Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion Into Ryotwari) Rules, 1957

ANDHRA PRADESH India

Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion Into Ryotwari) Rules, 1957

Rule

ANDHRA-PRADESH-ANDHRA-AREA-INAMS-ABOLITION-AND-CONVE of 1957

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Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion Into Ryotwari) Rules, 1957Published vide G.O.Ms. No. 1128, Revenue, dated 14-6-1957. Published in Andhra Pradesh Gazette, RS to Part 1, dated 27-11-1957. In exercise of the powers conferred by sub-section (1) of Section 17 of the Andhra Pradesh Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956), the Governor of Andhra Pradesh hereby makes the following rules, namely:

1.

These rules may be called the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Rules, 1957.

2.

In these rules, unless there is anything repugnant in the subject or context:(a)'Act' means the Andhra Pradesh Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956).(b)'Section' means a Section of the Act.(c)'Form' means a form appended to these rules.

3.

(1)Every application under sub-section (1) of Section 3 shall be in writing, and shall specify the name and address of the applicant, the location, description and extent of the land in respect of which he

1

desires an enquiry to be held under the said section, and the nature of the interest claimed by the applicant in the said land.(2)The notice referred to in sub-section (2) of Section 3 shall be in Form 1 and shall require every person or institution claiming an interest in the lands specified in such notice to file before the Tahsildar the statement of particulars referred to in the said sub-section, within a period of [Thirty days] [Substituted for 'fifteen days' by G.O.Ms. No. 2016, Revenue, dated 15-11-1957.] from the date of publication of such notice.(3)The notice referred to in sub-rule (2) shall be published in the village or town where the lands specified in such notice are situate, in the following manner:(i)by affixture in the Chavadi or if there is no Chavadi in some conspicuous place in the village to town, and(ii) by beat of tom-tom in the village or town.(4) A copy of the notice referred to in sub-rule (2) shall also be affixed:(i)to the notice board of the Office of the Tahsildar concerned, and(ii)in a case where the lands specified in such notice are situate within a panchayat or a municipality, to the notice board of the office of such panchayat or municipality. (5) A copy of the notice referred to in sub-rule (2) shall also be served on the person or institution, if any, making an application under sub-section (1) of Section 3, and on all other persons known or believed to be interested in the lands specified in the notice.(6)The service of the notice referred to in sub-rule (5), shall be effected either by delivering or tendering it to the person, and, in the case of an institution, to the trustee, manager, executive officer or other person in charge of the institution, or to his agent, or to any adult member of his family, or where none of the above courses is practicable, by affixing it at his last known place of residence or by sending it to his last known place of residence by registered post acknowledgement due.(7)[Every decision of the Tahsildar under sub-section (3) of Section 3 or of the Revenue Court under sub-section (4) of the said section, shall be in Form 11: every decision of the Revenue Court under sub-section (4) of Section 3 and if no appeal is filed within the period specified in the said sub-section, every decision of the Tahsildar under sub-section (3) of the said Section shall besides being published in the District Gazette, be also published.(i)by affixture in the chavadi, or, if there is no such chavadi, in some conspicuous place of the village or town in which the lands referred to in such decision are situated, (ii) by beat of tom-tom in the said village or town,(iii)by affixture to the notice board of the Office of the Tahsildar concerned, and(iv)in a case where the land specified in such decision is situate within a panchayat or a municipality, by affixture to the notice board of the office of such panchayat or municipality.]

4.

(1)Every application under sub-section (2) of Section 5 shall be in Form III.(2)The notice referred to in sub-section (3) of Section 5 shall be in Form IV and shall require the inamdar and the other person, if any, referred to in the said sub-section to file before the Revenue Court objections, if any, to the application filed under sub-section (2) of Section 5, within a period of thirty days from the date of service of such notice.(3)The notice referred to in sub-rule (2) shall be served on the inamdar and the other person, if any, referred to in sub-section (3) of Section 5, and also on the person filing the application under sub-section (2) of the said Section, in the manner specified in sub-rule (6) of Rule 3.

5.

(1) Every application under sub-section (1) of Section 7, shall be in writing and shall specify the name and address of the applicant, the location, description and extent of the inam land in respect of which the applicant prefers a claim for the grant of a ryotwari patta, and the grounds adduced in support of such claim.(2) The notice referred to in sub-section (1) of Section 7 shall be in Form V and shall be served on all the persons or institutions interested in the grant of ryotwari pattas in respect of the inam lands specified in such notice, and also on the person or institution, if any, filing an application under the said sub-section, in the manner specified in sub-rule (6) of Rule 3.

6.

(1) In granting a ryotwari patta under sub-section (1) of Section 7, the Tahsildar shall proceed in the manner hereinafter provided.(2)In the case of an inam land a ryotwari or zamindari village as determined under sub-section (3) or sub-section (4) of Section 3, the Tahsildar shall determine the person or institution who was holding such land as inamdar on the date of commencement of the Act, and grant to such person or institution a ryotwari patta in respect of the said land.(3)In the case of an inam land held by any institution an inam village, as determined under sub-section (3) or sub-section (4) of Section 3, the Tahsildar shall determine the institution holding such land on the date of commencement of the Act, and grant to such institution a ryotwari patta in respect of the said land.(4)(a)In the case of an inam land held by an inamdar other than an institution in an inam village, as determined under sub-section (3) or sub-section (4) of Section 3, the Tahsildar shall:(i)record the extent of the land, in respect of which a tenant has been declared to be in occupation on the 7th January, 1948 under sub-section (3) or sub-section (5) of Section 5,(ii)proceed to determine the extent of the land, in the actual occupation of the inamdar on the date of commencement of the Act, other than the land referred to in item (i), and(iii)also determine the extent of the land, in the occupation of a tenant on the date of commencement of the Act, other than the land referred to in item (i).(b)The Tahsildar shall grant to the inamdar a ryotwari patta in respect of the land referred to in item (ii) of clause (a).(c)The Tahsildar shall, in respect of the lands referred to in item (i) and item (iii) of clause (a), issue a notice calling upon the inamdar and the tenant declared to be in occupation on the 7th January, 1948, and the tenant declared to be in occupation on the date of commencement of the Act, as the case may be, to file under sub-section (1) of Section 6, a joint statement respecting the particular portion of the inam land to be given to the inamdar towards his one-third share under clause (b) or clause (c) or sub-section (2) of Section 4 and in the absence of any agreement between the inamdar and the tenant in regard to the said portion to make, within a period of thirty days from the date of service of such notice, an application under sub-section (1) of Section 6, in duplicate specifying therein the particular portion of the land which, in the opinion of the applicant, may be so given to the inamdar: Provided that no such notice need be issued in regard to any land in respect of which a joint statement has already been filed by the inamdar and the tenant concerned, and such statement is in conformity with the extents of the land as recorded and determined under clause (a).(d)The notice referred to in clause (c) shall be in Form VI and shall be served on the inamdar and the tenant in the manner specified in sub-rule (6) of Rule 3.(e) The joint statement and the application referred to in clause (c) shall specify clearly, by a sketch, if necessary, the particular portion of the inam land to be given to the inamdar, and shall

be filed within the period specified in clause (c).(f)Where a joint statement is filed by the inamdar and the tenant under sub-section (6), Tahsildar shall grant ryotwari pattas to the inamdar and the tenant in accordance therewith.(g)Where no joint statement has been filed but an application has been filed under sub-section (1) of Section 6, by the inamdar or the tenant or both within the time specified in clause (c), the Tahsildar shall proceed to determine under sub-section (2) of Section 6, the particular portion of the inam land to be given to the inamdar under clause (b) or clause (c) of sub-section (2) of Section 4 towards his one-third share, and shall thereupon grant ryotwari pattas to the inamdar and the tenant in accordance with such determination.(h)The notice referred to in sub-section (2) of Section 6 shall be served on the inamdar and the tenant in the manner specified in sub-rule (6) of Rule 3.(i)The notice referred to in clause (h) shall, when served on the inamdar, be accompanied with a copy of the application, if any filed by the tenant under sub-section (1) of Section 6 and, when served on the tenant, be accompanied with a copy of the application, if any, filed by the inamdar under the said sub-section. (j) Where no joint statement, and no application either by the inamdar or the tenant has been filed under sub-section (1) of Section 6 within the time specified in clause (c), the Tahsildar shall determine to the best of his judgment the particular portion of the inarn land to be given to the inamdar under clause (b) or clause (c) of sub-section (2) of Section 4, towards his one-third share and shall grant ryotwari pattas to the inamdar and the tenant in accordance with such determination.

7.

The ryotwari patta, referred to in sub-section (1) of Section 7, shall be in Form VIII.

8.

(1)Every appeal under sub-section (3) of Section 6 shall, in respect of the matters contained therein, be deemed to be an appeal under sub-section (2) of Section 7, and every appeal under sub-section (2) of Section 7, shall to the extent necessary, be deemed to be an appeal under sub-section (3) of Section 6.(2)If, in hearing an appeal under sub-section (2) of Section 7, the Revenue Court arrives at a conclusion requiring the re-determination of the particular portion of the inam land to be given to the inamdar towards his one-third share under clause (b) or clause (c) of sub-section (2) of Section 4, it shall undertake such re-determination, and the provisions of sub-rule (4) of Rule 6, shall as far as may be, apply thereto.(3) Every order of the Revenue Court under sub-section (2) of Section 7, shall be in accordance with such orders, if any, as it may pass under sub-section (3) of Section 6.

9.

(1)Every application under sub-section (1) or sub-section (2) of Section 9 shall be in writing and shall specify the names and addresses of the institutions and tenants concerned, the location, description and extent of the land in respect of which the application has been filed, the specific relief prayed for and the grounds adduced in support thereof.(2)Every application referred to in sub-rule (1) shall be accompanied with a spare copy or a sufficient number of spare copies thereof, for service on the respondent or respondents, as the case may be, mentioned therein.(3)The notice referred to in sub-section (3) of Section 9, shall be in Form IX, and shall be served on all the persons

and institutions concerned in the manner specified in sub-rule (6) of Rule 3, and shall in the case of the notice served on the respondent, be accompanied with a copy of the application.

10.

The notice, referred to in Section 10 shall be in Form X and shall be published-(i)by affixture in the village chavadi, or if there is no such chavadi, in some conspicuous place of the village in which the lands specified in such notice are situated.(ii)by beat of tom-tom in the said village; and(iii)by affixture on the notice-board of the Office of the institution concerned.

11.

(1)The draft notification and notice referred to in clause (a) of sub-section (2) of Section 12 shall be in Form XI and shall, besides being published in the District Gazette, be also published.(i)by affixture in the village chavadi, or if there is no such chavadi, in some conspicuous place in the village, in which the lands specified in the notification are situate; (ii) by beat of tom-tom in the said village; and (iii) by the affixture to the notice board of the Office of the Tahsildar concerned.(2) Every appeal under clause (b) of sub-section (2) of Section 12 shall be filed: (i) by a person or institution, to whom a copy of the order of the Tahsildar under clause (a) of sub-section (2) of Section 12, has been communicated under sub-rule (1) of Rule 14, within a period or thirty days from the date of such order; and (ii) by any other person or institution, within a period of thirty days from the date of such order. [Provided that the Revenue Court may for sufficient cause condone any delay in the filing of the appeal.] [Added by G.O.Ms. No. 2106, Revenue, dated 15-11-1958.] Note: In computing the period of thirty days in item (ii) the actual time taken in obtaining a copy of the order shall be excluded. (3) The particulars relating to the inam lands and the rates of assessment fixed in respect thereof under clause (a) or clause (b) of sub-section (2) of Section 12 shall be published by a notification in Form XII in the District Gazette and also in the other modes specified in sub-rule (1).

12.

Every application under sub-section (1) of Section 3, sub-section (2) of Section 5, sub-section (1) of Section 6, sub-section (1) of Section 7, and sub-sections (1) and (2) of Section 9 or every joint statement under sub-section (1) of Section 6, shall bear a Court fee stamp of Re.1 and shall be presented in person or by agent or sent by registered post to the appropriate authority, and in his absence to the Head Ministerial Officer of his office. Note: Any application on behalf of an institution may be filed by the Trustee, Manager, Executive officer, or other person incharge of the institution.

13.

(1)Every appeal under sub-section (4) of Section 3, sub-section (4) of Section 5, sub-section (3) of Section 6, sub-section (2) of Section 7, sub-section (4) of Section 9 or clause (b) of sub-section (2) of Section 12, shall be in writing and shall set forth concisely the ground thereof.(2)Every appeal referred to in sub-rule (1) shall bear a Court fee stamp of Rs. 3/- and shall be presented in person or

by agent or sent by registered post to the appropriate authority, and in his absence to the Head Ministerial Officer of his office. Note: Any appeal on behalf of an institution may be filed by the Trustee, Manager, Executive officer or other person in charge of the Institution. (3) Every appeal referred to in sub-rule (1) shall be accompanied with an authentic copy of the order appealed against.(4) Every appeal referred to in sub-rule (1) other than an appeal under clause (b) of sub-section (2) of Section 12, shall be accompanied by a spare copy or sufficient number of spare copies thereof for service on the respondent or respondents mentioned therein.(5)The Revenue Court or the Collector shall, before hearing any appeal give notice to the parties concerned of the date on which, and the time and place at which, such appeal shall be heard. (6) The notice referred to in sub-rule (5) shall be in Form XIII, and except in the case of an appeal under clause (b) of sub-section (2) of Section 12, shall in the case of a notice to the respondent be accompanied with a copy of the appeal. (7) The notice referred to in sub-rule (5) shall be served in the manner specified in sub-rule (6) of Rule 3.(8) The Revenue Court or the Collector, may, pending disposal of the appeal, stay the execution of the order of the Tahsildar or the Revenue Court, as the case may be, appealed against.] [Sub-rule (8) added by G.O.Ms.No. 2106, Revenue, dated 15-11-1958.][14.(1) Every order of the Tahsildar under sub-section (3) of Section 3, sub-section (2) of Section 6, sub-section (1) of Section 7, sub-section (3) of Section 9 and clause (a) of sub-section (2) of Section 12, and every order of the Revenue Court under sub-section (4) of Section 3, sub-section (3) of Section 5, sub-section (3) of Section 6, sub-section (2) of Section 7, sub-section (4) of Section 9, and clause (b) of sub-section (2) of Section 12 and every order of the Collector under sub-section (5) of Section 5 shall be communicated to the parties either by delivering it to the person concerned or to any adult member of his family or where none of the above courses is practicable, by affixing it at his last known place of residence or by sending it to his last known place of residence by registered post acknowledgement due.] [Substituted by G.O.Ms. No. 954, Revenue, dated 4-5-1960.] Note: In the case of an institution the order may be communicated as aforesaid to the Trustee, Manager, Executive Officer, or other person in charge of the institution. (2) Every decision or order of the Tahsildar, Revenue Court or Collector under the Act may be executed by an officer of the Revenue Department not lower in rank than a Revenue Inspector.

15.

(1)All proceedings before the Tahsildar, the Revenue Court or the Collector under the Act shall be summary and shall be governed as far as may be, by the provisions of the Code of Civil Procedure.(2)[Any party shall in any proceeding before the Tahsildar, the Revenue Court or the Collector, be entitled to be represented by his agent or legal practitioner:Provided that the Tahsildar, the Revenue Court or the Collector, as the case may be, may at any stage of the proceedings require the party to appear in person.] [Sub-rule (2) added by G.O.Ms.No. 2106, Revenue, dated 15-11-1958.](3)An institution may, in any proceeding referred to in sub-rule (2) be represented by the Trustee, Manager or Executive Officer or other person in charge of such institution.[16. The Tahsildar, the Revenue Court or the Collector may pending the disposal of the application or appeal, as the case may be, issue suitable orders of injunction in respect of the inam lands relating to which the application or appeal has been filed.] [Rule 16 added by G.O.Ms. No. 2106, Revenue, dated 15-11-1958.]Form INotice(See Rule 3)Whereas it is proposed......suo motu.....upon an application made in this behalf to hold an enquiry under Section 3 of the Andhra Pradesh (Andhra Area) Inams

T.D.No. S. No. Classification Extent Remarks

1 2 3 4 5

TahsildarForm IIDecision(See Rule 3)It is hereby notified that it has been finally decided by the Revenue Court......under sub-section (4), Tahsildar.....under sub-section (3) of Section 3 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act)(XXVII of 1956), that the land specified below:(i)is/is not an inam land(ii)is in a Ryotwari/a Zamindari/an inam village, and(iii)is/is not held by an institution

T.D.No. S. No. Classification Extent Remarks

1 2 3 4 5

T.D.No. S. No. Classification Extent Remarks

1 2 3 4 5

Yours faithfully, Signature of the Applicant. Form IVNotice [See Rule 4] Whereas an application has been filed by..... [name of the applicant] son/wife of.... [name of father/husband] and residing at...... [Addresses] under sub-section (2) of Section 5 of the Andhra Pradesh (Andhra Area) barns (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956), for a declaration that he was in occupation of the Inam land specified below on 7th January, 1948 and for restoration of occupation thereof: You are hereby required to file before undersigned, within a period of thirty days from the date of service of this notice, objections, if any, to the said application; And to appear before the undersigned on...... (date) at..... (place), at..... (time) for making any representation in respect of your case, and for adducing such evidence in support thereof as may be necessary. Failing which the matter will be decided ex parte, and on the basis of the material

available.District......Taluk......Village.....

T.D.No. S. No. Classification Extent Remarks

1 2 3 4 5

T.D.No. S. No. Classification Extent Remarks

1 2 3 4 5

TahsildarForm - VINotice[See Rule 6]Whereas in the course of a proceeding under Section 7 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion in Ryotwari) Act, 1956 (Andhra Act)(XXVII of 1956) it has been determined that the inam land specified below has been held by.....(name) son/wife of.....(name of father/husband) residing at.....(Address); as inamdar, on......date of commencement of the Act.And whereas......(name) son/wife of......(name of father/ husband) residing at....(Address) has been declared to have been in occupation of the said land on 7th January, 1948 under sub-section (3)/sub-section (5) of Section 5 of the said Act, it has been determined in the course of the said proceeding that Sri.....(name) son/wife of.....(name of father/husband) residing at.....(address) has been in the occupation on the said land on the date of commencement of the Act the said land not being a land in respect of which a tenant has been declared to have been in occupation on the 7th January, 1948 under sub-section (3) or sub-section (5) of Section 5 of the said Act; The Inamdar and the tenant named above are hereby required to file before the undersigned under sub-section (1) of Section 6 of the said Act, a joint statement in regard to the particular portion of the said land to be given to the inamdar towards his one-third share under clause (b) or clause (c) of sub-section (2) of Section 4 of the said Act, and, in the absence of any agreement between the inamdar and the tenant in regard to the particular portion to be so given, to file before the undersigned within a period of thirty days of the date of service of this notice, an application under sub-section (2) of Section 6, in duplicate, specifying therein the particular portion of the said land, which in the opinion of the applicant, may be so given to the inamdar.District......Taluk.....Village.....

T.D.No. S. No. Classification Extent Remarks

1 2 3 4 5

TahsildarForm - VIINotice(See Rule 6)Whereas an application has been filed under sub-section (1)......applications have of Section 6 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956) by the inamdar in respect of the inam land specified below, for......tenant.......inamdar and tenant......the determination of the particular portion of the said land to be given to the inamdar towards his one-third share under clause (b) or clause (c) of sub-section (2) of Section 4 of the said Act.You are hereby required to appear before the undersigned on......[date] at......[place] at......[time] for making any representation in regard to the above matter, and for adducing such evidence in support of your case as may be necessary. Failing which, the matter will be decided ex parte and on the basis of the material available.

District Taluk Village

T.D.No. S. No. Classification Extent Remarks

(1) (2) (3) (4) (5)

S. No. Classification Extent Remarks

1 2 3 4

S. No. Classification Extent Remarks

1 2 3 4

S. No. Classification Extent Remarks

1 2 3 4

ManagerTrusteeExecutive Officer or otherperson in-charge of the institutionForm XIDraft Notification and Notice(See Rule 11)In pursuance of the provisions of clause (a) of sub-section (2) of Section 12 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956), it is proposed to fix in respect of the inam lands specified in the schedule appended hereto, assessment at the rates shown against them. Notice is hereby given that the fixation of the assessment as specified in the Schedule, is proposed to be taken up for consideration on or after......(date) and the inamdars of other persons interested in the said lands are required to lodge before the undersigned on or before (date) a statement in writing of their objections, if any, to the proposed assessment. Any objection statement which does not clearly specify the nature of the objector's interest in the land is liable to be summarily rejected.

Schedule

District Taluk

					Quit rent,	Kattubadi			
Name	C	Wet		kattubadi or		Proposed	Dropogod		
of the	T.D.No.	o. No	or	Extent	jodi orginally	payable to	rates of	Proposed assessment	Remarks
village	NO.	dry		payable to the	the land	assessment			
					Government	other			
1	2	3	4	5	6	7	8	9	10

TahsildarForm XIIFinal Notification(See Rule 11)In exercise of the powers conferred by sub-section (3) of Section 12 of the Andhra Pradesh (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Pradesh Act XXXVII of 1956), it is hereby notified that in respect of the lands specified in the Schedule hereto appended, rates of assessment have been finally fixed as shown against them.

Schedule 2

District Taluk

					Quit rent,	Kattubadi			
Name	T.D.No. S.	or Extent	kattubadi or	or jodi	Rate of	Final			
of the			Extent	jodi orginally	payable to	assessment	sessment assessment	Remarks	
village				payable to the	the land	finally fixed			
					Government	other			
1	2	3	4	5	6	7	8	9	10

TahsildarForm XIIINotice(See Rule 13)Whereas appeal has been filed undersub-section (4) of Section 3sub-section (4) of Section 5sub-section (2) of Section 7sub-section (4) of Section 9Clause (b) of sub-section (2)......of Section 12 of the Andhra Pradesh (A.A.) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (Andhra Act XXXVII of 1956), against the order of the Tahsildar Revenue Court.......in.......dated.......And whereas you are mentioned as a party in the said appeal. Take notice that it is proposed to hear the appeal on.....(date) at.....(place).....time and that you may appear at the said hearing. Failing which the appeal will be heard and decided ex-parte. A copy of the appeal is enclosed. Revenue CourtCollector. [Substituted by Memo. No. LR-1/156-56, Revenue, dated 22-11-1959.]