

**THE KARAIKAL PANNAIYAL  
PROTECTION ACT, 1966**

**(No. 3 of 1966)**

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ARRANGEMENT OF SECTIONS

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**THE KARAIKAL PANNAIYAL PROTECTION ACT, 1966**

(Act No. 3 of 1966)

17th February, 1966

AN ACT

**to provide for the improvement of agrarian conditions in the area known as Karaikal in the Union territory of Pondicherry.**

WHEREAS it is necessary to regulate the relationship between farm labourers and land-owners and provide a machinery for settlement of disputes;

BE it enacted by the Legislative Assembly in the Sixteenth Year of the Republic of India as follows:-

**1. Short title, extent and commencement.**-(1) This Act may be called the Karaikal Pannaiyal Protection Act, 1966.

(2) It shall extend to the area known as Karaikal in the Union territory of Pondicherry.

(3) It shall come into force on<sup>1</sup> such date as the Government may, by notification in the official Gazette, appoint.

**2. Definitions.**- In this Act, unless there is anything repugnant in the subject or context-

(a) " agricultural year" means the year commencing from 1st day of May ;

(b) "Conciliation Officer" means, in relation to any area, the Conciliation Officer appointed under this Act for such area and where no such officer has been appointed, the Revenue Officer/ Tahsildar having jurisdiction over the area ;

(c) "Government" means the Administrator appointed by the President under article 239 of the Constitution of India ;

(d) "gross produce" includes the yield obtained at the poradi ;

(e) "landowner" in relation to a pannaiyal means the owner of a land or other person deriving any right from him in respect thereof, who has engaged the pannaiyal for cultivating the said land ;

(f) "Pannaiyal" means any person engaged by the landowner to look after a farm and do all cultivation work on the land whenever necessary in the course of an entire agricultural year, but does not include one who is engaged either casually or only for a specific item of work ;

(g) "Revenue Court" means, the Revenue Court constituted under this Act and where no Revenue Court has been so constituted, the Court of the Administrator, Karaikal ;

**3. Act to override contract and other laws, etc.,**- The provisions of this Act-

(a) shall have effect notwithstanding anything to the contrary contained in any pre-existing law, custom, usage, agreement or decree or order of Court, but,

(b) shall not apply in respect of the land held by a landowner if the total extent of land held by him does not exceed one veli (6 & 2/3 acres) which is either wet land or dry land irrigated from any Government source or three velis (20 acres) of dry land not irrigated from Government source

**4.Appointment of Conciliation Officers.**- The Government or any authority empowered by him in this behalf may, by order, appoint any person for any area specified therein, to be a Conciliation Officer for the purpose of performing the functions entrusted to a Conciliation Officer by this Act.

**5.Constitution of Revenue Court.**- The Government may, by notification in the official Gazette, constitute for any area specified therein a Revenue Court for the purpose of performing the functions entrusted to a Revenue Court by this Act.

**6.Revision by the High Court.**- The Revenue Court shall be deemed to be a Court subordinate to the High Court and its orders shall be liable to revision by the High Court on all or any of the following grounds, namely :-

(a) it has exercised a jurisdiction not vested in it by law, or

(b) it has failed to exercise a jurisdiction so vested, or

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1. The Act comes into force in Karaikal on the first day of may 1966 - Vide Notification No.7-36/65/F3, dated 1st May 1966 of the Finance Department, Pondicherry.

(c) it has acted in the exercise of its jurisdiction illegally or with material irregularity.

**7. Wages payable to pannaiyals.**-(1) Wages shall be payable to pannaiyals and member of their families, for each day of work done at the following rates in kind :-

(a) two marrakkals of paddy for every adult male worker;

(b) one marrakkal of paddy for every adult women worker;

(c) three-fourths marakkal of paddy for every worker not being an adult.

(2) No pannaiyal shall be entitled to claim in addition any kind of customary privilege or remuneration, provided that an adult male pannaiyal shall, in addition, be entitled at each harvest to his share in the aryvadaipangu (crop share) of half-a-marakkal for every kalam of gross produce (or in the case of produce other than paddy, of one twenty-fourth of the gross produce) and be given manaikollais according to custom.

**8. Dismissal of pannaiyal.**-(1) Whenever a landowner dismisses a pannaiyal he shall, within fifteen days from the date of such dismissal, make a report thereof in writing to the conciliation Officer having jurisdiction over the area.

(2) The Conciliation Officer may, on receipt of such report from the landowner, or of any complaint from the pannaiyal who has been dismissed, call upon the landowner and the pannaiyal concerned to appear before him in person or by agent and to represent their respective cases.

(3) After considering the representation, if any so made, and after making such further inquiry into the case as he may deem fit, the conciliation Officer may, if he finds that the dismissal of the pannaiyal was not just and proper, by an award in writing, require the landowner to take back the pannaiyal and reinstate him in all the rights which would have accrued to him but for his dismissal.

(4) If the landowner fails to comply with the award of the Conciliation Officer under sub-section (3), the Revenue Court may, on receipt of intimation of such failure, after such enquiry as it considers necessary, direct the landowner to pay the pannaiyal such compensation as may be fixed by it without detriment to the rights accruing to pannaiyal under subsection (3).

(5) If the landowner fails to pay the compensation so fixed to the pannaiyal, the Revenue Court may, on application by pannaiyal, direct that it be recovered as if it were an arrear of land revenue and paid over to the pannaiyal.

(6) Any landowner or pannaiyal may terminate the engagement by giving notice of not less than 12 months ending with the expiry of the next agricultural year, or by mutual agreement, provided that where the landowner terminates the engagement under this sub-section, he shall be liable to pay to the pannaiyal, grain or money equivalent to six months wages or such amounts as may be mutually agreed upon.

**[8-A. Special privileges for member of Armed Forces.**-(1) Any pannaiyal enrolled as a member of the Armed Forces, on discharge or retirement from service, or on being sent to Reserve may make an application to the Conciliation Officer within such period as may be prescribed by rules made in this behalf for reinstating him as a pannaiyal with all the rights enjoyed by him immediately before his enrolment as a member of the Armed Forces.

(2) The Conciliation Officer shall , on receipt of an application under sub-section (1), call upon the landowner and the pannaiyal concerned to appear before him in person or by agent to represent their respective cases.

(3) After considering the representations, if any, so made and after making such further inquiry into the case as he may deem fit, the Conciliation Officer may,-

(a) if he is satisfied having regard to-

(i) the reduction, if any, in the extent of the farm after the date of the enrolment ;

(ii) the nature of the agricultural operations carried on in respect of that farm after the date of the application ; and

(iii) such other matters as may be prescribed by rules made in this behalf ; that it will not be just and proper to require the landowner to reinstate the pannaiyal, he may pass an order in this behalf ;or

(b) by an award in writing, require the landowner to take back the pannaiyal and reinstate him with all the rights enjoyed by him immediately before his enrolment as a member of the Armed Forces:

Provided that any award for reinstating any pannaiyal under this section shall, in respect of any farm where there are standing crops on the date of such award, take effect immediately after the harvest of such crops.

(4) The provisions of sub-sections (4) and (5) of section 8 shall, as far as may be, apply in relation to an award under clause (b) of sub-section (3) as they apply in relation to an award under sub-section (3) of section 8.

(5) Where a member of the Armed Forces dies while in service, the special privileges conferred by this section on such member shall be available to the widow of such member, or any person dependent upon such member immediately before his death.

(6) If a question arises whether any person is a member of the Armed Forces or not, such question shall be decided by the Government and the decision of the Government thereon shall be final.

**[Explanation.-**In this section "member of the Armed Forces" means a person in the service of the Air Force, Army or Navy of the Union of India and includes a seaman].

**9. Adjudication of disputes.-**(1) Save as otherwise expressly provided in this Act, any dispute between a landowner and a pannaiyal including any matter which affects their mutual harmonious relationship in the cultivation of land, or any question which may arise as to the payment or non-payable of any wages shall, on application by any party, be decided by Conciliation Officer.

(2) <sup>1</sup>[Against any award passed by a Conciliation Officer under sub-section (3) of section 8 or under clause (b) of sub-section (3) of section 8-A or any final order passed by a Conciliation Officer under clause (a) of sub-section (3) of section 8-A or under subsection (1) of this section, an appeal shall lie to the Revenue Court within thirty days of the passing of the award or order, as the case may be], unless the Court in the special circumstances of any case, condones the delay in preferring the appeal within that time ; and the decision of the Revenue Court in that matter shall be final.

(3) Every application under sub-section (1) and every memorandum of appeal under sub-section (2) shall bear a court-fee stamp of one rupee.

**10. Bar of jurisdiction of civil and Administrative Court.-**

No Civil Court or Administrative Court shall entertain any suit or other proceeding to set aside or modify any order, decision or award passed by any Revenue Court, Conciliation Officer, or other authority under this Act or in respect of any other matter falling within its or his scope.

**11. Power to make rules.-**(1) The Government may, by notification, make rules to carry out the purposes of this Act, and in particular for the execution or enforcement of any orders, decisions or awards passed thereunder or for the removal of any doubts or difficulties which may arise in giving effect to the provisions thereof.

(2) All rules made under this Act shall, as soon as may be after they are made, be laid before the legislative Assembly of Pondicherry while it is in session for a total period of fourteen days, which may be comprised in one session or in two successive sessions, and, if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that any such rule should not be made, that rule shall thereafter have effect only in such modified form or be of no effect as the case may be, so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.