

Andhra Pradesh (Telangana Area) Tenancy & Agricultural Lands Rules, 1950

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-TELANGANA-AREA-TENANCY-AGRICULTURAL- of 1950

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Andhra Pradesh (Telangana Area) Tenancy & Agricultural Lands Rules, 1950 Publishrd vide Noitfication Hyderabad Gazette No. 48, Part-I-C, 73, dated 28-8-1950.(Regarding Sections 5, 14(1), (2); 15,17,21(3), 24(2),29(2),32(1),(2), Notification No. 58, (Revenue) dated 1-11-1950)In exercise of the powers conferred by sub-section (1) and Clause (i) of sub-section (2) of Section 97 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950, HEH.' The Nizam is pleased to make the following rules:

1. Short title, extent and commencement:.

- These rules may be called the Ardhra Pradesh (Telangana Area) Tenancy and Agricultural Land Rules, 1950. They extend to the whole of the Andhra Pradesh (Telangana Area) and shall come into force from the date of their publication in the Jarida.

2. Definitions:.

(1)In these rules:(i)'Act' means the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950;(ii)'Form' means the Form appended to these rules;(iii)'Section' means section of the Act;(2)Words and expression used in these rules but not defined herein shall have the meaning assigned to them in the Act and in the Hyderabad Land Revenue Act of 1317 F.

3. Application for declaration:.

- An application by the landholder for a declaration under Section 5 of the Act shall be in Form I and shall bear a court-fee stamp of the value of Re. 1.

4. A copy to be communicated to and a statement to be filed to the other party:.

- On receipt of an application filed under Rule 3 the Tahsildar shall send a copy of such application to each of the persons against whom a declaration under Section 5 is sought and shall call upon every such person to file in writing on or before a date specified by him or within such further time as may be extended by the Tahsildar for sufficient reasons to be recorded in writing a statement showing the grounds, if any, as to why such declaration should not be made.

5. Enquiry:.

- On receipt of the statement under Rule 4, the Tahsildar shall issue notices in Form II to both the parties intimating the time, date and place at which he proposes to enquire into such an application. On the date so appointed or any other date to which the enquiry may be adjourned by him the Tahsildar shall, after hearing the parties and their witnesses, if any present, and examining the documents, if any, filed by either party and after taking such further evidence as he may consider necessary, pass such orders as he deems proper.

6. Application for commutation of rent in terms of service or labour into cash:.

- An application for commutation of rent in terms of service or labour into cash rent under sub-section (1) of Section 14 shall be in Form III and shall bear a court-fee stamp of Re. 1.

7. Any portion of rent payable otherwise than in terms of service or labour shall be deducted from the commuted rent:.

(1) If in any enquiry under sub-section (2) of Section 14, the Tahsildar finds that the rent payable by the tenant includes any payment of money, kind or crop-share besides the rent payable in terms of service or labour, the Tahsildar shall, while commuting the rent payable in terms of service or labour into a cash rent take into account the rent payable in money, kind or crop-share, as the case may be, and determine the cash rent payable by the tenant. (2) Subject to the maximum imposed by Section 11 to the rent so determined shall correspond to the rent payable in respect of similar lands in the neighbourhood of the land the rent of which is commuted.

8. Penalty for recovery of rent from a tenant in contravention of the provisions of Sections 11, 13 or 14:.

- The penalty to which landholder recovering rent from a tenant in contravention of the provisions of Sections 11, 12, 13 or 14 shall be liable under Section 15 of the Act shall not exceed the amount recovered in excess subject to a minimum of Rs. 25.

9. Application for determining reasonable rent:.

- An application to the Tribunal for determination of reasonable rent under Section 17 shall be in Form IV and shall bear a court fee of annas 8 (50 Paise).

10. Other factors to be taken into consideration for determining reasonable rent:.

- Where an application for determination of reasonable rent is filed, the Tribunal shall, for the purposes of determining reasonable rent, take into consideration in addition to the factors mentioned in Clauses (a) to (e) of sub-section (3) of Section 17: (a) such factors, as may be prescribed for the purposes of fixing the maximum rent in Rule 3 of the rules framed under Sections 11 and 13 of the Act; and (b) the value of any service or contribution made by: (i) the landholder towards the cultivation of the lease-hold land held by the tenant, such as protection of the crop, supply of seeds or manure etc.; and (ii) the rent towards the maintenance of or repairs to bunds or boundary marks.

11. Certificate of transfer of house-site and fees therefor:.

(1) A certificate of transfer of house-site granted by a Tribunal to a tenant under sub-section (3) of Section 21 shall be in Form V. (2) Before the certificate of transfer of a house-site under sub-rule (1) is granted by the Tribunal fees calculated on the value of such site at the rates specified in column 2 of the following table shall be paid by the tenant;

(1)	(2)
When the value of the house-site does not exceed Rs. 1,000	2 1/2 percent of the value subject to a minimum of Rs. 2
When the value of the house-site exceeds Rs. 1,000 but does not exceed Rs. 5,000	For the first Rs. 1,000, 2 1/2 percent, For the amount in excess of Rs. 1,000, 1 per cent
When the value of the house-site exceeds Rs. 5,000	For the Rs. 1,000, 2 1/2 percent. For the amount in excess of Rs. 1,000, and up to Rs. 5,000, 1 percent. For the amount in excess of Rs. 5,000, 1/2 percent.

Note: Any fraction of a hundred rupees above Rs. 51/- shall be treated as one hundred rupees and any such fraction below Rs. 51/- shall be ignored for calculating the percentage of the value.

12. Application for adjudication of the right to the produce of trees naturally growing on land or apportionment of such produce:.

- An application under sub-section (2) of Section 24 for adjudication of the right to the produce of trees naturally growing on the land or the apportionment of such produce shall be made in Form VI and shall bear a court-fee stamp of Annas 8 (50 Paise).

13. Receipt for rents:.

- A receipt under sub-section (2) of Section 29 for the amount of rent received in respect of any land shall be in Form VIII. The receipt shall be given in the regional language of the locality and the counterfoil of such receipt shall be signed by the tenant or his authorised agent in acknowledgement of the correctness of the counterfoil and receipt of the copy. When a share of the produce is paid as rent, the kind and quantity of such produce shall be mentioned in the receipts. The quantity shall be expressed: (i) in places in which the Hyderabad Weights and Measures Act of 1356 F. has come into force in measures authorised to be used in such places under that Act; and (ii) elsewhere in measures notified by the Taluqdar of the area in this behalf.

14. Application for possession of land or dwelling house:.

- An application for possession of any land or dwelling house under sub-section (1) or (2) of Section 32 shall be made in Forms VIII or IX, as the case may be, and shall bear court-fee stamps of the value of Annas 8 and Re. 1 respectively.

15. A copy to be communicated to and a statement to be filed by the other party:.

- On receipt of an application filed under Rule 4, the Tahsildar shall send a copy of such application to each of the persons against whom an order 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 Tahsildar for sufficient reasons to be recorded in writing, a statement showing the grounds, if any as to why such an order should not be passed.

16. Enquiry:.

- On receipt of the statement provided under Rule 15, the Tahsildar shall issue notices in Form X to both the parties intimating the time, date and place at which he proposes to enquire into such an application. On the date so appointed or any other date to which the enquiry may be adjourned by him, the Tahsildar shall, after hearing the parties and their witnesses, if any, present and examine the documents, if any, filed by either party and after taking such further evidence as he may consider necessary, pass such orders as he deems proper. Form-1 (See Rule 3) Form of application for declaration under Section 5 of the Act To The Tahsildar, Taluk. Sir, I am the land holder of Survey No. Pote No. Hissa

No.....measuring.....acres.....guntas.....of.....village.....taluk.....district.I apply for a declaration that the person/persons named below is/are not a tenant/tenants of the above land.

Name Father's name Residence

- 1.
- 2.
- 3.

The grounds on which I apply for the declaration are:My witnesses are:

Name Father's name Address

- 1.
- 2.
- 3.

I file the following documents in support of my application:

Items Description

Your's faithfully,SignatureI hereby declare that the facts stated above are true to my knowledge and belief.Date:Signature.Note: Unstamped additional copies of this application for each of the persons against whom the declaration is sought shall be filed.(To Be Filled In By The Tahsildar)Name.....S/o.....is hereby called upon to file on or before.....a statement showing the grounds, if any, as to why the declaration applied for should not be made together with a list of witnesses whom he will produce for examination on his behalf and the documents if any on which he relies.Tahsildar.Form-II(Under Rule 5)NoticeNotice is hereby given that the application under Section 5 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act of 1950 (No. 21 of 1950) filed by....S/o....for a declaration against.....S/o.....hat he is not a tenant, will be taken up for consideration at A.M./P.M. on.....(day of the week).....(date) at.....place.Name.....son of.....is hereby called upon to be present at the hearing and produce all oral and documentary evidence bearing on the dispute. He should take notice that if he fails to appear at the hearing or produce his evidence the matter will be heard and decided Ex-Parte.Dated:TahsildarForm - III(See Rule 6)Form of Application for communication of rent in Terms of Service as Labour into Cash under Section 14 of the ActToThe Tahsildar ofName of the applicant.....Age.....Profession.....Place of residence.....Name of the tenant.....age.....Profession.....Place of residenceSir,I am the land holder and the person(s) named above is/are the tenant(s) of the following lands:

Survey No. Pote Hissa No. Area A.G. Assessment Village Taluq

- | | | | | | |
|-----|-----|-----|-----|-----|-----|
| (1) | (2) | (3) | (4) | (5) | (6) |
|-----|-----|-----|-----|-----|-----|

The rent of the lands now payable is as given below: (Here give details of the rent including the details of the rent received in terms of the service or labour).I apply for communication of the rent received in terms of service or labour into cash and for determination of the cash rent. My witnesses are:

Name Father's name Address

I also enclose the following documents. (Here give a list of the documents).Your's faithfully,Signature of the Landholder.Date:Note: When a Record of Tenancies is prepared an extract relating to the land(s) should be filed with the application.Form - IV(See Rule 9)Form of Application for Determination of Reasonable Rent under Section 17 of the said ActToThe Tribunal

of Sir, I am the landholder/tenant of land measuring acres.....guntas.....of Survey No....Pote hissa No.....of.....taluka.....district Sri.....is the tenant and holder of this land. The present rent of the land is.....This rent is not reasonable for the following reasons:(Here state the reasons)I request you to determine the reasonable rent of the land under Section 17 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950, I enclose the following documents:(Here give a list of documents)My witnesses are:

Name Father's name Address

- 1.
- 2.
- 3.

Date:Yours faithfully,Signature of the Landholder/tenant.Note: The extract of the Record of Tenancies concerning the land should be filed when the Record is ready.Form - V(See Rule 11)Form of Certificate under Section 21(3) of the ActWhereas.....son of.....in occupation of.....the house-site.....specified below belonging to.....son of.....and whereas under the provisions of sub-section (3) of Section 21 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950....was required to deposit and has deposited Rs.....(in words).....for the transfer of the said site to him; it is hereby certified that the said site shall be under the provision of sub-section (3) of Section 21 of the said Act.Description of House-Site

District Taluq Village Number Survey Hissa Number Pote/A.G. Area Boundaries

(1) (2) (3) (4) (5) (6) (7)

Date :(Signature)President, Agricultural Lands TribunalForm - VI(See Rule 12)Application under Section 24 of the Act for an Adjudication of right to the produce of trees naturally growing on the land or Apportionment of such produceTo Tahsildar of....Taluqa...Name of applicant...Age...Profession...Place of Residence....Name of the opposite party....Age....Profession....Place of Residence....Sir,I am the tenant/landholder and the opposite party is the landholder/ tenant of the following land:

Survey No. Pote Hissa No. Area A.G. Assessment Village Taluq

(1) (2) (3) (4) (5) (6)

The following trees have grown naturally on the said land and I am entitled to two-thirds/one third of the total produce thereof under the provisions of sub-section (1) of Section 24 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950.(Here give details of the trees).The landholder objects:.....to my enjoying the two-thirds/one third of I object to the tenant:the total produce of the above trees. I therefore, request that my right to apportionment of the said produce may be determined. I enclosed the following documents:(Here give a list of documents)My witnesses are:

Name Father's name Address

- 1.
- 2.
- 3.

Date :Yours faithfully,Note: When a Record of Tenancies is prepared an extract relating to the land(s) shall be filed with the application.Counterfoil

16th. November, 1950.

Form - VII Of Receipt (See Rule 13)

District	Taluqa	Village	Survey No.	Pote No. or Hissa No.	Area	Name of the field, if any
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Name of tenant	Rent agreed upon (if crop share, rent according to appraisalment) for the year			Rent actually recovered in cash or kind	Total rent in cash or kind recovered during the current year	
(8)	(9)			(10)	(11)	

For the current year arrears Received to-day the rent specified in column 10 from.....Date :Signature or thumb-mark of tenant or his authorised agentSignature of landholder or his authorised agent 16th November, 1950Form - VIII (See Rule 14) Application for taking possession under Section 32(1) of the Act To The Tahsildar,.....Taluq Name of the applicant.....Village to which the application relates.....Father's name.....Place of residence.....Sir; I am a tenant/agricultural labourer/artisan entitled to the possession of the property described below:

Survey No.	Pote Hissa No.	Name of the field	Area	Assessment of Revenue	In the case of a dwelling house the approximate extent and boundaries
(1)	(2)	(3)	(4)	(5)	(6)

I have been tilling the land for.....years or I have been dwelling in the house built at my expense for.....The persons named below seek to oust me or dispute my possession of the said property. Name.....Father's name.....Age.....Profession.....Address.....My witnesses are: Name Father's name Address

- 1.
- 2.
- 3.

I file herewith the following documents on my behalf. I request that an early enquiry may be held and orders passed declaring me in un-disputed possession of the property. Date:Yours faithfully, Note: Unstamped additional copies for each of the persons against whom the application is filed shall be presented. (To be filled in by the Tahsildar) (Name.....is hereby called upon to file on or before.....(date) a statement showing the grounds, if any, as to why an order should not be passed together with a list of witnesses whom he will produce for examination on his behalf and the documents (if any) on which he relies. Date: Tahsildar Court Fee Re. 1 Form-IX (See Rule 14) To The Tahsildar.....Taluq Name of the applicant.....Village to which the application relates Father's name.....Address.....Sir, I am a landlord of the property prescribed below:

Survey No.	Pote-Hissa No.	Name of the field	Area	If the petition relates to a house the approximate extent and boundaries should be given
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I claim possession of the lands/dwelling house from the following persons for the reason given below: Names of persons against whom the application is filed. Father's name.....Residence.....Reasons for the application.....My witnesses are; Name Father's name Address

- 1.
- 2.
- 3.

I file the following documents in support of my application.

Item Description of the Documents

I request that possession of the property described above may be given to me at an early date. Date: _____ Your's faithfully, Note: (1) Where the record of Tenancies is ready an extract shall accompany the application. (2) Unstamped additional copies for each of the persons against whom the application is filed shall be presented. (To be filled in by the Tahsildar). (Name)..... is hereby called upon to file on or before..... (date) a statement showing the grounds, if any, as to why the order as prayed for should not be made together with list of witnesses whom he will produce for examination on his behalf and the documents (if any) on which he relies. Date: _____ Tahsildar. Form - X (See Rule 15) Notice Notice is hereby given that the application under Section 32 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act of 1950 filed by..... son of..... for an order against..... son of..... that he is/is not entitled to the possession of.

Village	Survey	Pote	Name of	Area	Assessment	In the case of a dwelling house the
No.	No.	Hissa No.	the field			approximate extent and boundaries

will taken up for consideration at..... a.m./p.m. on..... (day of the week)..... (date)

at..... place. Name..... is hereby called upon to be present at the hearing and produce all oral and documentary evidence bearing on the dispute. He should take notice that if he fails to appear at the hearing or produce his evidence, the matter will be decided ex-parte. Date: _____ Tahsildar