

Telangana Bhoodan and Gramdan Act, 1965

TELENGANA

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Act 13 of 1965

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Telangana Bhoodan and Gramdan Act, 1965(Act No.13 of 1965)Last Updated 14th January, 2020The Andhra Pradesh Bhoodan and Gramdan Act, 1965, received the assent of the President on 24th April, 1965. The said Act in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Notification issued G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.

Chapter I Preliminary

1. Short title, extent and commencement.

(1)This Act may be called the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Bhoodan and Gramdan Act, 1965.(2)It extends to the whole of the State of [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.].(3)It shall come into force on such date as the Government may, by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette appoint.

2. Definitions.

- In this Act, unless the context otherwise requires,-(a)'Bhoodan Yagna' means the movement initiated by Sri Acharya Vinobha Bhave for the acquisition of lands by way of donation, for distribution to the landless poor persons, or for a community purpose;(b)'Board' means the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Bhoodan Yagna Board constituted under section 3;(c)'community purpose' means any purpose which is for the general good of the community;(d)'Government' means the State

Government;(e)'Gramdan' means a voluntary donation of land in a village made in pursuance of Bhoodan Yagna;(f)'Gram Sabha' means a Gram Sabha constituted under section 17;(g)'Gramdan Village' means a village notified under section 17;(h)'Land' includes the benefits arising out of land, things attached to the earth or permanently fastened to anything attached to the earth;(i)'landless poor person' means a person who does not own any land or who owns land which does not exceed such limit, and whose annual income does not exceed such sum as may be prescribed;[(i-a) 'notification' means notification published in the Telangana Gazette and the word notified shall be construed accordingly;] [Inserted by Act No.17 of 2017.](j)'owner' includes-(1)in the case of land situate in an estate not taken over by the Government under the [Andhra (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948,] [Andhra Area Act.] the ryot in respect of the land in which he has a permanent right of occupancy of the land holder in respect of his private land;(2)in the case of land situate in an estate taken over by the Government under the [Andhra (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948,] [Andhra Area Act.] the person entitled to a ryotwari patta in respect of the land;(3)in the case of inam land not forming part of an estate the person entitled to a ryotwari patta in respect of the land;(4)a protected tenant under [the] [Adapted vide. the Telangana Adaptation of Laws (No.2) Order, 2016 issued in G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.] Telangana Tenancy and Agricultural Lands Act, 1950 who has been personally cultivating the land under his protected tenancy at the time of donation, in respect of the right possessed by him in the land;(k)'prescribed' means prescribed by rules made under this Act;(l)'resident' in relation to the local area of any district means a person who is ordinarily resident in that local area;(la)['Secretary' means the Secretary appointed to the Board under the Act; [Inserted by Act No.17 of 2017.](lb)'State' means the State of Telangana;](m)'Tahsildar' means the Tahsildar and includes the Deputy Tahsildar in independent charge of a taluk or subtaluk, within whose jurisdiction the land or a part thereof is situate;(n)'Telangana Area' means the territories specified in sub-section (1) of section 3 of [the Andhra Pradesh Reorganization Act, 2014;] [Substituted by Act No.17 of 2017.](o)'village' means a village registered as such in the revenue accounts and includes,-(1)a hamlet for which separate revenue records are maintained;(2)a hamlet, the residents of which own lands in a block comprising not less than five hundred acres including lands reserved for any communal purpose; or(3)a hamlet which is declared by the Government to be a village for purposes of this Act.

Chapter II

Constitution, Powers and Functions of the Board

3. Constitution and incorporation of the Board.

- The Government shall, by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette constitute a Board by the name of the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Bhoodan Yagna Board which shall be a body corporate having perpetual succession and a common seal with power to enter into contracts and to acquire, hold and dispose of property and which may, by the said name, sue or be sued.

4. Composition of the Board.

- [(1) The Board shall consist of a Chairman, a Vice- Chairman and such number of other members as may be considered necessary, to be appointed, by notification, by the Government.] [Substituted by Act No.17 of 2017.](2)The appointment of the Chairman, Vice-Chairman and the other members of the Board shall take effect from the date on which it is notified in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette.

4A. [Secretary and other members of the staff. [Section 4A with marginal heading inserted by Act No.17 of 2017.] - There shall be appointed,-

(i)Secretary; and(ii)other members of staff to assist the Secretary and the Board, on such terms and conditions as may be prescribed.]

5. Term of Office.

- Every member of the Board, including the Chairman and Vice-Chairman shall hold office for a term of four years from the date of notification of his appointment, and shall be eligible for re-appointment.

6. Resignation of Chairman, Vice- Chairman or other member.

- The Chairman, Vice-Chairman or any other member of the Board may resign his office by giving notice in writing to the Secretary to Government in the administrative department concerned and on the resignation being accepted by the Government, he shall be deemed to have vacated his office. The acceptance of every resignation shall be published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette as soon as possible, thereafter.

7. Removal of Chairman or other member.

(1)The Government, may, by order, remove the Chairman, Vice-Chairman or any other member of the Board after giving him an opportunity to make any representation which he may wish to make, if they are satisfied that he-(a)has become of unsound mind;(b)has applied to be adjudicated or has been adjudicated an insolvent;(c)has been sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed;(d)has become incapable of acting as Chairman, Vice-Chairman or member or has so abused his position or powers vested in him as Chairman, Vice-Chairman or member; or(e)has failed, without excuse sufficient in the opinion of the Board, to attend three consecutive meetings of the Board and the Board has recommended his removal.(2)Every order of removal under sub-section (1) shall, as soon as possible after it is made, be published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette.

8. Filling of casual vacancies.

- Any casual vacancy in the office of the Chairman, Vice-Chairman or any other member of the Board shall, as soon as may be, after the occurrence of such vacancy be filled by appointment of another person and the Chairman, Vice- Chairman or other member so appointed shall enter upon office forthwith but shall hold office only for the residue of the term of his predecessor.

9. Dissolution and reconstitution of the Board.

(1)Where the Government are satisfied that-(a)the Board has failed without reasonable cause or excuse to discharge the duties, or to perform the functions, imposed on, or assigned to, it by or under this Act or has exceeded or abused powers; or(b)circumstances have arisen in which the Board is, or may be, unable to discharge the duties, or to perform the functions, imposed on, or assigned to, it by or under this Act; or(c)it is otherwise expedient so to do;they may, by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette direct that the Board be dissolved with effect from a specified date and reconstitute under section 3 either immediately [or within one year from the date of dissolution, and the Government may, extend the time for such period not exceeding three years.] [Substituted by Act No.17 of 2017.](2)Before directing the dissolution of the Board under sub-section (1), the Government shall communicate to the Board the grounds on which they propose to do so, fix a reasonable period for the Board to show cause against the proposal and consider its explanation and objections, if any.(3)On the date fixed for the dissolution of the Board under sub-section (1), all its members including the Chairman and Vice-Chairman shall be deemed to have vacated their offices.(4)During the interval, if any, between the dissolution and the reconstitution of the Board the Government may, by order, appoint any officer or authority to exercise the powers and discharge the duties of the Board, subject to such restrictions and limitations as may be specified in the order.(5)Where the Board is dissolved under this section, the Government, until the date of the reconstitution thereof, and the reconstituted Board thereafter, shall be entitled to all the assets and be subject to all the liabilities of the Board.

10. Acts of the Board, etc. not to be invalidated by informality.

- No act of the Board or of any person acting as the Chairman, Vice-Chairman or a member thereof shall be deemed to be invalid by reason only of a defect in the constitution of the Board or of such act having been done during the period of any vacancy in the office of the Chairman, Vice-Chairman or member or on the ground that the Chairman, Vice-Chairman or member of the Board was not entitled to hold or to continue in such office.

11. Local Committees.

(1)The Board may, for any district or part thereof, constitute a Local Committee consisting of a Chairman, Vice-Chairman and three other members to be appointed by the Board from amongst the residents of the area concerned. The appointment of such Chairman, Vice- Chairman and the other

members shall be for a period of four years. Such appointment shall take effect from the date of notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette.(2)The Board may, with the approval of the Government and subject to such restrictions and limitations as it may impose, authorise any Local Committee constituted under sub-section (1) to exercise in the area for which such Local Committee is constituted, all or any of the duties, powers or functions vested in the Board by or under this Act and the Board may in like manner withdraw such authorisation.(3)The provisions of sections 6, 7, 8, 9 and 10 shall apply to a Local Committee as they apply to the Board subject to the modification that the powers exercisable by, and the duties imposed on, the Government under the said sections shall, in relation to a Local Committee, be exercised and discharged by the Board:Provided that the dissolution or reconstitution of a Local committee shall be subject to the prior approval of the Government:Provided further that where the Government are satisfied that the removal of the Chairman, Vice-Chairman or a member of a Local Committee or the dissolution of a Local Committee is necessary and that the Board has failed to take action in that regard, the Government may, after consulting the Board, remove such Chairman, Vice-Chairman or member or dissolve and reconstitute such Local Committee and the provisions of sections 7 and 9 shall, as far as may be, apply therefor.

12. Donation of land.

(1)Any owner may, by declaration made in the prescribed manner donate his land for Bhoodan Yagna or for Gramdan:Provided that-(a)where a land is owned jointly by two or more persons, the donation of such land shall not be valid unless the declaration is signed by all such joint owners; and(b)a declaration made by, or on behalf of a person who has not completed the age of 21 years shall not be valid.(2)Every declaration made under sub-section (1) shall be filed with the Tahsildar.

13. Declarations filed under section 12.

(1)Every declaration filed under sub-section (2) of section 12 shall, as soon as possible, be published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette and in such other manner as may be prescribed, together with a notice requiring all persons interested to submit their objections, if any, in writing to the Tahsildar within two months from the date of the publication of the declaration in the Gazette.(2)A copy of the declaration together with the notice referred to in sub-section (1), shall also be served in the prescribed manner by the Tahsildar on each of the person known or believed to be interested in the land specified in the declaration, so far as such service may be practicable.(3)On the expiry of the period of two months specified in sub-section (1) and after giving notice to the Board and the Local Committee concerned, and to the donor and the person, if any, who has filed objections, the Tahsildar shall proceed to investigate as to the right, title and interests of the donor in respect of the land donated by him and consider all the objections filed under sub-section (1), and thereafter he may by an order either accept the declaration or reject it for any of the reasons mentioned in sub-section (6).(4)Where the Tahsildar accepts the declaration and if it is confirmed or deemed to have been confirmed by the Board under sub-section (6), the donor shall deliver possession of the land to the Board; and thereupon, the donation of the land shall, subject to any order in an appeal under section 28 or any

decision in a suit under section 29 or in a further proceeding in relation to such suit, be irrevocable and all the rights, title and interest of the donor in such land shall stand transferred to, and vest in, the Board.(5)Every order accepting a declaration under subsection (3) which is confirmed or deemed to have been confirmed by the Board under sub-section (6) shall be published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette.(6)The Board may at any time within two months from the date of the order passed by the Tahsildar under subsection (3), by order confirm any declaration accepted by the Tahsildar, or reject it for any of the following reasons, namely:-(i)that there are encumbrances on the land;(ii)that there are arrears of land revenue or rent due on the land;(iii)that the donor is not the owner of the land or is otherwise not competent to make the donation; or(iv)that there is any other good or sufficient reason:Provided that if no order is passed by the Board rejecting any declaration accepted by the Tahsildar within the said period of two months, it shall be deemed that the declaration has been confirmed by the Board.(7)Where a declaration is rejected under this section or in an appeal under section 28 or in a suit under section 29 or in a further proceeding in relation to such suit, the donation shall stand cancelled and the donor shall be deemed to continue to have all the rights, title and interest as well as all the liabilities in respect of such land as if no such declaration was ever made.

14. Grant of land by the Board.

(1)The Board may, after taking into consideration the wishes of the donor as far as possible, grant any land which has vested in it to a landless poor person who is able and willing to cultivate the land, or to the Government or a local authority, for a community purpose [and also to poor persons and weaker sections for the purpose of house sites] [Inserted by Act No.17 of 2017.]. The grantee of the land shall then acquire therein such rights and be subject to such liabilities, conditions, restrictions and limitations, as may be prescribed.(2)No permanent grant of land shall be made under sub-section (1) until three months have expired from the date of the order confirming the declaration by the Board or from the date when the Board shall be deemed to have confirmed the declaration or where an appeal is preferred under section 28 or a suit is instituted under section 29, until such appeal or the suit or any further proceeding in relation thereto, is finally disposed of upholding such declaration.(3)The Board may take such steps for the temporary management of the lands vested in it as it thinks fit in accordance with the rules made in this behalf, until they are disposed of under this Act.

15. Preparation of list of lands donated prior to commencement of this Act.

(1)The Board shall prepare a draft of a list of all the lands in the territories of the State of [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] other than those in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] area which have been donated and accepted for the purposes of Bhoodan Yagna or Gramdan prior to the commencement of this Act showing therein-(a)the area, description and other particulars of the land;(b)the name and address of the donor;(c)the date of the donation;(d)the nature of the interest of the donor in the land;(e)where the land was granted to any person in pursuance of Bhoodan Yagna or Gramdan, the name and address of the grantee and the date of the

grant; and (f) such, other particulars as may be prescribed. (2) The draft list prepared under sub-section (1) shall be published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette and in such other manner as may be prescribed, together with a notice requiring all persons interested to submit their objections, if any, in writing to the Board within two months from the date of publication of the draft list in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette. (3) On the expiry of the period of two months specified in sub-section (2), the Board shall after considering the objections filed under that sub-section and after holding such inquiry as it deems fit finalize the draft list with or without modifications. (4) The list so finalized by the Board under sub-section (3) shall be published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette, and on such publication- (a) the rights, title and interest of the donor in such land shall with effect from the date of donation and subject to any decision in a suit under section 29 or in a further proceeding in relation to such suit, be deemed to stand transferred to, and vest in the Board as if declaration has been duly filed and confirmed in respect thereto under, and in accordance, with the provisions of sections 12 and 13; and (b) where such land, in pursuance of Bhoodan Yagna or Gramdan was granted to any person, it shall, with effect from the date of the grant, and subject to any decision in a suit under section 29 or in a further proceeding in relation to such suit, be deemed to have been granted to him under, and in accordance with, the provisions of section 14.

16. Fund and property of the Board.

(1) The Board shall have its own Fund called the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Bhoodan Yagna Board Fund; and all moneys which may, from time to time, be paid to it by the Central Government or State Government or any local authority or any person shall be carried to the Fund and all payments by the Board shall be made therefrom. (2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Government, be decided by the Board. (3) The Board may spend such moneys as it thinks fit for performing functions under this Act, and such moneys shall be treated as expenditure payable out of the Fund of the Board. (4) The Board may accept any land in exchange for the land donated in pursuance of Bhoodan Yagna or Gramdan. (5) All properties, funds and other assets received by, or vested in, the Board shall be held and applied by it subject to the provisions, and for purposes, of this Act.

Chapter III

Constitution, Powers and Functions of the Gram Sabha

17. Declaration of a village as Gramadan village and constitution of Gram Sabha.

(1) Where, in a village: (a) the extent of lands donated for Bhoodan Yagna or Gramdan in respect of which declarations filed and deemed to have been filed under section 12 have been confirmed and deemed to have been confirmed is not less than fifty-one per cent of the total extent of lands under

private ownership in that village;(b)the number of persons whose declarations have been so confirmed is not less than seventy-five per cent of the total number of persons owning lands and residing in the village; and(c)not less than seventy-five per cent of the persons who have completed the age of twenty-one years and who are residing in the village have declared in the prescribed form and manner their desire to participate in the Gramdan movement;(d)the Government may, on the recommendation of the Board, declare by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette, that village to be a Gramdan village with effect from the date specified in such notification.(2)As soon as may be after the publication of the notification under sub-section (1), there shall be constituted for the Gramdan Village specified in the notification, a Gram Sabha, and every person who has completed the age of twenty one years who, either has donated any land for Bhoodan Yagna or Gramdan or who owns any land or house or whose name is included in the electoral roll of that village under [the Telangana Panchayat Raj Act, 1994] [Substituted by Act No.17 of 2017 and now see the Telangana Panchayat Raj Act, 2018 (Act No.5 of 2018).], shall be a member of such Sabha:Provided that a person shall be disqualified for being a member such Sabha if he is not a citizen of India or is of unsound mind and stands so declared by a competent court.(3)The Gram Sabha shall be a body corporate having perpetual succession and a common seal with power to enter into contracts, and to acquire, hold and dispose of property and which may, by the said name, sue or be sued.(4)The Board shall cause to be prepared and published in the prescribed manner a list of the names of members of each Gram Sabha. The Gram Sabha may, from time to time, amend the list for the purpose of bringing it upto-date and a copy of every such amendment shall be sent to the Board which shall cause it to be published in the prescribed manner. Every such list and the amendments thereto published under this sub-section shall be final and shall not be questioned in any court of law.(5)With effect from the date on which the list of members of the Gram Sabha is first published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette, all the lands in the Gramdan Village which have vested in the Board under this Act, shall stand transferred to and vest in, the Gram Sabha. Any land in the Gramdan Village which vests in the Board by way of donation after the date aforesaid shall also stand transferred to, and vest in, the Gram Sabha with effect from the date on which it vested in the Board.(6)(a)There shall be a President and a Vice-President for each Gram Sabha who shall be elected from among themselves by the members of Gram Sabha in the manner prescribed.(b)The President or Vice-president shall hold office for a period of four years from the date of his election.(c)The President may resign his office by giving notice in writing to the Gram Sabha and on the resignation being accepted by the Gram Sabha, he shall be deemed to have vacated his office.(d)The Vice-President may resign his office by giving notice in writing to the president and he shall be deemed to have vacated his office with effect on and from the date on which the notice was received by the president.(e)The Vice-President shall exercise such powers and perform such functions of the president as the president may, from time to time, delegate to him in writing.(f)Any casual vacancy, in the office of the president or vice-president shall, as soon as may be after the occurrence of such vacancy be filled by the election of another person from among themselves by the members of Gram Sabha and the president or the vice-president so elected shall enter upon office forthwith but shall hold office only for the residue of the term of his predecessor.

18. Power of grantee of land to donate land to Gram Sabha.

(1) Any person who is, or who is deemed to have been, granted land by the Board under section 14 or section 15, or any person to whom land donated for the purpose of Bhoodan Yagna or Gramdan was granted in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] area before the commencement of this Act, may by a declaration made in the prescribed manner, donate that land to the Gram Sabha established for the village in which such land is situate. (2) Where a declaration made under sub-section (1) is confirmed by the Board, the donation of the land, shall, notwithstanding anything to the contrary in section 14 or section 15, be irrevocable and all the rights, title and interest of the donor in such land shall stand transferred to, and vest in, the Gram Sabha.

19. Power of Gram Sabha to transfer and alienate land.

(1) No Gram Sabha shall, without the previous sanction of the Government alienate or transfer any land vested in it or any right or interest therein: Provided that the Gram Sabha may, with the previous sanction of the District Collector exchange lands for the purpose of securing consolidation of holding or hypothecate the lands vested in it in favour of the Government or a Cooperative Society or Land Mortgage Bank for the purpose of securing a loan. (2) Any transaction made in contravention of subsection (1) shall be null and void.

20. Management of the lands vested in Gram Sabha.

(1) The Gram Sabha may, - (a) arrange for the cultivation of all the lands vested in it either by itself or by allotting to the residents of the village, whether jointly or individually, on such terms and conditions as it thinks fit; (b) apportion the produce or income of the lands cultivated jointly; (c) set apart lands for the general good of the community as may be specified in the rules; (d) make advances either in kind or in cash to persons to whom lands are allotted and recover these advances; (e) carry out measures for the improvement of the methods of cultivation, the reclamation of waste lands and such other purposes as may be specified in the rules.

21. Acts of Gram Sabha or its committee not to be invalidated by informality, etc.

- No act of a Gram Sabha or any committee thereof shall be deemed to be invalid by reason only of defect in the constitution of the Gram Sabha or the Committee.

22. Allotment of land by Gram Sabha.

- The allotment of land in a Gramdan Village for cultivation shall be subject to the following conditions, namely: - (a) the allottee shall, unless specifically exempted by the Gram Sabha, cultivate the land personally; (b) the allottee shall not transfer his interest in the land allotted, but such interest shall be heritable. Explanation. - For the purpose of this sub-section and section 24, land

shall not be deemed to be cultivated personally unless the person himself or any member of his family puts in such minimum labour on the land as may be laid down by the regulations made by the Gram Sabha.

23. Disputes regarding allotment of land.

(1) Any person aggrieved by an order of allotment of land made by a Gram Sabha may make an application to the Gram Sabha within sixty days from the date of such order for arbitration by an Arbitration Board. On receipt of such application the Gram Sabha shall refer the dispute to arbitration. (2) An Arbitration Board under sub-section (1) shall consist of, - (i) one member nominated by the applicant; (ii) one member nominated by the Gram Sabha; and (iii) one member nominated jointly by the members referred to in clauses (i) and (ii) but if there is no agreement in that regard, one member to be appointed by the Tahsildar. (3) The decision of the Arbitration Board shall be final and binding on the parties.

24. Eviction of allottee.

- [The Tahsildar may, on receipt of a complaint/application made by any person or suo-motu, after giving an opportunity of making a representation, evict, - (a) any allottee from the land, if the individual fails, without sufficient cause, to cultivate the land personally or the land is in possession of a person other than the allottee, during a period of two consecutive agricultural years; or (b) any person, other than the allottee, from the house site/constructed building on the Bhoodan Land, if such house site/house is in his possession, for a period of two years.] Explanation. - In this section agricultural year means the year commencing on the 1st day of June or such other date as may be notified by the Government in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette in respect of any locality having regard to the usage or custom of the locality for the commencement of agricultural operations. [24-A. Removal of encroachment from Telangana Bhoodan Yagna Board property. [Sections 24-A, 24-B, 24-C and 24-D with marginal headings inserted by Act No.17 of 2017.]] (1) Whenever the Secretary of the Board, on receipt of any complaint or suo-motu, considers that there has been an encroachment on any land, building, space or other property belonging to the Board and registered as such under this Act, he shall cause to be served upon the encroacher a notice in the manner prescribed specifying the particulars of the encroachment, calling upon him to show cause as to why an order requiring him to remove the encroachment before a date specified in such notice, should not be made. (2) If, after considering the objections received during the period specified in the notice, and after conducting an inquiry in such manner as may be prescribed, the Secretary is satisfied that the property in question is Bhoodan land/property, he may by an order, require the encroacher to remove such encroachment and deliver possession of the land, building, space or other property encroached to the Board.

24B. Enforcement of orders made under section 24-A.

- Where the person, ordered under sub-section (2) of section 24-A or covered under rule 9 (vii) of the Bhoodan and Gramdan Rules, 1965, omits or fails to remove such encroachment within the time

specified in the order or, as the case may be, fails to vacate the land, building, space or other property to which the order relates, the Secretary of the Board may apply to the Tahsildar within the local limits of whose jurisdiction the land, building, space or other property is situated, for evicting the encroacher, and, there upon, the Tahsildar shall make an order directing the encroacher to remove the encroachment or as the case may be vacate the land, building, space or other property. The Tahsildar shall evict the encroachment from the land, building, space or other property, by taking such police assistance as may be necessary for the purpose and deliver the possession thereof to the Secretary of the Board.

24C. Review and cancellation of illegal allotments.

- Notwithstanding anything contained in the Act, the Board may, examine, review, reconsider and inquire into any illegal allotments made in favour of any person or institution or otherwise, after giving notice to the person or institution concerned, pass appropriate orders.

24D. Vesting of land with the Board and its use.

- Whenever the land allotted under this Act comes within the urban area or ceases to be agricultural land, the said land will vest with the Board and the Board may use such land for non-agricultural purposes, as deemed fit.] [Substituted by Act No.17 of 2017.]

25. Funds of Gram Sabha.

- Every Gram Sabha shall have a fund into which shall be credited all sums and moneys received by such Sabha including the proceeds of any cultivation undertaken by it and the sums collected from the persons to whom the lands have been allotted by the Sabha. The fund shall be administered by the Gram Sabha in accordance with the provisions of this Act, the rules and the regulations made thereunder.

26. Attachment and sale of lands vesting in Gram Sabha.

- The land vesting in a Gram Sabha shall not be liable to attachment or sale in execution of any decree or order passed by a civil or revenue court in respect of an unsecured debt.

27. Supersession of a Gram Sabha.

(1) If at any time, the Government are of opinion, that a Gram Sabha-(a) is not competent to perform, or persistently makes default in performing, the duties assigned to it by or under this Act; or (b) exceeds or abuses the powers assigned to it by or under this Act; or (c) is not functioning in a manner consistent with the provisions of this Act or the rules framed thereunder; the Government may, by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette and stating the reasons therefor, supersede the Gram Sabha for such period not exceeding one year as may be specified therein: Provided that before

issuing any such notification, the Government shall give an opportunity to the Gram Sabha to show cause why it should not be superseded and shall consider its explanations and objections, if any.(2)On the publication of a notification under subsection (1) superseding the Gram Sabha,-(a)the President and Vice-President of the Gram Sabha and the President and the members of all committees constituted by the Gram Sabha shall as from the date of notification vacate their offices as such;(b)all the powers and duties of the Gram Sabha, during the period of supersession, be exercised and performed by such person or persons as the Government may, from time to time, appoint in this behalf;(c)all properties vested in the Gram Sabha shall vest in the Government.(3)At any time on or before the expiration of the period of supersession specified in the notification issued under sub-section (1), the Government may extend the period of supersession of a Gram Sabha for such further period not exceeding one year at a time, as they may consider necessary, and on the expiration of the period of supersession either as originally specified or as extended, the Gram Sabha shall resume its functions and elect its President and Vice-President and constitute the committees, in the manner provided in this Act:Provided that the Government may at any time before the expiration of the period of supersession by notification published in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette reduce the period of supersession specified in the notification issued under subsection (1).(4)The income derived from the Gramdan Village during the period of supersession, shall first be utilized towards the cost of management during the period of supersession and liquidation of liabilities of the Gram Sabha and the balance, if any, shall be credited to the fund of the Gram Sabha.

Chapter IV

Miscellaneous

28. Appeal.

- Against an order passed by the Tahsildar under subsection (3) of section 13 an appeal shall lie to the Revenue Divisional Officer concerned within thirty days from the date of the order.

29. Grantee or allottee of land not to be a tenant.

- Any person whose interests are affected as result of the donation of any land for the purpose of Bhoodan Yagna or Gramdan whether before or after the commencement of this Act, may institute a suit in a civil court having jurisdiction-(a)in the case of land donated before the commencement of this Act, within three months from the date of publication of the list under sub-section (4) of section 15;(b)in the case of land donated after the commencement of this Act, within three months from the date of publication of the order of the Tahsildar under section 13, or where an appeal is filed under section 28 within three months from the date of the order passed in the appeal:Provided that a person who had not filed objection under section 13 and who was not present or represented in the proceedings before the Tahsildar or the Revenue Divisional Officer under section 13 or section 28, may institute a suit within three months from the date of publication of the order under sub-section (5) of section 13.

30. Filing of suits.

- No person to whom any land is granted by the Board or is allotted by a Gram Sabha under this Act shall be deemed to be a tenant in respect of such land for the purpose of any law relating to tenancy for the time being in force.

31. Exemption of stamp duty and registration fee etc.

- Every declaration and any grant or allotment of land made or deemed to have been made under this Act shall be, and be deemed always to have been, exempt from the payment of fee for encumbrance certificate, stamp duty, registration fee and fee for the attestation of power of attorney under sub-section (2) of section 33 of the Indian Registration Act, 1908.

32. Act to over ride other laws.

- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

33. Power to make regulations.

(1)The Board may, with the previous sanction of the Government, by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette make regulations not inconsistent with this Act and the rules made thereunder, to provide for the conduct of its business and all other matters for which provision is necessary and expedient for the purpose of enabling it to discharge its functions under this Act.(2)Subject to the provisions of this Act, and the rules, if any, made thereunder, every Gram Sabha may make regulations to carry-out the purposes of this Act and in particular for the conduct of business, election of office bearers, appointment of Committees, maintenance of accounts and the audit thereof, appointment of servants and the remuneration payable to them, the principles to be followed in the allotment of land and for the levy of sums for such allotment, the grounds on which the allottees may be evicted from the lands, the manner of eviction of the allottees and any other matter for which provision is necessary and expedient for the purposes of enabling it to discharge its functions under this Act.

34. Power to make Rules.

(1)The Government may, by notification in the [Telangana] [Substituted by G.O.Ms.No.11, Revenue (Assn.I) Department, dated 05.07.2014.] Gazette make rules for carrying out all or any of the purposes of this Act.(2)In particular and without prejudice to the generality of the foregoing power such rules may provide for-(a)the matters to be taken into account by the Board in granting lands to landless poor persons;(b)the form of declaration and the manner in which it shall be filed and the documents to be filed along with the declaration;(c)the manner of inquiry, and hearing and disposal of objections under section 13;(d)the service of notices under this Act;(e)the payment of traveling and other allowances to the Chairman, Vice-Chairman and members of the Board and Local

Committees;(f)the procedure to be followed by the Board and Local Committees in respect of financial matters generally, including the manner in which, and the restrictions, limitations and conditions subject to which, expenditure may be incurred by the Board and the Local Committees;(g)the form in which the accounts of the Board and Local Committees shall be kept, the audit and publication of such accounts and the charges, if any, to be made for such audit;(h)the preparation of an annual budget and the reports and returns to be furnished by the Board to the Government and by the Local Committees to the Board;(i)the appointment of a secretary and staff for the Board and the Local Committees and the remuneration payable to them and the delegation of the powers of the Board and Local Committees to the respective Chairman, Vice-Chairman and Secretary;(j)the summoning and holding of meetings of the Board and the Local Committees and the time and place at which such meeting shall be held, the conduct of business thereat and the number of members necessary to constitute a quorum;(k)the sub-division of lands where any portion of land is granted or donated under this Act;(l)the settlement of disputes in regard to the allotment of lands by a Gram Sabha, the levy of sums for such allotment and the eviction of allottees from the lands allotted;(m)the enforcement of the decision of a Gram Sabha;(n)any other matter which has to be, or may be, prescribed.(3)Every rule made under this section shall be laid immediately after it is made, before each House of the State Legislature, if it is in session and if it is not in session, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiration of the session in which it is so laid or the session immediately following both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall thereafter have effect only in such modified form or shall stand annulled, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

35. Repeal and saving.

- The Shri Acharya Vinoba Bhave Sarvodaya Bhoo- Yagna, Hyderabad Land Revenue Special Rules, 1951, are hereby repealed:Provided that such repeal shall not affect the previous operation of the said rules or any right, title, obligation or liability already acquired, accrued or incurred thereunder and subject thereto, anything done or any action taken in the exercise of any power conferred by or under the said rules shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force on the date on which such thing was done or action was taken:Provided further that all the lands donated under the said rules and vested in the Government before the commencement of this Act shall after such commencement be deemed to vest in the Board.