

**THE PONDICHERRY  
OCCUPANTS OF KUDIYIRUPPU  
( CONFERMENT OF OWNERSHIP )  
RULES, 1974**

**THE PONDICHERRY OCCUPANTS OF KUDIYIRUPPU  
( CONFERMEN OF OWNERSHIP ) RULES, 1974**

1. Short title extent and commencement - (1) These rule may be called The Pondicherry Occupants of Kudiyruppu ( Conferment of Ownership ) Rules, 1974.

(2) It shall extend to the regions known as Pondicherry, Karaikal and Yanam in the Union territory of Pondicherry.

(3) It shall come into force at once.

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

(a) "Act" means the Pondicherry Occupants of Kudiyruppu ( Conferment of Ownership ) Act, 1973 ( Act No. 8 of 1974 )

(b) "Form" means a form appended to these rules

(c) " section" means a section of the Act.

<sup>1</sup> 2A. Additional factors to be taken into account in determining the area adjacent to the dwelling house or hut under explanation - II to clause (7) of section 3. - For the purpose of determining whether any area adjacent to the dwelling house or hut is necessary for the convenient enjoyment of such dwelling house or hut, the authorised officer shall take into account the following additional factors, namely:-

(a) the number of cattle owned, the actual extent covered with garden and the economic status of the agriculturist or agricultural labourer, immediately before the 27th day of March, 1972;

(b) the number of members of the family ;

(c) the manner in which the land has been used; and

(d) the trees, if any, planted by the occupant.

2B. Form of application by owner for alternative site.- (1) Every application under section 4A shall be in Form I and shall be made to the authorised officer.

(2) (a) The distance between the existing kudiyruppu and the alternative site shall not exceed one kilometre.

(b) The alternative site shall in the opinion of the authorised officer be suitable for residential use with independent access from an existing public road.

(c) The Owner shall surrender possession of the alternative site to the agriculturist or agricultural labourer within thirty days from the date of service of the order of the authorised officer under clause (a) of

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1. Inserted vide Notification No. 10056/81/C dt 24-01-1984 Published in E. O. G. No.12, dt 10-02-1984.

sub - section (1) of section 4A on him or within such further period not exceeding fifteen days as the authorised officer may at his discretion, permit.

2C. Time limit for payment of costs by the owner to the agriculturist or agricultural labourer for shifting of the residence to the alternative site.- The owner shall pay to the agriculturist or agricultural labourer, the costs as decided by the authorised officer under sub - section (2) of section 4A within thirty days from the date on which the order of the authorised officer under clause (a) of sub - section (1) of section 4A was served on him or within such further period not exceeding fifteen days as the authorised officer may, at his discretion, permit.

2D. Time limit within which the agriculturist or agricultural labourer should shift to the alternative site.- The agriculturist or agricultural labourer, shall shift to the alternative site provided by the owner in pursuance of the permission granted under clause (a) of sub - section (2) of section 4A, within sixty days from the date receipt of notice from the authorised officer.

2E. Time limit and the manner for refund of costs to the owner in case the agriculturist or agricultural labourer falls to shift the kudiyruppu to the alternative site. - The authorised officer shall refund to the owner in lump sum the costs recovered from the agriculturist or agricultural labourer under clause (b) of sub - section (6) of section 4A within thirty days from the date of such recovery".<sup>1</sup>

3. Form of application for settlement of dispute.- Every application for the settlement of dispute under section 5 shall be in Form I and shall be made to the authorised officer within a period of two months from the date on which the dispute arose.

Provided that the application may be received by the authorised officer after the period of two months aforesaid if the authorised officer for reasons to be recorded in writing is satisfied that the applicant had sufficient cause for not applying within that period.

4. Procedure to be followed in deciding a dispute under section 5 (1) on receipt of an application under rule 3, the authorised officer shall issue a notice to the applicant and all other persons interested in the kudiyruppu mentioned in the application fixing a date for hearing and directing the persons interested appear on the date specified there in and make their representations. On the date fixed for hearing or on any other date which the enquiry may be adjourned, the authorised officer hear the parties and pass orders with regard to the dispute.

(2) Every order passed under sub - rule (1) shall be communicated to the parties concerned

5. Disposal of appeals under section 6(1) -- Every appeal under sub - section (1) of section 6 shall be in Form II and be accompanied by a certified copy of the order appealed against and shall be made to the appellate authority within a period of thirty days from the date of receipt of the order appealed against;

Provided that the appellate authority may admit an appeal filed after the prescribed period if the appellate authority for reasons to be recorded in writing , is satisfied that the appellant had sufficient cause for not filing the appeal within that period.

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1. Inserted vide Notification No. 10056/81/C dt 24-01-1984 Published in E. O. G. No.12, dt 10-02-1984.

(2) On receipt of an appeal the appellate authority shall issue a notice to the appellant, the respondent or respondents, as the case may be, fixing a date for Hearing and directing the parties to appear on the date specified therein and make their representations.

(3) On the date fixed for the hearing or on any date to which the hearing may be adjourned, the appellate authority shall hear the parties and pass orders modifying the order or allowing the appeal or dismissing or remanding it for fresh disposal in accordance with the direction issued by it.

(4) Every order passed by the appellate authority shall be communicated to the parties concerned.

6. Procedure for determination and payment of compensation under section 8. - Before determining the amount of compensation payable under section 8, the authorised officer shall first issue a notice to the occupant of the kudiyruppu, the owner of the kudiyruppu or superstructure and all other persons interested therein, fixing a date for hearing and directing the parties to appear on that date and make their representations. On the date fixed for hearing or any other date to which the enquiry, may be adjourned, the authorised officer shall hold the enquiry, hear the parties, peruse the documents produced by them, and determine by order, the compensation payable for the vested kudiyruppu or superstructure, if any, the persons to whom the amount is payable and the amount of compensation payable to them and publish the said order in the Official Gazette. A copy of the said order shall be communicated to the person who is the owner of the kudiyruppu or superstructure immediately before the date of the commencement of the Act and every person interested therein.

7. Disposal of appeal under section 9 :- An appeal under section 9 shall be made to the court within thirty days from the date of communication of the order under section 8;

Provided that the court may admit an appeal filed after the prescribed period, if it is satisfied that the appellant had sufficient cause for not filing the appeal within that period.

8. Reference to the court under section 10 (2) :- A reference to the court made by the authorised officer shall be in Form III.

9. Deposit of compensation in the court under section 11 where authorised officer deposit the amount of compensation in the court, he shall send a report in Form IV to the court explaining the facts of the case and the reasons for depositing the amount of compensation in the court.

10. Second appeal under section 12:- A second appeal under section 12 shall lie to the High court only if the amount of compensation as determined by the authorised officer exceeds Rs.10,000/- in each case.

11. Mode of payment of compensation under section 14:- The amount of compensation as determined under rule 6 shall be payable in cash to the persons interested, within a period of three months from the date of publication of the order under the said rule in the official Gazette.

12. Recovery of compensation payable under section 15.- In the case of kudiyruppu and/or the superstructure including trees thereon, if any, where the value is Rs.100 and less, it shall be payable within one month from the date of the publication of the order under rule 6 in the official Gazette in a lump sum in one instalment with interest at the rate of 6 percent per annum, and if the value exceeds Rs. 100 it shall be payable in three annual instalment with interest at the rate if 6 percent per annum. The first instalment shall be paid by the kudiyruppu within a period of one month from the date of publication of the order under rule 6 in the official Gazette.If the entire amount is paid in a lump sum within one month he will be entitled to a rebate of 5%.

13. Issue of title deed under section 16.- The title deemed to be issued by the authorised officer shall be in Form V.

13A. <sup>1</sup> A register showing the kudiyrupputars conferred with the homestead rights shall be maintained for each revenue village in the office of the Tahsildar or Deputy Tahsildar, as the case may be, and by the village karnams in Form V-A.<sup>1</sup>

14. <sup>2</sup> Time limit for refund of the amount to the original occupant or heir or legal representative and notice of transfer. (1) The authorised officer shall refund the amount mentioned in sub - section (3) of section 17 to the person entitled to the same in a lump sum within ninety days from the date of surrender of kudiyruppu.

(2) The notice of transfer under sub - section (5) of section 17 shall be sent to the authorised officer having jurisdiction over the area in Form VI.<sup>2</sup>

15. **Representation.**- (1) In any proceeding before the authorised officer or the appellate authority a person shall be entitled to be represented by a legal practitioner to act and plead on his behalf.

(2) The authorised officer or the appellate authority as the case may be, may permit any agent, duly authorised in writing by a party, to act and plead on his behalf.

Provided that the authorised officer or the appellate authority may, at any stage of the proceedings, cancel such permission.

Provided further that, in the case of such cancellation the party concerned shall be informed of it and shall be afforded sufficient opportunity for his being thereafter represented before the authorised officer or the appellate authority as the case may be, by another agent duly authorised in this behalf or by a legal practitioner.

16. **Court fees.**- The court fees payable in respect of applications and appeal, shall be as follows:-

(i) Application relating to dispute	Rs.P.
Under section 5	1.50
(ii) Appeal under section 6 (1)	2.00

1. Inserted vide G.O.MS. No. 2 dt 17-02-1976.

2. Substituted vide Notification No. 10056/81/C dt 24-01-1984 Published in E. O. G. No.12, dt 10-02-1984

(iii) Appeal under section 9	2.00
(iv) Any other application	1.50

Form prescribed under the Pondicherry Occupants of Kudiyiruppu ( Conferment of Ownership ) Rules, 1974, issued under the Pondicherry Occupants of Kudiyiruppu ( Conferment of Ownership ) Act, 1973 ( Act No.8 of 1974 ).

**<sup>1</sup>FORM - I**  
**( See Rules 2 A )**

**Application by owner for alternate site under section 4A**

1. Name of the district	...
2. Name of the taluk	...
3. Name of the village	...
4. Name and address of the owner	...
5. Particulars of the kudiyiruppu -	
(a) District	...
(b) Taluk	...
(c) Village	...
(d) Survey number	...
(e) Local name	...
(f) Classification ( Wet, dry, etc )	...
(g) Total extent	...
(h) Extent of kudiyiruppu	...
(i) Numbers of occupants	...
6. Reasons for the offer of alternative site	...

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1. Inserted vide Notification No. 10056/81/C dt 24-01-1984 Published in E. O. G. No.12, dt 10-02-1984.

7. Particulars of the alternative site -
  - (a) District ...
  - (b) Taluk ...
  - (c) Village ...
  - (d) Survey number ...
  - (e) Local number ...
  - (f) Classification ( Wet, dry etc. ) ...
  - (g) Total extent ...
  - (h) Extent offered as alternative site ...
  - (i) Nature of access from public road ...
8. Distance between the existing kudiyruppu and the alternative site ( in kilometres ) ...
9. The period within which the owner is prepared to part with the alternative site ...
10. Is the alternative site fit for erection of a dwelling house or hut ? ...
11. Remarks ...

Signature of the Applicant .<sup>1</sup>

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1. Inserted vide Notification No. 10056/81/C dt 24-01-1984 Published in E. O. G. No.12, dt 10-02-1984.

**FORM - I A**

**( See Rule 3 )**

**APPLICATION FOR SETTLEMENT OF DISPUTE UNDER SECTION 4A**

1. Name of the Taluk / Sub - Taluk . . .
2. Name of the Village . . .
3. Name and address of the applicant . . .
4. Nature of interest, whether Occupier of kudiyiruppu or owner. . .
5. Name and address of interested persons with nature of interest . . .
6. Particulars of the kudiyiruppu . . .
  - (a) Village
  - (b) Survey number
  - (c) Local name
  - (d) Wet or dry
  - (e) Total extent
  - (f) Extent of the kudiyiruppu
7. Nature of dispute . . .
8. Particulars of evidence relied upon in support of the case . . .
9. Remarks . . .

Signature of the applicant

Form prescribed under the Pondicherry occupants of kudiyiruppu ( Conferment of ownership ) Rules 1974, issued under the Pondicherry occupants of kudiyiruppu ( Conferment of Ownership ) Act, 1973 ( Act No.8 of 1974 ).



**FORM II**

**( See Rules 5 )  
Appeal under section 6 (1)**

1. Name of the Taluk/ Sub - Taluk . . .
2. Name of the Village . . .
3. Name and address of the applicant . . .
4. Nature of interest, whether occupier  
of kudiyruppu or owner . . .
5. Names and address of interested persons  
with nature of interest . . .
6. Particulars of the kudiyruppu -
  - (a) Village
  - (b) Survey Number
  - (c) Local Name
  - (d) Wet or dry
  - (e) Total extent
  - (f) Extent of the kudiyruppu
7. No. & date of the order appealed against :
8. Grounds of appeal in brief
9. Remarks

Signature of the applicant

Form prescribed under the Pondicherry Occupants of kudiyruppu ( Conferment of Ownership )  
Rules, 1974, issued under the Pondicherry Occupants of kudiyruppu ( Conferment of Ownership ) Act,  
1973 ( Act No.8 of 1974 ).

**FORM III**

**( See Rules 8 )**

**Reference of court under Section 10.**

1. Name of the Taluk/Sub - Taluk . . .
2. Name of the Village . . .
3. Name and address of the applicant . . .
4. Nature of interest, whether occupier  
of kudiyruppu or owner. . .
5. Names and address of interested persons  
with nature of interest . . .
6. Particulars of the kudiyruppu -
  - (a) Village
  - (b) Survey Number
  - (c) Local name
  - (d) Wet or dry
  - (e) Total extent
  - (f) Extent of the kudiyruppu
7. Amount of compensation determined . . .
8. Nature of the dispute relating to the  
apportionment of the compensation . . .
9. Remarks:

Signature of the authorised officer.

Form prescribed under the Pondicherry Occupants of kudiyruppu ( Conferment of Ownership ) Rules, 1974 issued under the Pondicherry Occupants of kudiyruppu ( Conferment of ownership ) Act, 1973 (Act No.8 of 1974 ).

**FORM IV**

( See Rules 9 )

**Reference to court under section 11**

1. Name of the Taluk / Sub - Taluk . . .
2. Name of the village . . .
3. Name and address of the Applicant . . .
4. Nature of interest, whether occupier  
of kudiyruppu or owner . . .
5. Name and address of interested persons  
with nature of interest. . .
6. Particulars of the kudiyruppu, -
  - (a) Village
  - (b) Survey Number
  - (c) Local name
  - (d) Wet or dry
  - (e) Total extent
  - (f) Extent of the kudiyruppu
7. Amount of compensation determined . . .
8. Nature of the dispute relating to the apportionment  
of the compensation . . .
9. Remarks :

Signature of the authorised officer

Form prescribed under the pondicherry occupants of kudiyruppu ( Conferment of Ownership ) Rules, 1974, issued under the Pondicherry occupants of kudiyruppu ( Conferment of Ownership ) Act, 1973 (Act No.8 of 1974 ).

**<sup>1</sup>[ FORM V**

**( See Rules 15 )**

**Title deed under section 16**

This title deed is executed on the \_\_\_\_\_ day of \_\_\_\_\_, One thousand nine hundred and eighty .....between the President of India ( hereinafter referred to as the transferor ) Which expression shall, where the context so permits includes his successors and assigns and Thiru/ Thirumati ..... ( here mention the name, age, address etc. ) ( hereinafter referred to as the transferee )

Whereas the transferee was in possession of the kudiyiruppu more fully described in the schedule hereto from \_\_\_\_\_ and thus in occupation on the 27th March, 1972 as required under section 4(1) of the Act;

And whereas the transferee has granted permission to transfer the same to the above transferee, under section 16, of the pondicherry Occupants of kudiyiruppu ( conferment of ownership ) Act, 1973;

Now, therefore the transferor hereby assigns all the lands mentioned in the schedule hereto to the transferee so that they may be retained by him/ her as his/ her possession in fixity for an infinite period.

2. This title deed shall be subject to the provision of the Act and rules and to the conditions referred to in the annexure hereto; and the conditions hereafter contained having agreed upon by the transferee.

**THE SCHEDULE**

1. Name of the region
2. Name of the taluk/sub-taluk
3. Name and number of the village
4. Survey No. and the sub - division numbers
5. Extent
6. Classification of the land
7. Boundaries

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1. Substituted vide Notification No. 10056/81/C dt 24-01-1984 Published in E. O. G. No.12, dt 10-02-1984

8. Particulars of the superstructure
9. Particulars of trees etc.
10. Remarks.

#### **ANNEXURE (Condition )**

1. If it has been found that this transfer had been effected by mistake or by false information or by deceit or if it has been noticed that there is an anomaly in the procedure followed, the transfer shall be liable to alteration or cancellation.
2. If the land or a part thereof is utilised for agricultural purposes, the Government shall have the right to levy land revenue in lieu of the ground rent. This assessment will be subject to changes from time to time according to the rules in force.
3. The cost towards the lay out of the lands and preparation of plans consequent on the assignment of kudiyiruppu shall be collected from the transferee.
4. The charges for the layout of the lands along with the preparation of plans including incidental and other charges shall be collected from the transferee.
5. The transferee, if his right has been transferred, to some other person shall inform the matter to the authorised officer within three months from the date of the effect of the transfer under section 17 (1) of the above Act. If the transferee of the kudiyiruppu dies the person possessing the right of transfer as his successor or otherwise shall intimate the fact to the authorised officer within one year from the death of the transferee.

In witness where Thiru \_\_\_\_\_ Deputy collector ( Kudiyiruppu ) for and on behalf of the President of India and Thiru \_\_\_\_\_ the transferee have here unto set their respective signature on the date, month and year first above mentioned.

This was issued under the signature and seal of Thiru

Deputy Collector (Kudiyiruppu)

For and on behalf of the president of India

Deputy Collector ( Kudiyiruppu )  
( the transferor )

Signed in the presence of the following witnesses.

- 1.
- 2.

The signature of Thiru  
( Transferee )

Signed in the presence of the following witnesses.

- 1.
- 2.¹

**FORM V A**  
**( See Rule 13 - A )**

Register showing the kudiyrupudars conferred with homes rights:

Name of the commune Panchayat:

Name of the Village:

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S1. No	Survey extent in the R.S.No	No. & comprised title deed Extent	No. and date of the award	Name of the Person to whom Title Deemed issued	Scheduled Caste (SC) or other Caste (OC)	Condition of the title deed
(1)	(2)	(3)	(4)	(5)	(6)	(7)

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Total amount due	First instal - ment paid	Instalments Due		Third Instalment Amount	Date of Collection with receipt No.	In case default payment according to colum (10)& action taken.
		Second Instalment Amount	Date of collection with receipt No.			
(8)	(9)	(10)	(11)	(12)	(13)	(14)

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Remarks as to (i) whether the conditions have been fulfilled, (ii) person in physical possession and his relationship with the person noted in col. (5), (iii) If the condition had been violated, action taken.

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**FORM -VI**

**( See Rule 14 )**

**Notice of transfer under section 17**

1. Name of the Taluk/Sub-Taluk
2. Name of the village
3. Name and address of the applicant
4. Nature of interest, whether occupier of kudiyruppu or owner
5. Names and address of interested persons with nature of interest
6. Particulars of the kudiyruppu-
  - (a) Village
  - (b) Survey Number
  - (c) Local name
  - (d) Wet or dry
  - (e) Total extent
7. Amount of compensation determined
8. Nature of the dispute relating to the apportionment of the compensation
9. Remarks

Signatute of the transferor or transferee.

**GOVERNMENT OF PONDICHERRY  
REVENUE DEPARTMENT**

No.9324/74-C

Pondicherry, the 20-2-07-1978.

**NOTIFICATION**

S.O.NO.20.-In exercise of the powers conferred by Sub-Section (4) of section 3 of the Pondicherry Occupants of Kudiyiruppu (Conferment of Ownership) Act, 1973 (Act No.8 of 1974) and in Superssion of the Notification No. 4931/77-C dt. 15th April 1977 of the Revenue Department, Pondicherry publshied as S.O.No. 16 in the Extraodinaire No. 119 dt. 21st April 1977, the Lieutenant Governor, Pondicherry hereby appoints the officers mentioned in Colum (2) of the Table below to exercise the powers and discharge the duties and funtions of the Authorised Officer under the said Act in respect of the areas specified in column (3) thereof.

**TABLE**

SL.NO.	Name of the officer	Area
1.	The Director of Survey and Land Records, Pondicherry	Pondicherry and Yanam Regions
2.	<sup>1</sup> Sub/Assistant/Deputy Collector (Revenue), Karaikal <sup>1</sup>	Karaikal Region

1. Substituted vide Notification No.43/3-78/16439-C dt 21-12-1978.



**GOVERNMENT OF PONDICHERRY  
REVENUE DEPARTMENT**

No.43/3-78/6439-C

Pondicherry, dt. 21st Dec. 1978.

**NOTIFICATION**

S.O.No.37.- In exercise of the powers conferred by sub-section (4) of section 3 of the Pondicherry occupants of kudiyiruppu (Conferment of Ownership ) Act, 1973 (Act No. 8 of 1974) the Lieutenant Governor, Pondicherry hereby makes the following amendment to the Notification S.O.No. 20 dated 19th July 1978 of the Revenue Department published in Extraordinaire Gazette No. 117 dated 24th July 1978.

**AMENDMENT**

In the Table under the Notification for the words "The Revenue Officer, Karaikal " the words "Sub/Assistant/Deputy Collector (Revenue), Karaikal" Shall be substituted.