

Andhra Pradesh Conferment of Pattadari Rights on Shikmidars Rules, 1964

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-CONFERMENT-OF-PATTADARI-RIGHTS-ON-SHIK of 1964

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Andhra Pradesh Conferment of Pattadari Rights on Shikmidars Rules, 1964Last Updated 7th June, 2019In exercise of the powers conferred by Section 172 read with Section 67 A of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 F. (Act VIII of 1317), and in supersession of the Andhra Pradesh Sales of Lands to Shikmidars Rules, 1959, issued in G.O.Ms.No.1497, Revenue, dated 27th July, 1959 and published at pages 359 362 of the Rules Supplement to Part I of the Andhra Pradesh Gazette, dated the 10th September 1959, the Governor of Andhra Pradesh hereby makes the following rules

1.

These Rules may be called the Andhra Pradesh Conferment of Pattadari Rights on Shikmidars Rules, 1964. (These Rules were issued in G.O.Ms.No.1218, Revenue, dated 1-8-64 and published at page 216 of R.S. to Part I, A.P. Gazette, dated 20-8-64).

2.

(2)Words and expressions used in these rule but not defined herein shall have the same meaning assigned to them in the Act.

3.

A Shikmidar who wishes to be declared as a pattadar in respect of any land under clause (i) of Section 67 A of the Act, shall submit to the Deputy Collector an application in Form I, enclosing therewith the Shikmidari certificate in original granted in respect of that land by a Revenue Officer.

4.

On receipt of the application under Rule 3, the Deputy Collector, after verifying the Shikmidari certificate filed by the Shikmidar, shall declare the Shikmidar as pattadar of the land covered by the Shikmidari certificate and issue a certificate to that effect in Form II and give intimation thereof to the former pattadar of the land.

5.

(1) A shikmidar who wishes to be declared as a pattadar under clause (ii) of Section 67 A of the Act, shall submit an application to the Deputy Collector in Form III. (2) On receipt of the application under sub rule (1), the Deputy Collector shall send a copy of such application to each of the persons against whom the declaration under Section 67 A of the Act is sought and shall call upon every such person to file in writing, on or before a date specified therein or within such further time as may be extended by the Deputy Collector for sufficient reasons to be recorded in writing, a statement showing the grounds, if any, as to why such declaration should not be made.

6.

On receipt of the statement referred to in sub rule (2) of Rule 5, the Deputy Collector shall issue notice in Form IV to all the parties concerned specifying the time, date and place at which he proposes to enquire into the application.

7.

The Deputy Collector, may suo motu take action under clause (ii) of Section 67 A of the Act, for declaring a Shikmidar to whom no Shikmidari certificate was granted as pattadar, and fix the date on which and the time at which, the enquiry will be held and shall issue notice in Form IV to the pattadar and to all other persons who appear to him to be interested in the land, requiring them to put in objections, if any, in writing against such declaration.

8.

On the date fixed for the enquiry under Rules 6 and 7 or on such other date or dates to which the enquiry may be adjourned, the Deputy Collector shall give the parties a reasonable opportunity of being heard, and to adduce such evidence both oral and documentary, if they desired to do so, and shall also examine such other persons and documents, if any, and on being satisfied that the

applicant or the person who is being considered to be declared as pattadar, fulfils the qualifications of a shikmidar as required under Section 67 of the Act he shall declare such Shikmidar as pattadar of the land and issue a certificate to that effect in Form II and give intimation thereof to the former pattadar.

9.

(1)An application for determination of the reasonable price under clause (iii) of Section 67-A of the Act shall be submitted by the former pattadar to the Deputy Collector in Form V.(2)On receipt of the application under sub rule (1) the Deputy Collector shall fix the date, time and place for holding an enquiry and inform parties of the same in Form IV.

10.

(1)The Shikmidar shall pay the reasonable price as determined under sub rule (3) of Rule 9 within a period of 3 years from the date of the order of the Deputy Collector, in such instalments as the Deputy Collector may fix.(2)In case of a dispute or refusal of the land holder to accept the reasonable price or the instalment fixed by the Deputy Collector, the Shikmidar shall deposit the amount in Deputy Collector Office and such deposit shall constitute discharge of the Shikmidar liability for payment of the reasonable price to the land holder.

11.

(2)From the sale proceeds realised under sub rule (1) the Deputy Collector shall pay to the pattadar, the amount of the reasonable price determined under sub rule (3) of Rule 9 or the balance of it still payable by the Shikmidar against the reasonable price. If after paying the pattadar, the reasonable price or the balance of it as the case may be, from the sale proceeds of the Shikmidar properties any amount is left off, that amount shall be paid to the Shikmidar.