

**THE MAHE LAND REFORMS (TENANCY) RULES, 1981**

**LA GAZETTE DE L'ETAT DE PONDICHERRY**

**THE GAZETTE OF PONDICHERRY**

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<b>No. 34</b>	<b>Pondicherry</b>	<b>Mercredi</b>	<b>1er</b>	<b>Avril</b>	<b>1981</b>
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		<b>( 11 Chaitra 1903 )</b>			

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**GOVERNMENT OF PONDICHERRY**

**Revenue Department**

No. 4073/80/C.Vol. I.

Pondicherry, the 27th March 1981.

**NOTIFICATION**

G. S. R. No. 4. — In exercise of the powers conferred by section 138 of the Mahe Land Reforms Act, 1968 ( 1 of 1968 ), the Lieutenant-Governor hereby makes the following rules, namely ;

**THE MAHE LAND REFORMS (TENANCY) RULES, 1981**

**CHAPTER I**

**General**

1. **Short title and commencement.**— (1) These rules may be called the Mahe Land Reforms (Tenancy) Rules, 1981.

(2) They shall come into force on the 1st day of April, 1981.

2. **Definitions.**— In these rules, unless the context otherwise requires,—

(a) "Act" means the Mahe Land Reforms Act, 1968 (1 of 1968) ;

(b) "Application" includes an interlocutory application ;

(c) "Form" means a form appended to these rules ;

(d) "legal representative" means a person who, in law, represents the estate of a deceased person ;

(e) "Section" means a section of the Act ;

(f) "Tahsildar" means the Tahsildar holding charge of a taluk and includes a Deputy Tahsildar in charge of a sub-taluk or a Deputy Tahsildar appointed specially for the purpose of these rules ;

(g) "village officer" includes a village Karnam.

3. **Interpretation.**— (1) The General Clauses Act, 1897 (Central Act No. 10 of 1897), shall apply, as far as may be, to the interpretation of these rules, as it applies to the interpretation of an Act.

(2) The forms shall be used with such variations as the circumstances may require.

### **Ascertainment of normal produce**

#### **[ Sections 2 (17) and (36A) ]**

4. **Matters to be taken into account.**— For ascertaining the normal produce in respect of any land, the Land Tribunal may take into consideration—

(a) the normal produce of the class of land to which it belongs ;

(b) the season reports and rainfall accounts ;

(c) the results of crop cutting experiments conducted by the Government ;

(d) the statistics of gross produce published under section 50 ;

(e) the accounts of landlords and cultivating tenants, wherever available, in respect of that land and in respect of similar lands enjoying similar advantages ; and

(f) the oral or documentary evidence adduced by parties and judgments and decrees of civil courts ; if any.

### **Determination of extent of land necessary for the convenient enjoyment of residential building**

#### **[ Section 2 (25) ]**

5. **Locality etc., to be considered.**— (1) The extent of land necessary for the convenient enjoyment of any residential building shall be determined by the Land Tribunal with reference to the locality in which the residential buildings is situate.

(2) In determining the extent under sub-rule (1), the Land Tribunal may take into consideration the habits of the person enjoying the same, his financial circumstances and profession, the use to which the site is ordinarily put and other similar factors.

## **CHAPTER II**

### **Resumption**

#### **(Section 8 and 9 to 15)**

6. **Certificate by Collector.**— An application for the certificate referred to in section 9, shall be disposed of by the Collector as expeditiously as practicable and a copy of his order thereon shall, as soon as it is passed, be furnished to the Land Tribunal, Mahe.

7. **Application for resumption of land.**— An application for resumption of land by a

landlord shall be in Form No. 1 and all persons who have interest in the land to be resumed, including a kudikidappukaran, shall be made parties to it.

**8. Enquiry by Land Tribunal into the application.—** (1) As soon as may be after the receipt of an application referred to in rule 7, the Land Tribunal shall issue notice thereof to the persons interested in the land directing them to appear before it on a specified date for being heard.

(2) Any objections to, or claims as regards, the value of improvements, arrears of rent or any other matter in regard to the land sought to be resumed, shall be adjudicated by the Land Tribunal, and the Land Tribunal shall pass orders settling the rights of each such person and specifying the person entitled to resumption.

**9. Land Tribunal to await order of Collector on application for certificate.—** (1) An application under section 9 for the resumption of land for the purpose of extending a place of public religious worship shall be accompanied by the original or a certified copy of the Collector's certificate.

(2) If the Collector's certificate has been applied for but not received, the fact shall be stated in the application, and the Land Tribunal shall, after satisfying itself that such an application has been made to the Collector in time, await the order of the Collector on such application before disposing of the application for resumption.

**10. Contents of order.—** (1) Besides the particulars mentioned in sub-section (2) of section 15, the order passed by the Land Tribunal shall specify the survey numbers and sub-division numbers, if any (or an adequate description), of the land allowed to be resumed, the extent of land that will be left after resumption, and the value of the improvements belonging to the cultivating tenant and the other persons, if any, interested in the land allowed to be resumed.

(2) The order referred to in sub-rule (1) shall also specify the amounts to be paid by the landlord resuming the land, and the persons to whom the payments are to be made, and shall further direct that the amounts shall be deposited with the Land Tribunal within a period of thirty days from the date of the order and on such deposit being made, the Land Tribunal shall pay the amounts to the parties and obtain receipts therefor.

(3) The order of the appellate authority against the order of the Land Tribunal under sub-section (2) of section 15 shall, so far as may be, specify the particulars mentioned in the said sub-section and also the particulars mentioned in sub-rules (1) and (2).

### **Restoration of land to dispossessed person or tenant from whom resumed.**

**( Sections 8A, 29 and 31 )**

**11. Application for restoration of land.—** An application under sub-section (2) of section 8A or sub-section (1) of section 29 for restoration of possession of land shall be in Form No. 2.

**12. Determination of fair rent and other amounts payable by cultivating tenant in respect of holding to be restored.—** (1) A cultivating tenant applying for restoration may simultaneously file an application for determination of fair rent in respect of the land, if no such fair rent has been already determined and where any such application has been made, the Land Tribunal shall, when allowing restoration, pass an order determining the fair rent payable by the cultivating tenant after the land is restored to him.

(2) Where resumption is ordered under section 29, the order of restoration shall also specify the amounts to be paid by the cultivating tenant under sub-section (2) of section 31.

### **Procedure to put applicant in possession of land**

**[ Sections 8A, 15 (7), 29 (2), 35A (7), 35B (2), 88 (C) (3) ]**

**13. Procedure to be followed by Land Tribunals.—** (1) Where an applicant has complied with an order under sub-section (3) of section 8A or sub-section (2) of section 15 or where an order of restoration has been passed under section 29, the cultivating tenant applies to the Land Tribunal for putting him in possession or where a kudikidappukaran presents within ninety days of the receipt of the certificate of purchase issued under sub-section (2) of section 88C or within such further time as may be allowed by the Land Tribunal for sufficient reason, an application in writing to the effect that he may be put in possession of the land to which the certificate relates, the Land Tribunal shall issue to any of the members of his staff a warrant in Form No. 3 to put the applicant in possession of the land.

(2) The person to whom a warrant is issued under sub-rule (1) shall, after putting the applicant in possession of the land, return that warrant and the Land Tribunal shall, on being satisfied that the warrant has been duly executed countersign the same and keep it as part of the records of the case.

(3) Where the person directed to execute the warrant fails on the date fixed therein to put the applicant in possession, the Land Tribunal may issue another warrant to the same person or any other member of his staff.

(4) The Land Tribunal may at any time recall or cancel any warrant issued under sub-rule (1) or sub-rule (3) and may also order necessary police or other assistance to be rendered for the due execution of any warrant.

(5) If on the date specified on the warrant for putting the applicant in possession of the land, crops not ripe for immediate harvest are found on the property, the execution shall be postponed and a report of such fact shall be made to the Land Tribunal and on receipt of such report the Land Tribunal shall postpone execution till such time as the crops are harvested.

**14. Procedure to be followed by Deputy Collector and Tahsildars.—** where (a) an order under sub-section (4) of section 35A has not been complied with and the applicant has made a request in writing to the Deputy Collector (Revenue) that he may be restored to possession of the land ; or

(b) The Tahsildar decides under sub-section (2) of section 35B that an applicant under sub-section (1) of that section is entitled to cultivate the land to which the applicant relates and such applicant who is entitled to cultivate is not in possession of such land the Deputy Collector (Revenue) or the Tahsildar, as the case may be, shall issue to any of the members of his staff or to the village officer of the village in which the land part thereof is situate a warrant in Form No. 3 and thereupon the provisions of rule 13 shall **mutatis mutandis** be applicable to the execution of such warrant

### **Recovery of arrears of rent**

**( Section 32 and 81 )**

**15. Application for recovery of arrears of rent.—** An application for recovery of arrears of rent shall be in Form No. 4.

**16. Notice of claim to be given to tenant.**— (1) As soon as may be, after the receipt of the application referred to in rule 15, the Land Tribunal shall issue notice thereof to the respondent in Form No. 5 together with a copy of the application.

(2) The date fixed in a notice under sub-rule (1) for appearance of the respondent shall be so fixed by the Land Tribunal as to allow a period of not less than seven days between the date of service of the notice and the date fixed for appearance and if the date of appearance is within a period of seven days from the date of service of the notice, the Land Tribunal shall adjourn the hearing of the application to a day beyond seven days from the date originally fixed for hearing and direct the issue of fresh notice to the respondent.

**17. Enquiry in applications where claim exceeds five hundred rupees.**— The procedure prescribed in the Code of Civil Procedure 1908, in regard to suits shall be followed as far as it can be made applicable to the enquiry in an application referred to in the rule 15 where the claim to such application exceeds five hundred rupees.

**18. Period of limitation for certain interlocutory application.**— The period of limitation specified in Article 121 or Article 122 or Article 123 or Article 124 of the Schedule to the Limitation Act, 1963, shall, as the case may be, apply in the case of an application filed in connection with an application under sub-section (1) of section 32.

**19. Court, Land Tribunal and appellate authority to prepare extracts of certain orders.**— (1) Where under an order of any Court under sub-section (2) or sub-section (4) of section 81 or an order in appeal or revision against such order or under an order of the Land Tribunal under sub-section (2) of section 32 or section 81 or under an order of the appellate authority in appeal against such order, a tenant is bound to pay or deposit any amount towards arrears of rent or interest on such arrears the Court in which or the Land Tribunal before whom, such amount is to be deposited, or the appellate authority, as the case may be, shall prepare an extract of its order in Form No.6 and such extract shall form part of the records of the case.

(2) Where under an order of the High Court in revision the tenant is bound to pay or deposit before the Land Tribunal any amount towards arrears of rent or interest on such arrears, the Land Tribunal shall, as soon as may be after the receipt of the orders of the High Court, prepare an extract of such order in Form No. 6 and file it as part of the records of the case.

**20. Recovery of amounts determined under sub-section (2) of section 32.**— An application under sub-section (3) of section 32 for the recovery of amounts determined under sub-section (2) of that section shall be in Form No. 7.

**21. Manner of recovery.**— (1) On receipt of an application referred to in rule 20, the Land Tribunal shall proceed to execute the order passed by it under sub-section (2) of section 32 as if the Land Tribunal were a civil court and the order of the Tribunal were a decree passed by that civil court, for payment of money.

(2) The provisions of the Code of Civil Procedure 1908, and the rules made thereunder and the Limitation Act, 1963, shall, so far as may be, apply to execution under sub-rule (1) and all matters connected therewith.

(3) The Land Tribunal shall not reject an application referred to in rule 20 presented within the time specified in sub-section (3) of section 32 until —

(a) the claim under the order in execution is satisfied in full ; or

(b) it is satisfied that the amount due is irrecoverable ; or

(c) it is satisfied that the applicant is guilty of gross negligence in complying with the directions of the Land Tribunal.

(4) Where the Land Tribunal rejects an application referred to in rule 20, it shall record its reasons therefor.

**22. Written requisition to District Collector.—** (1) If the tenant does not deposit the amount due from him in the Court or before the Land Tribunal within the time specified in sub-section (7) of section 81, the Court or the Land Tribunal, as the case may be, shall send a written requisition to the District Collector together with a copy of its order, the order in appeal or revision against such order, if any, the extracts of the order prepared in Form No. 6.

(2) Any person entitled to any amount deposited under sub-section (7) of section 81 in any Court or Land Tribunal, may file before such Court or Land Tribunal, as the case may be, a statement in duplicate in writing and signed by him furnishing full particulars of the name and address of the tenant liable to make the deposit and the details of the movable and immovable properties if any, belonging to such tenant, and the Court or the Land Tribunal, as the case may be, shall on receipt of such statement, forward one such statement to the District Collector together with the written requisition referred to in sub-rule (1) or if such statement is filed only after the despatch of such requisition, subsequent to such despatch.

### **Determination of fair rent**

#### **( Section 37 )**

**23. Application for determination of fair rent.—** An application for determination of fair rent shall be in Form No. 8.

**24. Gross annual income in case of nilam where fishing is carried on.—** The gross annual income derived from fishing in the case of a nilam where fishing is carried on for part of the year by a varamdar shall be the average of the annual income derived from fishing from that nilam for the three years immediately preceding the date of the application for determination of the fair rent in respect of that nilam, or, where fishing was not carried on in any year during the three years immediately preceding the date of such application, the annual income derived from fishing for the year in which fishing was carried on in the nilam last immediately preceding the said date.

**25. Government to be made party where landowner of immediately is a religious, charitable or educational institution of a public nature.—** Where the application for determination of fair rent is in respect of a holding, the landowner or intermediary of which is a religious, charitable or educational institution of a public nature, the Government shall also be made a party to the application, and notice shall be issued by the Land Tribunal to the Collector of the District in which the holding is situate on behalf of the Government.

**26. Form of notice under section 37 (2).—** A notice under sub-section (2) of section 37 shall be in Form No. 9.

## Remission of rent

### ( Section 44 )

27. **Application for remission of rent.**— An application by the tenant for remission of rent shall be in Form No. 10.

28. **Time for submission of application for remission of rent.**— (1) For the purpose of remission of rent, the Tahsildar may, if necessary, notify, with reference to the seasons and the conditions prevailing in the region, the date or dates by which applications for remission of rent shall be presented in respect of various crops.

(2) The application shall be made by the tenant to the Tahsildar or any other officer authorised by the Government under sub-section (2) of section 44 sufficiently in time so as to facilitate the inspection of the damage to or the failure of the crops.

(3) The tenant shall also, at the time of making the application, furnish a copy of the same to the landlord to whom he is liable to pay the rent.

29. **Suo motu remission of rent.**— (1) The Tahsildar or the officer authorised by the Government under sub-section (2) of section 44 shall, before initiating proceedings suo motu for remission of rent in respect of a holding, record in writing the reasons which prompted him to initiate such proceedings.

(2) Proceedings for **suo motu** remission of rent shall be initiated sufficiently in time so as to facilitate the inspection of the damage to, or failure of, crops.

30. **Enquiry to determine extent of damage.**— (1) As soon as may be, after the receipt of an application for remission of rent, or soon after the decision to initiate proceedings suo motu, the Tahsildar or the authorised officer, as the case may be, shall cause the affected land to be inspected.

(2) The officer inspecting the land under sub-rule (1) shall, as far as practicable, give previous notice of the inspection to the parties concerned and submit a full and the detailed report to the Tahsildar or the authorised officer, as the case may be, without expressing any opinion on the merits of the case.

(3) On receipt of the report under sub-rule (2), the Tahsildar or the authorised officer, as the case may be, shall issue notice to the parties concerned to appear before him in person or by an authorised agent on a specified date to putforth objections or claims, if any.

(4) The Tahsildar or the authorised officer, as the case may be, shall, after hearing the parties and after considering the objections and claims, if any, pass orders in writing,

(a) determining, where there is damage to, or failure of crops, the extent of such damage or failure, and the quantum of remission ; or

(b) where there is no damage to, or failure of crops, refusing to grant remission.

(5) The enquiry under the foregoing provision of this rule shall be of a summary nature.



## **Abatement or reduction of rent**

### **( Section 45 )**

31. **Form of application.**— An application for abatement or reduction of rent shall be in Form No. 10 with suitable changes

32. **Procedure for disposal of application.**— The procedure specified in rule 30 shall as far as may be followed in the disposal of an application for abatement or reduction of rent.

## **Publication of prices of commodities.**

### **( Section 49 )**

33. **Publication of lists of prices.**— The Collector shall publish, in the months of January, April, July and October every year, in the official gazette, the average market prices prevailing in Mahe region during the three months immediately preceding the date of publication, of all the commodities specified in Sec. 49 and also of any other commodities notified by the Government under that section.

## **Statistics of gross produce**

### **( Section 50 )**

34. **Publication of statistics of gross produce.**— On the first of April, every year, or as soon as may be thereafter, the Bureau of Economics and Statistics shall publish in the official gazette, statistics showing the gross produce per acre of the following crops in respect of Mahe region :

- |               |               |
|---------------|---------------|
| (a) arecanut  | (f) pulses    |
| (b) cashewnut | (g) sugarcane |
| (c) coconut   | (h) groundnut |
| (d) paddy     | (i) cotton    |
| (e) pepper    |               |

## **Tenant's right to obtain receipt for rent**

### **( Section 51 )**

35. **Particulars to be specified in the receipt.**— The receipt granted by the landlord for payment of rent by the tenant shall specify—

(a) the village in which the holding is situate and its survey number and subdivision number, if any, or a description of the holding adequate for its identification ;

(b) the name of the person from whom received and on whose behalf received ;

- (c) the date of payment ;
- (d) the amount paid ; and
- (e) the period to which the amount paid relates.

**Note :—** A reference to the date and registration number of the document under which the holding is held and also the name of the sub-registration district in which the said holding is situate, shall be deemed to be a sufficient description of the holding for the purpose of this rule.

### **Application to Land Tribunal for permission to pay arrears of rent due**

#### **( Section 52 )**

36. **Form of application.**— An application to the Land Tribunal for permission to pay the arrears of rent due shall be in Form No. 11.

### **Apportionment of rent on severance of interest of landlord or tenant**

#### **( Section 54 )**

37. **Form of application .—** An application for apportionment of rent shall be in Form No.12.

38. **Execution of lease deed by Land Tribunal.**— (1) Every application to the Land Tribunal under sub-section (4) of section 54 for execution of lease deed shall be accompanied by a draft of the lease deed drawn up in accordance with the order of appointment.

(2) The Land Tribunal shall thereupon cause the draft to be served on the person who defaulted to execute the lease deed together with a notice in Form No. 13 requiring his objections, if any, to be made within such time as the Land Tribunal fixes in this behalf.

(3) Objections, if any, to the draft lease deed shall be made in writing within the time fixed under sub-rule (2), and the Land Tribunal shall, after the expiry of the time, make such order approving or altering the draft as it thinks fit.

(4) The person in whose favour the deed is to be executed shall deliver to the Land Tribunal a copy of the draft with such alterations, if any, as the Land Tribunal may have directed, upon the proper stamp paper, if a stamp is required by the law for the time being in force, and the Land Tribunal shall execute the lease deed so delivered.

(5) The execution of a lease deed under this rule may be in the following form, namely :—

"C. D. Land Tribunal . . . . . for A. B. in an application by E. F. against A. B." and shall have the same effect as the execution of the lease deed by the party ordered to execute the same.

(6) The Land Tribunal or such officer as it may appoint in this behalf, shall cause the lease deed to be registered if its registration is required by the law for the time being in force and may make such order as it thinks fit as to the payment of expenses of the registration including travelling and other expenses of the officer deputed for getting the lease deed registered.

## **Acquisition of interest in the holding of a tenant**

### **( Section 55 )**

**39. Application of Land Tribunal for apportionment of rent.—** An application for apportionment of rent or arrears of rent under sub-section (3) of section 55 shall be made in Form No. 12 with suitable changes.

**40. Procedure for disposal of application.—** The procedure for the disposal of an application referred to in rule 39 shall, as far as may be, the same as that laid down in sub-section (3) of section 54.

## **Surrender or abandonment of holding by tenant**

### **( Section 57 and 58 )**

**41. Filing of statement before Land Tribunal.—** (1) A tenant intending to surrender his interest in any land held by him shall file a written statement before the Land Tribunal specifying the following particulars, namely :—

- (a) description of the holding—
  - (i) district, region and village in which situate ;
  - (ii) survey number and subdivision number, if any, or a description of the holding adequate for its identification ;
  - (iii) boundaries ;
  - (iv) extent ;
  - (v) class of land (nilam, garden, dry land etc.) ;
- (b) name and address of the landlord to whom rent is payable by the tenant ;
- (c) names of other persons having interest in the land and the nature of their interest ;
- (d) particulars of the document, if any, evidencing the tenancy ;
- (e) the extent in respect of which the surrender is proposed, its description and the nature of the interest to be surrendered ;
- (f) amount of the rent payable in respect of the holding.

(2) The statement referred to in sub-rule (1) shall be signed by the tenant and attested by two respectable witnesses.

**42. Procedure for registration of surrender.—** (1) On receipt of the statement referred to in sub-rule (1) of rule 41, the Land Tribunal shall issue notice to the person who has made the statement and the landlord for appearance before it on the date specified therein.

(2) If the Land Tribunal is satisfied that the person surrendering is the tenant and if the surrender is admitted by the tenant, the surrender shall be forthwith registered in the register in Form No. 14.

(3) True extracts from the register shall be delivered to the tenant and the land lord and shall also be sent to the Tahsildar who shall take action for carrying out changes, if any, in the revenue records.

**43. Procedure to take possession where tenant abandons and ceases to cultivate.—** (1) As soon as may be after the receipt of information that a tenant has abandoned and has ceased to cultivate, his holding, the Tahsildar shall publish a notice in Form No. 15 declaring his intention to take possession of the land.

(2) The notice shall be published by affixture on the land. The notice shall also be published on the notice-boards of the taluk office, the village office of the village in which the land is situate and the office of the local authority having jurisdiction over the area in which the land is situated and be served individually on the tenant and the landlord of such tenant and on such other persons interested in such holding where their addresses are known to the Tahsildar.

(3) The Tahsildar shall, on the day specified in such notice or on any other day to which the enquiry may be adjourned, inquire in a summary manner into the claims and objections, if any, hear such of the persons who appear in pursuance of the notice, make such other enquiries as he deems necessary to ascertain whether there is abandonment and cessation of cultivation, and record his decision with reasons in writing ; and where the Tahsildar decides that there is abandonment and cessation he shall give written intimation of the date on which and the time at which he intends to take possession of the land, to the tenant and to the landlord to whom such tenant is liable to pay rent, if they had appeared before him in pursuance of the notice.

**44. Time to take possession of land surrendered or abandoned.—** Where the Tahsildar receives under rule 42 a true extract of the register of surrender in Form No. 14 from the Land Tribunal, or where the Tahsildar decides under rule 43 that there is abandonment and cessation of cultivation, he shall, as soon as may be after such receipt or decision, take possession of the land, provided that where he has given intimation under sub-rule (3) of rule 43 of the date and time of taking possession, possession shall be taken only at the time so intimated or on any subsequent day.

**45. Letting of lands abandoned or surrendered.—** (1) Where the Tahsildar takes possession of any land under rule 44, he shall take immediate steps to lease out such land and if for any reason such land cannot be so leased out, he shall make arrangements to cultivate or otherwise make use of the land.

(2) The Tahsildar shall invite applications for leasing out the land taken possession of by him under rule 44.

(3) The notice calling for applications shall be in Form No. 16.

(4) The publication of the notice shall be made by beat of drum in the village in which the land is situate and also by affixture on the notice-board of the concerned taluk office, office of the local authority and the village office and at the site of the land to be leased out.

(5) The notice shall also be published in a newspaper having circulation in the area.

(6) Copies of the notice shall be sent to the local authority concerned and to all regional officers.

(7) The Tahsildar shall also ascertain whether the land is required for any public purpose.

(8) The application for lease shall be made to the Tahsildar in Form No. 17.

(9) The Tahsildar may, after conducting such enquiry as may deem necessary, pass orders

on the applications, sanctioning the lease in favour of any applicant, taking into consideration his eligibility therefor.

(10) The lease of land surrendered or abandoned shall, as far as practicable, be made to the categories of persons and the order of preference mentioned below :—

- (a) Government Departments requiring land for any public purpose ;
- (b) Local authorities if they require the land for any public purpose ;
- (c) Kudikidappukars in the land surrendered or abandoned ;
- (d) Landless agricultural labourers belonging to scheduled castes or the scheduled tribes in the village or adjacent villages ;
- (e) Other landless agricultural labourers in the village or adjacent villages ;
- (f) Cultivators whose holdings do not exceed five acres ;
- (g) Other persons whose annual income does not exceed one thousand five hundred rupees ;

Provided that in leasing the lands, preference shall be given to Ex-servicemen belonging to the respective classes over others.

(11) No person shall be eligible for lease of more than five acres in extent and where a person possesses any land, only so much land as will make the total of extent of land in his possession five acres shall be leased to him.

(12) The reasons for sanctioning the lease in favour of any applicant and rejecting the other applications shall be recorded clearly in writing.

(13) The person or the Department or the local authority to whom the land is leased shall execute the necessary lease deed with the Government.

(14) The lessee shall be liable to pay fair rent as determined under the Act to the landlord from the date of his induction into the land, and he shall, immediately on being inducted into the land, get the fair rent of the holding fixed by the Land Tribunal concerned.

(15) The Tahsildar shall maintain a register in Form No. 18 for entering details of land taken possession of and leased out under this rule, separate pages being set apart in such register to note the details of each case.

### **Purchase of landlord's rights by cultivating tenant**

#### **( Section 62 )**

46. **Application for purchase.**— An application for purchase of the landlord's rights by the cultivating tenant shall be in Form No. 19.

### **Procedure before the Land Tribunal regarding application for purchase**

#### **( Section 65 )**

47. **Form of notice.**— The notice referred to in sub-section (1) of section 65 to the landowner, intermediaries and other interested persons, shall be in Form No. 20.

**48. Preparation of preliminary findings and notice of such findings to landowner, intermediaries and holders of encumbrances etc.—** (1) Where the Land Tribunal is of opinion that an application for purchase has to be allowed, it shall, before it passes an order under section 65, prepare preliminary findings on—

- (a) the fair rent in respect of the holding or part thereof to which the purchase relates ;
- (b) the value of sixteen times the fair rent in respect of the holding or part thereof to which the purchase relates ;
- (c) the value of structures, wells and embankments of permanent nature, if any, belonging to the landowner ;
- (d) the value of structures, well and embankments of a permanent nature, if any, belonging to the intermediary or intermediaries ;
- (e) one-half of the value of timber trees, if any, belonging to the land owner ;
- (f) one-half of the value of timber trees, if any, belonging to the intermediaries ;
- (g) the purchase price payable by the cultivating tenant ;
- (h) the amount due to the land owner from out of the purchase price (with name and address of the landowner) ;
- (i) amount due to the intermediary or each of the intermediaries, if any, on apportionment of the purchase price (with name and address of the intermediary or intermediaries) ;
- (j) the amount payable to the holder of encumbrance, if any, with name and address of such holder and whether such amount is charged on the right, title and interest of the land owner or intermediary ;
- (k) the amount payable to the person entitled to maintenance, if any, with the name and address of such person and whether such amount is charged on the right, title and interest of the landowner or intermediary ;
- (l) the amount payable to the person entitled to alimony, if any, with the name and address of such person and whether such amount is charged on the right, title and interest of the landowner or intermediary ;
- (m) the amount payable to the landowner and to the intermediary or each of the intermediaries, if any, after deducting the value of encumbrances or the claims for maintenance or alimony, if any.

(2) The Land Tribunal shall issue a notice of its findings referred to in sub-rule (1) in Form No. 21 to the landowner, every intermediary, every holder of encumbrance and every person entitled to maintenance or alimony, calling upon them to prefer in writing claims for the purchase price or part thereof within a specified date.

(3) Copy of the notice under sub-rule (2) shall also be published on the notice-board of the Office of the Land Tribunal, on the notice-board of the village office of the village in which the land is situate and on the land by affixing the same on a prominent part of it, stating, *inter alia* that any objections or claims that may be preferred in the matter by any interested person will be duly considered by the Land Tribunal.

(4) The Land Tribunal shall, on receipt of the objections or claims, if any, consider the same and decide the claims after giving a reasonable opportunity to the parties to produce such evidence as may be necessary and then proceed to pass the order under section 65.

**49. Orders allowing application for purchase to be accompanied by statement.—**

(1) The order of a Land Tribunal allowing an application for purchase or the order of an appellate authority except where its order is for dismissal of an appeal or rejection of an application for purchase shall be accompanied by a statement in a tabular form specifying—

- (a) the description of the land allowed to be purchased and its extent ;
- (b) the purchase price ;
- (c) the name and address of the landowner ;
- (d) the name and address of the intermediaries, if any ;
- (e) the names and address of other interested persons, if any ;
- (f) value of encumbrances subsisting or claims for maintenance or alimony, if any, charged on the right, title and interest of the landowner ;
- (g) value of encumbrances subsisting or claims for maintenance or alimony, if any, charged on the right, title and interest of the intermediaries ;
- (h) the names and addresses, if any, of the holders of encumbrances and the persons entitled to maintenance or alimony ;
- (i) the amount payable to the landowner from out of the purchase price after deducting the value of encumbrances or the claims for maintenance or alimony, if any, charged in his right, title and interest ;
- (j) the amount payable to each of the intermediaries, if any, after deducting the value of encumbrances or claims for maintenance or alimony, if any, charged on their right, title and interest
- (k) details of the persons, if any, at whose instance the property has been attached by a civil court and the amount payable under the decree or order of the court ;
- (l) the relative priority of the holders of encumbrances or persons entitled to maintenance or alimony, if any,

(2) The Land Tribunal shall, on receipt of an order of the High Court passed in revision, other than an order dismissing a petition of revision or rejecting an application for purchase prepare a statement referred to in sub-rule (1) on the basis of such order and file such statement as part of the records of the case.

**Issue of certificate of purchase**

**[ Section 67 (2) ]**

**50. Form of certificate.—** The certificate of purchase referred to in sub-section (2) of section 67 shall be in Form No. 22 and shall bear the seal of the office of the Land Board.

**51. Copy of certificate to be furnished to Tahsildar.—** A true copy of the certificate of purchase shall be furnished by the Land Board to the Tahsildar who shall take action for carrying out the necessary changes in the revenue records.

## **Deposits of instalments of purchase price**

### **[ Section 67 (4) ]**

**52. Manner of deposit.—** (1) The second or any subsequent instalment of the purchase price shall be deposited on or before the due date in the Government treasury in a chalan in triplicate, countersigned by the Land Tribunal under the appropriate head which will be specified by the Land Board.

(2) One copy of the chalan shall be furnished by the purchaser to the Land Tribunal which shall maintain such accounts as may be directed by the Land Board.

## **Direction regarding deposit of purchase price**

**53. Deposit of purchase price or value of encumbrance due to private trusts, persons suffering from legal disability, etc.—** (1) The purchase price or the value of encumbrance due to a private trust or endowment or a minor or a person suffering from any legal disability, or a limited owner, shall be deposited either in Savings Security Scheme or in the State Bank of India or in any Co-operative Bank as defined in clause (b) (ii) of section 2 of the Reserve Bank of India Act, 1934 and which is entitled to carry on the business of "banking" as defined in clause (b) of section 5 of the Banking Regulation Act, 1949 as applicable to co-operative societies.

(2) In making the deposit, under sub-rule (1), the wishes of the person entitled to the amount or of his legal guardian shall be ascertained and respected as far as possible.

(3) The benefit of the person entitled to the amount shall be the paramount consideration in making the deposit.

(4) Where the amount is due to a minor, the period of the deposit shall, as far as possible, be such as will end on his attaining majority.

(5) Where a limited owner has an interest in the amount to be deposited, the deposit may be for the probable duration of such interest.

## **Procedure for vesting of rights of religious, charitable or educational institutions in Government and determination of annuity.**

### **( Section 74 )**

**54. Form of application for vesting the rights of institutions in Government.—** (1) An application by a religious, charitable or educational institution of a public nature to the Land Board for the vesting of its right, title and interest in the Government shall be in Form No. 23.

(2) On receipt of an application under sub-rule (1) the Land Board, after entering it in a register in Form No.24, shall direct the Land Tribunal along with a copy of the application to conduct enquiry and determine the annuity payable in respect thereof.

**55. Enquiry about public nature of institutions.—** (1) If question arises as to whether an institution is a religious, charitable or educational institution of a public nature, the Land Board shall publish a notice in the official gazette calling upon persons who object to the treating of the institution as an institution of a religious, charitable or educational institution of a public nature to file their objections within one month from the date of publication of the notice.



(2) A copy of the notice shall also be served on the institution and published on the notice-board of —

(a) the village office of the village in which, and of the office of the local authority within whose jurisdiction, the institution is situate ;

(b) the office of the Land Tribunal and the village office of the village in which any such holding is situate.

(3) On the expiry of the time allowed for filing objections, the Land Board shall conduct such enquiries as it deems fit into the objections, if any, and after giving the institution and the persons who have filed objections, a reasonable opportunity of being heard, pass orders.

(4) A copy of the order passed under sub-rule (3) shall be communicated to the institution.

**56. Payment of interim annuity.—** (1) A religious, charitable or educational institution of a public nature which has applied to the Government or the Land Board for the payment of annuity shall, on application made by it in that behalf and subject to the provisions of this rule, be paid by the Government interim annuity for the year 1981 and for every subsequent year until the annuity payable to it under the Act is paid.

(2) The application under sub-rule (1) shall be in Form No.25 and may be sent by registered post, or presented by post, or presented in person, to the Secretary, Revenue Department, Pondicherry.

(3) A separate application shall be made for each year after the commencement of that year.

(4) The interim annuity payable to an institution for an year shall be such amount, not exceeding forty per cent of the money value of the annual contract rent to which such institution is entitled from the holdings in respect of which it has applied for annuity, as may be determined by the Government.

**Explanation :—** For the purpose of this sub-rule, the money value of the annual contract rent to which an institution is entitled shall be deemed to be the value specified as such in the application under sub-rule (1).

(5) On receipt of an application under sub-rule (1) the Government shall, if they are satisfied that there are sufficient grounds to believe that the applicant is a religious, charitable or educational institution of a public nature and that the institution has applied for annuity issue an order in Form No. 26 in favour of the institution.

(6) The interim annuity paid to an institution under this rule shall be adjusted towards the annuity payable to that institution under the Act, in such manner as may be determined by the Government.

(7) Without prejudice to any other mode of recovery, any amount paid under this rule to an institution which is found to be not entitled to annuity under the Act, shall be recoverable from such institution in the same manner as if such amount were an arrear of public revenue due on land.

#### **Rent payable by Government when intermediaries rights vest in rent payable by the Government**

57. (1) Where the right, title and interest of a religious, charitable or educational institution of a public nature having interest as an intermediary in respect of a holding, are vested in the Government and the Government become a tenant holding under the landlord of the intermediary

aforesaid, the Government shall be bound to pay such landlord, the rent to which he would have been entitled, had the right, title and interest of the intermediary not vested in the Government.

(2) The rent shall be payable on the same date on which it would be payable and the arrears of rent shall bear the same rate of interest which the arrears would have carried, had the right, title and interest of the intermediary not vested in the Government.

(3) The Land Board shall issue to every person who is entitled to payment of rent by the Government an order in such form as may be prescribed by the Land Board specifying the amount of rent due to him, the date on which the rent is due the rate of interest the arrears of rent will bear and a clear description of the land in respect of which the rent is payable.

(4) The rent shall be disbursed to the person entitled to it by the Branch Officer, Pay and Accounts Office, Mahe on the presentation of claim in a Contingent Bill duly countersigned by the Tahsildar.

(5) Copy of the order referred to in sub-rule (3) shall be furnished to the Pay and Accounts Officer, Pondicherry and Branch Officer, Pay and Accounts Office, Mahe, for admitting the claim referred to in sub-rule (4).

(6) Before countersigning the claim referred to in sub-rule (4) the Tahsildar shall satisfy himself that the liability of the Government to pay the rent continues.

(7) The Branch Officer, Pay and Accounts Office, Mahe, shall maintain a register of such payments in such form as may be prescribed by the Land Board in consultation with the Pay and Accounts Officer.

(8) The Land Board shall prepare and submit to the Government every year estimates of the rents payable by the Government to the various landlords for inclusion in the Budget under such head and on such date as the Government, in the Finance Department may prescribe.

### **Persons continuing as tenants under Government**

#### **( Section 79 )**

#### **58. Register of persons holding as tenants under Governments—**

(1) The Land Board shall cause—

(a) the preparation of a register of persons continuing as tenants under the Government in a form to be prescribed by the Land Board ; and

(b) the cancellation of the pattas in respect of the lands held by such tenants, and the issue of fresh documents to the tenants specifying—

(i) the land revenue assessment, taxes and cesses, if any, payable in respect of the land and the dates on which they are payable ;

(ii) the rent payable to the Government and the date on which it shall be payable, and the rate of interest on arrears of rent.

(2) The Land Board or any other authority duly authorised in that behalf by the Land Board, may call for from any persons or institution such statement of information necessary for the purposes of this rule and rule 59, and every person or institution required to furnish such statement or information shall be bound to furnish the same.

**59. Rent to whom to be paid.—** (1) The rent due in respect of the land shall be paid to the Village Officer of the village in which the land is situate and every village officer shall maintain a register for the purpose in such form as may be prescribed by the Land Board.

(2) The Land Board shall prepare and submit to the Government every year estimates of receipts by way of rents payable by persons continuing as tenants under the Government, for inclusion in the Budget under such head and on such date as the Government, in the Finance Department, may prescribe.

### **Acquisition of alternative sites for shifting kudikidappukaran**

#### **[Section 83 (3) to 83 (3F) ]**

**60. Form of application for shifting Kudikidappukaran.—** (1) The application to the Government by a holder of land for acquisition of land for shifting a Kudikidappukaran shall be in Form No. 27.

(2) Upon receipts of such an application, the officer authorised by the Government in this behalf shall make such enquiry as he may deem fit after giving the applicant as well as the kudikidappukaran an opportunity of being heard and after giving them copies of documents on which reliance is placed by him and if he is satisfied that the applicant requires the land occupied by kudikidappu for constructing a building for his own residence and that the total extent of land held by him on the 24th day of January 1971 either as owner or as tenant was less than one acre, he shall require the applicant to deposit eighty-seven and a half per cent of the cost of acquisition of the land to be acquired and to execute an agreement undertaking to pay the same percentage of any increase in the compensation for the land acquired.

(3) If the officer is satisfied after the enquiry referred to in sub-rule (2) that the applicant does not require the land occupied by the kudikidappu for constructing a building for his own residence or that the total extent of land held by the applicant on the 24th day of January 1971, either as owner, or as tenant was one acre or more or if the applicant is not prepared to deposit eighty-seven and a half per cent of the cost of acquisition of the land to be acquired or to execute an agreement undertaking to pay the same percentage of any increase in the compensation for the land to be acquired, the officer shall forward a report of his enquiry together with his conclusion thereon to the Government for their orders.

(4) The Government shall, after considering the report and the conclusion of the officer and the after affording an opportunity to the person affected to state his case, pass such order thereon as they think fit.

(5) The order of the Government under sub-rule (4) shall not be called in question in any court solely on the ground that the inquiry by hearing the parties and furnishing relevant records was conducted by the officer and not the Government.

(6) As soon as may be, after the applicant deposits his share of the cost of acquisition, the officer shall take steps to acquire the necessary land, transfer possession of such land to the kudikidappukaran and require him to shift to the said land.

(7) In choosing the necessary land for acquisition, the following order of preference shall, as far as possible, be observed, namely :—

(a) land in the vicinity of the kudikidappu ;

(b) land situate within the jurisdiction of the same local authority within whose jurisdiction the kudikidappu is situate.

(8) The land to be acquired shall be fit for erecting a homestead and shall, as far as possible, be not greater in value than the land on which the kudikidappu is situate.

(9) Where the kudikidappukaran shifts to the land so acquired, the officer shall arrange for the issue of a patta in Form No. 28 to the kudikidappukaran in respect of such land.

**61. Eviction of kudikidappukaran.—** (1) If a kudikidappukaran does not shift the kudikidappu before the date specified in the order of the Land Tribunal under sub-section (2) of section 85 or where the certificate of purchase issued to a kudikidappukaran under section 88C is in respect of another portion of the land and the kudikidappukaran does not vacate the existing kudikidappu within a reasonable time, the person in possession of the land in which the kudikidappu is situate may apply in writing to the Land Tribunal requesting for eviction of the kudikidappukaran from the kudikidappu.

(2) On receipt of an application under sub-rule (1), the Land Tribunal may, after such inquiry as it deems fit, issue a warrant in Form No. 29 to any of the members of his staff or to the Village Officer of the Village in which the kudikidappu is situate, to evict the kudikidappukaran from the kudikidappu.

(3) The person to whom the warrant is issued under sub-rule (2) shall, after evicting the kudikidappukaran from the kudikidappu, return the warrant, and the Land Tribunal shall on being satisfied that the warrant has been duly executed, countersign the same and keep it as part of the records of the case.

(4) Where the person directed to execute the warrant fails on the date fixed therein to evict the kudikidappukaran, the Land Tribunal may issue another warrant to the same person or any other member of his staff.

(5) The Land Tribunal may, at any time, recall or cancel any warrant issued under sub-rule (2) or sub-rule (4) and may also order necessary police or other assistance to be rendered for the due execution of the warrant.

### **Register of kudikidappukars**

#### **( Section 88 )**

**62. Form of register of kudikidappukars.—** (1) The register of kudikidappukars shall be in Form No. 30.

(2) Besides the particulars specified in sub-section (2) of section 88, the register shall contain the following particulars namely :-

(a) whether the kudikidappu consists of homestead or hut ;

(b) name and address of the person to whom the hut belongs ;

(c) plinth area of the homestead or hut ;

(d) whether the homestead or hut has been repaired, improved or reconstructed by the kudikidappukaran on or after the 24th January 1971 by extending the plinth area and if so—

(i) when ; and

(ii) the original plinth area and the extended plinth area.

**63. Procedure for registration and form of application.—** (1) Any kudikidappukaran desirous of having his name registered in the register of kudikidappukars may apply in Form No. 31 to Tahsildar within whose jurisdiction his kudikidappu is situate.

(2) On receipt of the application, the Tahsildar shall arrange to obtain through its staff a report in Form No. 32 of the particulars necessary for the preparation of the register and a sketch of the land in which the kudikidappu is situate, showing the location of the kudikidappu, the part ordinarily used by the occupant of the kudikidappu for ingress to and egress from the kudikidappu and other easements, if any.

(3) On receipt of the report and the sketch, the Tahsildar shall give notice in Form No. 33 together with copies of the application and the report without the sketch to the applicant, the land-owner, the person in possession of the land in which the kudikidappu is situate and the owner of the hut, if any, calling upon them to file objections, if any, and requiring them to enter, appearance at the time and date specified in the notice for enquiry into the application.

(4) The notice under sub-rule (3) shall also be published in the notice-boards of the Office of the Tahsildar, Office of the local authority and of the village office of the village in which the kudikidappu is situate.

(5) On the date specified in the notice or on any other date to which the enquiry may be adjourned, the Tahsildar shall conduct a summary enquiry into the matter, peruse the application, the report, the sketch prepared under sub-rule (2), and the claims or objection filed, if any, hear such of the persons who appear and decide whether registration should be refused or allowed, and if allowed, the local authority shall also settle the particulars to be entered in the register.

(6) Any interested person who has not received the notice referred to in sub-rule (3), may also appear before the Tahsildar and put forth his claims and objections, if any, at the time of enquiry.

(7) The decision about registration shall be by an order in writing, which shall specify the date on which it was pronounced, the exact particulars, if any, to be entered in each column of the register and the reasons for registration or its refusal ; and such order shall be pronounced openly at the close of the enquiry or on any other date to which the pronouncement of the order may be adjourned.

**64. Appeal against registration or refusal.—** (1) Any person aggrieved by the registration of, or refusal to register, a kudikidappukaran may, within ninety days from the date of pronouncement of the order of the Tahsildar under sub-rule (7) of rule 63 present a petition of appeal in writing to the Deputy Collector (Revenue), Mahe setting forth briefly the grounds for such appeal.

(2) Where, for the purpose of appeal, record of the proceeding is called for, the record shall be forwarded by the Tahsildar and where the appeal relates to a case of registration, the Tahsildar shall also forward a true copy of the relevant entries in the register.

(3) Where the Deputy Collector (Revenue), Mahe hearing the appeal, is of the opinion that any entry or entries in register should be modified, or, in a case where the appeal is against refusal of registration, that the appellant is entitled to registration, the Deputy Collector, shall, where he is not remanding the case, specify in his order, the modifications to be made, or, as the case may be, the entries to be made in the register.

(4) The Deputy Collector (Revenue), Mahe, shall communicate a copy of the order passed in the appeal to the Tahsildar concerned.

**65. Maintenance of register, certified copies and inspection.—** (1) The Tahsildar

concerned or an officer nominated by him shall be responsible for the maintenance of the register.

(2) The officer responsible for the maintenance of the register shall as soon as may be after the Tahsildar pronounces order allowing registration or where the Tahsildar receives copy of the order passed in appeal against its order, after receipt of such order, make necessary entries in the register or modify the entries in the register on the basis of the order in appeal and attest the same by initialling it.

(3) The officer responsible for the maintenance of the register shall not have the power to make any corrections to the entry except on the orders of any competent authority.

(4) Any person desiring to obtain a certified copy of the entries in the register may present an application in that regard with a court-fee stamp of twenty-five paise to the Tahsildar and thereupon the Tahsildar shall grant a certified copy of the entries asked for to the applicant.

(5) Every application for a certified copy shall be accompanied by sufficient number of copying sheets necessary for preparing the copy and a fee of one rupee in cash.

(6) All certified copies shall be certified to be true copies by the Tahsildar granting such copies and shall also be sealed with his office seal.

(7) The Tahsildar shall arrange to prepare a village and survey numberwise index for the register of kudikidappukars.

(8) Any person desiring to inspect the register of kudikidappukars shall present an application to the Tahsildar specifying the village, the survey number and the subdivision number of the land in which the kudikidappu is situate.

(9) The fee for such inspection shall be two rupees and the applicant shall pay the fee in cash along with application.

(10) On the receipt of an application under sub-rule (8), the Tahsildar shall arrange for the inspection of the register in his presence during office hours and the applicant shall be entitled to read the entries in the register, but shall not be entitled to take a copy of the entries in the register or part thereof or to take extracts therefrom.

### **Purchase of kudikidappu**

#### **( Section 88A to 88G )**

**66. Lands adjoining kudikidappu and determination of market value.—** (1) The Land Tribunal shall, as far as possible, make available to the kudikidappukaran for his purchase, such portion of the land adjoining the kudikidappu which is necessary or useful for the convenient enjoyment of the kudikidappu :

Provided that the Land Tribunal shall, as far as practicable, make available the portion which when purchased will cause the least inconvenience to the person in possession of the land in which the kudikidappu is situate.

(2) The market value of the land to be purchased by a kudikidappukaran shall be determined in the manner provided in the Land Acquisition Act, 1894 for acquisition of land under that Act.

**67. Time for application to require kudikidappukaran to purchase another portion and procedure thereon.—** (1) The application under sub-section 10 of section 88A by the per-

son in possession of the land in which the kudikidappu is situate shall be made within thirty days from the date fixed for his appearance before the Land Tribunal in the notice duly served on him under sub-rule (2) of rule 68.

(2) The application shall be in writing setting forth all the grounds on which he claims his relief and shall be accompanied by a rough sketch of the land in which the kudikidappu is situate showing the location of —

- (a) the kudikidappu to which the application for purchase relates ;
- (b) other kudikidappus, if any, on the land ;
- (c) buildings, if any, in the land ; and
- (d) other particulars, if any, material to elucidate such grounds.

(3) An additional copy of the application and the rough sketch and other particulars, if any, material to elucidate such grounds shall also be furnished to the Land Tribunal for service on the kudikidappukaran.

(4) The Land Tribunal shall give notice of the application to the kudikidappukaran, specifying the date to which the application is posted for hearing, together with the copy of the application and the rough sketch.

(5) The Land Tribunal shall thereafter conduct such summary enquiry as he deems fit and, after giving the applicant and the kudikidappukaran a reasonable opportunity of being heard, pass such order as it thinks fit.

(6) Where the Land Tribunal requires the kudikidappukaran to purchase another portion, it shall arrange for the option to be exercised by the kudikidappukaran within such time as is allowed by the Land Tribunal and in the presence of a member of its staff deputed for the purpose, and, as far as practicable in the presence of the applicant and two witness.

(7) The member of the staff of the Land Tribunal deputed for the purposes of sub-rule (6) shall, in a sketch to be drawn by him of the land in which the kudikidappu is situate, mark the portion for which option is exercised, obtain the signature of the kudikidappukaran and the witnesses, if any, and also of the applicant in cases where the option is exercised with his consent.

(8) The Land Tribunal shall on perusal of the sketch and the report, if any, of the member of its staff, or where such member reports that the kudikidappukaran failed to exercise option, on perusal of such report, and after giving the applicant and the kudikidappukaran reasonable opportunity of being heard pass such order as it thinks fit.

(9) Where the Land Tribunal holds that the option exercised is in accordance with the provisions of sub-section 10 of section 88A, it shall, in the application for purchase, determine the market value of the portion of the land so opted and proceed to pass orders under sub-section (3) of section 88B.

(10) Where the Land Tribunal holds that the kudikidappukaran has failed to exercise the option or that the option exercised is not in accordance with the provisions of sub-section (10) of section 88A, it shall dismiss his application for purchase under sub-section (3) of section 88B.

**68. Application for purchase of kudikidappu and procedure thereon.—** (1) The application under sub-section (1) of section 88B shall be in Form No. 34.

(2) On receipt of an application referred to in sub-rule (1), the Land Tribunal shall issue notice of such application in Form No. 35 to the person in possession of the land in which the kudikidappu is situate, the landowner and the intermediaries if any, in respect of such land, the holder of encumbrance, if any, charged on the right, title and interest of the landowner or intermediaries or the person in possession of such land, the person, if any, entitled to maintenance or alimony charged on such right, title and interest and other kudikidappukars, if any in such land and, where the hut belongs to any person other than the landowner, intermediary or person in possession of the land, to such person also.

(3) A copy of such notice shall also be published, —

(a) on the notice-board of the Office of the Land Tribunal, the village office of the village in which the kudikidappu to which the application for purchase relates is situate, and the office of the local authority within whose jurisdiction such kudikidappu is situate ;and

(b) by affixture on the land in which such kudikidappu is situate.

**69. Person in possession to disclose certain information.—** (1) The person in possession of the land in which a kudikidappu is situate shall, where he appears before the Land Tribunal in pursuance of a notice under sub-rule (2) of rule 68, or when required by the Land Tribunal, file a written statement of his defence, if any, to the application, accompanied by a statement certified by him to be correct setting forth—

(a) the extent of lands as specified in sub-section 13 of section 88A held by him ;

(b) the taluk and village in which, and the local authority within whose jurisdiction, each item of such lands is situate ;

(c) the survey number and subdivision number, or a sufficient description of each item of such lands ;

(d) the extent of each item of such lands ;

(e) whether there are kudikidappukars in any item of such lands ;

(f) the number of kudikidappukars, if any, each item of land with the names and addresses of such kudikidappukars ;

(g) whether to his knowledge any application for purchase of kudikidappu and lands adjoining thereto in respect of any land held by him has been filed by any person and if so the details of such application :

Provided that where the extent of lands as specified in sub-section 13 of section 88A held by a person is five acres or more, it shall not be necessary for him to furnish the particulars referred to in clauses (b) to (g) of this sub-rule.

(2) The Land Tribunal may, where it thinks it necessary so to do, summon and examine on oath the person in possession of the land in which the kudikidappu is situate to ascertain any particulars necessary for the disposal of the application for the purchase of that kudikidappu.

(3) Where any person fails to file a statement under sub-rule (1) or to appear when summoned under sub-rule (2) or fails to disclose particulars when examined under that sub-rule, he shall be liable, without prejudice to any other penalties to which he may be liable, to have his defence, if any, struck out and to be placed in the same position as if he had not defended the application .



**70. Status of applicant to be decided as a preliminary issue.—** Where there is dispute as to whether the applicant is or is not a kudikidappukaran, the Land Tribunal shall decide such dispute as a preliminary issue and record a finding on such issue ; and where such finding is that he is not a kudikidappukaran, the Land Tribunal shall forthwith dismiss his application.

**71. Local enquiry where person admits possession of five acres or more of land.—**  
(1) Where, in an application for purchase, the person in possession of the land in which the kudikidappu is situate admits that the extent of lands held by him is five acres or more, the Land Tribunal shall,—

(a) where an application by such person to require the kudikidappukaran to opt for any other portion is rejected after such rejection, or

(b) where there is a dispute as to whether the applicant is a kudikidppukaran or not, after the decision on such dispute ; or

(c) where there is no such application or such dispute after the period referred to in sub-rule (1) of rule 67 is over, cause a local enquiry to be made through a member of the staff of the Land Tribunal—

(i) to ascertain as to whether there are any other kudikidappukars or other persons claiming to be kudikidappukars in the land in which the kudikidappu is situate ;

(ii) to find out whether such kudikidappukars or other persons have applied for purchase of their kudikidappus and if applied the details of such applications ; and

(iii) to collect such other information as is considered necessary by the Land Tribunal for the disposal of the application :

Provided that no such enquiry need be made in a case where an enquiry under this rule has been made on another application for purchase of a kudikidappu in the same land.

(2) The Land Tribunal shall also direct the officer making such enquiry to serve on the kudikidappukars and other persons claiming to be kudikidappukars in the land who have not by then applied for purchase of their kudikidappus a written requisition requesting them to apply for purchase on or before a date to be specified by the Land Tribunal.

(3) Where the report of the local enquiry discloses that there are no other kudikidappukars or other persons claiming to be kudikidappukars, on the land, the Land Tribunal shall proceed to dispose of the application for purchase.

(4) Where such report discloses that there are other kudikidappukars or other persons claiming to be kudikidappukars or both on the land and that all of them have filed applications for purchase, the Land Tribunal shall proceed to have a joint consideration of all the applications for purchase of kudikidappus in respect of that land.

(5) Where such report discloses that there are other kudikidappukars or other persons claiming to be kudikidappukars in the land, the Land Tribunal shall wait till the time specified under sub-rule (2) is over and then verify from the records in its office as to whether any other application for purchase has been received till then and,—

(a) if no such application has been received proceed to dispose of the application for purchase already received ;

(b) if other applications have been received proceed to have a joint consideration of all applications for purchase relating to that land received till then.

**72. Local enquiry in cases not falling under rule 71.—** (1) In application for purchase of kudikidappu not falling under rule 71, the Land Tribunal shall cause a local enquiry to be made in respect of all the lands held by the person in possession of the land in which the kudikidappu is situate and the provisions of sub-rules (1) and (2) of rule 71 shall, so far as may be, apply to such enquiry.

(2) Where the report of the local enquiry discloses that there are no other kudikidappukars or other persons claiming to be kudikidappukars in such lands, the Land Tribunal shall proceed to dispose of the application for purchase.

(3) Where such report discloses that there are other kudikidappukars or other persons claiming to be kudikidappukars or both and that such kudikidappukars or other persons are land situate within its jurisdiction and that all of them have filed applications for purchase, the Land Tribunal shall proceed to have a joint consideration of all the applications for purchase in respect of such lands.

(4) Where all or some of the kudikidappukars or other persons referred to in sub-rule (4) have not applied for purchase, the Land Tribunal shall wait till the time allowed for presenting applications for purchase is over and then verify from the records in its office as to whether any other application for purchase has been received till then and,—

(a) if no such application has been received, proceed to dispose of the application for purchase already received ;

(b) if there are other applications, proceed to have a joint consideration of all applications for purchase relating to such lands received till then.

**73. Land Tribunal to determine number of kudikidappus.—** Before the extent of land that a kudikidappukaran is entitled to purchase is determined, the Land Tribunal shall, after such enquiry as it thinks fit, decide the number of kudikidappus (including the kudikidappus for which applications for purchase have not been filed) situate—

(a) in the land in which the kudikidappus are situate, in case where the person in possession of such land held five acres or more of land on the 24th January 1971, and

(b) in all the lands held by the persons in possession of the land in which the kudikidappus are situate, in other cases.

**74. Contents of order on application for purchase of kudikidappu.—** An order on an application for purchase of kudikidappu, where the purchase allowed is of another portion of the land in which the kudikidappu is situate, shall, besides the particulars mentioned in sub-section (4) of section 88B, specify the price of the homestead, if any, the cost of shifting the kudikidappu payable to the kudikidappukaran and the purchase price payable, if any, after set off of such amounts.

**75. Statement to be appended to certain orders.—** (1) The order of Land Tribunal allowing an application for purchase or the order of an appellate authority (except where the order is for dismissal of an appeal or remand of the case or rejection of an application for purchase) shall be accompanied by a statement in a tabular form specifying—

(a) the name and address of the kudikidappukaran who has been allowed to purchase ;

(b) the extent of land which the kudikidappukaran is entitled to purchase ;

(c) whether the purchase relates to kudikidappu and lands adjoining thereto or another

portion of the land in which the kudikidappu is situate ;

(d) the amount of the purchase price and the amount due from the kudikidappukaran ;

(e) the name and address of the landowner ;

(f) the name and address of the person in possession of the land in which the kudikidappu is situate ;

(g) the name and address of the intermediary or each of the intermediaries, if any ;

(h) the purchase price due on apportionment to—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession ;

(i) the name and address of the holders of encumbrances if any, and persons, if any, entitled to maintenance or alimony, and the amount due to each of them and charged on the right, title and interest of.—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession of the land ;

(j) the purchase price due to—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession of the land in which the kudikidappu is situate; after deduction of the value of encumbrances and claims for maintenance or alimony ;

(k) the order of priority for payment of encumbrances and claims for maintenance or alimony ;

(l) where the order relates to another portion of the land,—

(i) the price of the homestead ;

(ii) the cost of shifting the kudikidappu ;

(iii) the name of the person liable to pay the same to the kudikidappukaran ;

(iv) the purchase price after set off of the amounts due to the kudikidappukaran ;

(v) the amounts payable on apportionment of such purchase price to—

(i) the landowner ;

(ii) the intermediary or each of the intermediaries, if any ; and

(iii) the person in possession of the land

(2) The Land Tribunal shall, on receipt of an order of the High Court passed in revision (other than an order dismissing a petition of revision or rejecting an application for purchase) prepare the statement referred to in sub-rule (1) on the basis of such order and file such statement as part of the records of the case.

**76. Certificate of purchase.**— The certificate of purchase of kudikidappu and the lands of adjoining thereto, or any other portion of the land in which the kudikidappu is situate, shall be in Form No. 36.

**77. Plan of kudikidappu and lands adjoining thereto be appended to certificate of purchase.**— (1) Where a Land Tribunal allows an application for purchase the land allowed to be purchased, inclusive of the land on which the kudikidappu is erected or constructed, shall be plotted in a sketch of the land in which such kudikidappu is situate ; and such sketch shall form part of the records of the case.

(2) Where an appellate authority makes any modification to the extent or location or both of the land allowed to be purchased by the Land Tribunal, it shall indicate in the sketch referred to in sub-rule (1) the extent or location or both as modified by such authority and certify in that sketch in its own hand the fact of such modification.

(3) Where the High Court in revision makes any modification to the extent or location or both the land allowed to be purchased by the Land Tribunal or the appellate authority, the Land Tribunal shall arrange to prepare a revised sketch in accordance with the modifications so ordered.

(4) A copy of the final sketch prepared or modified under this rule shall be appended to the certificate of purchase.

**78. Copy of certificate of purchase and final sketch to be furnished to the Tahsildar and the Director of Survey and Land Records.**— A true copy of the certificate of purchase referred to in rule 76 together with a true copy of the final sketch referred to in sub-rule (4) of rule 77 shall be furnished by the Land Tribunal—

(i) to the Tahsildar and thereupon the Tahsildar shall take action for carrying out the necessary changes in the revenue records ;

(ii) to the Director of Survey and Land Records thereupon the Director shall take action to note the change of ownership in the resurvey records.

**79. Manner of deposit of purchase price and authority or bank in which purchase price due to private trust, endowment, etc., is to be deposited.**— The provisions of rules 52 and 53 shall, so far as may be, apply to the deposit of the second and subsequent instalments of the purchase price payable by the kudikidappukars and to the payment of purchase price by the Government and the kudikidappukars to the persons mentioned in sub-section (7) of section 88E.

### CHAPTER III

#### Land Board, Appellate Authority and Land Tribunal

**80. Headquarters of Land Tribunal, appellate authority and Land Board.**— (1) The headquarters of the Land Board shall be the headquarters of the Government or such other place as may be fixed by the Government.

(2) The headquarters of the Land Tribunal or the appellate authority shall be at such place as may be fixed by the Government, but it may hold camp sittings at any other place within or outside its area of jurisdiction under the general or special orders of the Land Board.

**81. Power to call for particulars.—** The Land Board and the Land Tribunal shall be competent to call for any particulars from any party for the purpose of implementing the provisions of the Act, and the party, when so called upon, shall be bound to furnish the same.

**82. Powers of the Land Board to implead parties.—** The Land Board shall have the power to implead as parties in any proceeding pending before it the assignees or parties or the legal representatives of deceased parties ; and the provisions of section 146 of the Code of Civil Procedure, 1908 and order XXII of the First Schedule to the said Code shall, as far as may be apply to the proceedings for impleading the assignees or the legal representatives.

**83. Powers of Land Tribunal.—** (1) For the purpose of implementing the provisions of the Act and these rules the Land Tribunal shall have power to issue commissions, grant injunctions, appoint receivers and make during the pendency of the proceedings such other interlocutory orders as may appear to the Tribunal to be just and necessary to meet the ends of justice.

(2) The Land Tribunal shall have power to allow amendments of petitions or applications made before it, or send to it for disposal, in accordance with the procedure laid down therefor in the Code of Civil Procedure, 1908.

(3) The Land Tribunal shall also have to the power to add as parties the legal representatives of a deceased party in any proceedings pending before it ; and the provisions of Order XXII of the First Schedule to the Code of Civil Procedure, 1908, shall, as far as may be, apply to the proceedings for impleading the legal representatives.

(4) The period of limitation for applications for impleading legal representatives shall be ninety days from the date of death of the party.

**84. Appearance through recognised agent.—** A recognised agent may examine and cross-examine witnesses, argue and do such other acts as are necessary for the proper conduct of the case on behalf of the party appointing him.

## **Appeals and revision**

### **( Sections 112 and 113 )**

**85. Time for appeal.—** (1) Any appeal from the orders of the Land Tribunal shall be filed within sixty days from the date of the order appealed against.

(2) Any petition to the High Court against any final order passed in an appeal against the orders of the Land Tribunal or any final order passed by the Land Board shall be preferred within forty-five days of the date of the order against which the petition is to be preferred :

Provided that the time within which such a petition may be preferred by the Government shall be one year from the date of the order against which the petition is to be preferred.

(3) In computing the time prescribed under sub-rule (1) or sub-rule (2), the time requisite for obtaining an attested copy of the order shall be excluded.

**86. Government to be made party in certain revision petitions before High Court.—** In every petition before the High Court against any final order passed by the Land Board under the Act, other than an order passed under clause (d) of sub-section (2) of section 111, the Government shall also be made a party.

**87. Staff of Land Board, appellate authority and Land Tribunal.—** (1) The Land Board shall have a Secretary not lower in rank than that of a Revenue Officer and such other staff as the Government may sanction from time to time.

(2) Every Land Tribunal, appellate authority shall have such staff as may be sanctioned by the Government.

(3) Members of the staff of the Land Board, the appellate authority and the Land Tribunal shall be regular Government servants, and may be appointed from the Revenue or Judicial or other departments of the Government as may be determined by the Government, and persons so appointed shall be treated as temporary additions to the respective cadres.

(4) A member of the Land Board's staff so appointed by the Land Board shall function as the Head Ministerial Officer of the Board, and a member of the staff of the appellate authority or of the Land Tribunal so appointed by the appellate authority or the Land Tribunal, as the case may be, shall function as its Head Ministerial Officer.

**88. Working days and office hours.—** The working days and office hours of the Land Board, the appellate authorities and the Land Tribunal shall be the same as those of the offices of the Government:

Provided that the Land Board or appellate authority or Land Tribunal may, for reasons to be recorded in writing, hold sitting outside office hours or on any day other than a working day.

**89. Sitting to be open.—** The sitting of the Land Board and of every appellate authority and the Land Tribunal shall be held openly.

**90. Posting book.—** (1) There shall be a posting book in Form No. 37 in the Land Board and in every appellate authority and Land Tribunal.

(2) The entries in the posting book shall be made by the bench clerk on each day immediately after the sitting for the day is over.

(3) The details of postings of all the cases which had come up before the Land Board, the appellate authority or the Land Tribunal, as the case may be, on the day shall be entered in the posting book.

**91. Roll call of cases.—** The bench clerk shall make the posting book available to the Land Board, the appellate authority or the Land Tribunal, as the case may be, and the case posted for each day shall be called out as soon as the sitting commences.

**92. Diary register.—** (1) A diary register shall be maintained in Form No. 38 by the Land Board, the appellate authorities and the Land Tribunals, and separate pages must be allotted in the register for each case.

(2) The diary register shall contain concise but faithful entries relating to every proceeding and state in the application or appeal, as the case may be beginning with its institution and ending with its final disposal.

(3) The gist of the application or appeal, as the case may be, and the orders thereon shall be entered in the register.

(4) The gist shall be written up by the bench clerk promptly and systemically in blue black ink and shall be initialled on the dates of posting by the Land Board or by the appellate authority or by the Land Tribunal, as the case may be.

**93. Extract from diary register to be furnished to appellate or revising authority along with records of case.—** Whenever the records of the Land Tribunal or the appellate authority or the Land Board in a case are called for by the appellate or revising authority under the Act, the Land Tribunal or the appellate authority or the Land Board, as the case may be, shall along with the records, furnish a true extract from the diary register relating to that case duly signed—

(a) by the Land Tribunal ; or

(b) by the appellate authority ; or

(c) by the Land Board.

**94. Order sheets.—** There shall be an order sheet for every case in the hand of the Land Tribunal, or the appellate authority, or the Land Board, as the case may be hearing the proceeding.

(2) Entries shall be made in the order sheet on each day of the posting of the case, noting the date, purpose of the posting, the work transacted on the day and the day and the date and purpose of the succeeding posting, if any.

**95. Seal of office and notice-board.—** For the Land Board and for every appellate authority and Land Tribunal, there shall be a seal of office and a notice-board.

**96. Stamps.—** (1) If any application or appeal which requires court-fee stamp is unstamped or insufficiently stamped the Head Ministerial Officer shall direct the person presenting it to cure the defect within a specified time, not exceeding one week.

(2) If the defect is not cured within the time fixed, the Head Ministerial Officer shall produce the application before the Land Board, or the appellate authority or the Land Tribunal, as the case may be, who shall pass thereon such order as is deemed fit.

**97. Impounding of instruments.—** The Head Ministerial officer shall examine every instrument produced before him so as to ascertain whether it is duly stamped, and if a document is not properly stamped, the Land Tribunal or the appellate authority or the Land Board shall impound the same.

**98. Permanent advance.—** Every Land Tribunal, appellate authority and the Land Board shall have such permanent advance as may be allowed by the Government.

**99. Collection of postage, etc.—** (1) Amounts necessary for postage, commission batta,

mileage, witness batta, etc., payable by parties, shall be collected in advance by the Head Ministerial Officer on issuing receipts and kept under safe custody to be utilised by him for the requisite purposes.

(2) The Land Tribunal shall verify and satisfy himself that the amounts of such collections made as per receipt books have been duly accounted for in cash book and that all payments made out of such collections are supported by proper vouchers.

(3) The Land Tribunal shall see that out of such collections, any amount exceeding two hundred and fifty rupees at a time is deposited in the Government Treasury, under or separate head of account, to be drawn later when occasion demands.

**100. Accounts.—** (1) The Head Ministerial Officer shall keep the accounts of the office to which he is attached.

(2) There shall be a cash book in which entries relating to all cash transactions shall be entered in the course of business of the office, and the balance of the cash shall be struck therein at the end of the day.

(3) A ledger also shall be kept allotting separate pages for each case.

**101. Security deposit.—** The Head Ministerial Officer shall deposit with the Government such security and in such manner as the Government may, by order, specify.

**102. Audit.—** The Government shall arrange for the periodical audit of the accounts of and of the movable held by the Land Tribunals, the appellate authorities and the Land Board.

**103. Fair copies of order.—** Final orders passed by the Land Tribunal, the appellate authority, and the Land Board on applications or appeals, as the case may be, heard by them shall be fair copied duly compared with the original, and then signed by the person or persons who passed them or by his or their successor or successors in office, the originals of such orders being permanently preserved.

**104. Register of final order.—** (1) There shall be register of final orders in Form No. 39 in every Land Tribunal, the appellate authority and the Land Board.

(2) Entries in the register of final orders shall be made promptly and date-wise and at the end of the register and index of its contents shall be entered.

**105. Return of documents.—** (1) Any document produced for evidence in any case, other a document which has become void or useless by force of the order finally disposing of the case, shall be returned to the party producing the same on his application made within a period of one year from the date of such order :

Provided that a document constituting the title deeds shall be returned to the party producing the same on his application made within the said period, notwithstanding the fact that such document has become void or useless by force of such order.

(2) where any document has become partly void or partly useless by force of the order finally disposing of a case such document shall be returned with an endorsement thereon, in red ink, duly attested by the Land Tribunal or the appellate authority or the Land Board, as the case may be indicating the extent to which such document has become void or useless.



(3) If the application for the return of a document is not made within the period specified in sub-rule (1), the party shall not be entitled to claim the document back :

Provided that the Land Tribunal or the appellate authority, or the Land Board, as the case may be, may return the document after the expiration of the said period, if it is satisfied that the application had sufficient cause for not making the application within that period.

**Explanation.—** For the purposes of this rule, a case shall be deemed to be finally disposed of only after the appeal and revision, if any, are finally decided.

**106. Arrangement of records after disposal of case.—** Soon after the final decision of a case, the records relating to it shall be completed, arranged and indexed and consigned to the records.

### **Records**

**107. Records to be kept safely.—** (1) In every Land Tribunal, the appellate authority and the Land Board, there shall be provision for keeping the records safely and intact.

(2) The records shall be arranged year-wise and in the order of their numbers, and indices of the records shall be prepared for reference.

**108. Registers of Land Tribunal.—** Every Land Tribunal shall maintain the following registers namely :—

- (1) Register of applications in Form No. 40 ;
- (2) Register of court-fees in Form No. 41 ;
- (3) Register of instruments impounded in Form No. 42 ;
- (4) Register of applications for return of documents in Form No. 43 ;
- (5) Register of copy application in Form No. 44 ;
- (6) Posting Book in Form No. 37 ;
- (7) Diary Register in Form No. 38 ;
- (8) Cash book in form prescribed in Treasury Rules ;
- (9) Stock Register of stationery and forms in Form No. 45 ;
- (10) Stock account of furniture and other office stores prescribed in General Financial Rules ;
- (11) Register of Commissions issued in Form No. 46 ;
- (12) Personal Register ;
- (13) Register of papers despatched in Form No. 47 ;
- (14) Stock Register of service Postage in Form No. 48 ;

- (15) Acquittance Roll as prescribed in Treasury Rules ;
- (16) Register of permanent advance in form prescribed in the Treasury Rules ;
- (17) Register of contingent charges ;
- (18) Such other registers in such forms as the Land Board may direct ;

109. **Registers of Land Board and appellate authorities.**— The Land Board shall maintain such registers as are specified by the Government and the appellate authorities shall maintain such registers as are specified by the Land Board.

110. **Maintenance of registers.**— (1) The Head Ministerial Officer shall be responsible for the proper maintenance of the registers.

(2) The registers shall be periodically inspected by the Land Tribunal, the appellate authority, or the Land Board as the case may be.

111. **Inspection of documents.**— (1) Any party shall be at liberty to inspect any document recited or referred to in any proceeding to which he is party and filed in the Land Tribunal or the appellate authority or the Land Board.

(2) Every party desiring to inspect any document filed in the Land Tribunal or the appellate authority or the Land Board shall present a memorandum specifying the document of which inspection is required and inspection shall be allowed, without the payment of any fee, during the pendency of the proceeding.

(3) If leave to inspect is granted, the inspection of the record shall be made in the presence of any officer specified by the Land Tribunal or the appellate authority or the Land Board.

(4) The fee for inspection, except where inspection without payment is permitted under sub-rule (2), shall be seventy -five paise for every hour or part of an hour, during which the specified officer shall be engaged for the purpose, and shall be paid by way of court-fee stamps affixed to the application, and the fees so levied shall not be refunded on any account.

112. **Search of records and search fee.**— On every application for search of any documents or record, search fee at the following rates shall be paid in court-fee stamps.—

(a) When the document or record belongs to any year prior to the calendar year in which the search is made but is not more than 10 years old . . . . . Re. 0.50.

(b) When the document or record is more than ten years old Re. 1.00.

Provided that no such fee need be paid by a party to the proceeding where the application for search is made in a proceeding which is pending disposal on the date of application :

Provided further that no such fee need be paid by a party to the proceeding in the case of an application for a copy of an order passed thereon within one year prior to the date of the application.

**Explanation.**— For the purposes of this rule, only one search fee need be paid for all documents forming part of the record in the same proceeding, and the document shall be deemed to be of the date of institution of the proceedings of which it forms part of the record.

113. **Certified copies.**— (1) Any person entitled to obtain a copy of any proceeding or document filed in, or in the custody of the Land Tribunal or the appellate authority or the Land Board, may present an application for the same.

(2) Copies of minutes or notes of the Land Board or of the appellate authority or the Land Tribunal, or other confidential papers shall not be granted.

(3) Along with every application for copy, copying stamp papers necessary for preparing the copy, shall be supplied and the number of papers to be supplied shall be calculated at the rate of one copy stamp paper of the value of twenty paise for every 175 words in English or 125 words in Malayalam, or the fractions of 175 or 125 words, as the case may be.

**Note :—** Each statement, account, report, petition, order or the like should be treated as a separate document and should be written on separate copy stamp paper.

(4) Where the copies applied for are of maps, plans or genealogical trees which cannot be copied on an ordinary stamp paper, they shall be prepared by skilled labour, and a reasonable fee shall be fixed in each case by the Land Board or the appellate authority or the Land Tribunal, as the case may be, and deposited by the party in cash.

(5) Three-fourths of the fee under sub-rule (4) shall be paid to the person employed in preparing the copy and the remaining shall go to the Government which shall be credited under a head of account to be specified by the Government.

(6) Copies shall be transcribed only on the front page of every copy stamp paper, and all copies shall be certified to be true copies by the Head Ministerial Officer and shall also be sealed with the seal of the Land Tribunal or the appellate authority or the Land Board, as the case may be.

(7) Every copy shall bear an endorsement showing the following particulars and be initialled by the persons preparing the copy :—

- (a) the year and number of the proceeding ;
- (b) the authority which granted the copy ;
- (c) the name of the applicant ;
- (d) the number and date of application ;
- (e) the date of calling for additional stamp papers, if any ;
- (f) the date of production of the same ;
- (g) the date for appearance to receive the copy ; and
- (h) the date of delivery of the copy.

(8) A list of copies ready for delivery shall be posted on the notice-board of the Office of the Land Board or of the appellate authority or of the Land Tribunal, as the case may be and shall remain thereon for three clear days other than holidays.

(9) The copy and any unused copy stamp paper shall be delivered to the applicant at any time during office hours and the copy is not claimed by the applicant within twelve months of the date of posting of the said list, it shall be destroyed after due notice to the applicant, and the unused stamp papers, if any shall be forwarded to the Superintendent of Stamps for disposal according to rules.

## CHAPTER IV

### Court fees

#### ( Section 123 )

114. **Levy of fees.**— No document under the Act or under these rules shall be filed, exhibited or recorded in, or be acted on by any Land Tribunal or appellate authority or the Land Board or any other authority or officer, unless it is duly stamped with the requisite court-fee at the rates specified in the statement appended to rule 118.

115. **Collection of fees by stamp.**— All fees chargeable under the Act or under these rules shall be collected by way of court-fee stamps, unless otherwise expressly provided for in these rules.

116. **Stamps to be impressed or adhesive.**— The stamps used to denote any fee chargeable under the Act or under these rules may be impressed or adhesive, or partly impressed and partly adhesive.

117. **Cancellation of stamp.**— No document requiring a stamp under these rules shall be acted upon in any proceedings unless the stamp has been cancelled.

118. **Fees.**— For the document mentioned in column (2) of the statement appended, fixed fee at the rates mentioned against each in column (3) thereof shall be payable :

Provided that no such fee shall be payable in respect of any such document presented by--

- (a) a member of any scheduled caste or scheduled tribe ; or
- (b) a member of the Armed Forces ; or
- (c) a seaman :

Provided further that no such fee shall payable on an application presented by a person for the return of a document filed by him before any Land Tribunal or for the repayment of any amount deposited by him with any Land Tribunal :

Provided also that no such fee shall be payable—

- (i) on any application or petition of appeal by or on behalf of the Government ; or
- (ii) on any application under or incidental to any proceedings under sections 80 to 80S filed before the Land Tribunal or the Land Board ; or
- (iii) on any application under or incidental to any proceedings under section 88A to 88G filed before the Land Tribunal ; or
- (iv) on any application to the Land Board under sub-section (2) of section 118B.

## APPENDIX

Sl. No. (1)	Name of document (2)	Rate of fee. (3)
		Rs. P
1. Section 15 (1) :	Application by landlord for resumption of land . . .	1.00
2. Section 29 (1) :	Application by tenant for restoration or possession of land previously resumed . . .	2.00
3. Section 32 (1) :	Application for recovery of arrears of rent . . .	1.00
4. Section 37 (1) :	Application by cultivating tenant or landlord for determination of fair rent . . .	1.00
5. Section 39 :	Statement regarding agreed rent . . .	1.00
6. Section 44 (2) :	Application by tenant for remission of rent . . .	1.00
7. Section 45 (1) :	Application by cultivating tenant for abatement or reduction of rent . . .	1.00
8. Section 52 (1) :	Application by tenant for permission to pay arrears of rent through Land Tribunal . . .	1.00
9. Section 54 (1) :	Application by landlord or tenant for apportionment of rent and security for rent . . .	1.00
10. Section 55 (3):	Application by person acquiring interest in part of the holding. . .	1.00
11. Section 57 :	Statement by tenant regarding surrender of interest in the holding . . .	1.00
12. Section 57 (3): and 58 (4)	Application for lease of land surrendered or abandoned. . .	0.75
<p><b>Note :—</b> No fee need be paid under this item in respect of the applications made by any local authority or by any department of the Government.</p>		
13. Section 60 (6):	Application in case of dispute regarding rights over timber trees . . .	1.00
14. Section 62 (1):	Application by cultivating tenant for purchase of the landlord's rights in his holding . .	2.00
15. Section 74 (1):	Application by religious, charitable or educational institutions of a public nature for vesting of their rights in Government. . .	5.00
16. Section 83 (4):	Application to Government for acquisition of alternative site for shifting kudikidappu . . .	2.00

Sl. No. (1)	Name of document (2)	Rate of fee. (3)
		Rs. P
17. Section 35 (1):	Application for shifting of kudikidappu . . .	5.00
18.	Application for registration of kudikidappukars . . .	0.50
19. Section 19 :	Application for restoration of possession of lands delivered . . .	2.00
20.	Application for issue of copies . . .	0.25
21.	Applications for petitions or appeals, if any, for purposes other than those specified above :	
	(i) to the Government . . .	2.00
	(ii) to the Land Board . . .	2.00
	(iii) to the Appellate Authority . . .	1.00
	(iv) to the Land Tribunal . . .	0.75
	(v) to the Collector . . .	1.00
	(vi) to the Deputy Collector (Revenue) . . .	0.75
	(vii) to the Tahsildar . . .	0.50

## CHAPTER V

### Rules of procedure

119. **Stamp duty payable on power of attorney under section 122.**— The stamp duty payable on a power of attorney referred to in sub-section (2) of section 122 shall be the same as that specified in the Indian Stamp Act, 1899 as applicable to the Union territory of Pondicherry.

120. **Language in proceedings before Land Tribunal, appellate authority and Land Board.**— The language in proceedings before the Land Tribunal, the appellate authority, and the Board shall be English or Malayalam.

121. **Extension of time.**— Where any period is fixed or granted by the Land Tribunal or the appellate authority or the Land Board or any other authority or officer for the doing of any act prescribed or allowed by these rules, it or he may, in its or his discretion, from time to time, extend such period eventhough the period originally fixed or granted may have expired.

122. **Land Tribunal or appellate authority or Land Board not to try proceedings in which it is interested.**— (1) The Land Tribunal or the appellate authority or the Land Board shall

not try or hear any proceedings in which it or he is party or is otherwise personally interested nor shall adjudicate upon any connected proceedings.

(2) Where any such proceeding comes before any Land Tribunal or the appellate authority, it shall report the circumstances to the Land Board and the latter shall thereupon transfer the proceedings to any other Land Tribunal or appellate authority, as the case may be.

**123. Copy of application to be filed.—** Every application presented under the Act or any rule made thereunder shall be accompanied by a true copy thereof.

**124. Written statement.—** (1) The respondent may, and if so required by the Land Tribunal or the Land Board, shall at or before the first hearing or within such time as it may permit, present a written statement of his defence or of any claim for relief and with such written statement shall produce all documents in his possession or power on which he bases his defence or any claim for relief.

(2) where the respondent relies on any other documents as evidence in support of his defence or claim, he shall enter such documents in a list to be added to the written statement.

(3) A document which ought to be produced or to be entered in the list, but which has not been so produced or entered accordingly, shall not, without the leave of the Land Tribunal or the Land Board, be received in evidence on the respondent's behalf at the hearing of the proceeding.

(4) A party, recognised agent, or pleader, filing any proceedings, shall, on demand in writing, furnish to any other party a copy of the proceeding upon payment therefor at the rate of nine paise for every hundred words if in manuscript, or at double this rate if the copy is typed or printed, four figures being calculated as one word, provided that one copy of the application, the written statement and the petition of appeal, or of objection, shall, on like demand, be furnished free of charge to each party appearing in person or by a separate pleader or recognised agent.

**125. Summons how served.—** The summons to a witness may be delivered to the party applying for such summons for making service on the witness :

Provided that when the party so desires or the Land Tribunal or the Land Board deems fit the summons shall be sent by registered post acknowledgment due.

**126. Fees for service of processes.—** For service of every summons or notice, fee shall be levied at the following rates, namely :—

(a) When sent by registered post	Actual cost
(b) When served by an officer deputed for the purpose	Seventy-five paise or an amount equal to the travelling allowance to which the officer deputed would be entitled under the Rules, whichever is higher :

Provided that no such fee shall be levied for service of summons (other than summons to witnesses), or notices in connection with any proceedings before the Land Tribunal under sections 80 to 80S or sections 88A to 88G.

**127. Land Tribunal or Land Board or other authority of officer may grant adjournment.—** The Land Tribunal or the Land Board or any other authority or officer exercising any power

or performing any functions under the Act or these rules, may if sufficient cause is shown, at any stage of the proceeding, grant time to the parties or to any of them, and may, from time to time, adjourn the hearing of the proceeding.

**128. Correction of mistakes in orders of Land Tribunal and Land Board.**— Clerical or arithmetical mistakes in orders of the Land Tribunal or the Land Board or errors arising therein from any accidental slip or omission may at any time be corrected by the Land Tribunal or the Land Board as the case may be either of its own motion or on the application of any of the parties.

**129. Power to inspect.**— The Land Tribunal or the Land Board or any other authority or officer, may, at any stage of the proceedings, inspect any property or thing concerning which any question may arise.

**130. Term of office of non-official members of Land Reforms Review Board.**— The term of office of the non-official members of the Land Reforms Review Board shall be two years from the date of its constitution.

#### **Procedure to be followed by authorised officer and other matters.**

**[ Section 115, 116 116A, 117 and 128 (1) ]**

**131. Particulars to be furnished.**— The authorised officer may, in addition to the information referred to in sub-section (1) of section 115, call for the following particulars, namely:—

- (a) classification of land ;
- (b) improvements on the land ;
- (c) details regarding particulars of the family ; and
- (d) any other particulars which he deems necessary.

**132. Manner of obtaining information.**— When the authorised officer has to obtain any information, he or his agent may obtain it in the following manner, namely :—

- (a) by making such enquiry as he or his agent may deem fit ; or
- (b) by local inspection ; or
- (c) by reference to any Government record ; or
- (d) in such other manner as the authorised officer may deem fit.

**133. Manner of verification of information obtained by authorised officer.**— (1) After obtaining the information under rule 132, the authorised officer shall fix the date on which the enquiry in respect of such information will be held, and shall issue a notice to person concerned.

(2) While serving the notice on any person under sub-rule (1), a copy of the statement containing the information shall also be furnished whenever necessary and unobjectionable.



(3) On the date fixed for the enquiry or on such other date to which the enquiry may be adjourned by the authorised officer, the authorised officer shall give to the person concerned a reasonable opportunity to adduce any documentary or oral evidence.

(4) The authorised officer may also examine such other persons or admit such other document as he considers necessary to verify the correctness of the information furnished in the statement specified in sub-rule (2).

**134. Procedure to be followed by authorised officer.—** The proceedings of the authorised officer shall be summary and shall, subject to the provisions of the Act and these rules, be governed as far as possible, by the provisions of the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of—

- (a) the issue and service of summons ;
- (b) the examination of parties and witness ;
- (c) the production of documents ;
- (d) the amendment of pleadings ;
- (e) the addition of parties ;
- (f) the reviewing of orders passed on grounds of apparent error ;
- (g) local inspection ; and
- (h) the passing of orders.

**135. Refixation of rent in respect of leases for commercial or industrial purpose.—**  
(1) At any time after the expiry of twelve years from the date of the contract of tenancy or the date of refixation of rent under this rule, the lessor or lessee may apply to the Land Tribunal for refixation of the rent.

(2) On receipt of such application, the Land Tribunal shall give notice to the opposite party and after making due enquiry pass orders on the application.

(3) In passing orders under sub-rule (2), the Land Tribunal shall have regard to the rates of rent prevailing in the locality in respect of lands used for similar purposes.

**136. Rent payable for building used by kudikidappukaran for commercial or industrial purpose.—** While determining the rent payable by a kudikidappukaran for the use and occupation of any building used for commercial or industrial purpose, the Land Tribunal shall have regard to the rates to rent prevailing in the locality in respect of similar buildings used for similar purposes.

**137. Determination of costs and execution thereof.—** (1) In an order for payment of costs, the Land Tribunal or the appellate authority, as the case may be, may after taking into consideration the expenses which in its opinion have been reasonably incurred or met for the conduct of the proceedings specify the total amount of costs allowed by such order.

(2) An order referred to in sub-rule (1) shall set forth the name or names of the person or persons entitled to the cost and the person or persons liable to pay the same and shall also specify whether such right or liability is joint or several or both.

(3) The Land Tribunal or the appellate authority, as the case may be, shall, as far as practicable in the order itself, grant permission to the party liable to pay the costs set off such costs towards other amounts, if any, due to him from the person or persons entitled to the costs.

(4) An order for payment of costs, where execution for its recovery is necessary, shall, on application by the party entitled to the costs, be executed by the Land Tribunal or by the appellate authority which passed the order for costs, as if it were a civil court and its order were a decree passed by that civil court for payment of money.

(5) The provisions of the Code of Civil Procedure, 1908 and the rules made thereunder and the Limitation Act, 1963, shall so far as may be, apply to execution under sub-rule (4) and all matters connected therewith.

**138. Declaration under section 128.—** The declaration to be made by a transferor or transferee under sub-section (1) of section 128 shall be in Form No. 49.

**Explanation.—** Where the transferor or the transferee is—

(a) dead before the filing of the declaration, any legal representative of the deceased transferor or transferee as the case may be, shall file it ;

(b) a minor, lunatic, idiot or one who is subject to like disability, the declaration shall be made and filed by the guardian, manager or other person in-charge of such person or of the property of such person.

#### **Service of notice or order**

**139. Manner of service of notice or order.—** 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) in the case of any society or institution, on the Secretary or Manager or the Trustee in the manner specified below :—

(i) by delivery or tender to the person concerned or his counsel or his authorised agent ; or

(ii) by sending the notice or order to the person concerned by registered post acknowledgement due ; or

(iii) by affixing the notice or order in some conspicuous part of last known place or residence of the person concerned ;

(b) in the case of a family, on the person in management of such family or of the property of the family, in the manner specified below :—

(i) by delivery or tender to the person concerned or his counsel or his authorised agent ; or

(ii) by delivery or tender to some adult member of the family ; or

(iii) by sending the notice or order to the person concerned by registered post acknowledgment due; or

(iv) by affixing the notice or order in some conspicuous part of the last known place of residence of the person concerned ;

(c) in the case of a company—

(i) on the Secretary or on any Director or other Principal Officer of the company in the manner specified in sub-clauses (i) to (iii) of clause (a) ; or

(ii) by leaving it or sending it by registered post acknowledgment due addressed to the company at the registered office or if there is no registered office, then at the place where the company carries on business.

**140. Repeal and saving.**— The Mahe Land Reforms (Tenancy) Rules, 1969, are hereby repealed :

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

**FORM No. 1**

**( See rule 7 )**

**Application for resumption of land**

BEFORE THE LAND TRIBUNAL OF .....

Application No ..... of 19 .....

Name(s) and address(es) of applicant(s) :

Name(s) and address(es) of respondent(s) :

1. Particulars of the holding to which the application relates—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the holding sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. Particulars of the document, if any, evidencing the contract of tenancy (or of the order in which the fair rent was determined) :

3. Nature of the tenancy (i.e., kanam, kuzhikanam, verumpattam, etc.) :

4. Interest of the applicant in the holding, (i.e., whether landowner or intermediary, etc.) :

5. Annual rent of the holding :

6. Particulars (including survey number, class and the extent) of other lands in the possession of the applicant or his family or in which they have interest as landowner or

intermediary or as mortgagee in possession (Particulars to be shown separately under each head)

7. Name and address of the cultivating tenant and the total extent of land in his possession and their particulars (as far as known) :

8. Name and address of the kudikidappukaran, if any, on the land to be resumed and the particulars of the kudikidappu :

9. Names and addresses of other persons interested in the holding and the nature of the interest (as far as known) :

10. Extent, location and other particulars of land sought to be resumed :

11. Number and date of the Collector's certificate or if the certificate is not received, the date of application for the same (in the case of resumption for extension of place of public religious worship) :

12. Grounds for resumption. (set out the grounds in detail in consecutive numbered paragraphs) :

13. Prayer (set out the reliefs claimed in consecutive numbered paragraphs) :

14. Where the application is not presented within prescribed period reasons for not presenting the application within such period [ in cases where resumption is under section 8 or where the applicant(s) is/are landlords falling in categories (c) and (d) under the proviso to condition (i) section 13 ].

Date this the ..... day of ..... 19 .....

Applicants (1) .....

(Signature)

(2) .....

(Signature)

### DECLARATION

1. I/We declare that the particulars stated in columns ..... of this application are true to the best of my/our knowledge and that the particulars stated in columns ..... of this application are based on information which I/we believe to be true.

2. I/We declare that I/we were not having possession or interest in land, immediately before, the 28th April, 1962, in excess of the limits specified in term (46) of section 2 nor have I/we acquired any interest in land after the said date either by way of partition or transfer.

Applications (1) ..... (Signature)

(2) ..... (Signature)

**Note** :— This declaration is to be furnished only by small holder applying for resumption for resumption under section 11A or section 12.

**FORM No. 2**

( See rule 11 )

BEFORE THE LAND TRIBUNAL OF .....

Application No. .... of 19 .....

Name(s) and address(es) of applicant(s) ..... Name(s) and address(es) or respondent(s) .....

1. Particulars of the land sought to be restored :—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. The date of dispossession or resumption :

3. The name of the court or Land Tribunal which passed the decree or order for dispossession or resumption and the year and the number of the suit or application in which such decree or order was passed :

4. Name and address of the person who dispossessed the applicant or resumed land from him :

5. The nature and extent of the interest held and of the possession over the land by the applicant immediately before his dispossession or the terms of the tenancy under which he held the land before resumption :

6. The Survey Nos., extent and other particulars of the lands in the possession of the applicant (to be filled in only where the application is under section 29) :

7. The amount, if any, received by the applicant on account of the dispossession or resumption :

8. The grounds which entitle the applicant to restoration, if any (set out the grounds in detail in consecutive numbered paragraphs) :

Dated this the ..... day of ..... 19 .....

Applicants (1) ..... (Signature)

(2) ..... (Signature)

**DECLARATION**

I/We declare that the particulars stated in columns. .... of this application are true to the best of my/our knowledge and that the particulars stated in

columns. . . . . of this application are based on information which I/We believe to be true.

Applicants (1). . . . . (Signature)

(2). . . . . (Signature)

**FORM No. 3**

**( See rules 13 and 14 )**

**Warrant to Officer to give possession of land**

Before the Land Tribunal/Deputy Collector/Tahsildar of . . . . .

. . . . . Application No. . . . . of . . . . .

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

To.

Whereas the property described in the schedule below has to be put into the possession of . . . . .

You are hereby directed to put the said person in possession of the same on the . . . . . day of . . . . . 19 . . . . . and you are hereby authorised to remove any person who may refuse to vacate the same.

Give under my hand and seal this . . . . . day of . . . . .

**SCHEDULE**

**Date :**

**Place :**

**Land Tribunal/Deputy Collector/  
Tahsildar.**

**Certificate of Execution**

I, . . . . . do hereby declare that the property scheduled above has been put into possession of . . . . . on the day of . . . . . 19 . . . . . in the presence of two witnesses described below :

Names and address of

Witnesses and their signature.

1.

2.

**Date :**

**Place :**

**Signature  
Officer executing the warrant**

**DECLARATION**

I/We declare that I/we have received today possession of the property described in the schedule.

Name(s) and address(es) of the party receiving possession from the officer and the signature of such persons.

**Date :**

**(Countersigned)**

**Place :**

**Date :**

**Place :**

**Land Tribunal/Deputy Collector/  
Tahsildar.**

**FORM No. 4**

**( See rule 15 )**

**Application for recovery of arrears of rent**

BEFORE THE LAND TRIBUNAL OF .....

Application No.

of

19

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

1. Particulars of the holding :—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :  
and the nature of the tenancy:

2. Particulars of the documents, if any, evidencing the contract or the order in which the fair rent was determined :
3. Nature of the tenancy (i.e., kanam, kuzhi-kanam, verumpattam, etc.) :
4. Interests of the applicant in the holding (i.e., whether landowner or intermediary) :
5. Nature of interest of the respondents (i.e., whether cultivating tenant or intermediary) :
6. Details of the rent due and the date or dates on which the rent or instalments of rent are payable :
7. Whether the applicant is a small holder :
8. Total extent of land possessed, whether as owner, mortgagee, lessee or otherwise, by the tenant from whom rent is claimed :
9. Amount of the arrears of rent and periods to which the arrears relate and the rate of interest, if any :
10. Amount of the rent, if any, set off or relinquished or assigned to a third party :
11. Prayer (state the reliefs claimed and the grounds therefor) :

Dated this the ..... day of ..... 19 .....

Applicants (1) ..... (Signature)

(2)..... (Signature)

**DECLARATION**

I/We declare that the particulars stated in columns..... of this application are true to the best of my/our knowledge and that the particulars stated in columns . . . . . of this application are based on information which I/we believe to be true

Applicants (1) ..... (Signature)

(2)..... (Signature)

**Note :—** Columns 7 and 8 to be filled in only where the claims involves arrears of rent accrued due before the 1st day of March, 1971.

**FORM No. 5**

**( See rule 16 )**

IN THE LAND TRIBUNAL OF .....

Application No. .... of ..... 19 .....



Applicant(s) :

Respondent(s) :

(Name, address and rank of the respondent)

Take notice that an application for recovery of rent under sub-section (1) of section 32 has been filed in this Tribunal and that the ..... day of .....19 . . .has been fixed by this Tribunal for the appearance of parties and filing of objections, if any, by the respondent to the claim

If you fail to appear at 10 A. M. before this Tribunal sitting at ..... on the date above fixed the claim will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this ..... day of .....19 .....

By order

( Seal )

( Signature )

**Head Ministerial Officer.**

**FORM No. 6**

**( See rule 19 )**

**Extract of order under sub-section (2) of section 32 or section 81**

IN THE COURT/LAND TRIBUNAL/APPELLATE AUTHORITY OF .....

Application No. ....

**PART I** (For rent accrued due prior to the 1st day of March, 1971)

1. Name and address of the person entitled to the amount :
2. The amount that the tenant should deposit under sub-section (7) of section 81 :
3. Where there are more than one applicant and such applicants are severally entitled, the amount due to each of the applicants :
4. The name and address of the tenant who should make the deposit under sub-section (7) of section 81 and where there are more than one tenant and the liability of such tenants are not joint but only several, the amount which each of such tenants are liable to deposit :
5. Where the extracts is of an order in appeal or revision, the number and, year of such appeal or revision and the name of the appellate authority or the revision court :

6. Date of the order :

**PART II** (For rent accrued due after 1st day of March, 1971)

1. The name and address of the person entitled to the amount :

2. The amount of arrears of rent with interest, if any, determined as payable to the landlord  
:

3. Where there are more than one applicant and such applicants are severally entitled, the amount due to each of the applicant :

4. The amount which carries future interest, with date from which such interest accrues :

5. The name and address of the tenant liable for the amount shown in column (2) and where there are more than one tenant and the liability of such tenants are not joint but only several the amount for which each of such tenants are liable :

6. The name of the tenant, whose interest is charged under section 48 for the amount shown in column (2) and whether such tenant is a tenant in possession or an intermediary in respect of the holding for which the claim for rent is allowed :

7. Details for the holding, wherein there is such interest charged under section 48 (sufficient details for identification should be given) :

8. where the extract is of an order in revision, the number and year of revision petition :

9. Date of the order :

**Court/Land Tribunal/Appellate Authority**

**FORM No. 7**

**( See rule 20 )**

**Application for Execution**

BEFORE THE LAND TRIBUNAL OF .....

Application No.

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

1. The number and year of the application in which the order under sub-section (2) of section 32 was passed and the date of the order :

2. The name and address of the applicant seeking recovery of the amount :

3. Where the applicant is a person other than a person in whose favour, the order under sub-section (2) of section 32 was passed, the circumstances under which the right to recover such amounts developed upon such applicant :

4. The amount determined as payable to the landlord for the period after 1st day of March, 1971 (excluding costs) due on the date of the application :

5. The name and address of the tenant liable to pay the amount :

6. Where the liability of the tenant against whom the order under sub-section (2) of section 32 has been passed has developed upon any other person on the date of application, the name of such person and the circumstances under which such devolution took place :

7. Whether the tenant who is liable for the amount is an intermediary :

8. Description of the holding wherein the interest of the tenant is charged under section 48:

9. Prayer (Here state the mode in which the assistance of the Tribunal is required) :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Applicants (1) .....(Signature)

(2) .....(Signature)

### DECLARATION

I/We declare that the particulars stated in columns .....  
.. of this application are true to the best of my/our knowledge and that the particulars stated in  
columns. .... of this application are based on information which I/we  
believe to be true.

Applicants (1) .....(Signature)

(2) .....(Signature)

### FORM No. 8

( See rule 23 )

### Application for determination of fair rent

BEFORE THE LAND TRIBUNAL OF .....

Application No. \_\_\_\_\_ of 19\_\_\_\_

Name(s) and address(es) of applicant(s) \_\_\_\_\_ Name(s) and address(es) or respondent(s)

1. Particulars of the holding :—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the land  
sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land etc.) :

2. Particulars of the documents if any, evidencing the contract of tenancy :
3. Nature of tenancy (i.e., kanam, kuzhikanam, verumpattam, etc.) :
4. Details regarding the fair rent, if any fixed under any law in force immediately before 22nd March, 1968 :
5. Names and addresses of the landowners and intermediaries and of the other persons interested in the holding, so far as known, and the nature of their interest (where the applicant is a landlord state also the name and address of this tenant) :
6. The kind of cultivation usually conducted in the holding :
7. If nilam —
  - (a) Whether irrigated with water for the first time after the commencement of the tenancy from irrigation work constructed, repaired or maintained wholly at the cost of the Government or a local authority or a co-operative society or by the tenant :
  - (b) if double crop nilam, whether converted into double crop nilam by the tenant:
  - (c) whether Kole nilam or Karinilam :
  - (d) the number of crops raised and the gross produce in respect of each crop :
8. If garden land —
  - (a) the number and age of coconut trees, arecanut trees and pepper vines (bearing as well as not bearing) belonging to the landowner and each intermediary in respect of which the landlord is bound to pay compensation under the Act:
  - (b) the number and age of coconut trees, arecanut trees and pepper vines (bearing as well as not bearing) in respect of which the landlord is not bound to pay compensation under the Act :
  - (c) the approximate yield of the trees and vines (Give separately for items (a) and (b) above)
9. If any other class, crops raised and gross produce :
10. The rent payable (in kind or in cash) in respect of the holdings ; instalment, if any in which it is payable the date or dates on which the rent or instalments of rent are payable ; and the rate of interest ; if any :
11. Whether the tenant has opted for fair rent by notice sent by registered post ; if opted to what date. (Produce postal receipt and acknowledgment) :
12. Whether application has been made for preparation of record of rights :
13. Other relevant particulars, if any :
14. Prayer (state the reliefs claimed and the grounds therefor) :

Dated this the ..... day of ..... 19 .....

Applicants (1) .....(Signature)

(2) .....(Signature)

**DECLARATION**

I/We declare that the particulars stated in columns . . . . .  
. . of this application are true to my/our knowledge and that particulars stated in columns . . . . .  
. are based on information which I/we believe to be true.

Applicants (1) . . . . .(Signature)

(2) . . . . .(Signature)

**FORM No. 9**

**( See rule 26 )**

**Notice under section 37 (2)**

IN THE LAND TRIBUNAL OF . . . . .

Application No. . . . . of 19

Applicants :

Respondents :

To

(Name and address, number and ranks of the applicants).

Take notice that an application for fixation of fair rent under sub-section (1) of section 37 of the Mahe Land Reforms Act, 1968 in respect of survey No. . . . . measuring hectares of the . . . . . village, has been filed in this Tribunal on . . . . . and that the . . . . .day of . . . . .has been fixed by this Tribunal for the appearance of parties, filing of written statement, production of documents and settlement of issues.

If you fail to appear before the Tribunal at time on the date above fixed, either by yourself or by pleader or by someone by law authorised to act for you in this case, the same will be heard and decided in your absence.

Given under my hand and the seal of the Tribunal this . . . . . day of . . . . . 19

(By order)

(Seal)

**( Signed )**

**Head Ministerial Officer.**

**FORM No. 10**

**( See rules 27 and 31 )**

**Application for remission/abatement/reduction of rent**

BEFORE .....

Application No. \_\_\_\_\_ of 19 \_\_\_\_\_

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

1. Particulars of the holding—

(a) District, taluk and village in which situate :

(b) Survey number and subdivision number, if any, or a description of the holding sufficient for its identification :

(c) Boundaries :

(d) Extent :

(e) Class (i.e., nilam, garden, dry land, etc.) :

2. Particulars of the documents, if any, evidencing the contract of tenancy :

3. Nature of the tenancy (kanam, kuzhikanam, verumpatta, etc.) :

4. Name and address of the landlord under whom the applicant holds and the nature of his interest :

5. If the landlord is not the owner, the names and addresses of the landowners and other intermediaries, if any, and the nature of their interest so far as known :

6. Names and addresses of other persons interested in the land, if any, and the nature of their interest, so far as known :

7. Kind of crop cultivated on the land and the nature and extent of the damage to, and extent of failure of crop ; and the reasons for the same ; and the extent of the land affected :

8. Probable date of harvest :

9. Normal produce of the land :

10. Rent payable (whether in kind or in cash) in respect of the land and the rate of interest, if any :

11. Date or dates on which the rent or instalment of rent are payable :

12. Particulars of fair rent ; if any, determined (with the details of the order determining such rent) ; whether the tenant has opted for fair rent, if opted the rent so opted :

13. Has a copy of the application been furnished to the landlord to whom the tenant is liable to pay rent as required by rule 28 (3) ? If so, when and how ?

Dated this the ..... day of ..... 19 .....

Applicants (1) .....(Signature)

(2) .....(Signature)

### DECLARATION

I/We declare that the particulars given in columns .....  
.. of this application are true to my/our knowledge and that the particulars given in columns .....  
..... of this application are based on information which I/we believe to be true.

Applicants (1) .....(Signature)

(2) .....(Signature)

### FORM No. 11

( See rule 36 )

#### Application to Land Tribunal for permission to pay arrears of rent due

BEFORE THE LAND TRIBUNAL OF .....

Application No. .... of 19

1. Name and address of the applicant :
2. Particulars of the holding—
  - (a) District, taluk and village in which situate :
  - (b) Survey number, subdivision number, or a description of the holding sufficient for its identification :
  - (c) Boundaries :
  - (d) Extent :
  - (c) Class (i.e., nilam, garden, dry land etc.) :
3. Rent payable in respect of the holding and rate of interest if any :
4. Details about the terms of the lease, whether oral or documentary, the date and year of the lease, and the dates on which rent accrues due for payment :
5. Where fair rent is determined, details about such determination :
6. Name and address of the landlord to whom rent is payable :
7. Where the applicant is doubtful as to the person entitled to receive the same, the name

and address of the person or persons whom the applicant considers to be entitled or to have a claim to receive the rent :

8. Rent due till date of application and interest, if any :

9. The amount of rent and interest, if any, deposited by the applicant with the Land Tribunal :

10. The period to which the rent deposited relates :

11. Whether an application or other proceedings for the recovery of the arrears is pending before the Land Tribunal :

12. Prayer (state reliefs claimed and the grounds therefor).

Signed this the ..... day of .....

Applicant ..... (Signature)

### DECLARATION

I/We do hereby declare that the particulars furnished in this application are true to the best of my/our knowledge and belief.

Applicant ..... (Signature)

### FORM No. 12

( See rules 37 and 39 )

#### Application for apportionment of rent on severance of interest of landlord or tenant

BEFORE THE LAND TRIBUNAL OF .....

Application No. .... of 19. ....

1. Name and address of the applicant :

2. Particulars of the holding—

(a) District, taluk and village in which situate :

(b) Survey number, subdivision number, or a description of the holding sufficient for its identification :

(c) Boundaries :

(e) Class (i.e., nilam, garden, dry land etc.) :

3. (a) Rent payable in respect of the holding, and the rate of interest, if any :

(b) Security for rent, if any, paid for the holding :



4. Land Revenue and other taxes and cesses payable in respect of the holding and by whom payable :

5. Particulars of the documents evidencing the contract of tenancy, if any, or the order in which fair rent was determined :

6. Nature of the tenancy (i.e., kanam, kuzhikanam, verumpattam, etc.) :

7. Particulars of improvements (including coconut trees, arecanut trees and pepper vines) and the persons to whom they belong—

(a) on the entire extent of the holding prior to severance on interest or sub-lease :

(b) on the extent sub-leased or in respect of which the interest has been severed :

(c) approximate normal yield of the trees (i) under column 7 (a) and (ii) column 7 (b) :

8. Nature of the applicant's interest in the holding :

9. Name and address of the tenant, if (a) the landlord is the applicant, and the nature of his interest, (b) name and address of the landlord, if the tenant is the applicant, and the nature of his interest :

10. Names and addresses of other persons interested in the land and the nature of their interest so far as is known to the applicant :

11. Extent of land sub-leased or in respect of which the interest is severed and the name of the sub-lessee or the person on whom such interest has devolved, or is entitled to hold such interest :

12. How the severance has taken place (whether by act of parties or by operation of law and particulars of the document, decree, order of Court, if any) :

13. How rent is to be apportioned :

14. Prayer (state reliefs claimed and the ground therefor) :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Applicant .....(Signature)

#### DECLARATION

I/We declare that the particulars stated in columns ..... of this application are true to my/our knowledge and that the particulars stated in columns ..... of this application are based on information which I/we believe to be true.

Applicant .....(Signature)

**FORM No. 13**

**[ See rule 38 (2) ]**

**Notice**

To

(Residence and description)

Application No. .... of the file of the Land Tribunal by .....

Take notice that on the ..... day of ..... the above named applicant presented an application to this Land Tribunal that the Land Tribunal may execute on your behalf a leased deed, a draft whereof is hereunto annexed, of the immovable property specified hereunder and that the ..... day of ..... is appointed for the hearing of the said applicant ; and that you may appear on the said day in person or by pleader and state in writing any objection thereto of which you shall give not less than two days notice in writing to the applicant, his pleader or his recognised agent ;

And also take notice that the address for service of the applicant is .....  
.....

**DESCRIPTION OF PROPERTY**

(Set out description as contained in the draft lease deed)

**( Sd. )**

**Land Tribunal**

FORM No. 14

[ See rule 42 (2) ]

Register of surrender of interest by tenants

---

(1)	Serial number
(2)	District, Taluk and village
(3)	Survey number and sub-division number of the land in respect of which interest is surrendered, or a description of the land adequate for its identification.
(4)	Boundaries
(5)	Extent of land
(6)	Class of land ( nilam, garden, dry land etc. )

---

(7)	Name and address of the tenants surrendering interest
(8)	Nature of the interest surrendered ( with particulars of the extent of land )
(9)	Name and address of the landlord to whom rent is payable
(10)	Date on which surrender is made in writing
(11)	Date of admission of the surrender by the tenant
(12)	Date of order accepting the surrender
(13)	Seal and signature of the Land Tribunal

---

**FORM No. 15**

[ See rule 43 (1) ]

**Public notice of intention to take possession of land abandoned by tenant**

OFFICE OF THE TAHSILDAR OF ..... TALUK

Whereas information is available that (here enter the name and address of the tenant).

Holding as a tenant under (here enter the name and address of the landlord if known)..... has abandoned his holding and ceased to cultivate the land comprised in the holding described below :

(here enter description of the land sufficient for identification)

Take notice that the Tahsildar of ..... Taluk intends to take on behalf of the Government of Pondicherry possession of land described above.

Any person claiming any rent or right to possession or cultivation in respect of the land comprised in the holding or objecting to the Government taking possession of such land may file his claims or objections, and appear before the Tahsildar of ..... Taluk ..... day of .....19 ..... at ..... A. M/ P. M. with the necessary evidence in support of his claims or objections failing which all concerned are hereby informed that the Tahsildar on behalf of the Government will take possession of the land.

Place : ( Sd. )

Date : (Seal) Tahsildar

**Note** : When individuals are to be served, enter their names and serve.

**FORM No. 16**

[ See rule 45 (3) ]

**Notice inviting applications for lease**

It is hereby notified that the land specified in the schedule hereunder surrendered to the Government to the under sub-section (1) of section 57 or abandoned under sub-section (2) of section 58 of the Mahe Land Reforms Act, 1968 and taken possession of by the Government is proposed to be given on lease. Those who are desirous of getting the said land on lease, may apply to the Tahsildar, within ..... in Form No. 17.

The terms and conditions of the lease shall be as those specified in the Appendix.

**SCHEDULE**

Taluk	Village	Survey number and sub-division	Extent	Class of land	Details of improvements on the land	Other remarks if any

Station : (Seal) Tahsildar  
Date :

## APPENDIX

(1) The lease shall be for a period of . . . . .  
. . . . . year/years commencing from . . . . .

(2) The lease is liable to cancellation if it is found that it was grossly inequitable or was made under a mistake of fact or owing to misrepresentation or in excess of the limits of authority delegated to the officer granting the lease or that there was an irregularity in procedure. Cancellation on any of these grounds may be ordered by any authority to whom the assigning authority is administratively subordinate.

(3) In the event of such cancellation of the lease, the lessee shall not be entitled compensation for any loss caused to him by the cancellation.

(4) The lessee shall, so long as the lease is in force, be liable to pay fair rent as determined under the Mahe Land Reforms Act, 1968, to the landlord. The fair rent shall be paid from the date of his induction into the land and for this purpose, he shall, immediately on being inducted into the land get the fair rent of the holding fixed by the Land Tribunal concerned.

(5) The lease shall not use the land or suffer it to be used except for the purpose for which it is leased out.

(6) The lessee shall permit the officers and servants of the Government with or without workmen at all times to enter upon the lands aforesaid to view the condition of the land.

(7) The lessee shall not assign or underlet the benefits arising under this lease or a part thereof.

(8) The lessee shall not erect any building, fence or structure of a permanent or temporary character on the land without the previous written sanction of the assigning authority.

(9) The lessee shall not without the previous sanction of the assigning authority permit any person to use the land.

(10) The lessee shall, on the termination or revocation of this lease restore the said land to the Government in as good a condition as is consistent with the foregoing conditions.

(11) The lessee shall be answerable to the Government for all or any injury or damage done to the said land except as is permitted by the foregoing conditions.

(12) The assigning authority may revoke the lease wholly or in part, if the lessee shall have broken any of the conditions of the lease herein contained and assume control or otherwise dispose of all or any part of the land and any building, fence and structure thereon and the lessee shall not be entitled to any compensation therefor.

(13) The lease hereby given may be revoked by the assigning authority after giving sixty days notice in writing any by the Government without notice in an emergency (the said Government being the sole judge of the emergency) and shall be terminable by the lessee by giving to the assigning authority sixty days' notice in writing but without prejudice to any antecedent breach of any of the foregoing conditions. The lease shall not in case of such revocation or termination be entitled to any compensation in respect of any improvement effected by the lessee on the land or for any loss caused by any interruption of his occupation.

(14) In the event of termination of the lease, under conditions (12) or (13), the Government shall be at liberty to levy proportionate rent upto the date of such termination.

(15) If any doubt or dispute shall at any time hereafter arise between the Government or

their Officers on the one part and the lessee on the other as to the rights, duties or liabilities of either party in respect of any matter or thing relating to or arising out of the lease or the construction or the meaning or all or any of the provisions herein contained, the said dispute or difference shall be referred to the Collector for settlement by arbitration and his decision thereon shall be final.

(16) The lease includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of the Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of the Government to the mines and quarries, subjacent to the land are however reserved and are in no way affected by the lease.

**FORM No. 17**

**[ See rule 45 (8) ]**

**Form of application for lease.**

1. Name of applicant and his present address :
2. His permanent address :
3. Occupation :
4. Particulars of lands held by him and the nature of his title thereto :
5. Whether he is kudikidappukaran on any land and if so, its details :
6. Whether he belongs to any scheduled caste or scheduled tribe :
7. The annual income of the applicant and its sources :
8. Other details, if any, which the applicant desires to furnish :

**Station :**

**Signature or thumb-impression of applicant.**

**Date :**

**DECLARATION**

I hereby declare that the particulars furnished above, to the best of my knowledge and belief, true and correct.

I further declare that in the event of the land being leased out to me I shall execute the lease deed under the relevant provisions of the Mahe Land Reforms (Tenancy) Rules, 1981 and I shall also abide by the terms and conditions of the lease.

**Signature or thumb-impression  
of applicant**

**FORM No. 18**

[ See rule 45 (15) ]

**Register showing the details of land surrendered or abandoned under sections 57 and 58 of Mahe Land Reforms Act, 1968 and taken possession of by the Government and leased out**

Case No. \_\_\_\_\_

		Particulars of the land surrendered abandoned and taken possession of by the Government						
File number in which the case has been dealt with		Village	Survey number and sub-division number	Extent	Class of land	Boundaries	Name and address of the person by whom the land is surrendered or the person by whom the land was aban- doned	
(1)	(2a)	(2b)	(2c)	(2d)	(2e)	(3)		
(4)	(5)	(6)	(7)	(8)	(9)	(10)		
Names and address of the landowner and other persons interested with their nature of interest	Date on which possession is taken	Name and addresses of the person to whom land is leased out	Number and date of the order sanctioning the lease	Date of induction of the lessee on the land	Fair rent of land leased out	Remarks		

**FORM No. 19**

( See rule 46 )

**Application for purchase of landlord's rights**

Application No. \_\_\_\_\_ of 19 \_\_\_\_\_

Name(s) and address(es) of applicant(s)

Name(s) and address(es) of respondent(s)

1. Particulars of the holding—
  - (a) District, taluk and village in which situate :
  - (b) Survey number and subdivision number, if any, or a description of the land sufficient for its identification :
  - (c) Boundaries :
  - (d) Extent :
  - (e) Class (i.e., nilam, garden, dry land, etc.) :
2. Particulars of the documents, if any, evidencing the contract of tenancy :
3. Nature of the tenancy (i.e., kanam, kuzhikanam, kudiyruppu, karaima, verumpattam etc.) and the applicant's interest in the land :
4. Name and address of the landlord to whom rent is payable by the applicant :
5. Name and address of the landowner :
6. Name and address of the intermediary, if any :
7. Where the applicant is holding under an intermediary, the details of the rent payable by the intermediary, so far as known, to the landowner.
8. Name and address of the other persons interested in the holding so far as known and the nature of their interest :
9. The class of land as described in Schedule III in which the land to which the application relates will fall and the appropriate Serial number with the item in the Schedule to which the land relates :
10. The kind of cultivation usually conducted in the holding :
11. If nilam—
  - (a) If irrigated whether irrigated with water for the first time after the commencement of the tenancy from an irrigation work constructed repaired or maintained wholly at the cost of the Government or a local authority or a Cooperative Society or by the tenant.
  - (b) The number of crops raised and the gross produce in respect of each crop :
12. Structure, wells and embankments of a permanent nature their approximate value and the persons to whom they belong :



13. If garden lands—

(a) Details of coconut trees, arecanut trees and pepper vines the persons to whom they belong and the approximate yield :

(b) Details of timber trees, their approximate value and particulars of the persons to whom they belong :

14. If dry land—

(a) The nature of the cultivation thereon with details of timber trees if any, their approximate value and the persons to whom they belong :

(b) Details of coconut trees, arecanut trees and pepper vines if any, their approximate yield and the persons to whom they belong :

15. The contract rent payable (in kind or in cash) in respect of the holding, instalments, if any in which it is payable, the date or dates on which the rent or instalments of rent are payable, and the rate of interest, if any :

16. Where fair rent is determined under any law in force immediately before 22nd March, 1968 the details of such fair rent and the number and year of the order determining such fair rent :

17. Whether the applicant has opted for fair rent by notice sent by registered post and if opted, for what date (produce postal receipt and acknowledgment) :

18. Other lands in which the applicant or the members of his family have interested either as owner with possession, landowner, intermediary, cultivating tenant, or mortgagee in possession, their extent and description :

19. Extent and description of the land proposed to be purchased :

20. Other relevant particulars, if any :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19

Applicants (1) .....(Signature)

(2).....(Signature)

**DECLARATION**

I/We declare that the particulars stated in columns .....  
of this application are true to my/our knowledge and that particulars stated in paragraphs .....  
..... are based on information which I/we believe to be true.

Applicants (1) .....(Signature)

(2).....(Signature)

**FORM No. 20**

( See rule 47 )

**Notice to landowner, intermediaries, etc**

BEFORE THE LAND TRIBUNAL OF .....

**NOTICE**

Reference :— Application No. \_\_\_\_\_ of 19 \_\_\_\_\_

Name(s) and address(es) of applicant(s) :

Name(s) and address(es) of respondent(s) :

To

(Names and address of the party to whom notice is sent)

Take notice that an application for purchase of the right, title and interest of the landowner and intermediaries in respect of land(s) specified below has been filed before this Tribunal by Thiru/ Tmt. .... under section 62 and that the same has been posted for hearing at \_\_\_\_\_ a.m/p.m on \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_. You may enter appearance before the Tribunal at the time and date, and put forth objections and claims, if any, in regard to the application aforesaid.

If no such appearance is made, the application will be heard and decided in your absence.

**Specification of land(s)—**

1. District, Taluk and Village :
2. Description of lands (Survey number, subdivision number and extent) :
3. Class of land (garden, nilam, dry land etc.) :

(By Order)

**Head Ministerial Officer.**

**FORM No. 21**

[ See rule 48 (2) ]

**Notice to landowner, intermediary, etc.**

BEFORE THE LAND TRIBUNAL OF .....

Reference : Notice O. A. No. \_\_\_\_\_ of 19 \_\_\_\_\_

To

(Name and address of the party to whom notice is sent)

Take notice that the application for the purchase of the right, title and interest of the landowner and intermediaries in respect of land(s) specified below filed before this Land Tribunal by Thiru/Tmt . . . . . under section 62 has been duly enquired into and that the following preliminary findings have been tentatively recorded— (here copy in a tabular form the preliminary findings recorded).

You may/any person interested may/enter appearance before the Land Tribunal on or before . . . . . (here enter the date) and prefer in writing claims or objections, if any, for the purchase price or part thereof.

Any objections or claims that may be preferred in the matter by you/any interested person/ before the specified date will be heard by the Land Tribunal on . . . . . at . . . . . claims and objections received after the specified date at . . . . . will not be considered.

**SPECIFICATION OF LAND(S)**

- 1. District, taluk and village :
- 2. Description of lands (Survey number, sub-division number and extent) :
- 3. Class of land (garden, nilam, dry land, etc) :

(By Order)

**Head Ministerial Officer.**

**FORM No. 22**

( See rule 50 )

**Certificate of purchase**

No. Office of the Land Board

Reference : Dated . . . . .

- (1) Number and date of the application for purchase.
- (2) Number and date of the Land Tribunal's order allowing purchase.
- (3) Number and year of appeal or revision, if any.

This is to certify that Thiru/Tmt. . . . . the cultivating tenant of the land specified in the Schedule below, has purchased the right, title and interest of the landowner and the intermediaries in respect of the land, he/she, having deposited with the Land Tribunal of the sum of Rupees . . . . . (in words) . . . . . being the whole/the first instalment, of the price payable and that the right, title and interest in respect of the land shall vest in the said Thiru/Tmt . . . . . with effect from the . . . . . day of the month of . . . . . 19 . . . . . free from all encumbrances, but subject to the liability for payment of future instalments of purchase price, if any, together with the interest thereon, and subject also to the liability for all taxes and cesses payable to the Government or to any local authority.

Given under my hand and the seal of the Land Board this day . . . . . of . . . . . 19

(Seal of Office)

**Land Board.**

**SCHEDULE**

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Serial Number	District, Taluk and village	Survey number, subdivision number or a description sufficient for identifying the land	Extent	Boundaries	Class of land	Name of the landowner whose right, title and interest are purchased	Name of the intermediaries, if any whose right, title and interest are purchased	Extent of the land to which the right, title and interest purchased relate.
Description of the land								
	Purchase price							
(10)	(11)	(12)	(13)	(14)	(15)	(16)		
Amount of purchase price and whether payable in lump or in instalments.	If in instalments the number of instalments, the amount of each instalment, the amount of each instalment is payable and the date on which each instalment is payable.	Rate of interest.	Date of deposit of the purchase price in lump or first instalments thereof.	Date from which the purchase takes effect	Name of the person (cultivating tenant) who has purchased and in whom the right, title and interest over the land vests.	Remarks		

**FORM No. 23**

[ See rule 54 (1) ]

**Form of application for vesting right, title and interest of religious, charitable or educational institutions of a public nature in Government**

1. Name of the institution :
2. Its location (Village, Taluk and District in which situate) :
3. Address :
4. Nature of the institution as religious, charitable or educational :

5. Is it religious, charitable or educational institution of a public nature and if so, how ?

### SCHEDULE

Details of holdings in respect of which the institution desires to be paid annuity :—

Serial number	District	Taluk	Village	Survey number and subdivision number or description sufficiently for its identification
(1)	(2)	(3)	(4)	(5)

Extent	Whether the institution is the landowner or an intermediary ; if intermediary state the name and address of the landlord under whom it holds.	The name and address of the person to whom the institution had given the lease.	The annual contract rent payable to the institution by the tenant.
(6)	(7)	(8)	(9)

Where the institution is an intermediary, the annual contract rent payable by the institution to its landlord.	Whether fair rent had been fixed under any law in force immediately before 22nd March, 1968 if fixed, the quantum of fair rent and the rent payable to the institution and where the institution is an intermediary, also the amount of rent payable by the institution to its landlord under such order; and the number and year of application in which fair rent was determined and the authority which passed the order determining fair rent.	Whether fair rent had been fixed under Mahe Land Reforms Act, 1968. If so furnish details of the number and year of the application in which fair rent was determined and Land Tribunal which determined such fair rent.
(10)	(11)	(12)

---

Name and address of the tenant in possession of the land comprised in the holding (so far as known)	Name and address of any other person or persons interested in the holding (so far as known).	Whether the right title and interest of the institution over the holding is subject to any encumbrance, if so, the details of the documents creating the encumbrances and the amount of encumbrance subsisting on the date of application.	Any other particulars considered relevant by the applicant.
(13)	(14)	(15)	(16)

---

I/We certify and declare that the details of all the holding in respect of which the institution desires to be paid annuity are given above and that those details are true and correct to the best of my/our knowledge and belief.

**Signature**

FORM NO. 24

[ See rule 54 (2) ]

Register of applications from religious, charitable or educational institutions for vesting in Government of their right, title and interest

(1)	Serial number.
(2)	Name of the institution
(3)	Its location (village, taluk and district in which situate).
(4)	Nature of the institution as religious charitable or educational.
(5)	Date of application for vesting.
(6)	Date of receipt of the application by the Land Board.
(7)	Whether an enquiry under rule 55 was conducted to ascertain whether the institution is eligible to claim annuity. If so, the result (here note number and date of the order).
(8)	Date of the direction issued to the Land Tribunal (with current number and date).
(9)	The name or names of the Land Tribunal to whom direction was issued and the date or dates of forwarding the application for determination of annuity.
(10)	Date or dates of receipt of annuity statements from the Land Tribunal or the Land Tribunals.
(11)	If the statements returned to the Land Tribunal, the date of such return and to which Land Tribunal (with current number and date).
(12)	When returned, the date on which the annuity statement is received back from the Land Tribunal
(13)	Date of forwarding of the annuity statement to the Government (with current number and date).
(14)	Government orders (number and date) in which the annuity was sanctioned and the amount of annuity
(15)	Remarks.

**FORM No. 25**

( See rule 56 )

**Application for interim annuity**

1. Name of the institution :
2. Its location (Village, Taluk and District in which situate) :
3. Address :
4. Nature of the institution as religious, charitable or educational :
5. Is it religious, charitable or educational institution of a public nature and if so, how ?
6. Whether the application for annuity was to Government/Land Board ?
7. Date on which the application was made and how ? (whether by registered post or presented in person) :
8. Money value of the total annual contract rent (as estimated by the applicant) to which the applicant is entitled for the holding or holdings in respect of which it has applied for annuity (the commutation rate for commodities, if any, to be at the rate published under section 49 for the quarter previous to the quarter in which this application is made).
9. Name of the Treasury at which payment is required ;

I/We certify and declare that the particulars given above are true and correct to the best of my/our knowledge and belief.

I/We agree that in case it is found that the institution is not entitled to any amount by way of annuity, the interim annuity paid to the institution may be recovered by the Government from it as arrears of public revenue due on land.

Applicants :

- (1) .....(Signature)
- (2) .....(Signature)
- (3) .....(Signature)

**FORM No. 26**

( See rule 56 )

**Interim annuity payment order number**

INSTITUTION/TREASURY

Government of Pondicherry

Debitable to .....

Head of account .....



Major head .....

Minor head .....

Voted. ....

Charged/Non-voted. ....

Name and address of the institution

Amount of interim annuity (in words) .....  
.. in (figures) .....

Name of Treasury at which payable. ....

Pondicherry :

Date :

**Secretary to Government /  
Deputy Secretary to Government**

(Score out the designation not applicable)

Office of the Pay and Accounts Office

Dated the .....

Sir,

Please pay to ..... the sum  
of rupees ..... being the amount of interim annuity payable  
under rule 56 of the Mahe Land Reforms (Tenancy) Rules, 1981, upon the production of this order  
and a receipt according to the usual form.

**Signature**

**Designation**

To

The Treasury Officer,

.....

Payable at. .... Treasury.

**FORM No. 27**

**[ See rule 60 (1) ]**

**Application to Government for acquisition of land for shifting kudikidappukaran**

To

The Government of Pondicherry

**Application under section 83 (3) of the Mahe Land Reforms Act, 1963**

Applicant :— (Names and address)

The above said applicant stated as follows :—

1. The applicant holds . . . . . cents of land in Survey No. . . . . of . . . . . Village, Taluk in the limits of the Mahe Municipality.
2. Within the said land there is a kudikidappu measuring about . . . . . cents the kudikidappukaran being ; (Name and address).
3. The land including the kudikidappu is required by the applicant for constructing a building for his own residence.
4. The applicant is, therefore, obliged to request the Government to acquire necessary land to shift the said kudikidappu to that land.
5. The applicant is prepared to deposit, whenever called for his share of the cost of the acquisition.
6. The applicant declares that on the 24th January, 1971, the total extent of land held by him either as owner or tenant was less than one acre. The details of the land held ( including the land referred to in para 1 in which the kudikidappu is situate ) on the date are given below in the Schedule.
- \* 7. This application is made with the consent of the kudikidappukaran (Produce also necessary documentary evidence to show the consent).

The applicant, therefore, prays that the Government be pleased to direct (a) acquisition of land under the Land Acquisition Act, the applicant bearing 87 1/2 % of the cost of acquisition of land, for the above said purpose, (b) the allotment of such land to the above said kudikidappukaran and (c) shifting of the kudikidappu to the land so allotted.

**Schedule of the total extent of land held either as owner or as tenant as on 24th January, 1971**

Serial number	District	Taluk	Village	Survey and sub division number if any, or a description of the land sufficient for its identification.	Extent of land	Nature of possession whether as tenant or owner.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Dated this . . . . . day of . . . . . 198

(Sd.) Applicant.

**FORM No. 28**

[ See rule 60 (9) ]

**Patta for land acquired for shifting kudikidappukaran**

Number : ..... Taluk ..... Village. ....

Pattadar : .....

The amount of tax as per this patta should be paid to the village Officer or the Karnam according to the kist bandi mentioned below and receipt obtained therefor.

Station : ..... Tahsildar,

Date : ..... Amount

Kist ..... Rs. P.

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Survey number	Subdivision number	Wet or Dry	Area	Tax	Acre (Hectares) Cent (Ares)
(1)	(2)	(3)	(4)	(5)	(6)

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**FORM No. 29**

[ See rule 61 (2) ]

BEFORE THE LAND TRIBUNAL OF ..... application  
No. .... of .....

Name(s) and address(es) of applicant(s) ..... Name(s) and address(es) of respondent(s)

To  
.....

You are hereby directed to evict the kudikidappukaran Thiru. ....  
on. .... from the kudikidappu described in the Schedule below and you  
are hereby authorised to remove any person who may refuse to vacate the kudikidappu.

Given under my hand and seal this ..... day of ..... 19. ....

Date :

Place : ..... (Seal) ..... Land Tribunal

**Certificate of Execution**

I. .... do hereby declare that I have evicted the kudikidappukaran named  
above from the kudikidappu described in the schedule above on ..... day of ...  
..... 19. .... in the presence of two witnesses described below :—

Name(s) and address(es) of witnesses and their signature.

1. ....
2. ....

Date :

Place :

**Signature of the Officer Executing the Warrant**

Date :

Place :

Countersigned  
Land Tribunal

**FORM 30**

[ See Rule 62(1) ]

**Register of Kudikidappukars**

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(1)	Serial Number	
(2)	Name and address of kudikidappukaran	
(3)	Date of registration	
(4)	Taluk	
(5)	Village	
(6)	Survey and subdivision number of the land in which the kudikidappu is situate or a description sufficient for identification.	
(7)	Extent of the land in which the kudikidappu is situate	
(8)	Extent of the land occupied by the kudikidappu	
(9)	Exact location of the kudikidappu	
(10)	Name and address of owner of the land in which the kudikidappu is situate	
(11)	Name and address of the person in possession of the land in which the kudikidappu is situate.	

---

(12)	Description of the rights if any accrued to the kudikidappukaran by custom, usage of agreement and which he was enjoying immediately before the 22nd March, 1968.	
(13)	Easement attached to the kudikidappu, if any.	
(14)	Whether the kudikidappu consists of homestead or hut ?	
(15)	Name and address of the person to whom the hut belongs.	
(16)	The plinth area of the homestead or hut.	
(17)	Whether the homestead or hut has been repaired, improved or reconstructed by the kudikidappukaran as on 24th January, 1971 by extending the plinth area and if so— (a) when; and (b) the original plinth area and the extended plinth area.	
(18)	Remarks (here enter the number and date of the order of the Tahsildar).	
(19)	Signature of the Tahsildar.	

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**FORM No. 31**

( See rule 63 )

**Application for registration as kudikidappukaran**

BEFORE THE

Tahsildar. ....

Application No.. .... of 19 .....

1. Name and address of the applicant :
  2. Particulars of the land in which the kudikidappu is situate :
    - (a) Taluk :
    - (b) Village :
    - (c) Survey number and subdivision number or a description of the land sufficient for its identification :
    - (d) Extent :
    - (e) Name and address of the owner :
    - (f) Name and address of the persons in possession :
  3. Particulars of the kudikidappu—
    - (a) extent :
    - (b) location :
    - (c) its dimension :
    - (d) the plinth area of the homestead or hut as on the 24th January, 1971 :
    - (e) the plinth area of the homestead or hut as on the date of application :
  4. whether the kudikidappu consists of homestead or hut
  5. If the kudikidappu consists of hut—
    - (a) names and address of the person to whom the hut belongs :
    - (b) the cost at the time of construction of the hut :
    - (c) the rent which the hut would have yielded at the time of construction :
- Note :—** Answers to (b) and (c) to be furnished on the basis of the estimate of the applicant.
6. Whether the applicant had continuous occupation of the homestead or hut form 22nd March, 1968 to 24th January, 1971 ?
  7. If the applicant began occupation of the homestead or hut only after 22nd March, 1968, the name and address of the person who gave permission to erect the homestead or occupy the hut ;

8. Whether the kudikidappu right is claimed—

(i) after redemption of the mortgage over the land in respect of which the kudikidappu right is claimed, as a revival of the kudikidappu right which existed before the kudikidappukaran secured the mortgage with possession of such land ; or

(ii) after redemption of the mortgage over the land in respect of which the kudikidappu right is claimed, on the ground that while the applicant was the mortgagee, he erected a homestead or resided in a hut already in existence there ; or

(iii) as a transferee from a kudikidappukaran ; or

(iv) by inheritance ; or

(v) in respect of a hut belonging to the owner of a plantation and situate in the plantation

9. Whether the applicant possesses any land, either as owner or as tenant, if in possession give the extent and other details of the land so possessed and name or names of the local authority or authorities within whose jurisdiction such lands are situate ; state also whether on the land so possessed, he could erect a homestead and if not why ?

10. Description of the rights, if any, accrued to the applicant by custom, usage or agreement and which he was enjoying immediately before the 22nd day of March, 1968 :

11. Easements attached to the kudikidappu, if any :

I/We declare that the particulars stated above are correct and true to the best of my/our knowledge and belief.

Place :

Date :

**Signature**

**FORM No. 32**

**[ See rule 63 (2) ]**

**Report of the particulars of kudikidappu**

Application No. 19

1. Name and address of kudikidappukaran :

2. Date of inspection :

3. Taluk :

4. Village :

5. Survey and subdivision number of the land in which the kudikidappu is situate or a description sufficient for identification :

6. Extent of the land in which the kudikidappu is situate :
7. Extent of the land occupied by the kudikidappu :
8. Exact location of the kudikidappu :
9. Name and address of owner of the land in which the kudikidappu is situate :
10. Name and address of the person in possession of the land in which the kudikidappu is situate :
11. Description of the rights, if any, accrued to the kudikidappukaran by custom, usage or agreement and which he was enjoying immediately before the 22nd March, 1968 :
12. Easements attached to the kudikidappu, if any :
13. Whether the kudikidappu consists of homestead or hut :
14. Name and address of the person to whom the hut belongs :
15. The plinth area of the homestead or hut :
16. Whether the homestead or hut has been improved, repaired or reconstructed by the kudikidappukaran on or after 24th January, 1971 by extending the plinth area and if so—
  - (a) when, and
  - (b) the original plinth area and the extended plinth area :
17. Where the kudikidappu consists of a hut,—
  - (a) the cost of hut at the time of construction ; and
  - (b) the rent which the hut would have yielded at the time of construction :
18. Period of possession of the homestead or hut by the kudikidappukaran :
19. Details of other lands held by the kudikidappukaran in the state, as far as known.

**Place :**  
**Date :**

**Signature**

Name and designation of the reporting Officer

**FORM No. 33**

[ See rule 63 (3) ]

**Notice of enquiry on application for registration of kudikidappu.**

Application No. \_\_\_\_\_ of \_\_\_\_\_ 19

To

(Here enter name and address of the person to whom it is issued).

Where (enter name and address of the application).....  
.. has applied under section 88 of the Mahe Land Reforms Act, 1968 for registering his name in the register of kudikidappukars in respect of his kudikidappu situate in the land described herein below (here enter a sufficient description of the Land in which the kudikidappu is situate) .....  
..... and where the application has been posted for enquiry on the ..... day of ..... 19..... at .....  
..... a.m/p.m at the Office of Tahsildar/Land Tribunal..... to ascertain.

- (i) Whether the applicant is a kudikidappukaran ; and
- (ii) to settle the particulars necessary for the preparation of the register.

You are hereby informed that if you are interested in the subject matter of the enquiry, you may enter appearance at the time and date and put forth in writing your claims if any to the registration.

Date :

**By order**

Place :

**Tahsildar/Land Tribunal**

**Note :—** A sketch of the land in which the kudikidappu is situate showing the location of the kudikidappu is kept in this Office. You may on any day, before the date fixed for the enquiry, inspect the same during the working hours of this Office.

**FORM No. 34**

[ See rule 68 (1) ]

**Application for purchase of kudikidappu**

BEFORE THE LAND TRIBUNAL OF .....

Application No. \_\_\_\_\_ of \_\_\_\_\_ 19

- 1. Name and address of the applicant :
- 2. Particulars of the land in which the kudikidappu is situate—
  - (a) District, taluk and village :
  - (b) Name of the local authority within whose jurisdiction the land is situate :
  - (c) Survey number and subdivision number if any or description of the land sufficient for identification :



- (d) Boundaries :
- (e) Extent :

3. Whether the kudikidappu consists of homestead or hut :

4. If the kudikidappu consists of hut—

(a) approximate cost of the hut at the time of construction :

(b) the monthly rent which it would have yielded at the time of construction :

5. Whether the applicant had continuous occupation of the hut or homestead from 22nd March, 1968 to 24th January, 1971 ; if he had no such continuous possession, the name and address of the person who gave permission to erect the homestead or occupy the hut and the date, month and year or in which such permission was given ;

6. Whether the applicant possesses any land either as owner or as tenant ; if in possession give the extent and other details of the land so possessed and name or names of the local authority of authorities within whose jurisdiction such lands are situate :

7. Where the total extent of land possessed by the applicant exceeds 200 sq. metres, state whether he could erect a homestead on such land possessed by him and if not why :

8. Whether the kudikidappu right is claimed—

(i) after redemption of the mortgage over the land in respect of which kudikidappu right is claimed, as revival of the kudikidappu right which existed before kudikidappukaran secured the mortgage with possession of such land ; or

(ii) after redemption of the mortgage over the land in respect of which kudikidappu right is claimed on the ground that while the applicant was the mortgagee, he erected a homestead or resided in a hut already in existence there ; or

(iii) as a transferee from a kudikidappukaran ; or

(iv) by inheritance ; or

(v) in respect of a hut belonging to the owner of a plantation and a situate in the plantation

**Note :—** Score out the grounds not applicable to him and state clearly the facts which entitle him to be a kudikidappukaran.

9. The extent of land held by the person in possession of the land in which the kudikidappu is situate as on the 24th January, 1971 (so far as known to the applicant),—

(a) less than 40.47 ares :

(b) 40.47 ares or more but less than 80.94 ares :

(c) 80.94 ares or more but less than 1.21 hectare :

(d) 1.21 hectare or more but less than 1.61 hectare :

(e) 1.61.88 hectare or more but less than 2.03.35 hectares :

(f) 2.03.35 hectares or more :

**Note :—** Score out the items not applicable.

10. Name and address of the holder of encumbrance charged on the right, title and interest, in respect of the land in which the kudikidappu is situate, (so far as known to the applicant) of the-

- (a) landowner :
- (b) intermediary :
- (c) person in possession :

11. Name and address of the person entitled to maintenance or alimony and charged on the right, title and interest, in respect of the land in which the kudikidappu is situate (so far as known to the applicant) of the —

- (a) the landowner :
- (b) the intermediary :
- (c) the person in possession :

12. Name and address of the person in possession of the land in which the kudikidappu is situate :

13. Name and address of the landowner of the land in which the kudikidappu is situate (so far as known to the applicant) ;

14. Name and address of the intermediaries, if any, in the land in which the kudikidappu is situate (so far as known to the applicant) :

15. Name and address of the person to whom the hut, in any belongs :

16. Where there are other kudikidappus in the land in which the kudikidappu of the applicant is situate. If so the number of such other kudikidappus and the name and address of such kudikidappukars :

17. Whether there are other kudikidappus (so far as known to the applicant) in other lands, if any, whether situated in the jurisdiction of this Land Tribunal, held by the person in possession of the land in which the kudikidappu of the applicant is situate. If so, the number of such kudikidappus and details as far as possible of the lands in which those are situate and the name and address of the kudikidappukars of such kudikidappus :

Dated this the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_

Applicants (1). . . . . ( Signature)

(2). . . . . (Signature)

**DECLARATION**

I/We declare that the particulars stated in columns. . . . . of this application are true to the best of my/our knowledge and that the particulars stated in columns. . . . . of this application are based on information which I/We believe to be true.

Applicant (1). . . . . ( Signature)

(2). . . . . (Signature)

**FORM No. 35**

[ See rule 68 (2) ]

**Notice of application for purchase of kudikidappu**

BEFORE THE LAND TRIBUNAL OF .....

**NOTICE**

Reference : Application No. .... of ..... 19.....

To

All whom it may concern

(Name and address of the party when issued as individual notice).

Whereas (here enter the name and address of the applicant) .....  
has applied under section 88B of the Mahe Land Reforms Act, 1968 to purchase his kudikidappu  
situate in the land described herein below (give the Survey number and subdivision number and  
description sufficient for the identification of the land) ..... and  
situate within the jurisdiction of ..... of Municipality .....  
..... and in the possession of (here enter the name of the person in  
possession of the land in which the kudikidappu is situate). ..... and  
whereas the ..... day of .....19..... has  
been fixed by this Tribunal for appearance of parties and filing of written statement.

You are hereby informed that if you have any objection to the applicant being allowed to  
purchase his kudikidappu or any claim to or over the purchase price payable by him, you may enter  
appearance before this Tribunal sitting at ..... on the date above fixed at  
..... a.m/p.m and put forth by a written statement your objections  
against the aforesaid application being allowed or your claims if any to or over the purchase price.

If you are a kudikidappukaran in the land described above, you may, if you are entitled to and  
desirous or purchasing you kudikidappu and the land adjoining thereto, apply to this Tribunal for  
such purchase on or before the day above fixed for the appearance of the parties.

A copy of the application in Form 34 is appended.

(By Order)

**Place :**

**Date :**

**Head Ministerial Officer.**

FORM No. 36

( See rule 76 )

Certificate of purchase of kudikidappu

No.

Office of the Land Tribunal  
Dated :

Reference : Number and year of the application for purchase.

This is to certify that Thiru/Tmt. . . . .  
. . . has purchased under the provisions of the Mahe Land Reforms Act, 1968, the land, the land with the kudikidappu thereon, described in the Schedule below and more particularly specified in the plan herewith appended and that the purchase price is Rs. . . . .(in words)  
. . . . .of which one-half is payable by the purchaser. The purchaser, the whole of having deposited Rs.. . . . . (in words). . . . .  
. . . . . being the whole of his share of the purchase price, the first instalment of his share of the purchase price being not bound to deposit and purchase price on account of set off allowed to him, he is declared to be the owner of the land, the land with the kudikidappu thereon on and from the . . . . . day of . . . . .  
. . . . . 19 . . . . . and it is further declared that with effect from that day the right, title and interest of the landowner, intermediary or intermediaries, and the person in possession, in respect of the land/ the land with kudikidappu have vested in the purchaser free from all encumbrances, but subject to the liability for payment of future instalments of purchase price, if any, together with the interest thereon, and subject also to the liability for all taxes and cesses payable to the Government or to any local authority.

Given under my hand and the seal of the Land Tribunal, this day . . . . . of  
19

(Seal of Office)

Land Tribunal

SCHEDULE

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District, taluk and village.	Survey number, subdivision number or a description sufficient for identifying the land.	Extent.	Name and address of the landowner whose right, title and interest are purchased.	Name and address of the intermediary whose right, title and interest are purchased.	Name and address of the person in possession whose right, title and interest are purchased.	If the purchase price is paid in instalment, the number of instalments the amount of each instalments and date on which each instalment is payable.
(1)	(2)	(3)	(4)	(5)	(6)	(7)

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**FORM No. 37**  
[ See rule 90 (1) ]

**The land Tribunal/Appellate Authority/the Land Board**

Posting book for the ..... day of ..... 19 .....

Serial number of case (1)	Year and number (2)	Previous posting (3)	Purpose of the adjournment (4)	Adjourned date (5)	Purpose of adjournments (6)

**FORM No. 38**  
[ See rule 92 (1) ]

**Diary Register**

In the Land Board / Appellate Authority / Land Tribunal of .....  
..... No. .... of 19 .....

**Between A.B. and C.D.**

Date (1)	Purpose of Proceeding (2)	Orders passed (3)	Adjourned date (4)	Purpose of adjourned (5)	Initials of member of the Land Board or Appellate Authority or Land Tribunal (6)

**FORM NO. 39**  
[See Rule 104(1)]  
**Register of Final Orders**

Serial number. (1)	Original application number. (2)	Date of application. (3)	Name of the applicant. (4)	Name of the respondent. (5)	Gist of claim with relevant section of the act. (6)	Date of final orders. (7)	Gist of the final order. (8)	Number of appeal. if any and gist of appellate order with date of order. (9)	Number of revision if any and gist of revisional order with date of order. (10)	Initials of the Land Tribunal/Land Board. (11)

**FORM No. 40**  
( See Rule 108 )

**Register of Applications**

**LAND TRIBUNAL OF** .....

Application No..... of 19 ..... presented on.....

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Applicant (name and address) and pleader.	Respondent (name and address) and pleader.	Gist of claim.	Date for respondent's first appearance.	Date of final order and result.	Appeal number and result with date.	Revision number and result with date.	Remarks.

**FORM No. 41**

( See rule 108 )

**Register of Court-fees during the year 19 .....**

**LAND TRIBUNAL OF** .....

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Serial number.	The date of presentation of the document.	The name and address of the person presenting the document.	Number and year of the application in which it is presented.	The nature of the application (Document).	Denomination of stamps.	Total value.	Remarks.
					Rs. P. No.	Rs. P. No.	

**FORM No.42**

( See rule 106 )

**Register of impounded instruments during the year ..... 19**

**THE LAND TRIBUNAL OF .....**

(1)	Serial number.
(2)	Date of filing the document.
(3)	Date of order.
(4)	Number and year of the applicant.
(5)	Nature and date of instrument impounded
(6)	Name and address of person by whom produced.
(7)	Proper stamp duty.
(8)	Stamp duty already paid.
(9)	Deficiency to be made good
(10)	Penalty
(11)	Total of columns 9 and 10
(12)	Date of payment and address of payer
(13)	Initials of Head Ministerial Officer.
(14)	Date of remittance to the treasury and number of chalan.
(15)	Date of sending the copy or original to the Collector.
(16)	Date of return of original.
(17)	Remarks.

FORM No. 43

( See rule 198 )

Register of applications for the return of documents

THE LAND TRIBUNAL OF .....

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Serial number of application	Date of application	Name and rank of the applicant in the proceeding in which the document was filed.	Number and year of the proceeding in which the document was filed.	Description of the document applied for.	The Court's order on the application	The date of return of the document	The acknowledgment by the party of the receipt of the document	Remarks

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**FORM No. 44**

( See rule 108 )

**Register of Copy application**

**THE LAND TRIBUNAL OF .....**

Serial number	Name of the applicant	Date of application	Description of the document applied for	Date of order on the application	Date of calling for copying sheets	Number of copying sheets produced with date	Date of prepatation of copies	Date of receiving copies	Date of issue of copies	Acknowledgment of the issue	Number of sheets supplied	Number of sheets returned	Acknowledgment of return	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)

**FORM No. 45**

( See rule 108 )

**Stock Register of Stationery and Forms**

**THE LAND TRIBUNAL OF .....**

*N. B. :* — One page should be set apart for each kind of article or form.

Name of article or form. ....

Date	Receipts	Total including balance in hand	Issue To whom number and date quantity	Balance	Initials of the person to whom issued
(1)	(2)	(3)	(4)	(5)	(6)

FORM No. 46

( See rule 108 )

Register of Commissions

THE LAND TRIBUNAL OF .....

(1)	Date of issue of commission.	(9)	Amount (if any) paid into the hands of the commissioner for the expenses of the execution of the commission
(2)	Number and year of the case in which the commission is issued.	(10)	Date of such payment.
(3)	Date of order for issue of the commission and the circumstances under which it is made.	(11)	Date fixed for the return of the commission.
(4)	Nature of the commission ordered and issued.	(12)	Date of return.
(5)	The locality in which the commission.	(13)	Result of the execution of the commission and the fact production of vouchers for expenses incurred.
(6)	Distance of the locality from the of the Tribunal/Board	(14)	Date of payment of remuneration to commissioner and the commissioner's signature.
(7)	Remuneration fixed for the commission and the date of payment thereof.	(15)	Remarks.
(8)	Name and qualifications of the persons to whom the commission is issued and if, to another tribunal, the name of that tribunal.		

**FORM No. 47**

( See rule 108 )

**Register of papers despatched for the year 19. ....**

**THE LAND TRIBUNAL OF .....**

---

Serial number	Number of the letter and date of despatch	To whom addressed	Cost of stamp Rs. P.
(1)	(2)	(3)	(4)

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**FORM No. 48**

( See rule 108 )

**Stock Register of service postage stamps for the year 19 .....**

**THE LAND TRIBUNAL OF .....**

---

Date	Particulars of receipts of issue including opening balance	Stamps								Value of stamps	Initials of head ministerial officer
		Re.1	50 P.	25P.	10P.	5P.	2P.	1P.			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	

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Number of stamps received Number of stamps issued with Number of letter and name of addressee Balance.

**FORM No. 49**

( See rule 138 )

**Declaration to be made under section 128**

1. (a) Name of the transferor/transferee :

(b) Address in full :

2. Particulars of the land to which the document relate.

---

Serial number.	District.	Taluk.	Sub-division.	Village.	Survey number.	Extent.	Boundaries.	Nature of transfer.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<hr/>									

3. whether the total extent of land held by the transferor/transferee including the land transferred exceeds the ceiling area.

4. Particulars of all land already held by the transferor or transferee.

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Serial number	District	Taluk	Village	Survey number	Sub-division number	Extent	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<hr/>							

I declare that to best of my knowledge and belief, the information furnished above is correct and complete.

Declarant's identity proved by

**Signature of the transferor/transferee**

Name

Occupation

Address

1.

2.

Particulars to be furnished by the Registering Authority.

Name of the office of registration :

Date of registration of the document:

Number of the document :

Registering Authority.

**Place :**

**Date :**