

# **Tamil Nadu Lease-holds (Abolition and Conversion Into Ryotwari) Rules, 1965**

TAMILNADU

India

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### **Act 165 of 1965**

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Tamil Nadu Lease-holds (Abolition and Conversion Into Ryotwari) Rules, 1965Published vide Notification No. SRO No. A-165 of 1965SRO No. A-165 of 1965. - In exercise of the powers conferred by section 50 of the Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963), the Governor of Tamil Nadu hereby makes the following rules: -

#### **1. Short title.**

- These rules may be called the Tamil Nadu Leaseholds (Abolition and Conversion Into Ryotwari) Rules, 1965.

#### **2. Definition.**

- In these rules, unless the context otherwise requires, -"Act" means the Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963);"Form" means a form appended to these rules;"section" means a section of the Act;"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. Procedure for taking possession of a leasehold.**

(1)The officer authorised by the Government to take possession of a leasehold on their behalf under clause (g) of section 4 shall take charge of only such of the accounts, registers, pattas, muchilikas, maps, plans and other documents relating to the leasehold as are, in his opinion, necessary for the administration of the leasehold. He shall prepare a detailed inventory of those documents in the presence of the lessee or any person deputed in writing by the lessee in that behalf and give a copy of

such inventory to the lessee or his deputy. Certified copies of the documents shall be made and given to the lessee, 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 lessee and is of the opinion that such documents are essential for the administration of the leasehold, he may summon the lessee to produce all such documents and the lessee shall be bound to produce them.

#### **4. Procedure for taking possession of land in a leasehold.**

(1)Before taking possession of any land in a leasehold under the proviso to clause (g) of section 4, the Tahsildar shall examine whether any ryot or lessee holding the land is prima facie entitled to ryotwari patta or not.(2)If the Tahsildar considers that the occupation of a land is prima facie entitled to a ryotwari patta, he shall tentatively allow such occupation to continue, subject to the payment of assessment on the extent occupied as fixed under section 15 and subject to the condition that the payment of such assessment shall not confer any right of occupancy.Explanation. - For the purposes of this rule, occupation for a part of a fasli year shall be deemed to be occupation for the whole of a 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 him calling upon to show cause why he should not be dispossessed 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 is 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 filling 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 and take possession of it and record a certificate of the village officers and of at least one ryot of the village in which the leasehold is situated that the land has been taken possession of by the Government.(6)If the decision is that the occupant of a land on the appointed day is prima facie not entitled to ryotwari patta in respect of that land but that the occupation is not objectionable, the occupation may be allowed subject to the payment by the occupant, of the assessment on the land under section 15 until the ryotwari settlement of the land is effected under section 14 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 that regard shall be communicated to the occupant concerned in Form No. 3.

#### **5. Period within which appeal against an order under the proviso to section 4(g) can be filed.**

- Every appeal against an order under the proviso to clause (g) of section 4, deciding the question whether a person is prima facie entitled to 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.

## **6. Revision petition to the Settlement Officer.**

- Every petition for revision of any of the orders, acts or proceedings of an Assistant Settlement Officer shall be referred 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.

## **7. 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).]**

- Every petition for revision of any of the orders, acts or proceedings of the Settlement Officer shall be preferred 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).] within sixty days from the date of communication or the order 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).] 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.

## **8. Enquiry into claims for ryotwari patta under section 9.**

(1) Every application for grant of ryotwari patta in respect of any land under section 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 leasehold. (3) If, in respect of any land, no person has applied under sub-rule (1) or where an urgent enquiry within the period specified in sub-rule (1) is necessary in the public interest, 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 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 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 for the grant of ryotwari patta, to file before him a statement 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 Assistant Settlement Officer. (6) The date of enquiry shall not be earlier than fifteen days from the date of

publication of the notice.(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)The decision of the Assistant Settlement Officer shall be published in Form No. 7. 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.

## **9. Appeal to the Tribunal.**

(1)On receipt of an appeal preferred under sub-section (4) of section 9, the Tribunal shall cause a notice in Form No. 8 to be published and all persons who have applied to the Assistant Settlement Officer under sub-section (1) of section 9 or filed statement before the Assistant Settlement Officer in the course of the enquiry under the 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.

## **10. Eviction of occupant of land not entitled to ryotwari patta in respect of consequent on decision under section 9.**

- In cases in which the Assistant Settlement Officer, the Tribunal or the Special Appellate Tribunal [decides that no one is actually entitled to ryotwari patta in respect of a land in a leasehold, the Tahsildar shall serve on the occupant, if any, of such land] [Substituted by G. O. Ms. No. 2821, Revenue, dated the 26th November 1969.] a notice in Form No. 9. 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 such-rule (5) of rule 4: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 darkest rules, his petition being treated as his darkest application, he need not be evicted. The Tahsildar may allow the occupation in such cases to continue, subject to the payment of assessment on the land under section 15, until orders are passed on the darkest application or entitle the land is required by the Government for any purpose, whichever is earlier.

## **11. 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.

## **12. Eviction of occupants of buildings vesting in other persons.**

- The provisions of rule 10 shall apply mutatis mutandis to cases-of eviction of the occupant of any building which vests, under section 11, in other persons.

### **13. Determination of rent in cases falling under sections 15(b) and 19(2).**

(1) In cases falling under clause (b) of section 15 and sub-section (2) of section 19, where the rent which would have been payable to the lessee in respect of the fasli year immediately preceding the fasli year in which the appointed day falls, is in kind or is a share of the produce, the quantity of such rent shall be determined by the District Collector or any officer authorised by him, on local enquires and with reference to the village accounts. (2) The rent so determined shall be commuted into cash in accordance with the prices notified 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, vide G. O. Ms. No. 2675, Revenue, dated the 1st December 1980.] and prevailing on the date on which the land revenue became payable: Provided that where no such price has been notified, the rent shall be commuted in accordance with the price which the District Collector may, after making such local enquiry as he deems fit, fix as the price prevailing on the date on which the land revenue became payable. (3) Every payment of rent made by a ryot to the lessee before the appointed day in respect of the fasli year in which the appointed day falls shall, for the purpose of the first proviso to section 15, be authenticated as here under: -(a) in cases, where the ryot produces a receipt in token of payment of rent to the lessee, such receipt shall have been signed by the lessee or his duly authorised agent on his behalf; (b) in cases, where he does not produce such a receipt, he shall produce a certificate signed by the lessee or his duly authorised agent on his behalf in token of the payment of rent to the lessee.

### **14. Computation of net miscellaneous revenue.**

(1) As soon as may be, after the taking over of a leasehold, the Assistant Settlement Officer shall call upon the lessee to file correct and detailed statements showing the gross and net miscellaneous revenue derived by him from such source for the purpose of section 21 with all the relevant records in support of the statements. (2) The Settlement Officer shall examine the correctness of income statements furnished by the lessee. (3) If the Settlement Officer is satisfied about the reliability and correctness of the income figures furnished by the lessee, he shall take into account the income statements furnished by the lessee for the purpose of determining the net income. (4) If the lessee fails to furnish the statements or if the statements furnished by him are, in the opinion of the Settlement Officer, not reliable, the Settlement Officer shall take steps to arrive at the net income as provided under the proviso to section 21 and embody the reasons for so doing in the decision to be given by him under sub-section (1) of section 24. (5) For the purpose of determining the net miscellaneous revenue referred to in the proviso to section 21, the following deductions shall be made from the gross annual miscellaneous revenue: -(i) In the case of miscellaneous revenue derived from source other than forests, fisheries and ferries, ten per cent, or such miscellaneous revenue. (ii) In the case of miscellaneous revenue derived from forests-(a) When the forests are under the control of the Tahsildar alone and not administered by the Forest Department-(1) Ten per cent of such revenue, if no special staff is employed in connection with the management of the forests; (2) The actual expenditure incurred on account of the special staff, if any, such staff is employed for the management of the forest or fifteen per cent of the revenue derived from the forest, whichever is less; (b) When the forests are administered by the Forest Department, the actual expenditure on the administration and maintenance of the forests plus five per cent of the same as

centage charges towards the cost of supervision of the administration by superior staff or fifteen per cent of the revenue derived from the forest, whichever is less.(iii)In respect of the forests in the leaseholds, which have vested with the Government and transferred to the control of the Forest Department, the Chief Conservator of Forests, [Chennai] [Substituted for the word 'Madras ' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], shall arrange to keep the accounts of income and expenditure in respect of each leasehold separately for such period as is referred to in the proviso to section 21 excepting that in cases where for any part of the relevant fasli, the administration of the forests vested in the Tahsildar, the Conservator of Forests may adopt the accounts maintained by the Tahsildar up to the date of such transfer. If the forest area in any such leasehold is not administrated as a separate unit of the Forest Department, the income and expenditure shall be apportioned as correctly as possible on the basis of the available data. As soon as possible after the close of each year, the Chief Conservator of Forests shall furnish to the Settlement Officer the figures of actual or apportioned gross revenue expenditure, and net income in respect of such leasehold.(iv)The provisions of clauses (ii) and (iii) shall apply mutatis mutandis to miscellaneous revenue derived from fisheries and ferries.Explanation. - For the purpose of this sub-rule, the function of the Chief Conservator of Forests shall be discharged by the Director of Fisheries in respect of fisheries and by the Chief Engineer (Highways) or the executive authority of the Local Body, in ferries, according as the ferry is administered by the Highways Department or by a Local Body.

## **15. Application for a copy of the data when to be made.**

- An application for a copy of the data on the basis of which the Settlement Officer proposes to determine the Basic Annual Sum shall be made by the lessee or other person interested within two months from such date as may be notified by the Settlement Officer in this behalf.

## **15A. [ Manner of payment of compensation. [Inserted by S.R.O. No. A-924 of 1966 dated the 5th September 1966]**

(1)The compensation payable in respect of every lease-hold shall be paid in one lump sum in cash, not later than nine months from the date on which the settlement operations in respect of the lease-hold are completed, or where the date is earlier than the date of expiry of the period of fasli years referred to in section 21 of the Act, not later than nine months from the latter date:Provided that where the amount of the compensation stands altered as a result of any order under section 24 of the Act or otherwise, after the payment referred to has been made, the amount of any deficiency in the payment already made may be paid at any time, and as soon as may be after the said alteration, and the amount of any excess in the payment already made by way of deposit under sub-rule (2) may be withdrawn at any time and as soon as may be after the said alteration.(2)Every payment referred to in sub-rule (1) shall be made byway of deposit in the office of the Tribunal under section 26(1) of the Act.]

## **16. Communication of orders.**

(1)The Settlement Officer shall communicate every order passed under sub-section (1) of section 24 to every lessee concerned and also to every applicant under sub-section (2) of that section, 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 lessee 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.

## **17. Apportionment of compensation and interim payment.**

(1)As soon as may be, after any amount deposited under sections 26 and 31 in the Office of the Tribunal, the Settlement Officer shall publish the fact of such deposit in the [Fort St. George Gazette,] [Now Tamil Nadu Government Gazette.] with particulars of the amount deposited, the date of deposit and the leasehold 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 modification as published in the [Fort St. George Gazette.] [Now Tamil Nadu Government Gazette.](3)The fact of deposit shall also be published on the notice board of the taluk officer of the taluk in which the leasehold is situated and also in the headquarters village of the leasehold 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, where claims to any amount deposited previously in respect of the same leasehold 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 with in the time specified in section 27.(5)The Tribunal shall pass no orders regarding the apportionment of any amount 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 other persons 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 lessee 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 leasehold and the amount to which each of them is entitled; and only the remainder of the aggregate compensations shall be divisible among the lessee and any other persons.(9)For the purpose of securing that the amount of compensation payable to the lessee and any other person is apportioned among them on the equitable basis, the Tribunal shall have all power, wherever necessary, to re-open any arrangement already made, whether by a decree or order of a Court, award or other instruments in writing or contract or family arrangement.(10)The balance of the aggregate compensation shall, subject to the provisions of sub-section (3) of section 29, be divided among the lessees and any other persons interested in proportion to their respective interests in the leasehold, immediately before the appointed day.

## **18. Appeal to the Special Appellate Tribunal.**

(1) Every appeal to the Special Appellate Tribunal shall be in Form No. 10 and shall be signed by the appellant or his advocate and presented by such appellant or his 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 and by as many authenticated copies thereof as there are respondents, together with the prescribed process fee: Provided that in the case of an appeal preferred under sub-rule (4), the process fee shall be paid within three days, after the delay is excused under sub-rule (5). (4) Where an appeal is preferred after the period of limitation prescribed therefor in sub-section (1) of section 32, 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 32. (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 appeals. (8) Unless otherwise ordered by the Judge or the Registrar at the instance of the 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 that effect, pay into the Registrar's office such charges, as may be 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.

## **19. 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 Special Appellate Tribunal in cases where the claim is uncontested or is decreed on a 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 the appellant in proportion to his success against contest and the contesting party, or the respondent shall pay such costs to the claimant or the 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 the 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 45-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 gave its decision, as if it were a decree passed by such Court.



## **20. Procedure to be adopted in the case of proceedings before a Judge of High Court.**

- The provisions of rules 18 and 19 shall apply to the proceedings before a Judge of the High Court hearing a case under sub-section (2) of section 32 as they apply in relation to the proceedings before the Special Appellate Tribunal.

## **21. Mode of entertaining appeal or revision petition, enquires 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 maybe, 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 maybe, 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 orders in appeal or revision shall be communicated to the appellant or revision petitioner, and the respondent or respondents or other persons interested, if any, or the counsel concerned, if any of them is represented by counsel, the Tahsildar and the Assistant Settlement Officer by registered post. Explanation. - For the purposes of this rule, "persons interested" means the lessee and includes any other person claiming an interest in the compensation payable for the leasehold or part thereof.

## **22. Time barred application, appeal or revision petition to be dismissed.**

(1) Subject to the provisions of the Act and these rules, every application made and every appeal and revision petition presented 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. (2) No such application made or appeal and revision petition filed shall be admitted after the period of limitation prescribed therefor in the Act and these rules on the ground that the applicant or appellant or petitioner had sufficient cause for not preferring the application or appeal or petition within such period.

## **23. Deposit in District Court of unclaimed and undisbursed amounts deposited with the Tribunal.**

(1)(a) All amounts deposited in the office of the Tribunal under sub-section (1) of section 26 and sub-sections (4) and (7) of section 31 and remaining unpaid and with reference to which no claim has been made within the time specified in sub-section (1) of section 28 or no application for payment has been made within the time specified in section 35, 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 35 shall be withdrawn by the Tribunal and deposited in the District

Court having jurisdiction over the leasehold.(2)As soon as any amount is withdrawn by the Tribunal from its personal deposit or other account and deposited in the District Court having jurisdiction under sub-section (1) of section 36, the Tribunal shall publish the fact of such deposit in the District Gazette concerned, in Form No. 11. The Tribunal shall also cause a copy of the notification in Form No. 11 to be affixed to the notice board of its office. It shall also send a copy of the notification to the District Judge, the Settlement Officer, the District Collector and the Tahsildar, who shall cause it to be affixed to the notice boards of their respective offices and send a certificate 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 an expenditure in the account of the Tribunal.

## **24. 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. 12.

## **25. Levy of process fee, award of costs, etc.**

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

## **26. 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 of Part I of the Civil Rules of Practice and Circular Orders ; (Volume II).

## **27. Decision of questions regarding forests.**

(1)The Assistant Settlement Officer shall determine questions regarding forests under section 42 either suo motu or on application.(2)Any person requiring a decision under section 42 shall apply to the Assistant Settlement Officer in Form No. 13.(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 a single leasehold.(5)Every such application shall be either 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 shall be filed with the application.(7)On receipt of the application, the Assistant Settlement Officer shall fix a date of hearing and issue notice in Form No. 14 to the parties, the Tahsildar 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 in to 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 the Tahsildar.(10)Every appeal against an order of the Assistant Settlement Officer under section 42 shall be preferred to the Settlement Officer within thirty days from the date of communication of the order.(11)On receipt of the order, the Settlement Officer shall fix a date for hearing and give notice in Form No. 15 to the parties concerned and pass orders after giving them a reasonable opportunity of being heard.

## **28. Procedure for determination of fair rent.**

(1)In determining the fair rent under sub-section (3) of section 19, the Tahsildar may call upon the lessee 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 of rent or lease amount, as the case may be, levied one such 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 lessee to produce his accounts containing the particulars specified in sub-rule (1).(3)In the case of lands referred to in paragraph 1 of the Second Schedule to the Act, the Tahsildar shall, for the purpose of determining the fair rent, ascertain the lease amount on a similar land, similarly situated and possessing similar advantage in the neighbourhood.(4)Subject to the provisions contained in paragraph 2 of the Second 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 will be obtained, if such crop were grown in a year in which the rain fall and the seasons are 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 lessee and other persons, 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 said Schedule to the Act, the Tahsildar shall issue a notice in Form No. 16 to the lessee or other person interested to make representation, if any, which they desire to be considered in fixing the fair rent.(6)After considering the representations and with reference to other materials available before him, the Tahsildar shall determine the fair rent in respect of the land concerned.

## **29. Commutation of fair rent in terms of cash.**

- 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 Tahsildar shall adopt such price in commuting the fair rent in terms of cash.

### **30. Investing in securities money due to a person under disability.**

- In cases where the Tahsildar does not order the payment of compensation or any other money to any person on behalf of another under disability, the Tribunal shall invest the money in any one of the securities specified in the Appendix in Chapter IV of Part II of the Civil Rules of Practice and Circular Orders (Volume 1).

### **31. 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 fair area and map plotting by the survey authorities.

### **32. 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 appeals or revision petitions lie against the decision of such Tribunal, authority or officer, or where there is no such appellate or revisional authority, by the Government.

### **33. Powers to issue summons.**

- Every Assistant Settlement Officer or Settlement Tahsildar and every officer working under the Assistant Settlement Officer and above the rank of Deputy 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 Courts.

### **34. 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 tender in the notice or order to the person concerned or his counsel or authorised agent or some adult member of his family; or(b)by sending the notice or order to the person concerned by registered post; 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 the general information shall, in addition to the special model of publication prescribed in these rules, also be published by affixture in the village chavadi of the

leasehold, and if there is no village chavadi, in any conspicuous public place in the leasehold, and by announcing the fact of such publication by beat of tom-tom in the leasehold. The village officer shall 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.

### 35. Court-fees and process fees payable.

(1) The Court-fee payable in respect of the document specified in column (3) 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 (1)	Description of documents (2)	Court-fee (3) Rs. P.
7(c)	Revision to the Board of Revenue	2.00
9	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
24(6)	[Appeal to the Board of Revenue] [Now Commissioner of Land Administration.]	2.00
32(1)	[Appeal to the Board of Revenue -] [Now Commissioner of Land Administration.]	
	(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
36(3)	Application to the District Court -	
	(a) if the claim does not exceed Rs.100	5.00
	(b) if the claim is Rs. 100	10.00
42	Application 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 appeal filed on behalf of the Government (2) In proceedings before the Tribunal, process fee shall be paid at the rates prescribed for the District Court on processes issued at the instance of parties. In proceedings before the Special Appellate Tribunal, process fee shall be paid in accordance with the process fees 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 fee payable for service of notices and summons on respondents and witnesses and for production of records in

other cases shall be calculated as follows: -Rs. P.

(1) [Substituted by G. O. Ms. No.

1376, Revenue, dated the 23rd March 1973.] For service of notices or summons on a single person 2.25]

(2) For service of notices or summons on every additional person residing in the same village if applied for at the same time. 1.15

### 36. 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 pleader for appearance before the Special Appellate Tribunal. - 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 advocate's fee for taxation in appeals against the orders of the lower Courts, in respect 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) Fee payable to pleaders for appearance before the Tribunal. - (a) The Tribunal shall fix the fee payable to the pleaders for work connected with the following original proceedings 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 29; (ii) Proceedings connected with the apportionment of interim payments under section 31: 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 (4) of section 9. (2) For appearance before the Tribunal for arguments in respect of appeals under sub-section (4) of section 9 - if the time taken 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 (4) of section 9, in which the result is determined by a single case, the Tribunal shall fix only 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 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 3 hours, a fixed fee of Rs. 25 for each case; if the time taken exceeds 3 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 only one regulation fee. (iii) The Special Appellate Tribunal shall fix the fee to the pleaders in each case irrespective of the fact whether it allows costs or not. Appendix Form No. 1 [See rule 4(3) of the Tamil Nadu Leaseholds (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 4(b) of the Tamil Nadu

Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 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) 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 4(g) of the said Act.

## Schedule

District and Taluk	Name of the leasehold	Description of the land		
Survey number and sub-division, number if surveyed or local name, if unsurveyed	Entire extent of the survey number or subdivision	Occupied extent		
(1)	(2)	(3)	(4)	(5)
Boundaries of land occupied: North, South, East and west	Classification	Nature of occupation	Name of the occupant	
(6)	(7)	(8)	(9)	

The date shall be at least seven days after the date of service of the notice. Place:

Date: Tahsildar.

Form No. 2 (See rule 4(4) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965. Proceedings of the Tahsildar of taluk No dated.....Whereas the land specified in the Schedule below has been under the occupation of Sri.....residing at.....And Whereas in pursuance of rule 4(4) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965, I, .....Tahsildar of taluk do hereby consider 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 said occupant Sri will be dispossessed of the land after the lapse of the time limit specified in rule 4(5) of the said rules.

## Schedule 2

District and Taluk	Name of the lease-hold	Description of the land		
Survey number and subdivision number if surveyed or local name, if unsurveyed	Entire extent of the survey number or sub-division	Occupied extent		
(1)	(2)	(3)	(4)	(5)
Boundaries of land occupied: North, South, East and West	Classification	Nature of occupation	Name of the occupant	
(6)	(7)	(8)	(9)	

The date shall be at least seven days after the date of service of the notice. Place:

Date: Tahsildar.

Form No. 3 (See rule 4(6) of the Tamil Nadu Lease-holds (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 at..... And 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 not objectionable, the said occupant will be allowed to be in occupation of the said land, subject to the payment of assessment on the land under section 10 until the ryotwari settlement of the said land is effected under section 14 of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Act, 1963, (Tamil Nadu Act 27 of 1963), 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.

### Schedule 3

District and Taluk	Name of the lease-hold	Description of the land		
Survey number and subdivision number if surveyed or local name, if unsurveyed	Entire extent of the survey number or sub-division	Occupied extent		
(1)	(2)	(3)	(4)	(5)
Boundaries of land occupied: North, South, East and West	Classification	Nature of occupation	Name of the occupant	
(6)	(7)	(8)	(9)	

The date shall be at least seven days after the date of service of the notice. Place:

Date: Tahsildar.

Form No. 4 (See rule 8(1) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965) Form of Application Under Section 9 of the Tamil Nadu Leaseholds (Abolition and Conversion Into Ryotwari) Act, 1963, (Tamil Nadu Act 27 of 1963) 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 lease-hold.**

#### **5. Particulars of the land.**

(a) Survey number and sub-division, if surveyed. (b) Extent. (c) Classification-whether wet or dry: (d) Local name, if any.

#### **6. Survey numbers of the adjacent land -**

North. East. South. West.

#### **7. Provision of law under which the claim is preferred.**

#### **8. Summary of evidence proposed to be adduced.**

#### **9. Remarks.**

Place:

Date: Signature of the applicant

Note. - A separate Form should be used for each lease-hold. Form No. 5 (See rule 8(4) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965) Notice is hereby given to Sri ..... that the Settlement Tahsildar/ Assistant Settlement Officer will hold an enquiry in to 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.

### **Schedule 4**

Name of the district. Name of the taluk. Name of the village.

Name of the lease-hold	Survey No. and sub-division	Wet or dry	Area	Boundaries	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

Place:

Date: Settlement Tahsildar/Assistant

Settlement Officer To Sri.....(name of the party) in duplicate through 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.

Tahsildar

Taluk

The Deputy Tahsildar Sub-Taluk

Form No. 6(See rule 8(5) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965) Notice is hereby given to all those whom it may concern that, in respect of the land mentioned in the Schedule, it is proposed to grant ryotwari patta to the person specified against each land in column (5) of that Schedule. The Assistant Settlement Officer will hold an enquiry into the nature and history of the lands on.....(date) at..... (time) in..... (place) and on subsequent dates at time and place that will be intimated. Any person who has any objection to any of the proposals to grant ryotwari patta may file before the Assistant Settlement Officer, a statement of his objections 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 Assistant Settlement Officer. In the absence of any such objection or representation, the 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. [village headman] [The Now Village Administrative Officer.] and the [karnam] [Now Village Administrative Officer.] will be present at the enquiry.

Place: Assistant Settlement Officer

Date:

## Schedule 5

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

Name of the lease-hold	Survey No. and sub-division	Classification	Extent	Name of the person to whom patta is proposed to be given
(1)	(2)	(3)	(4)	(5)

To

Tahsildar Taluk

The Deputy Tahsildar Sub-Taluk

The Village Officers of ..... (in duplicate) for causing publication by affixture in the village chavadi or in some 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 the signatures of the villagers have been obtained. Place:

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

Signature of the [Karnam.] [Now Village Administrative Officer.] Form No. 7(See rule 8(9) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)(Decision of the Assistant Settlement Officer/Settlement Tahsildar under section 9 of the Tamil Nadu lease-holds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil nadu Act 27 of 1963). It is hereby notified for the information of all concerned that under section 9 of the Tamil Nadu Leaseholds (Abolition

and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963), the Assistant Settlement Officer/Settlement Tahsildar has decided that, in respect of the lands mentioned in the Schedule, the person specified against each land in column (5) of that Schedule is entitled to ryotwari patta and any person aggrieved by this decision may prefer an appeal to the Tribunal within three months from the date of this decision.Place:

Date: Assistant Settlement Officer

Settlement Tahsildar.

## Schedule 6

Name of the DistrictName of the TalukName of the Village

Name of the lease-hold	Survey No. and sub-division	Classification	Extent	Name of the person to whom patta is issued
(1)	(2)	(3)	(4)	(5)

To

Tahsildar

Taluk

The Deputy Tahsildar Sub-Taluk

The village officers of ..... (in duplicate) for causing publication by affixture in the village chavadi or in some 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 Headmen] [Now Village Administrative Officer.]

Signature of the [Kamam.] [Now Village Administrative Officer.]Form No. 8(See rule 9(1) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)Notice is hereby given that an appeal from the decision of the Assistant Settlement Officer under section 9(3) of the Tamil Nadu Leaseholds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963) has been presented by Sri.....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 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.Place:

Date: 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 acknowledgment and returning the original before the date of hearing.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-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 the signatures of the villagers have been obtained.

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

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

Form No. 9(See rule 10 of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)Office of the Tahsildar of .....

talukPlace:.....Date:.....ToSri.....residing at.....village.....taluk.Whereas 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 below, 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 land. Take notice also that the Revenue Inspector.....Firka is authorised to carry out the orders of eviction and to take possession of the land.

## Schedule 7

Description  
of the Land

District and taluk	Name of the leasehold	Survey number and subdivision number, if surveyedor local name, if Unsurveyed	Entire extent of the survey number division	Occupied extent	Boundaries of land occupied; North, south, east and west	Classification	Nature of occupation	Name of the occupant
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Place:

Date: Tehsildar.

Copy to the Revenue Inspector ..... Firka, for carrying out the eviction and report. Form No. 10(See rule 18(1) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)Form of Memorandum of Appeal Under the Tamil Nadu Lease-Holds (Abolition and Conversion Into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963)Before the Special Appellate TribunalAppeal No of 20.....

(A. B) Appellant.

v.

(C. C. etc.) Respondents.

The above named appeals 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. 11(See rule 23(2) of the Tamil Nadu Lease-holds (Abolition and Conversion into

Ryotwari) Rules, 1965)Particulars of Amounts Deposited In the District Court of by the Tribunal Under Section 36(1) of the Tamil Nadu Leaseholds (Abolition and Conversion Into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963).

**1. Name of the leas. - hold and the name of the taluk and the district in which it is situate.**

**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 undisbursed(2)If undisbursed: (1) 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.

Place:

Date: Tribunal

Form No. 12(See rule 24 of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)Form of Application to the District Court Under Section 36(3) of the Tamil Nadu Lease-Holds (Abolition and Conversion Into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963).

**1. Name of the applicant and full address.**

**2. Name of the leasehold to which the claim relates.**

**3. Name of the taluk and the district, in which the leasehold is situated.**

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

**5. (a) Nature of the amount in deposit, whether compensation or interim payment.**

(b)Whether the application is in respect of unclaimed amount or undisbursed amount.

**6. Nature of interest held, i.e., as a lessee or sharer, etc.**

**7. Details 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 by the Tribunal or the Special Appellate Tribunal in respect of which an application for payment under section 35 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 Rs.P.

(iv) Name of the person in whose favour an order or payment was passed. (v) Remarks.

**11. Is the original or a certified copy of the order of the Tribunal or Special Appellate 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. 13 (See rule 27(2) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965) Form of Application to the Assistant Settlement Officer Under Section 42 of the Tamil Nadu Lease-Holds (Abolition and Conversion Into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963)

**1. Name of the applicant and his address.**

**2. Name of the lease-hold 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 the land or forest in dispute.**

**6. Extent.**

**7. Nature of the dispute and relief sought.**

Place:

Date: Signature of applicant.

Form No. 14(See rule 27(7) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)Name of the applicant:Address:Name of the respondent:Address:

Application ..... dated:.....

Take notice that the applicant mentioned above has applied to me for a decision under section 52 of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 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 at the time and place aforesaid, failing which orders will be passed ex parte.Place:

Date: Assistant Settlement Officers

(Seal)Form No. 15(See rule 27(11) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)Name of the appellant:Name of the respondent:Notice is hereby given that an appeal from the decision of the Assistant settlement Officer under section 42 of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963) has been presented by Sri.....and admitted by the Settlement Officer and has been posted for hearing on (date) at (time) at..... (place).All persons who have applied to the Assistant Settlement Officer under section 42 of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 27 of 1963) 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)ToSri.....(Name of applicant) (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 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 the signatures of the villagers have been obtained.

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

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

Form No. 16 (See rule 28(5) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Rules, 1965)

Current No. Office of the Tehsil of .....

Tulak ..... Dated .....

To Sri..... (The lessee or the person interested) 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) at ..... (Place)

**2. You may file before the undersigned on the said date, 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.**

## Schedule 8

Name of the district	Name of the Taluk	Name of the Village	Name of the leasehold	Survey No.	Wet or dry	Extent	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Place:

Date: Tehsildar

Rule Under Tamil Nadu Lease-Holds (Abolition And Conversion Into Ryotwari) Act, 1963 (G. O. Ms. No. 3013, Revenue, dated the 11th October 1966) SRO No. A-1005 of 1966. - In exercise of the powers conferred by section 50 read with section 22(b) of the Tamil Nadu Lease-holds (Abolition and Conversion into Ryotwari) Act 1963 (Tamil Nadu Act XXVII of 1963), the Governor of Tamil Nadu hereby makes the following rule: - For the purpose of section 22(b) of the Act, the proportionate amount, payable for each year, by the lessee to the Government in respect of any additional payment stipulated under the lease shall be the amount arrived at by dividing the additional sum payable by the lessee to the Government by the number of years fixed in the lease deed.