will hold an enquiry into the nature and history of the lands mentioned in the Schedule below, in respect of which it is proposed to grant ryotwari patta to him on (date), at (time) in (place) and on subsequent dates at time and place that will be intimated. He may produce any record or make any representation which he may wish to make before the Settlement Tahsildar/Assistant Settlement Officer at the enquiry.

Place: Date: Settlement Tahsildar. Assistant Settlement Officer.

Schedule 3

Name of the District: Name of the Taluk: Name of the Village: Description of minor inam with title deed number, if any:

Survey number and subdivision	Classification	Extent	Boundaries	Description of service tenure grant in cases falling under section 8	Name of person to whom ryotwari patta is proposed to be given	Section of Tamil Nadu Act 30 of 1963 under which patta is proposed to be given
(1)	(2)	(3)	(4)	(5)	(6)	(7)

To Sri (name of party) in duplicate through the Tahsildar of., for causing service at least fifteen days prior to the date of hearing, obtaining acknowledgment and returning the original before the date of hearing. The Tahsildar, taluk/Deputy Tahsildar, sub-taluk, The Commissioner, Hindu Religious and Charitable Endowments, Chennai. The Board of Wakfs, Chennai. The Tahsildar of (in duplicate) for causing publication in the village at least fifteen days prior to the date of hearing by affixing in the village chavadi or in any conspicuous public place in the village which should be specified and announcing the fact by beat of tom tom and for returning the original with the following certificate :- Certificate Certified that this notice was published by affixing a copy thereof in the village chavadi (or some conspicuous place to be mentioned) and by announcing the fact by beat of tom tom on and in token thereof signatures of the villagers have been obtained.

Place: Date: Signature of the Village Headman [Signature of the Karnam] [Now Village Administrative Officer.]

Form No. 6 [See rule 9(5) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Notice is hereby given to all those whom it may concern that in respect of the lands mentioned in the Schedule, it is proposed to grant ryotwari patta to the person and under the

section of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963) specified against each land. The Settlement Tahsildar/Assistant Settlement Officer withhold an enquiry into the nature and history of the lands on (date) at (time) in(place) and on subsequent dates at time and a place that will be intimated. Any person who has any objection to any of the proposals to grant ryotwari patta may file before the Settlement Tahsildar/Assistant Settlement Officer, a statement of his objection within a week from the date of this notice. The objections should be supported by a summary of evidence and all available documents. All interested persons are hereby advised to be present at the enquiry either in person or through an authorised representative, and make their representations. All such objections and representations and other available records and evidence will be taken into consideration and suitable orders passed by the Settlement Tahsildar/ Assistant Settlement Officer. In the absence of any such objection or representation, the Settlement Tahsildar/ Assistant Settlement Officer will conduct such enquiry, as he may deem necessary, on the basis of the available records and evidence. In the event of the absence of any interested person, the enquiry will be conducted ex parte. The village headman and the karnam will be present at the enquiry.

Place: Date: Settlement Tahsildar Assistant Settlement Officer

Schedule 4

Name of the District Name of the Taluk Name of the Village Description of minor inam with title deed number, if any:

Survey number and subdivision	Classification	Extent	Boundaries	Description of service tenure grant in cases falling under section 8	Name of person to whom ryotwari patta is proposed to be given	Section of Tamil Nadu Act 30 of 1963 under which patta is proposed to be given
(1)	(2)	(3)	(4)	(5)	(6)	(7)

To Sri.....(name of party) in duplicate through the Tahsildar of.....for causing service at least fifteen days prior to the date of hearing, obtaining acknowledgment and returning the original before the date of hearing. The Tahsildar,.....taluk/Deputy Tahsildar,.....sub-taluk, The Commissioner, Hindu Religious and Charitable Endowments, Chennai. The Board of Wakfs, Chennai. The Tahsildar of.....(in duplicate) for causing publication in the village.....at least fifteen days prior to the date of hearing by affixture in the village chavadi or in any conspicuous public place in the village which should be specified and announcing the fact by beat of tom tom and for returning the original with the following certificate : -Certificate Certified that this notice was published by affixing a copy thereof in the village chavadi.....(or some conspicuous place to be mentioned) and by announcing the fact by beat of tom tom on.....and in token thereof signatures of the villagers have been obtained.

Place: Date: Signature of the Village Headman [Signature of the Karnam] [Now Village Administrative Officer.]

FORM No. 7[See rule 9(8) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Whereas you have made a claim in respect of the lands mentioned in the schedule below, which entails a liability on you for the payment of a consideration for the issue of ryotwari patta in respect of the lands as provided in section 8(2)(i)(b) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), you are hereby required to state in writing whether you are willing to pay the consideration being twenty times the difference between the fair rent to be determined by the Tahsildar and the land revenue due on the lands.You may appear before me on..... (date) at.....(time) in.....(place) and give your consent in writing in person.If you fail to do so, no further opportunity will be given to you and the matter will be decided on merits.Assistant Settlement OfficerSettlement Tahsildar.

Schedule 5

Name of the District:Name of the Taluk:Name of the Village:

Description of the Minor Inam with title deednumber, if any	Survey number and sub-division	Classification	Area	Boundaries	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

ToSri.....(Name of the claimant/occupant).Form No. 8[See rule 9(10) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Decision of the Assistant Settlement Officer/settlement Tahsildar Under Section 11 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963)It is hereby notified for the information of all concerned that under section 11 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), the Assistant Settlement Officer/ Settlement Tahsildar..... has decided that in respect of the lands specified in Schedule I, the persons specified against each land in column (7) of that Schedule are entitled to ryotwari patta and subject to the conditions specified in Schedule II below. Any person aggrieved by this decision may prefer an appeal to the Tribunal within three months from the date of this decision.

Place:Date: Settlement TahsildarAssistant Settlement Officer

I

Name of the District:Name of the Taluk:Name of the Village:

Description of the Minor Inam with title deednumber, if any	Survey number and sub-division	Classification	Extent	Boundaries	Description of service tenure grant in casesfalling under section 8	Name of person to whom ryotwari patta isproposed be given	Section of Tamil Nadu Act 30 of 1963 underwhich patta is proposed to be given
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

II

Conditions(Here set out the conditions)ToThe Tahsildar..... taluk/Deputy Tahsildar,.....sub-taluk. The village officers of (in duplicate) for causing publication by affixture in the village chavadi or in any conspicuous public place in the village which should be specified and announcing the fact by beat of tom tom and for returning the original with the following certificate :-CertificateCertified that this notice was published by affixing a copy thereof in the village chavadi.....(or some conspicuous place to be mentioned) and by announcing the fact by beat of tom tom on.....and in token thereof signatures of the villagers have been obtained.

Place:Date: Signature of the Village Headman[Signature of the Karnam] [Now Village Administrative Officer.]

Form No. 9[See rule 10(1) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Notice is hereby given that an appeal from the decision of the Assistant Settlement Officer under section 11 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963) has been presented by.....and admitted by this Tribunal and has been posted for hearing on.....(date) at.....(time) in.....(place).All persons, who have preferred claims before the Assistant Settlement Officer/ Settlement Tahsildar under section 8 or 9 or filed statements during the enquiry before him are hereby called upon to appear before this Tribunal on the date and at the place specified above and file their further statements, if any, in the matter.A copy of the appeal petition is appended hereto.Tribunal.ToSri.....(name of applicant) (in duplicate) through the Tahsildar of.....for causing service at least fifteen days prior to the date of hearing, obtaining the acknowledgment and returning the original before the date of hearing.The Tahsildar of.....in duplicate for causing publication in the village of.....at least fifteen days prior to the date of hearing and for returning the original with the certificate of publication by affixture in the village chavadi or in any conspicuous public place in the village which should be specified and announcing the fact by beat of tom tom and for returning the original with the following certificate :-CertificateCertified that this notice was published by affixing a copy thereof in the village chavadi (or some conspicuous place to be mentioned) and by announcing the fact by beat of tom on and in token thereof signature of the villagers have been obtained.

Place:Date: [Signature of the Village Headman] [Now Village Administrative Officer.][Signature of the Kamam] [Now Village Administrative Officer.]

Form No. 10[See rule 11 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Office of the Tahsildar of.....

talukPlace:Date:ToSri.....residing at.....village,.....taluk.....

it has been decided by the Assistant Settlement Officer/Tribunal/Special Appellate Tribunal that you are not entitled to ryotwari patta in respect of the land in your occupation mentioned in the Schedule hereunder, you are hereby required to vacate the land within seven days from the date of service of this notice, failing which, you will be evicted from the said land. Take notice also that the Revenue Inspector firka, is authorized to carry out the orders of eviction and to take possession of the land.

Schedule 8

Description of the Land

District Name and taluk	Name of the village	Description of the minor inam with title deed, number, if any	Survey and subdivision number, if surveyed or local name, if un-surveyed	Entire extent of the survey number or sub-division	Occupied extent	Boundaries of land occupied North, South, East and West	Classifications	Nature of occupation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Copy to the Revenue Inspector firka, for carrying out the eviction and report. Form No. 11 [See rule 16 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Form of option to be exercised by the service holder under section 21(3) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963)

1. Name and address of the service holder.

2. Name and address of the institution.

3. Nature of service attached.

4. (i) Whether willing to continue to render the service; or

(ii) Whether willing to discharge the service on payment of the amount as required in section 21 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963).

5. Particulars of land for which ryotwari patta has been granted under section 8 to the person specified in column (1).

Name of the district	Name of the taluk	Name of the village	Description of the Minor Inam with T. D. number if any	Survey number	Classification	Extent
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Date: Place: Signature of the service holder.

Form No. 12 [See rule 19(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Notice Under Section 21(6) of the Tamil Nadu Minor Inams (Abolition and

Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963)Whereas, you Sri.....are liable to render service as.....(nature of service) to the (name of the institution) in consideration of the tasdik allowance payable to you under section 21(6) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963);And Whereas, you have failed to render the service to the said institution with effect from (date), you are hereby given notice that an enquiry will be conducted by the undersigned of..... (date) at.....(time) in.....(place), and you are hereby required to appear before me for the aforesaid enquiry and make your representations, if any.Revenue Divisional

Officer.ToSri.....(name of service holder).Form No. 13[See rule 19(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Notice Under Section 21(7)(B) of the Tamil Nadu Minor Inams (Abolition and Conversion Into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963)Whereas, you Sri..... have been granted a ryotwari patta under section 8 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), in respect of the lands mentioned in the Schedule;And Whereas, you are liable to render the service as (nature of service) to.....(name of institution) under section 21(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963);And Whereas, it has been brought to notice that you have failed to render the service to the said institution with effect from (date);You are hereby given notice that an enquiry will be conducted by the undersigned on(date) at..... (time) in..... (place) and you are hereby required to appear before me for the aforesaid enquiry and make your representations, if any.Revenue Divisional Officer.

Schedule 9

Name of the District	Name of taluk	Name of the village	Description of the minor inam with T. D.number, if any	Survey number	Classification	Extent	Assessment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

ToSri.....(name of service holder).Form No. 14[See rule 19(4) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Whereas, you Sri..... are liable to render service as(nature of service) to (name of the institution) in consideration of the tasdik allowance payable to you under section 21(6) (a) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963);And Whereas, after the enquiry it is found that you have failed to render the service to the said institution on and from (date).I hereby notify your failure to render the service, as required under the above section.Revenue Divisional Officer.ToSri.....(name of service holder).....(name of the institution)Form No. 15[See rule 19(4) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Whereas, you Sri..... (name of service holder) have been granted ryotwari patta under section 8 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963) in respect of the lands mentioned in the Schedule;And Whereas, you are liable to render service as(nature of service) to (name of the institution) under section 21(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil

Nadu Act 30 of 1963);And Whereas, after due enquiry, it is found that you have failed to render the service to the said institution on and form..... (date); I hereby notify your failure to render the service as required under section 21(7)(b) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963).Revenue Divisional Officer.

Schedule 10

Name of the District	Name of taluk	Name of the village	Description of the minor number inam with T.D. number, if any	Survey number	Classification	Extent	Assessment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

ToSri.....(name of service holder).....(name of the institution)Form No. 16[See rule 19(6) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Whereas, you Sri..... are liable to render service as..... (nature of service) to the (name of the institution) in consideration of the tasdik allowance payable to you under section 21(6) (a) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963);And Whereas, after the due enquiry, it is found that you have failed to render the service to the said institution on and form..... (date); I hereby declare under section 21 (6)(b) of the of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963) that the tasdik allowance payable to the institution in respect of the period subsequent to the failure shall be absolute property of the said institution.Revenue Divisional Officer.ToSri.....(name of service holder).....(name of the institution)Form No. 17[See rule 19(6) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Whereas, you Sri have been granted a ryotwari patta under section 8 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963) in respect of the lands mentioned in the Schedule.And Whereas, you are liable to render the service as.....(nature of service) to (name of institution) under section 21(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963);And Whereas, after due enquiry, it is found that you have failed to render the service to the said institution on and from (date); I hereby declare under section 21 (7)(b) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), that your right to occupy permanently the lands mentioned in the Schedule shall cease and determine and they shall be the absolute property of the said institution.Revenue Divisional Office

Schedule 11

Name of the District	Name of taluk	Name of the village	Description of the minor number inam with T.D. number, if any	Survey number	Classification	Extent	Assessment
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(1) (2) (3) (4) (5) (6) (7) (8)

To Sri.....(name of service holder).....(name of the institution) Form No. 18 [See rule 23 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Before the Special Appellate Tribunal under the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963). Appeal No.....of 20.....

(A. B.)..... Versus Appellant

(C. D. and Others) Respondents

The above named appeal to the Special Appellate Tribunal from the decision of the Tribunal No.....dated.....and in application/petition No of 20..... and sets forth the following grounds of objections to the said decision appealed from, viz.,.....(Here set out the grounds.) Form No. 19 [See rule 28(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Particulars of amounts deposited in the District Court of..... by the Tribunal under sub-section (1) of section 35 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963)

1. Description of the minor inam and the name of the taluk and the district wherein it is situated.

2. Nature of the amount deposited whether compensation or interim payment.

3. Amount deposited. Rs.
P.

4. Date of original deposit with the Tribunal.

5. (1) Whether unclaimed or un-disbursed ?

(2) If un-disbursed -

(a) Number and date of the order, in which the payment was ordered by the Tribunal or the Special Appellate Tribunal;

(b) Name of the person, in whose favour the order for payment was made; and

(c) Amount ordered for payment. Rs.
P.

6. Remarks.

Place: Date: Tribunal

Form No. 20 [See rule 29 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965] Form of application to be made to the District Court in respect of an amount deposited under sub-section (1) of section 35 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963)

1. Name of the applicant in full address.

2. Description of the minor inam to which the claim relates.

3. Name of the taluk and the district in which the minor inam is situated.

4. Date and page of the District Gazette, in which the notification regarding deposit of the amount with the District Court was published.

5.

(1)Nature of the amount in deposit, whether compensation or interim payment.(2)Whether the application is in respect of unclaimed amount or undisbursed amount.

6. Nature of interest held, i.e., an as inamdar or sharer or creditor, etc.

7. Detail of claim and the provision of law under which the applicant is entitled to the amount held in deposit.

8. The amount claimed out of the total amount deposited in the District Court by the Tribunal.

9. Reasons for the delay in preferring the application, if any.

10. In the case of undisbursed amounts, particulars of orders passed by the Tribunal or the Special Appellate Tribunal in respect of which an application for payment under section 34 should have been preferred: -

(i)Number and date of the order of Tribunal or Special Appellate Tribunal;(ii)Nature of the amount (compensation or interim payment);(iii)Amount ordered for payment;(iv)Name of the person in whose favour a order of payment was passed;(v)Remarks.

11. Is the original or a certified copy of the order of the Tribunal or Special Appellant Tribunal enclosed ?

12. Summary of the evidence proposed to be adduced in support of the claim.

13. Any other information relevant to this application.

Place:Date: Signature of the applicant

Form No. 21[See rule 32(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Form of Application Under Section 40 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963(Tamil Nadu Act 30 of 1963)

1. Name of the applicant and his address.

2. Description of the minor inam with T. D. No., if any, in which the land or forest in dispute lies.

3. Name of the village and taluk

4. Name of the district

5. Survey Number or Paimash Number or Local Name, if any, of land or forest in dispute.

6. Extent

7. Nature of the dispute and relief sought.

Place:Date: Signature of the applicant.

Form No. 22[See rule 32(2) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Name and address of the applicant:Name and address of the respondent:Application, dated.....Take notice that the applicant mentioned above has applied to me for a decision under section 40 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), in respect of the land mentioned in the copy of the application, which is sent herewith.The application is posted for hearing on (date) at.....(time) at.....(place).You are hereby required to appear before me in person or by pleader on the date and at the time and place aforesaid, failing which orders will be passed ex parte.

Place:Date: Assistant Settlement Officer.(Seal)

Form No. 23[See rule 32 (11) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Name of the applicant.....Name of the respondent.....Notice is hereby given that an appeal from the decision of the Assistant Settlement Officer under section 40 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), has been presented by Sri..... and admitted by the Settlement Officer and has been posted forbearing on.....(date) at..... (time) at.....(place).All persons, who have applied to the Assistant Settlement Officer under section 40 of the said Act or filed statements during the enquiry before him are hereby called upon to appear before the Settlement Officer at the time and place specified above and file their further statement, if any, in the matter.

Place:Date: Settlement Officer.(Seal)

Form No. 24[See rule 32(11) of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Rules, 1965]Office of the Tahsildar of Taluk

Current No. Dated:
.....

ToSri.....(Service-holder/
Occupant).....(Name of the institution)Notice is hereby given that the determination of fair rent in respect of the lands mentioned in the Schedule below will be taken up by the undersigned on..... (date).....at.....(time) in (place).

2. You may file before the undersigned at the said time and place your representations in regard to the determination of fair rent.

3. If you do not avail yourself of this opportunity, the matter will be disposed of on merits.

Place:Date: Tahsildar.

Schedule 12

Name of the District	Name of taluk	Name of the village	Description of the minor number inam with T.D. number, if any	Survey number	Classification	Extent	Assessment
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

NotificationsPowers to be exercised by the authorities or officers under the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963(G.O. P. No. 401, Revenue, dated 15th February 1965)In exercise of the powers conferred by clause (c) of sub-section (2) of section 48 of the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 30 of 1963), the Governor of Tamil Nadu hereby directs that -(1)the powers specified in column (2) of the Schedule below, which are conferred on the Government by the sections of the said Act specified in the corresponding entry in column (1) of the said Schedule, shall be exercisable also by any of the authorities or officers specified in the corresponding entry in column (3) thereof, subject to the restrictions and conditions specified in column (3) and also subject to the restrictions and conditions specified in column (3) and also subject to the control and revision by the Government, either suo motu or on application, of the orders of the authorities or officers, by whom the power the power is exercised:Provided that in the case of appeals against orders passed under the proviso to clause (d) of section 3, any order passed in appeal by the Revenue Divisional Officer shall be subject to revision by the District Collector and any order passed in appeal by the District Collector shall be subjected to revision by the [Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, the-Commissioner of Land Administration, Chennai, vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.].

Schedule 13

Section	Power	Authorities or Officers by whom the powers should be exercised
(1)	(2)	(3)
3(d)	To take possession of the minor	Collector of the district or such one of the following officers as may be specified by the Collector -Revenue, Divisional Officer of the division, Tahsildar of the taluk. Independent Deputy Tahsildar of the sub-taluk and any other officer of the Government not below the rank of Lower Division Clerk.
3 (d) proviso	To decide whether any person is prima facie entitled to a ryotwari patta or not.	Tahsildar of the taluk or the Independent Deputy Tahsildar of the sub-taluk. An appeal shall lie to the Revenue Divisional Officer of the division against an order of a Tahsildar or Deputy Tahsildar.
14(2) (a)	To terminate any right created before the 30th of day of September 1961 for a period exceeding one year.	[Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, the Commissioner of Land Administration, Chennai, vide G. b. Ms. No. 2675, Revenue, dated the 1st December 1980.].
14(3)	To impose reasonable restrictions in the exercise of any right continued under section 14.	[Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, the Commissioner of Land Administration, Chennai, vide G. b. Ms. No. 2675, Revenue, dated the 1st December 1980.].
16(ii)(b)	To consider which settlement notification is most appropriate in each case.	[Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now, the Commissioner of Land Administration, Chennai, vide G. b. Ms. No. 2675, Revenue, dated the 1st December 1980.].
24(1)	To deposit or to withdraw compensation and to deduct the amounts mentioned in the first proviso to section 24(1).	Settlement Officer.
29(1)	To deposit or withdraw interim payment.	Settlement Officer.
29(6) and (7)	To ascertain the aggregate interim payment and to deposit the balance of interim payment with interest.	Settlement Officer.

(2) The powers of the Assistant Settlement Officer specified in column (2) of the Schedule below under the sections of the said Act specified in the corresponding entry in column (1) thereof shall be

exercisable also by the Settlement Tahsildar, subject to revision by the Assistant Settlement Officer, except in cases where an appeal lies to the Tribunal. Such revision petitions shall be preferred within thirty days from the date of communication of the order sought to be revised.

Schedule 14

Section	Power
(1)	(2)
11 read with section 8 or 9	To decide the claim of any person for ryotwaripatta.
13	To decide the claim of any person for groundrent patta.

(3) the powers specified in column (2) of the Schedule below under the sections of the said Act specified in the corresponding entry on column (1) of the said Schedule, shall be exercisable also by the officers specified in column (3) thereof, subject to revision or appeal as provided hereunder : -

Schedule 15

Section	Power	Authorities or Officers by whom the powers should be exercised
(1)	(2)	(3)
8(2)(1)(b)	To determine the quantum of consideration and to fix the instalments for its payment.	Tahsildar
8 (4) and 20	To pay the amounts due to the institutions.	Tahsildar.
12(2)	To fix the land revenue.	Tahsildar.
21(3)	To accept the option exercised by the service holder.	Tahsildar.
21 (6)(b) and 21 (7)(b)	To notify the failure of the service holders and to issue a declaration.	Revenue Divisional Officer.

Explanation. - An appeal shall lie to the Collector of the district within thirty days from the date of communication of order. Any order passed in appeal by the District Collector shall be subject to revision by the Board of Revenue, within sixty days from the date of the order.

48 (2)(b) To determine the fair rent Tahsildar

Explanation. - Any appeal shall lie to the Revenue Divisional Officer of the division, within thirty days from the date of communication of the order. Any order passed in appeal by the Revenue Divisional Officer shall be subject to revision by the District Collector within thirty days from the date of order and any order passed in revision by the District Collector shall be subject to further revision by the [Board of Revenue] [The Board of Revenue was abolished by the Tamil Nadu Board of Revenue Abolition Act, 1980 (Tamil Nadu Act 36 of 1980). Now Commissioner of Land Administration, Chennai, vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.], within sixty days from the date of the order. Reorganisation of the Office of Settlement Officer and all the Offices of the Assistant Settlement Officers in Certain Districts in Tamil Nadu [G.O. Ms. No. 539, Revenue (SSI-I), dated the 4th December 2001] No. II (2)/Rev/891(h)/2001. - The Office of

Settlement Officer, Thanjavur along with the post of Settlement Officer is allotted to the Office of the Commissioner and Director of Survey and Settlement, Chennai-5 to function under his direct control. He will perform the following duties :-(1)Review of the work of the Assistant Settlement Officer (South) and Assistant Settlement Officer (North) and all administrative procedures.(2)Pass orders after having detailed enquiry on the appeals against the Settlement Orders of Assistant Settlement Officer (North) and Assistant Settlement Officer (South) which are passed based on the statutory enquiries.(3)Conduct enquiry on the appeals under various Abolition Acts relating to Settlement aspects in the entire Tamil Nadu.(4)To take further action in the cases in which the settlement could not be introduced due to stay order from the Courts.(5)Review Revenue Follow up Work in the Settlement introduced villages and the further development in the settlement work and further action in issue of patta.(6)To carry out the works relating to the preparation of parawise remarks/ sending parawise remarks duly attested and through proper channels in respect of cases filed in the District Courts/Subordinate Courts/Estate Abolition Tribunal/City Civil Courts and other Courts.(7)Pass Orders after conducting enquiry on the cases which are remanded by the Courts.(8)Take steps to implement all the works related to the Settlement in the entire Tamil Nadu.(9)He will supervise the work, if settlement is needed to be introduced in certain areas in consultation with concerned District Revenue Officer/Commissioner of Survey and Settlement.II. Besides the post of Personal Assistant and Additional Personal Assistant to Commissioner and Director of Survey and Settlement are changed as Assistant Settlement Officer (North) and Assistant Settlement Officer (South) respectively they are entrusted with the work of the existing Assistant Settlement Officers and the following jurisdictions are formed.

Assistant Settlement Officer (North)
Personal Assistant to Director of Survey
and Settlement

(1)

1. Chennai
2. Thiruvellore
3. Kancheepuram
4. Vellore
5. Thiruvannamalai
6. Villupuram
7. Cuddalore
8. Perambalur
9. Karur
10. Ariyalur
11. Tiruchirapalli
12. Nagapattinam
13. Thiruvarur
14. Thanjavur
15. Pudukottai

Assistant Settlement Officer (South) and Personal
Assistant to Commissioner and Additional
Commissioner and Director of Survey and Settlement

(2)

1. Namakkal
2. Salem
3. Dharmapuri
4. The Nilgiris, (Except the lands covered under Gudalur Janmam Estate Abolition Act)
5. Coimbatore
6. Erode
7. Dindigul
8. Thirunelveli
9. Thoothukkudi
10. Virudhunagar
11. Sivagangai
12. Theni
13. Madurai
14. Ramanathapuram
15. Kanyakumari

Besides the above work, Assistant Settlement Officer (North) and Assistant Settlement Officer (South) will perform the work that they are now attending as Personal Assistant and Additional Personal Assistant, in addition. In respect of Assistant Settlement Officers, only the nomenclature and jurisdiction are changed, the work and responsibility will remain the same.