

# Rules Under Tamil Nadu Estates Land (Reduction of Rent) Act, 1947

TAMILNADU

India

## Rules Under Tamil Nadu Estates Land (Reduction of Rent) Act, 1947

### Rule

### RULES-UNDER-TAMIL-NADU-ESTATES-LAND-REDUCTION-OF-RENT- of 1947

- Published on 24 March 1948
- Commenced on 24 March 1948
- [This is the version of this document from 24 March 1948.]
- [Note: The original publication document is not available and this content could not be verified.]

Rules Under Tamil Nadu Estates Land (Reduction of Rent) Act, 1947Published vide Notification No. G. O. Ms. No. 669, Revenue, dated 24th March 1948Powers and Procedure to be Followed by the Special Officer for Rent ReductionIn exercise of the powers conferred by section 7 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947, ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947), His Excellency the Governor of [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] makes the following rules: -

#### 1.

The Special Officer appointed under section 2 (1) of the Act for the purpose of recommending fair and equitable rates of rent for ryoti lands in any estate, or any Assistant to the Special Officer appointed by die Government (hereinafter in these rules referred to as "Assistant", shall have -(i)the same powers as are vested in a Civil Court under the. Code of Civil Procedure, 1908 (Central Act V of 1908), when trying a suit in respect of (a) enforcing the attendance of any person and examining him on oath, (b) compelling the production of documents, and (c) issuing commissions for the examination of witnesses;(ii)power to enter upon any land with his subordinates and inspect, survey, measure and do any other act, which in his opinion may be necessary for carrying out the

provisions of the Act and the Rules made thereunder;(iii)power to cut and thrash the crops on any land and weigh or measure the produce with a view to estimating the capabilities of the soil.

## 2.

(1)The Special Officer or Assistant may call upon the landholder of an estate to furnish the following particulars and such other particulars as he may consider necessary, for determining fair and equitable rates or rent for ryoti lands in the estate: -(a)Extent of ryoti lands of each class such as wet, dry and garden, in each village.(b)Rates of rent levied on each class of land at the commencement of the Act.(c)Particulars of cultivation in the village with details of extent, crop and yield.(2)The Special Officer or Assistant may also call upon the landholder to produce his accounts containing the particulars specified in sub-rule (1).

## 3.

The Special Officer shall cause a notice to be published specifying the date or dates on which he proposes to conduct enquiries, either directly or through an Assistant or an officer authorized by him or the Assistant, for determining fair and equitable rates of rent for ryoti lands in the estate.The notice shall be published in the village chavadi or in any conspicuous place in the village concerned and in the notice board of the Government Taluk Office.

## 4.

(1)After completing the enquiries or after considering the record of the enquiries and taking into consideration all the representations made thereat as the case may be, the Special Officer shall cause a notice to be published in the manner laid down in rule 3, specifying the recommendations proposed to be made by him under section 3(1) of the Act, in regard to the determination of the rates of rent for the village or the group of the villages concerned.The notice shall contain the following among other particulars: -Proposals for reduction of rent in the estate of.....

Village or group of villages	Class of land-dry, wet or garden	Rates of rent prevailing on each class of ryoti land in the village or group of villages	The extent to which the rents for each class of ryoti land in the village or group of villages is proposed to be reduced
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(2)(a)The notice shall also specify a date on or before which objections to the proposals may be submitted to the Special Officer or Assistant or any officer authorized by either of them. Such date shall not be earlier than one week from the date of publication of the notice.(b)[ If the Special Officer or Assistant thinks it necessary to hold an enquiry into the objections received, if any, he may hold the enquiry himself or depute any of his subordinates to hold it.] [Substituted by G. O. Ms. No. 1716, Revenue, dated the 29th June 1949.](3)After considering the record of the enquiry into the objections, if any, and making such further enquiries, as he thinks necessary, the Special Officer shall submit to the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order of

1950.] Government through the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.], his final recommendations, specifying (i) the extent, if any, to which the rents for each class of ryoti land in each village or group of villages in the estate should be reduced; and (ii) the rate of the rent payable for each such class after such reduction.

## 5.

On receipt of the Special Officer's report, the [Board of Revenue] [Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] may call for such further information or direct such further enquiry as it may think necessary and, on receipt thereof, shall submit to the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order of 1950.] Government the Special Officer's report with its recommendations for the reduction of rent.

## 6.

(1) Any officer authorized to hold any enquiry under these rules by the Special Officer, or Assistant shall, for the purpose of the enquiry, have all the powers referred to in rules 1 and 2. (2) The Special Officer or Assistant may also authorize any officer to exercise all or any of the said powers.

## 7.

All enquiries and proceedings under these rules shall be summary. G. O. Ms. No. 1263, Revenue, dated the 26th May 1948. In exercise of the powers conferred by sections 3(4) and 7 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947), His Excellency the Governor of [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] makes the following rules:

**1. Every landholder shall not later than two months from the date of publication of these rules in the [Fort St. George Gazette,] [Now the Tamil Nadu Government Gazette.] submit to the Collector or other authority specified by him a statement furnishing the following particulars in respect of every village in his estate to enable the Collector to determine and collect the rent due to the landholder from the registered holders, of ryoti lands under section 3 (4) of the Act: -**

(1)Name of village.(2)Patta number, name and address of registered holder.(3)If rent is not paid by registered holder but by other persons in actual occupation of the land, the names of such persons and amount of rent paid by each.(4)Survey number or paimash number, extent and classification of land comprised in the holding.(5)Rate of rent and amount of rent due on each land in the holding for fasli 1357.(6)Rent already collected by the landholder for fasli 1357, if any, and the persons from whom collected.(7)Amount of peshkash, quit-rent, cesses and other moneys due from the landholder to the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order of 1950.] Government and constituting a charge on the estate:Provided that if the particulars aforesaid are available in any of the accounts maintained by the landholder, it shall be sufficient compliance with this rule such accounts are submitted to the authority and within the time aforesaid.[Provided further that the District Collector may, in his discretion and on application by any landholder, grant such extension of time as he considers necessary for the submission by such landlord of the particulars aforesaid.] [Added by amendment Notification published in Fort St. George Gazette, dated the 20th November 1948.]

**2. The Collector of the district or any officer subordinate to him and not below the rank of Deputy Tahsildar may, by notice in writing, require the landholder to produce any account maintained by him which the Collector or such officer may consider necessary for the purpose of recovering rents in accordance with section 3(4) of the Act; and the landholder shall be bound to comply with such notice.**

**3. On the publication of the order under section 3(2) of the Act fixing the rates of rent payable, the Collector or other authority referred to in rule 1 shall on the basis of such order, determine the rent payable on each holding.**

**4. Any person aggrieved by an order under rule 3 determining the rent payable on his holding may, except where such order had been passed by the collector of the district, make, within two months from the date of such order, a written application to the authority to whom the authority who passed the order is immediately subordinate for the revision of the order setting out his grounds therefor. The authority to whom the application is made shall hold a summary enquiry and determine the correct amount of rent payable.**

**5. The cost of recovery of rents to be deducted from the amount of rents recovered by the Government under section 3(4) of the Act in the case of an estate or portion of an estate shall be computed at 10 per cent of the gross recovery made under that section in respect of such estate or portion and shall be subject to such detailed instructions as may be issued by the Board**

**of Revenue from time to time.**

**6. In respect of the fasli year 1357 and subsequent fasli years till the estate is taken over by the [State] [Substituted for the word 'Provincial' by the Adaptation of Laws Order of 1950.] Government, the collector shall prepare and submit to the [Board of Revenue] [Now, Commissioner of Land Administration vide G. O. Ms. No. 2675, Revenue, dated the 1st December 1980.] an account showing the following particulars in respect of each estate as soon as possible after the close of the fasli,-**

(a)The total amount of the recovery to be made from the ryots for the fasli under section 3(4).(b)Recovery made out of the amount in item (a).(c)The cost of recovery of rents as determined under rule 5.(d)The amount of peshkash, cesses and other moneys due from the landholder of the estate to the provincial Government and constituting a charge on the estate.(e)The net amount payable to the landholder under section 3(4) of the Act.

**7.**

(1)After scrutinising the account aforesaid, the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] shall determine the amount payable to the landholder under section 3(4) of the Act for each fasli and the collector shall arrange to pay the amount as so determined, less any payments made under sub-rule (2) to the landholder in instalment as may be approved by the Board of Revenue and in accordance with its instructions.(2)Pending determination of the amount payable to the landholder under sub-rule (1), the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] may authorize the payment to the landholder in instalment, of any amount not exceeding the amount which is likely to be payable to him.

**8. The [Board of Revenue] [Added by G. O. No. 2973 Revenue of 22nd November, 1949 and published in Fort St. George Gazette of 6th December, 1949, Rules Supplement to Part I, page 382.] may issue general instructions for the guidance of the subordinate officers in regard to the determination and collection of rents, issue of receipts, forms to be used and other matters.**

**9. [] [Added by G. O. No. 2973 Revenue of 22nd November, 1949 and published in Fort St. George Gazette of 6th December, 1949, Rules Supplement to Part I, page 382.] (1) Where rent is payable to the landholder of an estate in kind and is a share of the produce, the quantity of such rent in respect of the fasli year 1357 or of any subsequent fasli year, until the estate**

**is notified under the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXVI of 1948), shall be determined by the District Collector or any officer authorised by him on local enquires and with reference to village accounts.**

(2)The rent so determined shall be commuted into cash in accordance with the prices notified by the Board of Revenue and prevailing on the date on which the rent became payable. Rules For Application by Trustees, Managers, ETC. of Religious, Educational or Charitable Institutions Rules published with R.D. Notification, dated the 26th May 1948 as amended by [SRO No. A-2138 of 1957 with effect from 7th January 1948.] [Published in the Rules Supplement to Part I, page 215 of the Fort St. George Gazette, dated 10th April 1957.] In exercise of the powers conferred by sections 5(2) and 7 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment), Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment), Order, 1969.] Act XXX of 1947), the Governor of Tamil Nadu hereby makes the following, rules: -(1)The trustee, manager, or other person in charge of every religious, educational or charitable institution, who claims that the net income derived by the institution from any estate or part of an estate belonging to it in the fasli year 1367 or in any subsequent fasli year until the commencement of the fasli year in which the estate may finally be taken over by the State Government, is less than the net income which the institution would have derived in such fasli year, if the rates of rent had not been reduced under the provisions of the Act, may apply to the State Government through the District Collector for making good the difference to the institution at the end of the fasli year in question specifying in the application the following particular -(a)the net income accrued due to the institution from the ryoti lands in the estate or part of the estate in the fasli year;(b)the net income which would have accrued due to the institution from the ryoti lands in the estate or part thereof in the same fasli year, if the rates of rent had not been reduced under the Act with full particulars of the old rates, the reduced rates and the extent of ryoti lands on which the rent accrued due;(c)loss in income from such lands during such fasli year. Explanation. - The net income referred to above shall be the aggregate rent accrued due from the ryoti lands in the estate or part thereof belonging to the institution less 10 per cent, thereon to be deducted for collecting charges.(2)Every application under sub-rule (1) shall be submitted to the District Collector -(a)within three months from the date on which [the Provincial Government] [Now State Government.] publish an order under section 3(2) of the Act in respect of an estate or part of an estate belonging to the institution in case such application is submitted for the first time; and(b)not later than three months from the expiry of the fasli year to which it relates, in other cases.

**2. On receipt of the application referred to in rule 1, the District Collector shall check the figures furnished in the application with reference to the accounts maintained by the institution, and after making, such modifications, if any, in the figures, as on such check may be found necessary, shall submit the application, to the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.], with his report, specifying the amounts under the relevant heads referred to in rule 1, as fixed by him. The [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] shall determine the income derived from such lands in the fasli year in question, the net income which would have accrued due to the institution in the fasli year if the rates of rent had not been fixed under section 3(2) of the Act, and the loss to be made good to the institution in the fasli year and report to the State Government, for sanction under section 5(1) of the Act, the loss to be made good for that fasli year**

**3. Where rent is payable in kind to the institution owning an estate or part thereof and is a share of the produce, the "net income" derived by the institution in each of the fasli years beginning with the fasli year 1357 and the net income which the institution would have derived in such fasli years if the rates of rent had not been reduced under the Act shall, for purpose of section 5(1) of the Act, be determined in the manner and by the authority indicated below: -**

Commutation of grain rent into cash rent. - The grain rent income accrued due to the institution in each of the fasli years beginning with fasli 1357 and the income which would have accrued due during the said period if the rates of rent had not been reduced under the Act shall be commuted into cash in accordance with the prices notified by the Board of Revenue and prevailing on the date on which the rent for each of the said fasli years became payable to the institution by the ryots: Provided that in cases where no such price has been notified, the grain rent shall be commuted into cash rent 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 rent became payable. Net income. - Where the rent payable to the institution owning an estate or part thereof is in kind and is a share of the produce, the net income accrue due to that institution in each of the fasli years beginning with the fasli year 1357 and the net income which would have accrued to the institution during the said period, if the rates of rent had not been reduced under the Act shall be determined by the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] in the manner indicated below: -(i) The net income accrued due to the institution for each of the fasli years

beginning with the fasli year 1357 shall be the aggregate rent accrued due from the ryoti lands belonging to the institution in the estate or part thereof for that year less 10 per cent, to be deducted for collection charges;(ii)the net income for each of the fasli years beginning with the fasli year 1357 which would have accrued due to the institution, shall be aggregate rent that would have accrued due from the ryoti lands belonging to the estate or part thereof for that year, if the rates of rent had not been reduced under the Act, less 10 per cent, to be deducted for collection charges.

**4. If the State Government already sanctioned or paid to any religious, educational or charitable institution any amount under section 5(1) of the Act, before it was amended by the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land Reduction of Rent) (Amendment) Act, 1954 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXVIII of 1954), and the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) (Amendment) Act, 1956 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXIX of 1956) for the fasli year 1357 or any subsequent fasli, it shall be revised by the District Collector with reference to sub-section (1) of section 5 of the Act, as amended by [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXIX of 1956, and the orders of the Government obtained, through the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] for adjustment under section 6 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) (Amendment) Act, 1956 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXIX of 1956) or for making any further payment found due, as the case may be.**



[G. O. No. 2922; Revenue, dated 18th July, 1957.] [Published at pages 482-487 of the Rules Supplement to Part I of the Fort St. George Gazette, dated the 3rd July, 1957.]S.R.O. No. A-4766 of 1957. - In exercise of the powers conferred by section 7 of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947), the Governor of [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] hereby makes the following rules. These rules shall be deemed to have come into force from the 19th December 1956.

**Part I – 1. Every application under sub-section (2)(a) of section 3-A shall be in writing, shall be signed and verified by the applicant and shall be stamped with court-fee stamp of the value of seventy-five paise.**

**2. Every such application shall be restricted to the lands in a single village.**

**3. (i) Where the application is made by any person other than the landholder, the landholder shall be made a respondent to the application.**

(ii) Where any person in occupation of the land or claiming to be in occupation of the land desire to participate in the inquiry, he may be impleaded as a party either as petitioner or as respondent in the application.

**4. Every application shall contain the following particulars, namely: -**

(a) Name of the district. (b) Name of the taluk. (c) (i) Name of the estate and whether it has been notified and taken over under the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXVI of 1948). (ii) Date of publication of the order under section 3(2) of the Act in respect of the village. (d) Name of the village. (e) Particulars about the land covered by the application (local names of the lands, their survey number or paimash numbers and their extents to be given). (f) Name of the applicant. (g) Whether he is the landholder or not. (h) If he is not the landholder, the nature of the interest possessed by him in the lands. (i) Nature of the applicant's case and the nature of the evidence he desires to adduce in support of his contention. (j) If the application is not filed within the time specified in section 3-A(2)(b), the grounds on which condonation of delay is requested.

## 5.

(1)The application shall be filed before the Revenue Divisional Officer within whose jurisdiction the land is situate. Note. - The expression "Revenue Divisional Officer" wherever it occurs in these rules shall include a "Special Deputy Collector" appointed to exercise the powers of a Collector under the Tamil Nadu Estates Land (Reduction of Rent) Act, 1947 (Tamil Nadu Act XXX of 1947). (2)The Revenue Divisional Officer shall exercise all the powers of a Collector under the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947).

## 6.

(1)The notice referred to in sub-section (3) of section 3-A shall specify the date on which and the place at which the Revenue Divisional Officer proposes to hear the parties and shall be published - (i) by affixture in the village chavadi or, if there is no village chavadi, in some conspicuous public place in the village. (ii) by beat of tom-tom in the village, and (iii) by affixture on the notice board of the office of the Collector. (2)A copy of the notice shall also be served on the applicant and on the landholder and, if the applicant is the landholder, also on the persons in occupation of the lands covered by the application. (3)Such service shall be effected by giving or tendering the notice to the person concerned or, if it cannot be so effected, by sending the notice to him by registered post or, by affixture to his last known residence. (4)In the case of lands belonging to a religious institution, a copy of the notice shall also be sent to the Commissioner, Hindu Religious and Charitable Endowments (Administration) Department, [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996)]. (5)The notice shall be in the form given below: - Form of Notice  
Notice to the landholder and all persons claiming an interest in any land specified in the schedule  
Notice is hereby given that an application has been filed before the undersigned under sub-section (2) (a) of section 3-A of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947) by ..... for a decision whether the lands specified in the Schedule are ryoti lands or not. The application has been posted for hearing on the day of.....20 .... at..... (hour) at ..... (place). All persons interested are hereby called upon to file before the undersigned statements bearing on the question, adduce oral or documentary evidence as is necessary and be present at the hearing. If the applicant does not appear at the hearing, the application will be dismissed. If any person interested other than the applicant, does not avail himself of the opportunity given to him for appearing before the undersigned or adducing such evidence as is necessary or producing relevant documents, no further opportunity will be given to him, and the application will be disposed of on the merits, on the material made available to the undersigned. A copy of the application is appended hereto.  
Office: Station: Date: Revenue Divisional Officer.

## Schedule

Name of the district	Name of the taluk	Name of the estate	Name of the village	Particulars of land covered by the application(full details to be given)
(1)	(2)	(3)	(4)	(5)

ToThe applicant in duplicate, through the Tahsildar of...../EstateManager of ..... for causing service, obtaining acknowledgment therefor.....and returning the original before the date of hearing.In duplicate, through the Tahsildar of...../Estate Manager of .....for causing publication in the village of, and for returning the original, with the certificate of publication by beat of tom-tom and by affixture in the village chavadi or, if there is no-village chavadi, in any conspicuous public place in the village.Copy to the Estate Manager of...../Tahsildar of.....

### 6.

-A. - (1) The Revenue Divisional Officer shall dismiss an application for non-appearance of the applicant on the date fixed for the enquiry.(2)Where an application is dismissed for non-appearance, the applicant or any other person interested, may, within thirty days of the date of dismissal, apply to the Revenue Divisional Officer to set aside the order of dismissal. The Revenue Divisional Officer shall, if he is satisfied that summons was not duly served, or that the applicant or any other person interested was prevented by any sufficient cause, from appearing when the application was called on for hearing, make an order setting aside the order of dismissal, and shall appoint a day for proceeding with the application:Provided that no order of dismissal shall be set aside on any such application as aforesaid, unless notice thereof has been duly served on the opposite party.

**7. The Revenue Divisional Officer shall, after his inquiry under section 3-A(3), give his decision in writing.**

**8. Every such decision shall be published in the village, in the form given below and in the manner prescribed in rule 6(1).**

G.O. No. 1762, Revenue, dated the 18th April 1962Form of DecisionIt is hereby notified for the information of all concerned that under sub-section (3) of section 3-A of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment), Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment), Order, 1969.] Act XXX of 1947), the Revenue Divisional Officer.....has decided as specified in the Schedule.

## Schedule 2

Name of the district	Name of the taluk	Name of the estate	Name of the village	Lands which have been held to be ryoti lands(Full particulars about the lands, viz. survey numbers, extent,etc., to be given	Lands which have been held to be not ryotilands
(1)	(2)	(3)	(4)	(5)	(6)

### 9. A copy of the decision in full shall be communicated to -

(1)the applicant;(2)the landholder, if the applicant is not the landholder;(3)the person in occupation of the land, if the applicant is the landholder;(4)the Tahsildar or Estate Manager having jurisdiction over the village;(5)the Collector of the district;(6)the Board of Revenue (Settlement of Estates), [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).], and(7)the Tahsildar of...../Estate Manager of.....for publication by beat of tom-tom and by affixture in the village chavadi or, if there is no village chavadi in any conspicuous public place in the village.

**10. Every appeal to the Tribunal under sub-section (4)(a) of section 3-A shall be stamped with Court-fee stamp of the value of two rupees, and shall be accompanied by the original order appealed against or by an authenticated copy thereof, duly stamped. If the appeal is not filed within the time specified in section 3-A(4)(a), the grounds on which condonation of the delay is requested shall be fully set out in the memorandum of appeal.**

**11. (a) On receipt of an appeal referred to in rule 10, the Tribunal shall cause a notice to be published in the manner prescribed in rule 6 requiring all persons who have applied to the Collector under section 3-A(2)(c) or appeared before him in the course of the inquiry under section 3-A(3) to appear before it either in person or by pleader.**

(b)A copy of the notice shall be served on the appellant and a copy of it sent to the Tahsildar or the Estate Manager having jurisdiction over the village.(c)The notice shall be in the form given below:Form of NoticeNotice is hereby given that an appeal from the decision of the Revenue Divisional Officer under sub-section (3) of section 3-A of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947), has been presented by and admitted by this Tribunal.....and has been posted for

hearing on.....the day of.....20.....at.....(hour) at ..... (place).All persons who applied to the Revenue Divisional Officer under sub-section (2) (a) of section 3-A or appeared before him are hereby called upon to appear before this Tribunal, on the date and at the place, specified above and file their further statements, if any, in the matter.A copy of the appeal petition is appended hereto.Tribunal.ToThe appellant in duplicate through the Tahsildar of /Estate Manager of for causing service, obtaining acknowledgment therefor and returning the original before the date of hearing.In duplicate through the Tahsildar of ...../Estate Manager of .....for causing publication in the village of.....and for returning the original, with the certificate of publication by beat of tom-tom and by affixture in the village chavadi or, if there is no village chavadi, in any conspicuous public place in the village.

**12. A copy of every decision of the Tribunal under sub-section (4)(a) of section 3-A shall be communicated by it to the following persons: -**

(1)the appellant;(2)the landholder, if the appellant is not the landholder;(3)the person in occupation of the land, if the appellant is the landholder;(4)the Tahsildar or the Estate Manager having jurisdiction over the village;(5)the Collector of district;(6)the [Board of Revenue] [The Board of Revenue was abolished. Now, Commissioner of Land Administration vide G.O. Ms. No. 2675, Revenue, dated the 1st December 1980.] (Settlement of Estates), [Chennai] [Substituted for the word 'Madras' by the City of Madras (Alteration of Name) Act, 1996 (Tamil Nadu Act 28 of 1996).].

**13. The publication of notice in the village chavadi or other conspicuous public place, as the case-may be, and by beat of tom-tom in the village, under these rules, shall be duly certified by the Village; Headman or Kamam of the village.**

**Part II – 1. Subject to the provisions of sections 4,12(1) and (2), 17(1) and (2) of the Indian Limitation Act, 1908 [Central Act IX of 1908] [This Act has been repealed and re-enacted as the Limitation Act, 1963.] and the provisions of the [Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Estates Land (Reduction of Rent) Act, 1947 ([Tamil Nadu] [Substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.] Act XXX of 1947) and the rules made thereunder, hereinafter referred to as the said Act**

**and rules, every application made and every appeal presented to the authorities having jurisdiction under the said Act and rules after the period of limitation prescribed therefor in the relevant sections of the said Act and rules, shall be dismissed, although limitation has not been set up as a defence.**

**2. Every Tribunal shall have all the powers exercisable by a civil Court in the trial of suit and in appeals.**

**3. The proceedings of a Tribunal shall be summary and shall be governed as far as practicable, by the provisions of the Code of Civil Procedure, 1908 (Central Act V of 1908), particularly in regard to -**

(a)the issue and service of summons;(b)the examination of parties and witnesses;(c)the production of documents;(d)the amendment of pleadings;(e)the addition of parties;(f)the ordering of dismissal for default of appearance and setting aside such orders for good cause;(g)the reviewing of orders passed on ground of apparent error; and(h)the passing of orders.

**4.**

(1)In any proceedings before a Revenue Divisional Officer or a Tribunal, a party shall be entitle, to be represented by a legal practitioner to act and plead on his behalf.(2)The Revenue Divisional Officer or the Tribunal, as the case may be, may permit any agent duly authorised in writing by a party to act and plead on his behalf, provided that the Revenue Divisional Officer or the Tribunal may, at any stage of the proceedings, cancel such permission:Provided that, in the case of such cancellation, the party concerned shall be informed of such cancellation and he shall be afforded reasonable opportunity for his being thereafter represented, before the Revenue Divisional Officer or the Tribunal, by a legal practitioner or by any agent duly authorised in this behalf.

**5. Proceedings pending before any Revenue Divisional Officer may be transferred to any other Revenue Divisional Officer in the district by the District Collector. Proceedings pending before any Tribunal may be transferred to any other Tribunal by the State Government.**

**6. Any person interested in any inquiry under section 3-A of the Act shall, on satisfying the Officer of the Government having possession or custody of a document, that such document has a bearing on the claim of the person aforesaid, be entitled to examine the document and take a copy of that document and of the other documents which are relied on by the Revenue**

**Divisional Officer in arriving at a decision on the subject-matter of the inquiry shall form part of the records of the inquiry.**

**7. Every interlocutory application to a Tribunal shall bear a Court-fee stamp of the Value of seventy-five paise and the Vakalatnama shall bear a Court-fee stamp of the value of one rupee and fifty paise.**

**8. In proceedings before the Tribunals under the Act, process fees shall be levied at the rate prescribed for District Courts on process issued at the instance of the parties.**

**9. (a) No costs by way of process fee, pleader's fee and witness batta shall be allowed in proceedings before the Tribunals in cases where the claim is uncontested or is decreed on admission or compromise.**

(b)Where an application/appeal is contested before a Revenue Divisional Officer /Tribunal but is allowed in whole or in part, costs shall be allowed to the applicant/appellant, in proportion to the extent of his success against contest and the contesting party/respondent shall pay such costs to the applicant/appellant.(c)In the event of any application/appeal before a Revenue Divisional Officer/Tribunal being dismissed wholly in part, costs shall be allowed to the contesting party/the respondent, in proportion to the extent of his success in such application/appeal.(d)Where costs are awarded by a Revenue Divisional Officer/Tribunal, the order for costs shall be executable by a Civil Court, as if it were a decree passed by such Court.(e)In cases of frivolous or vexatious claims or defences, costs shall be allowed also byway of compensation, as laid down in section 35-A of the Code of Civil Procedure, 1908 (Central Act V of 1908).

**10. The following principles shall be adopted in fixing the fees for pleaders for their work in proceedings under the Act before the Revenue Divisional Officers and the Tribunals: -**

(1)(a)For appearance and the preparation of the case.A fixed amount of Rs. 15 for each case,(b)For attendance, for arguments and recording of evidence.(i)A fixed sum of Rs. 15 for each case, if the time taken does not exceed three hours;(ii)a fixed sum of Rs. 30 for each case, if the time taken exceeds three hours but does not exceed six hours; and(iii)a fixed sum of Rs. 50 for each case, if the time taken exceeds six hours;(2)In respect of a batch of connected cases in which the result is determined by a single case, the Revenue Divisional Officer or the Tribunal, as the case may be, shall fix one regulation fee under item (1)(b) above.(3)The Revenue Divisional Officers and the Tribunals shall fix the fee payable to each of the pleaders who appear before them in respect of each case, irrespective of the fact whether they allow any costs to any of the-con-testing patties or not.

**Part III – The rules in Parts I and II shall apply mutatis mutandis to the disposal of the application and suits under section 3-C.**