

**THE YANAM LAND REFORMS (CEILING ON
AGRICULTURAL HOLDINGS) RULES, 1978**

LA GAZETTE DE L'ETAT DE PONDICHERRY

THE GAZETTE OF PONDICHERRY

No.	Pondicherry	Samedi	30	Juin	1979
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No.	Pondicherry	Saturday	30th	June	1979

(9 Asadha 1901)

GOVERNMENT OF PONDICHERRY

REVENUE DEPARTMENT

No. 4111/78/C

Pondicherry, the 17th April 1979

NOTIFICATION

In exercise of the powers conferred by section 26 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (Regulation No. 1 of 1977), the Lieutenant-Governor of Pondicherry hereby makes the following rules, namely :—

RULES

1. **Short title and commencement.**— (1) These rules may be called the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978.

(2) They shall come into force at once.

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

(a) ' declarant ' means every person who is required to furnish a declaration under section 7 or section 16 of the Regulation ;

(b) ' form ' means a form appended to these rules ;

(c) ' Regulation ' means the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (Regulation No. 1 of 1977) ;

(d) ' Tahsildar ' means a Tahsildar holding charge of a taluk or a Deputy Tahsildar holding independent charge of a taluk or sub-taluk.

3. **Procedure for furnishing of declaration.**— (1) Every declaration under section 7 or section 16 shall be in Form-I and shall be furnished by the declarant in triplicate.

(2) The declaration shall be presented either in person or by an authorised agent in the

Office of the Tribunal or shall be sent by registered post or recorded delivery with acknowledgment due addressed to the Tribunal ; and the receipt of every such declaration shall be acknowledged in Form-II by an officer authorised in this behalf by the Tribunal.

(3) Every declaration received in the Office of the Tribunal, shall be assigned a case number serially and the name and address of the declarant and the case number assigned to him shall be entered in a register to be maintained for this purpose in the Office of the Tribunal.

(4) A notice to be issued by the Tribunal under sub-section (2) of section 7 shall be in Form-III.

(5) If any person who is liable to furnish a declaration under sub-section (1) or sub-section (2) of section 7 or under section 16 fails to furnish the declaration within the specified time, without prejudice to any action that may be taken against him under section 23, the Tribunal may obtain the necessary information by making a reference to the Tahsildar within whose jurisdiction, such person ordinarily resides or in any other manner as the Tribunal considers convenient for obtaining the necessary information.

4. Publication and verification of declarations.— (1) The declaration furnished or information obtained under section 7 or section 16, as the case may be, shall be published in the following manner :—

(a) a copy of the declaration or information shall be kept in the Office of the Tribunal for public inspection on any working day in the presence of an officer authorised in this behalf by the Tribunal ; and

(b) the fact of the receipt of such declaration or information and its availability in the Office of the Tribunal for public inspection shall be announced by beat of tom tom in all the villages in which the holding or any part thereof is situated.

(2) A public notice in Form-IV containing the particulars of land and the person holding such land in respect of declaration or information received, shall be published by affixing a copy thereof on the notice-boards of the Office of the Tribunal in which the declaration has been filed, and the Office of Tahsildar, and the Municipal Office.

(3) Every declaration furnished shall be referred by the Tribunal for local inspection and verification by the Tahsildar.

(4) The Tahsildar to whom a declaration has been referred under sub-rule (3) shall make or cause to be made an inspection or verification as soon as may be practicable, and shall submit a full and complete report as to—

(a) the correctness of the statements made in the declaration ;

(b) the taram which each land in the declaration bears or is deemed to bear ;

(c) the correct classification and extent of standard holding of each land ;

(d) the relative proportion of the extent of land of each class to the extent of a standard holding of the appropriate class under which the land falls ;

(e) the land revenue payable on each land ; and

(f) such other particulars and information as would be useful to the Tribunal for arriving at a correct determination of the ceiling area and the extent of the land, if any, held in excess of the ceiling area.

(5) A copy of the report on its receipt by the Tribunal shall be furnished to the declarant.

5. Computation of holdings.— In computing the holding of a person or a family unit consisting of lands of different classes,—

(i) each land shall be placed in the appropriate class in accordance with its classification ;
and

(ii) the extent of the standard holding shall be determined shall be determined in respect of each class of land in accordance with the table under section 4.

6. Enquiry and determination of ceiling area.— (1) The Tribunal shall fix the date on which and the time and place at which an enquiry in respect of the declaration, or information published and the objections, if any, received thereto, will be held ad intimate the same by a notice in Form V, to the declarant or the holder of the land in respect of which the information has been received, to the other persons interested, to the objectors, if any.

(2) On the date fixed for the enquiry under sub-rule (1) or on such other date or dates to which the enquiry may be adjourned, the Tribunal shall hear the declarant or the holder, the person interested, the objectors, if any, who may be present and may also give them an opportunity to adduce such evidence, both oral and documentary, as may be necessary. After examining the evidence so adduced and such other person or persons or documents as the Tribunal may consider necessary for arriving at a just decision, the Tribunal shall, as soon as may be, pass an order under section 8 determining whether the person holds or is deemed to hold on the notified date or specified date, as the case may be, an extent of land in excess of the ceiling area and, if so, the extent of land so held in excess as on that date.

7. Surrender of land.— (1) The notice to be served under sub-section (2) of section 9, on every person, whose holding is in excess of the ceiling area, shall be in Form VI.

(2) The statement required to be filed by a person under section (2) of section 9 shall be filed, either by presenting it in person or by an authorised agent, in the Office of the Tribunal or by sending it by registered post or recorded delivery with acknowledgment due addressed to the Tribunal, within the time specified in the notice referred to in sub-rule (1).

(3) Where the Tribunal proposes to refuse to accept the proposed surrender of any land, it shall serve a notice in Form VII on the person concerned requiring him to surrender any other land in lieu thereof.

(4) The Tribunal shall, before passing an order under sub-section (3), sub-section (4) or sub-section (5) of section 9, publish the particulars of land proposed to be surrendered or selected in Form VIII in the same manner as provided for publication of the notice in Form IV, and consider the objection, if any, received in pursuance of such publication.

(5) Every order passed by the Tribunal under section 9, shall be communicated in writing to the declarant and objectors, if any, and a copy thereof shall be marked to the Tahsildar.

8. Procedure for taking possession of the land surrendered.— (1) The Tribunal after communicating a copy of the order passed under sub-rule (5) of rule 7 in respect of any land surrendered or deemed to have been surrendered by an owner, issue an order in Form IX authorising any officer not lower in rank than a Revenue Inspector to take possession of such land.

(2) A copy of the order shall be served on the person who has surrendered or is deemed to have surrendered the land and on any other person in possession or occupation of such land.

(3) Where the person concerned voluntarily delivers possession of the land, the officer authorised to take possession of the land may enter on the land shall record a statement of the person to that effect and also record a certificate in Form X and send the same to the Tribunal.

(4) Where the person concerned fails to voluntarily deliver possession of the land, the officer authorised to take possession of the land may enter on the land and take possession thereof after removing any obstruction or any unauthorised occupant, if any, on such land if necessary by using such force as he thinks fit and record a certificate in Form X duly attested by two witnesses :

Provided that no land shall be so taken possession of until seasonal crop, if any, on ground is harvested.

(5) The certificate in Form X shall be prepared in triplicate and a copy shall be sent to the Tribunal and to the Tahsildar concerned.

(6) The particulars of all lands so surrendered or deemed to have been surrendered and taken possession of and vesting in the Government free from all encumbrances, shall be entered in a register by the Tahsildar concerned setting apart separate pages for each revenue village.

(7) All lands vesting in the Government shall be registered in the Revenue Accounts of the village as assessed waste Government lands until their allotment or transfer, as the case may be, in accordance with the provisions of the Regulation, or until their registry is duly altered in accordance with the rules in force relating to Government lands.

9. Reversion of land surrendered by usufructuary mortgagee, etc.— (1) Where any land is surrendered or is deemed to have been surrendered under the Regulation by any usufructuary mortgagee, tenant, limited owner or person in possession by virtue of a mortgage by conditional sale or through part performance of a contract for sale or otherwise, the possession of such land shall, as soon as may be after a seasonal crop on the land is harvested, revert to the owner, except in a case where the owner himself surrenders such land as surplus under the provisions of the Regulation, where upon it shall vest in the Government free from all encumbrances.

(2) Where a person specified in sub-rule (1) fails to deliver possession of the land to the owner voluntarily, the owner may apply to the Tribunal for being put in possession of the land.

(3) The Tribunal shall, after giving an opportunity, to the person in possession of making a representation, by order, authorise any officer not below the rank of a Revenue Inspector to take possession of the land and deliver it to the owner.

(4) The procedure laid down in rule 8 shall, so far as may be, apply in taking possession and delivering the land to the owner under this rule. A certificate of delivery of possession shall be recorded in Form XI in triplicate and a copy of each shall be sent to the Tribunal, and the Tahsildar for purposes of record.

10. Disposal of lands vested in the Government.— (1) Subject to the reservations provided in the Regulation, the following persons and Societies shall be eligible for assignment of lands vested in the Government for purposes of agriculture or for purposes ancillary thereto or for use as hose site :—

(i) A person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Regulation ;

(ii) Any other person who is completely dispossessed of his holding by virtue of the provisions of the Regulation ;

(iii) A person whose extent of holding is reduced below 1.2 hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Regulation ;

(iv) A landless agricultural labourer belonging to scheduled castes or scheduled tribes who contributes his own physical labour or that of any member of his family in the cultivation of the land ;

(v) Families of servicemen killed in action and war widows of 1962, 1965 and 1971 Wars ;

(vi) Ex-servicemen disabled in action ;

(vii) Ex-servicemen who have meritoriously served in army, navy or air force ;

(viii) Other ex-servicemen and persons in active military service ;

(ix) Freedom fighters in indigent circumstances ;

(x) A landless agricultural labourer other than the landless agricultural labourer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land ;

(xi) A repatriate from Burma, Ceylon or Vietnam who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who is in indigent circumstances ;

(xii) A co-operative farming society, the members of which are landless agricultural labourers, provided that the extent of land assigned to the society together with the land, if any, already held by the society does not exceed the ceiling area :

Provided that the applicant who are domiciled in this Union territory (at least 5 years of continuous residence) shall be given preference over non-residents ;

Provided further that allotment to persons in categories from (iv) to (xii) shall be made having regard to the number of applications received in each category and the total availability of lands vested in the Government.

(2) The maximum extent of land which may be allotted to an individual or a family unit for use as house site shall not exceed 0.056 hectares (five cents) and the maximum extent of land which may be transferred to an individual or a family unit for agricultural purposes or for purposes ancillary thereto shall not exceed 0.30 hectares of wet land or 0.50 hectares of dry land.

(3) The Deputy Collector (Revenue) shall invite applications for the assignment of lands vested in the Government and, for this purpose, shall publish a notice in Form XII, in the following manner, namely :—

(i) by affixture in the village chavadi or if there is no village chavadi, in some other conspicuous public place in the village or town in which the land referred to in the notice is situated ;

(ii) by beat of tom-tom in the said village or town ;

(iii) by affixture on the notice-boards of the Offices of Deputy Collector (Revenue) and Taluk/Sub-Taluk concerned and the Municipal Office within which the land is situated.

(4) Application for the assignment of lands vested in the Government shall be in Form XIII and shall be presented, in person, to the Deputy Collector (Revenue) or sent to him by registered post.

(5) (a) As soon as may be, after the expiry of the time allowed for the presentation of applications for the assignment of lands vested in the Government the Deputy Collector (Revenue) shall prepare a list of all the applications received.

(b) The Deputy Collector (Revenue) shall then publish a notice in Form XIV in the manner prescribed in sub-rule (3), inviting objections, if any, to the assignment of the land to the applicant, within a period of fifteen days from the date of publication of the notice.

(c) After the expiry of the time allowed for preferring objections, the Deputy Collector (Revenue) shall make, or cause it to be made by an officer of the Revenue Department not lower in rank than Revenue Inspector, such local enquiry or inspection as may be necessary. He shall also given an opportunity to the applicants and to the objectors of being heard.

(d) The Deputy Collector (Revenue) shall then consider the respective claims of the applicants and pass orders. The orders passed by the Deputy Collector (Revenue) shall be communicated to all the applicants and objectors.

(e) After passing orders under clause (d) of sub-rule (5), the Deputy Collector (Revenue) shall issue to the assignee a notice in Form XV specifying the amount, which the assignee has to pay as value of the land of the buildings and trees thereon, if any, the number of installments in which he can pay it, if he desires to pay it in installments instead of in a lumpsum, the amount of each installments, the date on which each instalment is payable every year and the rate of interest payable on outstanding installments. The notices shall direct the assignee to remit into the treasury either full amount payable or, at his option, the first instalment thereof, and to produce the treasury chalan, on a specified date before the Deputy Collector (Revenue). After the chalan is produced the Deputy Collector (Revenue) shall take action to get the deed of assignment in Form XVI executed by the assignee.

(6) The allotment or transfer of lands shall be made by the Deputy Collector, subject to the following conditions namely :—

(a) The allottee or transferee shall pay to the Government the sum specified in sub-section (2) of section 12 in fifteen equal installments from the date of allotment or transfer, each annual instalment being payable before the 1st day of March of every year.

(b) Where the land transferred contains any fruit bearing trees or permanent structures, the transferee shall also be liable to pay the value of such trees or structures, as calculated as per rule 11, and it shall be recovered in fifteen equal annual installments along with the sum payable for the land under clause (a).

(c) No instalment of the sum payable shall be recovered in a fasli year in which the land revenue is remitted or suspended and such instalment shall stand postponed by one fasli year and the instalment so postponed shall be recovered together with the instalment of the succeeding year :

Provided that such concession shall not extend to assignments made for purposes other than agriculture or for purposes ancillary thereto.

(d) The allottee or transferee, shall, in addition to the instalment payable under this rule, be liable to pay the land revenue and other rates and taxes, if any, payable on the land.

(e) Where the land is allotted for use as house-site, the allottee shall utilise the same for construction of a house thereon within a period of two years from the date of allotment or such further period as the Tahsildar may permit.

(f) Where the land is transferred for purpose of agriculture or for purposes ancillary thereto, the land shall be cultivated personally by the transferee or any of the members of his family or by hire labour under the supervision and control of himself or any member of his family.

(g) All lands allotted or transferred shall be heritable, but not alienable. This prohibition shall not apply for hypothecating the land to Government or to a Co-operative Society or to a Scheduled Bank authorised by the Government for affording credit to agriculturists for the purpose of securing a loan.

(7) Where any person fails to pay the instalment due or violates any of the conditions of allotment or transfer, the Deputy Collector (Revenue), may after giving an opportunity to the person concerned of making a representation in this behalf within thirty days from the date of communication of a notice, pass an order forfeiting the amount already paid and resuming the land and also authorise any officer not below the rank of a Revenue Inspector to take possession of the land ;

Provided that no such land shall be taken possession of until the seasonal crop on the ground is harvested.

(8) Against every order of forfeiture of the amount or resumption of the land passed by the Deputy Collector (Revenue), an appeal shall lie to the Collector within thirty days from the date of communication of the order.

11. Fixation of value for fruit-bearing trees and structures, etc.— (1) The amount payable for fruit-bearing trees shall be at the rates prescribed in the Pondicherry Land Grant Rules, 1975.

(2) The amount payable for the structures of permanent nature shall be equivalent to the depreciated value of the structure on the specified date and for this purpose the Deputy Collector may require the Assistant Engineer, Public Works Department, Yanam to furnish an estimate of depreciated value of such structure.

12. Manner in which the amount is payable for lands vested in the Government.—

(1) The amount payable in respect of lands vested in the Government shall be payable in cash either in one lump or in annual installments not exceeding three together with interest at six per cent per annum.

(2) A notice in Form XVII shall be issued by the Tribunal to every person known or believed to be interested in the land vested in the Government for determining the amount payable under sections 13 and 14.

(3) In determining the amount the Tribunal shall be guided by the following principles, namely:—

(i) The Tribunal shall in the first instance determine the fair rent in respect of the lands vested in the manner specified in para 4 of the schedule appended to the Regulation.

(ii) In commuting the fair rent in terms of cash, the authorised officer shall fix the cash value of the crop in such manner as he may deem fair and reasonable taking into consideration the Government records containing the season and crop and price reports and also consulting the Director for Statistics, if considered necessary :

Provided that where the average market price of any crop has been published by the Collector in the official gazette under sub-section (1) of section 13 of the Pondicherry Cultivating Tenants (Payment of Fair Rent) Act, 1970 (Act No. 5 of 1971) and such price is in force on the date of vesting, the Tribunal shall adopt such price in commuting the fair rent in terms of cash.

(iii) Subject to the provisions of paragraph 4 of Schedule I of the Regulation, for determining the normal gross produce in respect of any land for any specified crop the Tribunal shall ascertain the quantity of the produce which will be obtained if such crop were grown in a year in which the rain fall and the seasons are of a normal character, on land of the same class as the land in question similarly situated and possessing similar advantages. For the purposes of such determination, the Tribunal may take into consideration,—

(a) the soil classification of the land and the normal or standard outturn of paddy in the case of wet land and of the dry irrigated crop in the case of dry unirrigated or irrigated land for the different classes and sorts of soil ;

(b) the Government records, containing season and crop reports and rainfall accounts ;

(c) the accounts of land owners, intermediaries and the cultivating tenants wherever available for similar lands enjoying similar advantages ; and

(d) the oral, or documentary evidence adduced by any of the interested parties and decrees of Civil Courts.

(4) The Tribunal shall prepare an assessment roll in Form XVIII indicating the amount determined and shall cause it to be published together with,—

(a) A statement in Form XIX that the amount specified therein is the entire amount payable for all interests in the land and subject to other provisions of the Regulation the persons named therein are the only persons who are entitled thereto in the proportion stated therein ;

(b) A notification in Form XX stating that any person having an interest in the said land may file a claim for the amount due to him from out of the total amount payable, within 30 days from the date of publication of the notification containing assessment roll in the gazette.

(5) The assessment roll referred to in sub-rule (4) together with the statement and notification shall be caused to be served on the persons whose name appear therein and shall also be published in the following manner, namely :—

(a) Publication in official gazette ;

(b) Affixture on the notice-board of the Tribunal ;

(c) Affixture on the notice-board of Taluk/Sub-Taluk and Municipality ;

(d) Affixture in some conspicuous public place in the revenue villages in which the lands are situated.

(6) The Tribunal shall consider any objection which may be preferred under sub-rule (4) and after conducting summary enquiry, apportion the amount of compensation among the persons entitled in proportion to the value of their interest.

(7) Where there is no claim by any person as being entitled to receive payment or where a person entitled to receive the payment refuses to receive the amount, the Tribunal shall deposit the amount in Treasury as a Revenue deposit.

13. Form of declaration to be filed by a transferor at the time of registration.— The declaration to be filed with the registering officer under sub-section (1) of section 17 shall be in Form XXI.

14. Procedure to be followed at the sittings of Appellate Tribunal constituted under section 20.— (a) The chairman of the Appellate Tribunal shall preside at all meetings of the Appellate Tribunal.

(b) The chairman of the Appellate Tribunal shall fix the date, time and place of hearing of each case.

(c) The quorum for every meeting of the Appellate Tribunal constituting of two or three members shall be two including the Chairman except as otherwise provided in these rules.

(d) All decisions of the Appellate Tribunal shall be by a majority opinion of the members present, and where the opinion is equally divided, the decision of the chairman shall be decision of the Tribunal.

(e) if any member of the Appellate Tribunal other than the Chairman, is interested in any proceeding before the Appellate Tribunal such member shall withdraw from such proceedings and if there is any doubt the alleged interest of any member in any proceedings, the decision of the Chairman in this regard shall be final, in any such case, the decision for the remaining members shall be the decision of the Appellate Tribunal.

(f) Where a meeting is adjourned for want of quorum and there is no quorum at the adjourned meeting also, the Chairman shall himself dispose of the business at the adjourned meeting and the decision of the Chairman in such case shall be deemed to be decision of the Appellate Tribunal.

15. Appeal.— (1) Every appeal under section 19 shall be in writing and shall bear a court-fee stamp of Rs. 10. It shall be presented in person or by an authorised agent in the Office of the Appellate Tribunal or sent by registered post or recorded delivery with acknowledgment due, addressed to the Appellate Tribunal.

Provided that no court-fee stamp shall be affixed to any appeal filed by or on behalf of the Government.

(2) Every appeal shall set forth concisely the grounds thereto and shall be accompanied by an authentic copy of the order appealed against and sufficient number of spare copies of the appeal petition, for service on the Tahsildar, the Government Pleader and the respondents mentioned therein,

(3) The Appellate Tribunal shall, before hearing the appeal give notice to the parties concerned fixing the date on which and the time and place at which such appeal shall be heard. The notice shall be in Form XXII and in the case of notice to respondents such notice shall be accompanied by a copy of the appeal petition. Where in any case, other than in an appeal filed by the Government, the Government are not made the respondent, the Appellate Tribunal shall include the Government as a respondent and issue the notice to the Deputy Collector and the Government Pleader, accompanied by a copy of the appeal petition.

(4) The Appellate Tribunal may, pending disposal of the appeal, stay the orders of the Tribunal or Deputy Collector appealed against.

16. Nature of proceedings before the Tribunal.— (1) All proceedings before the Deputy Collector, the Collector ; the Tribunal or the Appellate Tribunal shall be summary and shall be governed, as far as may be, by the provisions of the Code of Civil Procedure, 1908.

(2) Subject to the other provisions of these rules, the Deputy Collector, the Collector, the Tribunal and the Appellate Tribunal may regulate the proceedings before him or it in such manner as he or it may deem fit.

(3) The hearing and enquiries by the Deputy Collector, the Collector, the Tribunal and the Appellate Tribunal shall be in public.

(4) All decisions of the Deputy Collector, the Collector, the Tribunal and Appellate Tribunal shall be in writing and shall set forth the reasons for the same.

(5) The Deputy Collector, the Collector, the Tribunal and the Appellate Tribunal shall have the power,—

(a) to make orders incidental or ancillary to the decisions of such officer or authority ;

(b) to correct any mistake arising out of any accidental error or omission in a decision or incidental or ancillary order of such officer or authority.

(6) A party shall be entitled to be represented by his agent or legal practitioner in any proceedings before the Deputy Collector, the Collector the Tribunal or the Appellate Tribunal :

Provided that the Deputy Collector, the Collector the Tribunal or the Appellate Tribunal, as the case may be, may at any stage of the proceedings, require the party to appear in person.

(7) Any person, other than a party who satisfies the Deputy Collector, the Collector, the Tribunal or the Appellate Tribunal that he has substantial interest in the matter, may at any time during the pendency of the proceedings, be permitted to appear and be heard and to adduce evidence and cross examine witness.

(8) Every notice or summons under the Regulation or these rules shall be issued under the signature of the Deputy Collector, the Collector, Chairman of the Tribunal or Appellate Tribunal, as the case may be, or under his facsimile signature, or under the signature or facsimile signature of an officer authorised in this behalf by the Deputy Collector, the Collector, Chairman of the Tribunal or Appellate Tribunal as the case may be.

(9) Every notice or summons issued or order passed by the Deputy Collector, Collector, the Tribunal or Appellate Tribunal, as the case may be, shall be served or communicated to the persons concerned either by personal delivery to him or where the above course is not feasible, by sending it by post under the certificate of posting to his address at the last known place of residence :

Provided that where a notice, summons or order is sent under the certificate of posting, it shall be deemed to have been served on such person on the date on which it would, in the usual course of post, be received by the addressee.

(10) In making any enquiry under the Regulation, the Deputy Collector, Collector, the Tribunal or Appellate Tribunal, shall have the power,—

(a) to summon witnesses and call for the production of any documents, including any public record ;

(b) to examine the parties and witnesses on oath and affirmation and reduce into writing the statement made by the persons so examined, to receive evidence on affidavits and to issue commissions for examination of witnesses ;

(c) to enter upon and inspect any land, but not a dwelling house, and do any other act which in his or its opinion may be necessary for carrying out the provisions of the Regulation or these rules.

(11) Every miscellaneous applications filed before the Deputy Collector, the Collector, the Tribunal or Appellate Tribunal shall bear a court-fee stamp of one rupee.

17. Revision to High Court.— (1) The period for filing an application for revision to the High Court shall be thirty days from the date of communication of the order and every such application for revision shall bear a court-fee stamp of five rupees, if the value of the proceeding to which the order sought to be revised relates, does not exceed Rs. 1000 and of ten rupees if it exceeds Rs. 1000.

(2) The rules issued by the High Court, from time to time for filing applications for revisions before it shall apply *mutatis mutandis* to an application for revisions under this Regulation.

18. Sanction of prosecutions.— (1) Before according any sanction for prosecution under the Regulation, the Collector shall, issue a show cause notice to the person who is proposed to be prosecuted giving him an opportunity of making representation in writing and consider such representation ; and where the Collector is satisfied that *prime facie* the person has committed the offence wilfully and without reasonable cause or excuse and that the person should be punished in the interest of justice, he shall accord the sanction for taking cognizance of the offence by the Court.

(2) Every sanction for prosecution shall be in writing and shall set out the reasons for sanctioning the prosecution.

19. Fixation of taram for a land for which no taram exists.— (1) For fixing the taram in respect of a land for which no taram is recorded in the revenue or settlement records of the Government, the Deputy Collector shall, subject to confirmation by the Collector, after issue of a notice to the party affected, provisionally determine the taram having due regard to the taram of a similar land in the vicinity of which a taram has been specified.

(2) For fixing a taram of a land deemed to be dry or wet under the Regulation but is registered as wet or dry land in the land revenue accounts of the Government, the Deputy Collector shall, subject to confirmation by the Collector, and after issue of a notice to the party affected, provisionally determine the same having due regard to the taram of a similar registered dry or wet land in the vicinity.

FORM—I

DECLARATION UNDER SECTION 7/16 OF THE YANAM LAND REFORMS (CEILING ON AGRICULTURAL HOLDINGS) REGULATION, 1977.

[See rule 3(1)]

1. Full name of the declarant :
2. His father's or her husband's name :
3. Full postal address :
4. Whether the declaration is on his own behalf or on behalf of any other person :
5. Whether the declaration relates to an individual, family unit, trust, company, firm, society, association of individuals and his or its details :
6. If the declaration relates to a family unit details of the members of the family units as on the specified date :

Sl. No.	Name in full	Relationship	Date of birth	Age
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
4				
5				
6				
7				
8				
9				
9				
10				

7. Have all details of all lands held as owner by the declarant and where the declaration is by family unit, all the members of the family unit on the specified date, been furnished in Annexure I ?

8. Have all details of all lands owned by others but held by the declarant and where the declaration is by a family unit, by all members of the family unit as limited owner, usufructuary mortgagee, tenant or in possession by virtue of a mortgage by conditional sale or through part performance of a contract for the sale of land or otherwise on the specified date, been furnished in Annexure II ?

9. Have all details of all lands held by the declarant and where the declaration is by a family unit, all the members of the family unit on 24th January 1971, but transferred whether by way of sale, gift, usufructuary mortgage, exchange, settlement, surrender or in any other manner, whatsoever or in respect of which a trust has been created on or after that date, been furnished in Annexure III ?

10. (a) Have details of all lands held by a member of the family unit whose marriage was dissolved or who was given in adoption on or after 24th January 1971, been furnished in Annexure I, II or III ?

(b) also furnish the details of the dissolution of the marriage or adoption separately. The details of the land so held should be shown in Annexure I, II or III separately against the name of the member of the family unit concerned.

11. Have all lands converted into non-agricultural land within a period of 5 years before the notified date, been included in Annexure I, II or III and have details of all such lands been specified in Annexure IV?

12. Have all lands on which there are encumbrances been included in Annexures I, II, III and have details of all such lands been specified in Annexure V ?

13. Have details of all lands held as owner by the declarant and where the declaration is by a family unit, all, the members of the family unit in any other part of India outside the state on the specified date been furnished in Annexure VI ?

I hereby declare that to the best of my knowledge and belief the information and particulars furnished in the form and its Annexure I to VI is full and complete and correct and relates to the entire holding held by me the family unit and that I, the family unit, do not/does not own or hold any other lands in this Union territory of Pondicherry other than what is declared above.

Place:

Date:

Signature of the Declarant.

ANNEXURE-I

Details of all lands held as an owner by the declarant and where the declaration is in respect of family unit by all members of the family unit on the specified date

Region/Taluk/ Village	S.No./Sub- division	Double crop wet or single crop wet or dry	If wet, source of irrigation	Whether lanka, padugai, coconut garden, guava grape garden	Extent	If in the possession of any other persons as limited owner, usufructuary mortgagee, tenant or otherwise, full name and address of such persons
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total						

Place :
Date :

Signature of the Declarant

ANNEXURE – II

Details of all lands owned by others but held by the declarant and where the declaration is by a family unit, by all the members of the family unit as limited owner, usufructuary mortgagee, tenant or in any other capacity on the specified date

Region/Taluk/ Village	S.No./Sub- division	Double crop wet or single crop wet or dry	If wet, source of irrigation	Whether lanka, padugai, coconut garden, guava garden, grape garden	Extent	Full name and address of the owners	In what capacity held
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
TOTAL							

Place :
Date :

Signature of Declarant

ANNEXURE-III

Details of all lands held as owner by the declarant and where the declaration is on behalf of a family unit, by all the members of the family unit on 24th January, 1971 but transferred whether by way of sale, gift, usufructuary mortgage, exchange, settlement, surrender or in any other manner whatsoever or in respect of which a trust has been created on or after that date.

Region/Taluk/ Village	S.No./Sub- division	Double crop wet or single crop wet or dry	If wet, source of irrigation	Whether lanka, padugai, coconut garden, grape garden	Extent	Date of transfer, creation of trust, full name and address of the transferee and details of registration of documents or transfer etc., and detailed reasons for such transfer etc.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Total						

Place :

Date :

Signature of the Declarant

ANNEXURE-IV

Details of all lands included in Annexure I, II or III but converted into non-agricultural lands within a period of five years before 24th January, 1971 but before the notified date

Region/Taluk Village	S.No. Sub- division	Whether double crop wet or single crop wet or dry before conversion	Extent	Nature and date of conversion
(1)	(2)	(3)	(4)	(5)
TOTAL :				

Place :

Date ;

Signature of the Declarant

ANNEXURE - V

Details of all lands included in Annexure II or III and on which there are encumbrances

Region/ Taluk/ Village	S.No. Sub- Division	Double crop wet or single crop wet or or dry	Extent	Nature of the encum- brance and details of registered document, if any	Full name and address of the person interested
(1)	(2)	(3)	(4)	(5)	(6)
Total					

Place :

Date :

Signature of the Declarant.

ANNEXURE - VI

Details of all lands held as owner by the declarant and where the declaration is by family unit by all the members of the family unit in any other part of India outside the State as on the specified date

Region/ Taluk/ Village	S.No./Sub- Division	Double crop wet or single crop wet or dry	Extent	Whether any declaration filed under any law relating to the ceiling on agriculture holdings in that State and, if so, the date of such declaration
(1)	(2)	(3)	(4)	(5)
Total				

Place :

Date :

Signature of the declarant

NOTE : 1. For definition of double crop wet land see section 2(g) of the Regulation.

2. For definition of family unit see section 2(i) of the Regulation.

3. For definition of wet land see section 2(y) of the Regulation "single crop wet land" is wet land other than double crop wet.

4. in the case of a family unit all the particulars in each Annexure shall be furnished in the three parts as follows:-

Part I - Lands held by or falling to the share of the adult male members of the family unit
(Name.....)

Part II - Lands held by or falling to the share of the adult female members or members of the family unit (Name(s).....)

Part III - Lands held by or falling to the share of the minor sons or unmarried minor daughters of the family unit including the off spring of minor sons(Name.....).

5. All the lands held by a person including a member of the family unit separately shall be declared together with the share to which such person or member of the family unit is entitled to in the lands held by a joint family, by a co-operative society, a company, or firm, as the case may be.

6. If a person is the author of a revocable private trust, the lands owned or held by such private trust shall be declared by that person as his own lands.

7. If a person is a beneficiary of a non-revocable private trust, such person shall declare that portion of the lands which is relatable to his interest in such trust or the income derive therefrom as his own lands.

8. Where a trust is partly private and partly public, the lands covered by that part of the trust which is relatable to the private trust shall be declared as his own by the person creating the trust or the beneficiaries, as the case may be.

9. Declarations shall be furnished in triplicate where a declaration is in respect of a holding comprising lands in more than one taluk, an additional copy for each taluk shall be filed.

FORM-II

(See rule 3 (2))

IN THE OFFICE OF THE TRIBUNAL

RECEIPT

Received in person/through authorised agent/by post from Shri/Smt.....on behalf of.....on.....(date) a declaration with Annexure I to VI field under section 7 / 16 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977. The declaration relates to an individual/family unit/Trust/Company/Firm/Society/Association of individuals.

The ceiling case number assigned to this declaration is C.C.No.

Place :

Date :

Signature of the Officer receiving the declaration in the office of the Tribunal.

FORM - III
[See rule 3 (4)]

IN THE OFFICE OF THE TRIBUNAL

NOTICE

To

Shri/Smt,

Under sub-section (2) of section 7 of the Yanam Land Reforms (Ceiling on Agricultural Regulation, 1977, you are hereby required to furnish to the Tribunal on or before.....(date) a declaration (in triplicate) in Form I, under the rules containing full and correct particulars of all the lands held by you/by the family unit as on the specified date under the Regulation failing which you will render your self liable to prosecution under section 23 of the Regulation.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer authorised by the Tribunal.

Reference No.

Forwarded in duplicate through Tahsildar of _____ for causing service obtaining acknowledgement and returning the served notice.

NOTE: Date to be specified should not be less than fifteen days from the date of communication of the notice.

FORM - IV

[See rule 4(2)]

IN THE OFFICE OF TRIBUNAL

C.C.No.

PUBLIC NOTICE

Notice is hereby given that declarations have been received from the persons noted in the schedule below (or information has been obtained) that the lands specified in the schedule are held on the specified date under the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 by the persons shown therein. The said declaration or information are kept in the Office of the Tribunal for public inspection on any working day in the presence of an officer authorised by the Tribunal.

Any person having any objection concerning the schedule lands may file his objection in writing supported by a summary of evidence and copies of documents relied on before the Tribunal within fifteen days from the date of publication of this notice. Objections received within the time will be enquired into on such date as the Tribunal may fix and communicated to the declarant and the objector. The objector will be at liberty to appear in person or by Pleader and to adduce oral or documentary evidence in support of the objections at the time of enquiry.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer
authorised by the Tribunal

Copy to : The Notice board of the Office of the Tribunal.

Copy to the Tahsildar of.....for publication on the notice-board of his office/Municipal Office in whose jurisdiction the lands are situated and for announcing the fact of such publication by beat of tom tom in all the villages in which lands are situated and for returning a copy with a certificate of such publication.

SCHEDULE

Name of declarant or the person in respect of whose holding information has been obtained	Case No. Date of receipt	Total No. of members of the family unit	Taluk/ Village	S.No/ Sub-division	Wet or dry	Extent	In what capacity held
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM -V

[See rule 6 (1)]

IN THE OFFICE OF THE

TRIBUNAL

C.C. No.

To.

Take notice that an enquiry under section 8 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 in respect of the declaration of holdings furnished by you/the information obtained of your holdings as shown in the schedule attached will held on..... (date)at.....(place).....(time).....for the purpose of determining whether the extent of land which is held by you is in excess of the ceiling area, and that you may appear before the Tribunal on the date and make any representation oral or written adduce such evidenc as you may consider necessary, failing which an *ex-parte* order will be passed on the material available.

2. A copy of the verification report on your declaration is furnished herewith.

(By Order of the Tribunal)

Place :

Date :

Signature of the Official authorised
by the Tribunal

Forward to the Tahsildar of.....along with a copy of the verification report for causing service of the notice and delivery of the report, and return of the served copy of the notice before the date of hearing.

Copy to Thiru..... who has filed an objection in response to the public notice issued on.....or who is interested.

NOTE:- Attach a schedule of lands in a case where information has been obtained by a Tribunal under section 7(3) of the Regulation.

FORM - VI

[See rule 7 (1)]

IN THE OFFICE OF THE

TRIBUNAL

C.C.No.

To.

Under section 9 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 an extent of land equivalent tostandard holding is determined as held by you in excess of the ceiling area, which you are liable to surrender under section 9(1) of the Regulation.

You are hereby required under sub-section (2) of section 9 of the said Regulation to file on or before.....(date) a true and correct statement showing the location, description and other particulars of the land (as in the Annexure) appended to this notice which you propose to surrender failing which the land held in excess of the ceiling area and liable to be surrendered will be selected by the tribunal under sub-section (4) of section 9 of the said Regulation.

Your particular attention is drawn to sub-section (5) and Explanation I of Section 9 of the said Regulation in regard to the surrender of the lands held by you in excess.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer
authorised by the Tribunal

Forwarded to the Tahsildar of.....for causing service of the notice and return of the served copy of the notice.

NOTE:- The date to be specified should not be less than fifteen days from the date of communication of the notice.

ANNEXURE TO FORM VI

ANNEXURE IN WHICH PARTICULARS OF LAND PROPOSED TO BE SURRENDERED SHALL BE FURNISHED

Taluk/ Village	Serial number sub-division	Double crop wet or single crop wet or dry	If wet, source of irrigation	Whether lanka padugai, coconut garden, guava garden, grape garden
(1)	(2)	(3)	(4)	(5)

Extent	Are there fruit bearing trees or permanent struc- tures on the land. If so the particulars thereof .	Remarks
(6)	(7)	<ol style="list-style-type: none"> 1. Is it converted into non-agricultural land and rendered unfit for purposes of agriculture. 2. Is there any dispute as to the title to the land. 3. Is there any encumbrances on the land (by way of mortgage, tenancy or otherwise). 4. Is the land in the possession of a limited owner, or any persons by virtue of mortgage by conditional sale or through part performance of a contract for the sale of the land or otherwise. 5. Is it inaccessible after severance from the rest of the buildings.
		(8)

Note: In the case of surrender by a family unit the lands proposed to be surrendered by each member of the family unit shall be exhibited separately under the full name of each member.

Full details and names and addresses of the parties in respect of item (2), (3) or (4) of column (8) should be indicated against the serial number in marks column.

(Single crop wet land) means wet land other than double crop wet.

FORM - VII

[See rule 7 (3)]

IN THE OFFICE OF THE

TRIBUNAL

C.C.No.

NOTICE

To.

Whereas the Tribunal proposed to refuse to accept the surrender of the lands proposed to be surrendered by you in your statement dated..... the details of which are given below in the schedule for the reasons noted against them: now therefore you are hereby required to file a statement showing the full details and particulars of any other lands which you will surrender in lieu thereof, on or before.....(date).

(By Order of the Tribunal)

Place :

Dated :

Signature of the Officer
authorised by the Tribunal

Forwarded to the Tahsildar of----- for causing service of the notice and returning the served copy of the notice.

SCHEDULE

Taluk/ Village	S.No. Sub- division	Wet or dry	Extent	Reasons for non -acceptance of the surrender
(1)	(2)	(3)	(4)	(5)

FORM - VIII

[See rule 7 (4)]

IN THE OFFICE OF THE

TRIBUNAL

C.C.No.

PUBLIC NOTICE

Notice is hereby given that the land specified in the schedule below are proposed to be surrendered or selected for surrender under section 9 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 and the Tribunal has provisionally approved such surrenders.

Any person having any objection concerning the schedule lands may file his objection in writing supported by a summary of evidence and copies of documents relied on, before the Tribunal within fifteen days from the date of publication of this notice. All objection received within the time shall be considered by the Tribunal thereafter.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer
authorised by the Tribunal

Copies to the Tahsidar.....for the publication of the notice in the notice-board of his office, the Municipal Office in whose jurisdiction the lands are situated and for announcing the fact of such publication by beat of tom tom in all the villages in which lands and situated and for returning a copy with a certificate of such publication.

Copy to: The notice-board of the Office of the Tribunal.

SCHEDULE

Name of the declarant or the person in respect of whose holding information has been obtained	Ceiling case No.	Taluk/ Village	S.No. Sub-division	Wet or Dry	Extent	Name of the person surrendering the land
(1)	(2)	(3)	(4)	(5)	(6)	(7)

FORM - IX
[See rule 8(1)]

IN THE OFFICE OF THE

TRIBUNAL

Reference No.

Order to take possession of the lands surrendered or deemed to be surrendered under section 10 of the Act.

To

The Land Tribunal.....in its order, dated.....in C.C.No.....finally ordered the surrender of the lands specified in the schedule below as they are held by you in excess of the ceiling area under the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 which shall vest in the Government, free from all encumbrances, from the date of this order to take possession.

You are hereby directed to deliver possession of the same to..... (designation of the officer) on or before the.....day of..... month of.....197..... failing which the officer specified above shall take possession of the lands at any time thereafter by using such force as may be necessary to remove any obstruction that may be caused.

If there is a seasonal crop standing on ground the possession shall be taken as soon as the crop is harvested.

If there is a seasonal crop standing on ground the possession shall be taken as soon as the crop is harvested.

(By Order of the Tribunal)

Place :

Date : Signature of the Officer authorised to issue by the Tribunal

Copy to the Revenue Inspector of.....for causing service of the order and returning the served copy.

Copy to.....He is authorised to take possession of the schedule lands and report compliance to the Tahsildar and to this Office and the Tribunal.

SCHEDULE

Taluk/ Village	S.No. Subdivision	Wet or dry	Extent	Name of the person bound to surrender the land
(1)	(2)	(3)	(4)	(5)

FORM - X

[See rule 8(3), (4) and (5)]

**CERTIFICATE FOR TAKING POSSESSION
(in Triplicate)**

With reference to the order of the Tribunal..... in its reference No.....I,..... hereby certify that I have taken possession of the lands described in the schedule below on he.....(date).

SCHEDULE

Taluk/ Village	S.No. Subdivision	Wet or dry	Extent	Name of the person from whom possession of the land has been taken
(1)	(2)	(3)	(4)	(5)

Place :

Date :

Signature of the Officer
taking possession

Name , address and signature of witness :-

- 1.
- 2.

FORM - XI

[See rule 9 (4)]

CERTIFICATE OF DELIVERY OF POSSESSION TO THE OWNER

(In Triplicate)

With reference to the order of the Tribunal.....in his reference No.....dated.....I,..... authorised by the Tribunal to take possession of the lands described in the schedule below and to deliver the same to the owner, certify that I have taken possession of the same and delivered the same to the owner accordingly on.....(date).

SCHEDULE

Taluk/ Village	S.No. Sub-division	Wet or dry	Extent	From whom possession taken	Owner to whom possession has been delivered
(1)	(2)	(3)	(4)	(5)	(6)

Place :

Date ;

Signature of the Officer
delivering the possession

Name, address and signature of the witnesses :-

- 1.
- 2.

Signature of the person to whom
possession delivered

FORM - XII

[See rule 10(3) of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978

Notice inviting application for assignment of lands vested in the Government

1. It is hereby notified that the land specified in the schedule below, which has been vested in the Government is available for disposal. Applications for the assignment of the land will be received by thetill.....(date). Any person desiring to apply for the assignment of the land may present his application in person or send it by registered post, to the said.....on or before the date specified above.

2. The following persons and societies shall be eligible for the assignment of the land and shall be entitled to preference, in the following order :-

i) A person who has been cultivating the land and who is completely dispossessed of the land which is declared as surplus, as a result of the provisions of the Regulations :

ii) Any other person who is completely dispossessed of his holding by virtue of the provisions of the Regulation :

iii) A person whose extent of holding is reduced below 1.2 hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Regulation :

iv) A landless agricultural labourer belonging to scheduled castes or schedule tribes who contributes his own physical labour or that of any member of his family in the cultivation of the land:

v) Families of servicemen killed in action and war widows of 1962, 1965 and 1971 Wars :

vi) Ex-servicemen disabled in action ;

vii) Ex-servicemen who have meritoriously served in army, navy or air-force :

viii) Other ex-servicemen and persons in active military service ;

ix) Freedom fighters in indigent circumstances :

x) A landless agricultural labourer other than the landless agricultural labourer referred to in clause (iv) who contributes his own physical labour or that of any member of his family in the cultivation of the land.

xi) A repatriate from Burma, Ceylon or Vietnam who is likely to contribute his own physical labour or that of any member of his family in the cultivation of the land and who is in indigent circumstances;

xii) A co-operative farming society, the members of which are landless agricultural labourers, provided that the extent of land assigned to the society together with the land, if any, already held by the society does not exceed the ceiling area.

3. The total extent of land that may be assigned to any person referred to in items (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x) and (xi) and in paragraph 2, together with the extent of other land if any, already held by such person, if such person is a member of a family, by such family, shall not exceed two hectares.

4. The assignment shall be liable to be modified or cancelled, if it is found that it was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the

procedure or that it was in excess of the limits prescribed in the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (Regulation 1 of 1977) or the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978.

Provided that no assignment shall be modified or cancelled if five years have elapsed after it was made.

5. In the event of the modification or cancellation of the assignment as aforesaid, the land assigned shall be resumed from the assignee, either in part or in full, as the case may be and, on such resumption the assignee, shall not be entitled to compensation for any improvement effected by him on the land but the value of the land, buildings and trees thereon paid by him may, at the discretion of the assignee, be refunded to him in part or in full. The assignee shall be liable for damages, if any, caused by him to the land and compensation for the damages shall be recovered from him by deduction from the value of the land, buildings and trees thereon paid by him and, if the compensation for the damages exceeds the value of the land, buildings and trees thereon paid by him, such excess shall be recovered from him.

6. All sums found due to the assignor under, or by virtue of, these present, shall be recovered from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970, as if such sums were arrears of land revenue, or in any other manner as the assignor may deem fit.

7. The annual assessment on the land shall be liable to periodical revision at resettlement.

8. The Government reserve the right to levy ground-rent in lieu of assessment, if the land or a portion of it is used for a non-agricultural purpose and such ground-rent shall be liable to revision from time to time in accordance with the rules in force.

9. The land assigned shall not be sold or otherwise alienated before the expiry of a period of ten years from the date of assignment or before the payment of the value of the land in full, whichever is later.

10. Where the value of the land is payable in installments (a) the first instalment shall be payable before the execution of the deed of assignment, (b) each subsequent installments shall be payable before 31st March of every year, (c) in the event of default of the payment of two consecutive installments the amount already paid shall be liable to be forfeited to the Government and the land shall be liable to be resumed and (d) if, any year, due to adverse seasonal conditions, the land revenue in respect of the land is remitted or suspended, the recovery of the instalment payable that year and of the installments payable in subsequent years shall be postponed by one year.

11. The land will vest absolutely in the assignee only after the value of the land, buildings and trees thereon is paid in full.

12. The assignee shall engage himself in the direct cultivation of the assigned.

13. The assignee shall pay on the due dates the land revenue assessment, cesses and local taxes in force from time to time in respect of the land assigned, with effect from the year in which the assignment is sanctioned.

14. The assignee shall abide by such other conditions as may be imposed.

FORM-XIII

[See sub-rule (4) of rule 10]

Application for assignment of lands vested in the Government

1. Name and address of the applicant :

2. Particulars of the land applied for :

Region	Taluk	Village number	Survey	Extent	Classification	Assessment	Boundaries
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
						H. A. Ca.	Rs.P

3. Particulars of the land, if any, already held by the applicant and the other members of his family:

Region	Taluk	Village	Survey Number	Extent
(1)	(2)	(3)	(4)	(5)
				H. A. Ca

Classification	Assessment	Boundaries	Name of applicants interest in the land
(6)	(7)	(8)	(9)

4. Whether the applicant is completely dispossessed of his holding by virtue of the provisions of the Regulation or as a result of execution of any irrigation or hydroelectric project.

5. Whether the extent of the applicant's holding is reduced below 1.2 hectares held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of the Regulation.

6. Whether the applicant is or has been a member of the Armed Forces.

7. Whether the applicant is a member of the family of servicemen killed in action.

8. Whether the applicant is a war-widow of 1961, 1965 and 1971 wars.

9. Whether the applicant is an Ex-servicemen disabled in action.

10. Whether the applicant is a freedom fighter in indigent circumstances.

11. Whether the applicant is a repatriate from Burma, Ceylon or Vietnam.

12. Whether the applicant is a co-operative farming, the members of which are land less agricultural labourers or landless persons or a combination of both. If so, give full particulars of the members and of the lands held by them.
13. Whether the applicant is a landless agricultural labourer likely to engage himself in direct cultivation.
14. Whether the applicant is a landless person likely to engage himself in direct cultivation.
15. Whether the applicant is a cultivating tenant who is holding land which is less than two standard hectares in extent.
16. Other particulars.

Signature of the applicant

DECLARATION

I hereby declare that the particulars furnished in the application are to the best of my knowledge and belief true and correct.

Signature of the applicant

FORM - XIV

[See rule 10(5)(b)]

Notice inviting objections to the proposal for the assignment of land vested in the Government

The following list of applications received for the assignment of land is hereby published for general information.

Objections, if any, to the assignment of the land to the applicants, may be filed before the Deputy Collector (Revenue) on or before.

Serial number	Name and address of the applicant	Region	Taluk	Village	Survey number
(1)	(2)	(3)	(4)	(5)	(6)

Extent	Classification	Assessment	Boundaries	Remarks
(7)	(8)	(9)	(10)	(11)

Place :

Date :

Deputy Collector (Revenue)

FORM - XV

[See rule 10(5) (e)]

Notice to the assignee

With reference to his application, dated.....for assignment of land vested on the Government, Thiru..... is informed that it is proposed to assign to him the land, the details of which are given below ;

Name of the region :

Name of the taluk :

Number and name of village :

Survey number	Extent H.A.Ca.	Classification	Assessment Rs.P.	Boundaries	Date of vesting of land in the Government
(1)	(2)	(3)	(4)	(5)	(6)

Details of buildings (kachcha or pucca), masonry wells (in use or not use) tube wells in use	Details of trees (fruit or timber trees) or young on as	Value of the land and the buildings and trees there on, if any, to be collected from the assignee, how the value was arrived at
(7)	(8)	(9)

The value of the land and the buildings and trees thereon amounting to Rs.....(in figures and words) is payable either in lumpsum or in fifteen equal annual installments of Rs..... (in first instalment shall be payable within 15 days after the expiry of one year from the date of execution of the title deed. The subsequent installments shall be payable before 31st March of every year. When the value is paid in installments, the amount outstanding after the payment of each instalment will bear interest at six per percent per annum.

Accordingly Thiru.....is hereby directed to intimate his option to pay the entire value of the land or to pay the value in installments on or beforeIf he desires to pay the value of the land in lumpsum he is directed to remit the amount immediately in the Treasury and produce the chalan to the Deputy Collector (Revenue) on (date).....at.....(time) in..... (place).

Thiru.....is hereby informed that he will be required to execute a deed of assignment in Form XVI on the above date.

Station :

Date :

Signature and designation of the Deputy Collector (Revenue)

FORM-XVI

[See rule 10(5) (e)]

**DEED OF ASSIGNMENT OF LAND VESTED UNDER SECTION 12 OF
THE YANAM LAND REFORMS (CEILING ON AGRICULTURAL HOLDING)
REGULATION, 1977 (REGULATION No.1 OF 1977)**

The deed of assignment, made on the..... day of in the year one thousand nine hundred and.....between the Lieutenant-Governor of Pondicherry (hereinafter referred to as `the assignor`) on the one part and.....Thiru..... (here enter name, age, address etc.) hereinafter referred to as the `the assignee`) on the other part ;

Whereas the assignee has applied for the assignment and the assignor has sanctioned the assignment in favour of the assignee, of the lands mentioned and described in the schedule hereunder written :

Now these presents witness and it is hereby mutually agreed as follows :-

In consideration of the sum of.....(here enter the amount in figures and words) being the value of the said lands and of the buildings and trees thereon, remitted into the treasury by the assignee.

OR

In consideration of having agreed to pay the value of the said lands and of the buildings and trees thereon in.....equal annual installments and at payment of the sum of Rs.....(here enter the amount in figures and words) being the first instalment of the value of the land and of the buildings and trees thereon by the assignee within 15 days after the expiry of one year from the date of execution of the deed, the assignor doth hereby demise unto the assignee, by way of the assignment all the land, mentioned and described in the schedule hereunder written, to hold the same permanently and forever.

2. The assignee shall pay the balance of the value of the said land and of the buildings and trees thereon in equal annual installments each instalment amounting to Rs.....(here enter the amount in figures and words) together with interest at six per cent per annum on the amount outstanding, the payments shall be made into the Treasury to the credit of the State Government, on or before the 31st day of March every year, during the next.....years commencing with the year 19.....

3. This deed of assignment shall be subject to the conditions specified in the Appendix

SCHEDULE

Name of the region :

Name of the taluk :

Number and name of the Village :

Survey No.	Extent H. A. Ca	Classification	Assessment	Boundaries
(1)	(2)	(3)	(4)	(5)

Date of vesting of land in the Government (6)	Details of buildings (Kachcha or pucca), masonry wells (in use or not in use) tube wells in use (7)	Details of trees (fruits or timber trees or young ones) (8)
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In witness whereof Thiru.....the Deputy Collector (Revenue)..... acting for and on behalf of, and by order and under the direction of the Lieutenant-Governor of Pondicherry and Thiru.....the assignee have hereunto set their hands the day and year first above written.

Signed, sealed and delivered by the above named Thiru.....

Deputy Collector (Revenue)

In the presence of (witnesses)

- (1)
- (2)

Signed by the above named Thiru.....
(the assignee)

In the presence of (witness)

- (1)
- (2)

APPENDIX (CONDITIONS)

The assignment shall be liable to be modified or cancelled, if it is found that it was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure. The assignment shall also be modified or cancelled, if it is shown that the extent assigned to the assignee is in excess of the limits prescribed in the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (Regulation No.1 of 1977) or the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1978 :

Provided that no assignment shall be modified or cancelled if five years have elapsed after it was made.

2. In the event of the modification or cancellation of the assignment, as aforesaid, the land assigned shall be resumed from the assignee, in part or in full, as the case may be and on such resumption, the assignee shall not be entitled to any compensation, for any improvement effected by him may, at the discretion of the assigner, be refunded to him, in part or in full. The assignee shall also be liable for the damage, if any, caused by him to the land, and compensation for the damages shall be recovered from the assignee, by deduction from the value of the land, buildings and trees thereon paid by him and if, compensation for the damages exceeds the value of the land, buildings and trees thereon paid by him such excess shall be recovered from him.

3. All sums found due to the assigner under, or by virtue of these presents, shall be recovered from the assignee and his properties, movable and immovable, under the provisions of the Pondicherry Revenue Recovery Act, 1970 as if such sums were arrears of land revenue, or in any other manner as the assigner may deem fit.

4. The annual assessment on the land shall be liable to periodical revision at resettlement.

5. The Government reserve the right to levy ground-rent, in lieu of assessment, if the land or a portion thereof is used for a non-agricultural purpose and such ground-rent shall be liable to revision, from time to time in accordance with the rules in force.

6. The land assigned shall be heritable but not alienable. This prohibition shall not apply in hypothecating the land to Government or to a Co-operative Society or to Scheduled Bank authorised by the Government for affording credit to agriculturist for the purpose of securing a loan.

7. Where the value of the land and buildings and trees is payable in installments-

(a) the first instalment shall be payable within 15 days after one year from the date of execution of the deed of assignment.

(b) each subsequent instalment shall be payable before the 31st March of every year.

(c) in the event of default in the payment of an instalment, the amount of the instalment shall be recovered as an arrear of land revenue.

(d) in the event of default in the payment of two consecutive installments, the amount already paid shall be liable to be forfeited to the Government and the land shall be liable to be resumed, and

(e) if in any year, due to adverse seasonal conditions the land revenue in respect of the land is remitted or suspended, the recovery of the installments payable that year and of the installments payable in subsequent years shall be postponed by one year.

8. The land will vest absolutely in the assignee only after the value of the land, buildings and trees thereon is paid in full.

9. The assignee shall engage himself in the direct cultivation of the land assigned.

10. The assignee shall pay, on the due dates, the land revenue assessment, cesses and local taxes, in force from time to time in respect of the land assigned with effect from the year in which the assignment is sanctioned.

11. The assignee shall abide by such other conditions as may be imposed under rule 10.

FORM - XVII

[See rule 12(2)]

IN THE OFFICE OF THE.....TRIBUNAL

C.C.No.

NOTICE

Notice is hereby given to the persons mentioned in the schedule below that under section 13 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, the Tribunal proposes to determine the amount payable for the lands specified in the schedule below under section of the Regulation. All the persons having any interest in the lands may appear before the Tribunal and make any plea regarding the determination of the amount on.....(date) at..... (place) at.....(time) and for this purpose adduce such evidence as they may so desire.

(By Order of the Tribunal)

Place:

Date:

Signature of the Officer
authorised by the Tribunal

Copies to the Tahsildar/Deputy Tahsildar.....for causing service of the notice on all the persons known or believed to be interested in the land and return of the served copy of the notice before the date of hearing.

Copy to the officer authorised by the Government to receive such notices.

SCHEDULE

Taluk/ Village the (1)	Survey No. Subdivision number (2)	Wet or dry (3)	Extent (4)	Probable amount payable (5)	Names of persons known or believed to be interested in land (6)
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FORM-XVIII

[See rule 12(4)]

Assessment roll No.

Dated :

PART - I

I. Name and address of the owner of the surplus land acquired under section 9.

II. The area of the land acquired and the net annual income from the land exclusive of the value of tree, building, machinery, plant or apparatus acquired.

1. Serial number.
2. Region.
3. Taluk.
4. Village.
5. Survey number.
6. Boundaries.
7. Government or inam.
8. Wet or dry and the source of irrigation.
9. Extent.
10. Name of the registered holder or occupier.
11. Fair rent fixed for the land.
12. Land revenue payable for the land inclusive of cess, additional surcharge and charge for water.
13. Net annual income from the land (column 11 minus column 12).

14. Name and address of the person or persons interested.
15. Nature of the interest of each such person.
16. Value of interest of each person.
17. Relative priority of each person and the amount due.

III. 1. Trees.

- (a) Village.
- (b) Survey number.
- (c) Type and number of trees.
- (d) Amount payable.
- (e) Remarks.

2. Buildings.

- (a) Village.
- (b) Survey number.
- (c) Temporary or permanent
- (d) Amount payable
- (e) Remarks.

3. Machinery, plant or apparatus.

- (a) Village.
- (b) Survey number.
- (c) Description.
- (d) Present market value.
- (e) Remarks.

IV. Amount payable for the land referred to in item II above as laid down in paragraph 6 of Schedule to the Regulation.

1. The total net annual income from the land referred to in item II above.
2. (a) For the first sum of Rs.5000 or any portion thereof the net annual income noted against sub-item 1 above-Twelve times such sum or portion.

(b) for the next sum of Rs.5000 or any portion thereof the net annual income noted against sub-item 1 above-Eleven times such sum or portion.

(c) for the next sum of Rs. 5000 or any portion thereof the net annual income noted against sub-item 1 above -Ten times such sum or portion.

(d) for the balance of the net annual income noted against sub-item 1 above-Nine times such balance.

Totals

....

...

3. Total valuation on account of trees, buildings, machinery, plant or apparatus, acquired-vide paragraph 7 of Schedule to the Regulation referred to in item III above.

4. Total amount [total of sub-items (2) and (3)]

5. Amount payable to tenant, if any.

6. Net amount (sub-item 4 minus sub-item 5)

7. (a) The amount of land revenue or portion thereof in respect of the land, if any, which has been assigned in favour of any person.

(b) The amount of proportionate, quit-rent, jodi, kattubadi or other amount of a like nature payable by such person to the Government.

(c) Amount payable under the schedule

Total amount payable for all interested in the lands

Total [sub-items 6 and 7(c)] Rupees (in words.....)

V. Date from which interest is payable.

PART - II

I. The person or persons who are entitled to the amount and the amount to which each person is entitled.

1. Serial number.

2. Name and address of the person.

3. Amount.

4. Remarks.

NOTE :- In the case of limited owner or maintenance holder on the surplus land acquired, the manner of payment should be indicated in the remarks column.

Place :

Date :

Signature of the Officer
authorised by the Tribunal.

FORM -XIX

[See rule 12(4)(a)]

Whereas the land included in the assessment roll in Form 18 (enclosed herewith) has been acquired for a public purpose by the Government under section 9 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulations, 1977(No.1 of 1977). I..... Deputy Collector after full enquiry into the case and on due consideration of the various circumstances connected therewith, have determined the amount (payable under section 13 and I hereby declare that the amount) specified in the draft assessment roll, is the entire amount payable for all the interests in the land and that subject to the other provisions of the Regulation the persons therein are the persons, who are entitled to the amount in the proportion stated therein.

Place :

Date :

Signature of the Officer
authorised by the Tribunal.

FORM -XX

[See rule 12(4)(b)]

NOTIFICATION

Notice is hereby given that the amount payable for the lands vested in the Government and as determined under section 13 of Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977 (No. 1 of 1977) is specified in the draft assessment roll enclosed. All persons having any interest in the said lands may file a claim for the amount due to him from out of the amount payable for the lands within 30 days of this notification in the official gazette of the Union territory of Pondicherry.

(By Order of the Tribunal)

Place :

Date :

Signature of the Officer
authorised by the Tribunal.

FORM-XXI

[See rule 13]

DECLARATION

(In Duplicate)

Under sub-section (1) of section 17 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulations, 1977 read with rule 13 of the Yanam Land Reforms (Ceiling on Agricultural Holdings) Rules, 1977, I..... declare to the best of my knowledge schedule below does not exceed the ceiling area under the Yanam Land Reforms (Ceiling on Agricultural Holdings) Regulation, 1977.

I further declare that the holdings of all the members of the family unit of which I am a member do not in the aggregate exceed the said ceiling area.

I further declare that my holding consists of the land described in the schedule under and it does not include any other land.

I also declare that the holdings of all the members of the family unit of which I am a member consists of the lands described in the schedule and that the holdings do not include any other land.

Place :

Date ;

Signature of the Transferor.

SCHEDULE

Name of the persons/ members of a family unit(in the case of a member of the family unit give the relationship	Region/ Taluk/ Village	Survey No. Sub- division No.	Wet or dry	Extent	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

Part - A

Part - B

Note :- 1. This schedule shall be prepared in two parts as indicated below :-

Part - A shall contain details of lands held by the transferor.

Part - B shall contain details of lands held by the other members of the family if the transferor is a member of a family unit.

Note :- 2. All the lands held by a person including a member of the family unit shall be declared together with the share to which such person or member of the family unit is entitled to in the land held by a joint family, a co-operative society, a company, a firm as the case may be.

Place :

Signature of the Transferor

Date :

FORM - XXII

[See rule 15(3)]

IN THE OFFICE OF THE APPELLATE TRIBUNAL

Appeal Case No.

To

Take notice that an appeal has been filed under sub-section (1) of section 19 of the Yanam Land Reforms (Ceiling on Agricultural Holding) Regulation, 1977 against the order of the Tribunal and you are mentioned in as a party to the said appeal..... The appeal will be heard on.....(date) at.....(place) at.....(time) and you may appear at the said hearing and represent your case in person or by an agent or pleader failing which the appeal will be heard and decided *ex-parte* . A copy of the appeal petition is enclosed.

(By Order of the Appellate Tribunal)

Place :

Date ;

Signature of the Officer authorised
by the Appellate Tribunal

Copy to

Thiru.....(Appellant)

Forwarded to the Tahsildar of.....for causing service of the notice and the appeal petition and returning the served copy of the notice and the appeal petition enclosed thereto before the date of hearing.

Copy to the Government Pleader.
(with a copy of the appeal petition).