

Andhra Pradesh (Telangana Area) Tenancy And Agricultural Land Rules, 1951

ANDHRA PRADESH

India

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In exercise of the powers conferred by sub-section (1) and Clause (1) of sub-section (2) of Section 97 of the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 H.E.H. the Nizam is pleased to make the following rules:

1. Short title and commencement.-

(1) These rules may be called the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Land Rules, 1951; (2) They shall come into force from the date of their publication in the Jarida.

2. Definitions.-

In these rules, unless there is anything repugnant in the subject or context. (a) "Act" means the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950. (b) "Form" means a form appended to these rules. (c) "Section" means a section of the Act. (2) Words and expressions used in these rules but not defined therein shall have the meaning assigned to them in the Act.

3. Officers competent to enquire.-

The enquiry provided for in sub-section (1) of Section 51 in respect of the land, which for any consecutive years has remained uncultivated through the default of either the landholder or the tenant or the cultivation of which has seriously suffered for any other cause, shall be held by the Tahsildar within whose jurisdiction it is situate, if the land is below 50 acres in extent, by the Deputy Collector of the area, if it is above 50 and below 100 acres in extent and by the Collector of the district in which the land is situate in all other cases: Provided that for the purpose of these rules, a land which has been used as pasture land (Ramna) Part and including the year 1354 F., shall not be considered as remaining uncultivated or improperly cultivated for the purposes of these rules.

4. Statement of the Landholder to be called for.-

Every enquiry shall be initiated by the Tahsildar, Deputy Collector or the Collector, as the case may be, by calling upon the holder of the land to show cause by filing a statement before a date fixed therein, as to why the said land should not be taken over under management of Government as it has remained uncultivated or cultivation has seriously suffered for any cause for consecutive years.

5. Notice and enquiry.-

(1) On the receipt of the statement under Rule 4, the Tahsildar, Deputy Collector or the Collector, as the case may be, shall if he is not satisfied with the statement filed by the landholder, issue a notice in Form No.(1) to the landholder specifying therein the time, date and place at which he proposes to enquire into the matter. On the date so appointed or any other date to which the enquiry is adjourned by him, the Tahsildar, Deputy Collector or the Collector, as the case may be, shall enquire into the matter.(2) The Tahsildar or the Deputy Collector as the case may be shall associate with the enquiry provided for in sub-rule (1), the Agricultural Assistant of the area and one other person from the village in which the land or a major portion thereof is situate whom he considers to be an experienced farmer; and the Collector shall associate with the enquiry provided for in sub-rule (1) the Assistant Director of Agriculture of the Area and one other person preferably from the village in which the land or a major portion thereof is situate whom he considers to be an experienced farmer.(3) The Tahsildar, Deputy Collector or the Collector as the case may be shall take such evidence as he may consider necessary in the enquiry held by him and shall hear the landholder and his witnesses, if any present, and examine documents, if any, filed before him.(4) If after the enquiry under sub-rule (3) the Tahsildar, Deputy Collector or the Collector, as the case may be, is satisfied that taking over of the land under the management of the Government is not called for or justified, he shall pass orders to that effect and shall drop all proceedings initiated by him, under Rule 4. If, on the other hand, the Tahsildar, Deputy Collector or Collector as the case may be, considers that the land should be taken over under the management of Government, he shall submit a report to the Board of Revenue (through the Collector in the case of the Tahsildars and Deputy Collectors) along with all the records connected with the case: Provided that in every case where the Tahsildar, Deputy Collector, or the Collector, as the case may be considers that the management of the land should be taken over by the Government on the ground that the cultivation of the same by the landholder has seriously suffered for two consecutive years, he shall, if the landholder applies in writing that an opportunity should be given to him before his land is taken over by the Government to make up the deficiencies in cultivation found against him, inform the landholder in writing how and in what respects his previous cultivation was deficient. If the deficiencies pointed out to the land holder are not made good to the satisfaction of Tahsildar, Deputy Collector or the Collector, as the case may be, at the end of the agricultural year immediately following the date on which the deficiencies found in his previous cultivation were intimated to the landholder, the said officer shall submit his report recommending assumption of management to the Board of Revenue as required above.