

**THE MAHE LAND REFORMS (VESTING AND
ASSIGNMENT) RULES, 1981**

LA GAZETTE DE L'ETAT DE PONDICHERRY

THE GAZETTE OF PONDICHERRY

EXTRAORDINAIRE

EXTRAORDINARY

No. 35	Pondicherry	Mercredi	1er	Avril	1981
No. 35	Pondicherry	Wednesday	1st	April	1981
		(11 Chaitra 1903)			

GOVERNMENT OF PONDICHERRY

Revenue Department

No. 4073/80/C-Vol I.

Pondicherry, the 31st March, 1981.

NOTIFICATION

G. S. R. No. 5 - In exercise of the powers conferred by section 138 of the Mahe Land Reforms Act, 1968 (1 of 1968), the Lieutenant - Governor, Pondicherry hereby makes the following rules, namely :-

THE MAHE LAND REFORMS (VESTING AND ASSIGNMENT) RULES, 1981

CHAPTER I

GENERAL

1. Short title and commencement :- (1) These rules may be called the Mahe Land Reforms (Vesting and Assignment) Rules, 1981.

(2) They shall come into force on the date of their publication in the official gazette.

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

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

(b) "application" includes an interlocutory application ;

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

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

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

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

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

ASSIGNMENT OF RIGHTS VESTED IN GOVERNMENT

UNDER SECTION 80

4. Application for assignment :- An application for assignment of the right, title and interest of landlords vested in the Government under section 80 shall be in Form A.

5. Land Tribunal to initiate suo motu proceedings :- (1) Where a Land Tribunal receives information that the right, title and interest of the landowner and intermediaries in respect of a holding or part of a holding situate within its jurisdiction have vested in the Government under section 80, it shall, notwithstanding that an application referred to in rule 4 has not been received in respect of that holding or part, as the case may be, of its own motion assign such right, title and interest to the cultivating tenants entitled thereto in the manner hereinafter provided.

(2) The Land Tribunal shall initiate separate proceedings under sub-rule (1) in respect of each holding or part of a holding, as the case may be.

(3) Where after the initiation of proceedings under sub-rule (1) for the assignment of the right, title and interest in respect of a holding or part of a holding, an application referred to in rule 4 in respect of that holding or part, as the case may be, is received by the Land Tribunal, such proceedings and application shall be disposed of by the Land Tribunal jointly.

(4) The Land Tribunal shall maintain a register of cases in which it has initiated proceedings under sub-rule (1) in Form B.

6. Application by landowner or intermediaries :- (1) Any landowner or intermediary whose right, title and interest in respect of a holding or part of a holding have vested in the Government under section 80, may apply for the assignment of such right, title and interest to the cultivating tenant and for payment of compensation due to him under section 80A, in Form C to the Land Tribunal and a separate application shall be made in respect of each holding or part of a holding.

(2) Where an application is made under sub-rule (1) in respect of a holding or part of a holding after an application referred to in rule 4 in respect of that holding or part, as the case may be is received by the Land Tribunal or after the initiation of proceedings under sub-rule (1) of rule 5 in respect of that holding or part as the case may be, the Land Tribunal shall dispose of the application referred to in rule 4, the proceedings referred to in sub-rule (1) of rule 5 and the application referred to in sub-rule (1) jointly.

7. Notice under section 80H :- (1) The public notice under sub-section (1) of section 80H shall be in Form D ; and the individual notice under sub-section (2) of that section shall be in Form E.

(2) The public notice under sub-section (1) of section 80H shall, be published-

(a) on the notice - boards of-

(i) the office of the Land Tribunal ;

(ii) the village office of the village in which the land to which the public notice relates is situate ; and

(b) by affixture on some prominent part of such land.

8. Requisition by the Land Tribunal to the village committee :- A requisition by the Land Tribunal to the village committee under sub-section (4) of section 80H shall be in Form E1.

9. Procedure to be followed by the village committee :- (1) On receipt of the requisition referred to in rule 8 the convener of the village committee shall assign a number to every such requisition strictly according to the order in which it is received, and enter it in a register to be maintained by the village committee. The register shall be in Form E2.

(2) The convener of the village committee shall also maintain a book in which a separate page shall be allotted to each survey number in the village, the survey number being entered in the chronological order.

(3) Each page of the book maintained under sub-rule (2) shall be in Form E3.

10. Village committee may furnish further particulars :- The village committee may, in addition to the matters mentioned in sub-section (5) of section 80H furnish any other particulars it considers relevant to the case pending before the Land Tribunal.

11. Manner of obtaining information :- When the village committee desires to obtain any information, such committee or any one of its members may obtain it in any one or more of the following modes, namely-

(a) by making such enquiry as the village committee or member may deem fit ;

(b) by local inspection ;

(c) by reference to any Government record ; or

(d) in such other manner as the village committee or member deems fit.

12. Further procedure to be followed by village committee :- (1) After obtaining necessary information, the village committee shall give an opportunity to the persons concerned to be heard regarding the correctness of the information.

(2) For the purposes of sub-rule (1) the village committee may secure the presence of the persons concerned and read over the information received by the committee to such persons.

(3) The committee may also examine documentary evidence produced by the persons concerned or received by it from any other person.

13. Advice to be forwarded to Land Tribunal :- As soon as may be after the completion of the enquiry under rule 12, the village committee shall, before the date specified in the requisition received from the Land Tribunal under rule 8, forward its advice to the Land Tribunal. The advice shall be in Form E4.

14. Monthly abstract :- The convener of the village committee shall, at the end of every month, enter in Form E3 an abstract of the requisitions received by the committee during that month together with a statement showing the following particulars, before entering the requisitions for the subsequent month, namely-

(a) the total area of all holding comprised in each survey number ;

(b) the number of cases in respect of which requisition under sub-section (4) of section 80H have been received by the village committee during the month ;

(c) the total area of the holdings in respect of which such requisitions have been received during the month ;

(d) the number of cases in respect of which advice has been tendered by the village committee during the month ; and

(e) the total area covered by the holding in respect of which such advice has been tendered during the month.

15. Application by intervener :- (1) An application under sub-section (6) of section 80H shall be in Form F and shall be presented before the date of the order of the Land Tribunal under sub-section (7) of that section.

(2) Where the application is presented before the date referred to in sub-rule (1), the Land Tribunal shall implead the applicant as a party to the proceedings before it in respect of the land to which the application relates, and, where he is so impleaded, he may, within the time allowed by the Land Tribunal in that behalf, file a statement duly verified by him setting forth his claims and objections regarding the assignment of the right, title and interest of the landowner and intermediaries in respect of that land to the cultivating tenant or any matter connected therewith.

16. Dispute about tenancy or vesting :- (1) Where after the publication of the public notice under sub-section (1) of section 80H and the service of the individual notice under sub-section (2) of that section in respect of a holding, any of the parties to the proceedings pleads that the land comprised in such holding is not held by any cultivating tenant or that the right, title and interest of the landowner and the intermediaries in respect of such holding have not vested in the Government, the Land Tribunal shall decide such question as a preliminary point and pass an order thereon with reasons for such order.

(2) Where the order under sub-rule (1) is that such land is not held by any cultivating tenant or that such right, title and interest have not vested in the Government, the Land Tribunal shall forthwith reject the application referred to in rule 4 or discontinue the proceedings referred to in rule 5 and such order for rejection or discontinuance, as the case may be, shall be deemed to be an order under section 80H for all purposes of the Act.

17. Further proceedings for assignment and determination of compensation, purchase price, etc. :- (1) Where in any proceedings for the assignment of the right, title and interest of the landowner and intermediaries in respect of a holding vested in the Government, to the cultivating tenant, there is no dispute of the nature referred to in sub-rule (1) of rule 16 or, where there is such a dispute, the Land Tribunal has ordered that the holding is held by a cultivating tenant or that the right, title and interest of the landowner and intermediaries have vested in the Government, as the case may be, the Land Tribunal shall, after perusal and consideration of the application, if any, referred to in rule 4, the information referred to in rule 5, the written statement if any filed by the parties, other documentary evidence if any, produced and the report if any, of the officer appointed under section 115A and after such further enquiries as it may deem necessary and after giving a reasonable opportunity of being heard to all the persons to whom individual notices have been issued under sub-section (2) of section 80H and to the other persons who have preferred claims and objections and appeared before the Tribunal in pursuance of the notice issued under sub-section (1) of that section, pass an order under sub-section (7) of the said section :

Provided that the order on a dispute referred in sub-rule (1) of rule 16 shall not be reviewed by the Land Tribunal.

(2) The Land Tribunal shall before passing the order under sub-section (7) of section 80H, ascertain from persons claiming to be cultivating tenants, in case they appear before it, as to whether they opt to pay the purchase price in a lump.

18. Certain orders to be accompanied by statements : - (1) The order of the Land Tribunal under sub-section (7) of section 80H (including an order passed after remand) shall be accompanied by a statement in Form I :

Provided that no such statement shall be necessary in cases referred to in sub-rule (2) of rule 16.

(2) The order of the appellate authority in appeal against an order of the Land Tribunal under sub-section (7) of section 80H (including an order passed after remand by the High Court) shall be accompanied by a statement in Form I :

Provided that no such statement shall be necessary in cases where the appellate authority:-

(i) is satisfied that the land, the right, title and interest in respect of which are proposed to be assigned, is not held by a cultivating tenant or that the right, title and interest of the landowner and intermediaries in respect of the land have not vested in the Government ; or

(ii) dismisses the appeal or remands the case.

(3) The Land Tribunal shall, on receipt of the order of the High Court passed in revision, prepare a statement in Form I on the basis of such order and file such statement as part of the records of the case :

Provided that no such statement shall be necessary in cases where the High Court -

(i) holds that the land, the right, title and interest in respect of which are proposed to be assigned is not held by a cultivating tenant or that the right, title and interest of the landowner and intermediaries in respect of the land have not vested in the Government ; or

(ii) dismisses the petition for revision or remands the case.

19. Annuity instead of compensation :- (1) Where any institution claiming to be a religious, charitable or educational institution of a public nature has applied for payment of annuity and the Government have not issued a direction to the Land Tribunal to determine the annuity payable to that institution, the Land Board shall decide whether such institution is a religious, charitable or educational institution of a public nature.

(2) The Land Board shall communicate its decision under sub-rule (1) to the Land Tribunal.

(3) Where in any proceedings initiated under section 80B or section 80D, it appears to the Land Tribunal that the landowner or an intermediary is a religious, charitable or educational institution, it shall, before it passes an order under sub-rule (1) of rule 17 ascertain from the Land Board-

(i) whether such institution has been sanctioned annuity by the Government ; or

(ii) whether the Government have issued any direction to the Land Tribunal to determine the annuity payable to such institution ; or

(iii) whether such institution has applied before the 31st December 1981 for payment of annu-

ity, and if applied whether any decision has been taken as to whether such institution is a religious, charitable or educational institution of a public nature or not :

Provided that no reference to the Land Board shall be necessary in cases where the Land Tribunal is already in receipt of such information.

20. Procedure for determination and payment of annuity :- (1) On receipt of the decision of the Land Board declaring an institution as a religious, charitable or educational institution of a Public nature, the Land Tribunal shall initiate action to determine the annuity for the holdings in respect of which the institution desires to be paid annuity in its application and to assign the right, title and interest of the institution to the cultivating tenants.

(2) The Land Tribunal shall after determining the annuity in respect of all the holdings held by the cultivating tenants under the institution for which, such institution has desired for annuity, prepare a draft annuity statement in Form J, specifying the annuity payable to the institution.

(3) As soon as may be after the preparation of the draft annuity statement, the Land Tribunal shall furnish to the institution the said draft together with a notice inviting claims or objections, if any, to be made in writing within ten days from the date of receipt of the notice.

(4) The Land Tribunal shall consider any claim or objection which may be preferred under sub-rule (3) and after giving the institution a reasonable opportunity of being heard, prepare a final statement in Form J, determining the annuity payable to the institution. The final statement shall then be sent to the Land Board.

(5) On receipt of the final statement in Form J, the Land Board shall scrutinise the same and if necessary, return it to the Land Tribunal for the purpose of correcting patent mistakes or errors apparent on the face of the record. The Land Board shall thereafter forward it to the Government, with its remarks, if any.

(6) The Government shall on receipt of the statement enter the details in a register in Form K, sanction the payments to be made to the persons concerned towards the satisfaction of the encumbrances in accordance with provisions of section 75 and shall thereafter issue an Annuity Payment Order in favor of the institution in Form L.

(7) The Annuity Payment Order shall specify the amount of the annuity and the date on which it is payable where it is payable in lump and where it is payable in installments, the dates on which the installments are payable, and also the Government treasury at which the annuity is payable.

(8) The Annuity Payment Order shall be prepared in duplicate and forwarded to the Pay and Accounts Officer for authorising payment at the treasury under intimation to the institution concerned, and on receipt of the authorisation from the Pay and Accounts Officer, the Sub-Treasury Officer shall forward the institution's half of the Annuity Payment Order to the institution.

(9) The annuity shall be disbursed to the person entitled to receive it on behalf of the institution by the Sub-Treasury Officer on presentation of the institution's half of the Annuity Payment Order, together with a claim in Form M.

(10) The Sub-Treasury Officer shall maintain a register of annuities in Form N.

21. Assignment with consent and procedure therefor : - (1) Where the right, title and interest of the landowner and the intermediaries, if any, in respect of a holding have vested in the Government, the cultivating tenant, the landowner, the intermediaries, if any, the holder of the encumbrance, if any, charged on such right, title and interest and person entitled to maintenance or

alimony, if any, charged on such right, title and interest and person entitled to maintenance or alimony, if any, charged on such right, title and interest may jointly make an application in Form O to the Land Tribunal within whose jurisdiction such holding is situate :

Provided that no such application shall be made in cases where the cultivating tenant owns an extent of land (including the land, the right, title and interest in respect of which are to be assigned) in excess of the ceiling area.

(2) The application under sub-rule (1) may be presented before the Land Tribunal by any one of the signatories to such application, either in person or by recognized agent or by pleader.

(3) On receipt of an application under sub-rule (1), the Land Tribunal shall issue a notice in Form E to the District Collector concerned and publish in the manner specified in sub-rule (2) of rule 7, a public notice in Form D :

Provided that no such publication is necessary in respect of a holding for which such publication has been already made.

(4) On the day specified in the public notice under sub-rule (3) for preferring claims or objections or on any subsequent day to which the proceedings may be adjourned or, where the application under sub-rule (1) is presented after the Land Tribunal has initiated proceedings under section 80B or section 80D on the day specified in the public notice published in respect of such proceedings or on any subsequent day to which such proceedings may be adjourned, the Land Tribunal, if satisfied after making such inquiries as it may deem fit and after considering the advice given by the village committee or village committees, as the case may be-

(i) that the cultivating tenant whose name is specified in the application is the cultivating tenant entitled to the assignment of the right, title and interest of the landowner and intermediaries in respect of the holding ;

(ii) that the tenancy claimed and admitted is not created for the purpose of defeating the provisions of the Act relating to restriction on ownership and possession of land in excess of the ceiling area and disposed of excess lands ;

(iii) as to any other matter which the Land Tribunal thinks necessary to be satisfied may, notwithstanding anything contained in rule 17 pass on order 4 in Form P assigning the holding to the cultivating tenant on the basis of the particulars furnished in the application :

Provided that no such order shall be passed in cases where the Land Tribunal is not so satisfied or any person other than the signatories to the application appears before the Land Tribunal and files claims or objection or requests time for filing claims or objections.

(5) Where the claims of any person referred to in the proviso to sub-rule (4) are genuine and such person is found to have an interest in the holding or where the Land Tribunal is not satisfied as to the matters specified in that sub-rule, it shall, after giving all parties concerned an opportunity to be heard, forthwith dismiss the application and initiate **suo motu** proceedings under section 80D for assigning the holding to the cultivating tenant, ignoring the agreements.

22. Form of certificate of purchase and time of issue :- As soon as may be after an order for the assignment of the right, title and interest of the landowner and intermediaries vested in the Government, to the cultivating tenant has become final, the Land Tribunal shall issue a certificate of purchase in Form Q to the cultivating tenant.

23. Copy of certificate to be furnished to the Deputy Tahsildar and Village Officers :-

(1) A true copy of every certificate of purchase referred to in rule 22 shall be furnished by the Land

Tribunal to the Deputy Tahsildar and also to the concerned Village Officer or Village Officers and they shall take action for carrying out necessary changes in the revenue records.

(2) The Land Tribunal shall furnish a copy of the certificate of purchase to the Director of Survey also.

24. Deposits of installments of purchase price :- (1) The Second and subsequent installments of purchase price shall be deposited with the Land Tribunal in the manner specified in sub-rule (2) by the cultivating tenant within one year from the due date for payment of the previous instalment.

(2) Such deposit shall be made on or before the due date in the Government treasury in a chalan in triplicate countersigned by the Land Tribunal under the appropriate head specified by the Land Board. One copy of the chalan shall be furnished by the purchaser to the Land Tribunal who shall maintain such accounts as may be directed by the Land Board.

25. Payment on behalf of the Land Board :- (1) Where a cultivating tenant to whom the right, title and interest of the landowner and intermediaries in respect of a holding have been assigned, has paid the purchase price in lump, or where purchased price in lump has been recovered from him, the Land Tribunal, on application by the landowner or intermediary, as the case may be, and on being satisfied that the compensation due to such landowner or intermediary for the vesting in the Government of his right, title and interest in respect of all holdings held by cultivating tenants, after deducting the value of encumbrances and claims for maintenance or alimony, is not more than Rs. 20,000, may, with the approval of the Land Board, pay, in addition to the 50 per cent of the compensation payable to him by the Land Tribunal in respect of holding to which the assignment relates, the remaining 50 per cent of the compensation in respect of that holding payable to him under section 80K by the Land Board.

(2) An application referred to in sub-rule (1) shall be in Form R.

26. Tenancy rules to apply to certain matters :- The Mahe Land Reforms (Tenancy) Rules 1981, shall so far as may be, apply to all matters relating to the assignment of the right, title and interest of the landowners and intermediaries vested in the Government under section 80 to the cultivating tenants, in respect of which provision has not been made in these rule.

FORM A

Application for assignment of landlord's rights

(See rule 4)

Application No. _____ of 19 _____

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

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

1. Particulars of the holding :-

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

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

(c) Boundaries :

(d) Extent :

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

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

3. Nature of the tenancy (i. e., kanam, kuzhikanam, kudiyruppu karaima, verumpattom, etc.) and the applicant's interest in the land :

4. Name and address of the landlord to whom rent was payable by the applicant immediately before 1st April 1981 :

5. Name and address of the landowner whose right, title and interest have vested in the Government :

6. Name and address of the intermediary, if any, whose right, title and interest have vested in the Government :

7. Where the applicant was holding under an intermediary, at the time of vesting, the details of the rent which was payable by the intermediary, so far as known, to the landowner :

8. Name and address of the other persons who were interested in the holding at the time of vesting so far as known and the nature of their interests :

9. Structures, wells and embankments of a permanent nature, their approximate value and the persons to whom they belonged at the time of vesting :

10. Details of timber trees, their approximate value and particulars of the person to whom they belonged at the time of vesting :

11. The contract rent which was payable (in kind or in cash) in respect of the holding ; installments, if any in which it was payable ; the date or dates on which the rent or installments of rent were payable ; and the rate of interest, if any :

12. Where fair rent had been determined in respect of the holding under any law in force immediately before 22nd March 1968 the details of such fair rent and the number and year of the order determining such fair rent :

13. Are you agreeable for fixing one-half of the contract rent as fair rent in respect of nilam and three-fourths of the contract rent as fair rent in respect of other lands :

14. Other lands in which the applicant or any member of his family has interest either as owner with possession, cultivating tenant, or mortgagee with possession ; their extent and description :

15. Extent and description of the land, the right, title and interest in respect of which are sought to be assigned :

16. Other relevant particulars, if any :

Dated this the day of 19

Applicants : (1) (Signature)

(2) (Signature)

DECLARATION

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

Applicants : (1) (Signature)

(2) (Signature)

FORM B

Register of suo motu cases

[See rule 5 (4)]

LAND TRIBUNAL OF Case No 19
 Initiated on

(1) Serial number.	(2) Details of source of information (like application under sections 15, 37 62 etc.) statement of information under rule 6, reports of officer appointed under section 15A, record of rights, etc.	(3) Description of the holding to which the proceedings relate (specify the taluk, village, survey number and subdivision number, if any, boundaries, extent or a description of the land sufficient for its identification).	(4) Name and address of the land owner.	(5) Names and addresses of the intermediaries, if any	(6) Name and address of the cultivating tenant.	(7) If jointly considered with application referred to in rule 4 the number and year of such application.	(8) Date of order under section 80H and result.	(9) Appeal number and result of appeal with date of appellate order.	(10) Revision number and result of revision with date of the order in revision.	(11) Remarks.

FORM C

Application by Landlord for assignment

[See rule 6 (1)]

BEFORE THE LAND TRIBUNAL OF

1. Name and address of the person furnishing the information :
2. Whether the applicant is the landowner or an intermediary :
3. Particulars of the holding or part of the holding in respect of which the right, title and interest have vested in the Government under section 80,-
 - (a) District, taluk and village in which situate :
 - (b) Survey number and sub-division number, if any, or a description of the land sufficient for its identification :
 - (c) Boundaries :
 - (d) Extent :
 - (e) Class (i.e., nilam, garden, dry land, etc.)
4. Name and address of the cultivating tenant (tenant in actual possession of the holding or part of the holding to which the application relates) (so far as known) :
5. Names and addresses of the persons who liable to pay rent, before the date of vesting, to the informant :
6. If the applicant is an intermediary-
 - (a) the name and address of the landlord immediately above him :
 - (b) whether such landlord is the landowner or an intermediary (so far as known) :
 - (c) if such landlord is an intermediary the name and address of the landowner (so far as known) :
 - (d) the amount of annual rent payable by him to such landlord :
7. Where fair rent had been determined in respect of the holding under any law in force immediately before 22nd March 1968, the details of such fair rent and the number and year of the order determining such fair rent :
8. Whether fair rent had been determined in respect of the holding under the Mahe Land Reforms Act, 1968 ; if so, the details of such fair rent and the number and year of the order determining such fair rent :
9. Whether the cultivating tenant had referred any application under section 62 of the Mahe Land Reforms Act, 1968, in respect of the holding, if so, the details of the proceedings, the number and year of such proceedings and the stage at which they stood on 1st April 1981 :

10. Whether the applicant had any structure, wells and embankments of a permanent nature belonging to him in the holding at the time of vesting ; if so, the details and estimated value of such structure etc.

11. Whether the applicant had any timber trees belonging to him in the holding at the time of vesting ; if so, the details and the estimated value of such trees :

12. Whether the right, title and interest of the applicant is subject to-

- (a) encumbrance :
- (b) maintenance :
- (c) alimony

If so, the details and the names, address of the holders thereof.

13. Annual contract rent in kind or cases which the applicant is entitled to get from his tenant :

14. Whether the applicant is a small holder ; if so whether he is eligible to claim the solatium provided in section 116B :

15. Whether there are other persons entitled to the compensation ; if so, the names and address of such persons (so far as known) :

16. Other relevant particulars, if any :

Dated this the day of 19

Applicants : (1) (Signature)

(2) (Signature)

DECLARATION

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

Applicants : (1) (Signature)

(2) (Signature)

FORM D

Public notice under sub-section (1) of section 80H

[See rule 7 (1)]

PUBLIC NOTICE ISSUED BY THE LAND TRIBUNAL OF

To All whom it may concern.

Whereas the Land Tribunal has, information that the land/lands described in the subjoined schedule is/are in the possession of a cultivating tenant/cultivating tenants and that the right, title and interest of the landowner/landowners and intermediary/intermediaries in respect of the land/lands have vested in the Government under section 80 ;

And whereas the Land Tribunal intends to assign the right, title and interest so vested to the cultivating tenant/cultivating tenants of the land/lands ;

Notice is hereby given to the landowner/landowners, intermediary/intermediaries and cultivating tenant/cultivating tenants of the land/lands and also the holders of encumbrances charged on such right, title and interest and persons entitled to maintenance or alimony charged on such right, title and interest, to prefer in writing their claims and objections, if any, to the proposed assignment and matters connected therewith before the Land Tribunal at 10 A. M.. on theday of 19 at and to appear before it in person or by pleader or recognized agent on the said day at the said time and place with all relevant records to prove their respective claims or in support of their objections :

Failing which all persons concerned are informed that the proceedings relating to the assignment will be heard and decided in their absence.

SCHEDULE

Serial number	Application number or suo motu proceedings number.	Taluk	Village	Survey number or a description of the land sufficient for its identification.	Approximate extent of land.	Name and address of cultivating tenant (so far as known).	Name and address of the landowner (so far as known).	Names and addresses of intermediaries (so far as known).
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

Dated this day of 19

(Seal)

By order of the Land Tribunal
Head Ministerial Officer

FORM E

Individual notice under sub-section (2) of section 80H

[See rule 7 (1)]

BEFORE THE LAND TRIBUNAL OF

Application No of19..... **suo motu** Proceedings No..... of 19

To
(Name and address)

Whereas the Land Tribunal has information that the land described in the subjoined schedule is in the possession of a cultivating tenant and that the right, title and interest of the landowner and intermediaries in respect of that land have vested in the Government under section 80 ;

And whereas the Land Tribunal intends to assign the right, title and interest so vested to the cultivating tenant of the land ;

Take notice that the proceedings for assignment of such right, title and interest to the cultivating tenant is posted for hearing before the Land Tribunal at 10 A. M.. on the day of 19 at and that you may prefer in writing your claims and objections, if any to the proposed assignment and matters connected therewith and also appear in person, by pleader or by recognized agent on the said day at the said time and place with all relevant records to prove your claims or in support of your objections ;

Failing which you are informed that the proceedings relating to the assignment will be heard and decided in your absence.

You are also informed that if you enter appearance and apply for a copy of the application by the cultivating tenant or the material on the basis of which **suo motu** proceedings have been initiated, as the case may be, you will be furnished with the same free of charge.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Serial number	Taluk	Village	Survey number or a description of the land sufficient for its identification.	Approximate extent of land.	Name and address of cultivating tenant (so far as known).	Name and address of the landowner (so far as known).	Names and addresses of intermediaries (so far as known).	Name and addresses of other persons interested (so far as known)

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

By Order,

Head Ministerial Officer.

FORM E1

(See rule 8)

No.

Requisition to the Village Committee Land Tribunal
.....

O. A. No Year

Whereas the Land Tribunal has information that the land/lands described in the schedule to the notice in Form D enclosed is/are in the possession of a cultivating tenant/cultivating tenants whose name(s) and address(es) are shown in the statement appended and that the right, title and interest of the landowner/landowners and intermediary/intermediaries (details are shown in the statement appended) in respect of the land/lands have vested in the Government under section 80 ;

And whereas (1) the cultivating tenant/the landlord/the intermediary/all persons interested have jointly/applied for assignment ;

(2) the Land Tribunal has, on its own motion, taken steps for assignment, this requisition is hereby given to the Village Committee (s) to advise the Land Tribunal on the following matters before day of
19

1. The names and addresses of the landowner, the intermediary if any, and the cultivating tenant ;

2. The names and addresses of all other persons interested in the land ;

3. The particulars as are necessary for the identification of the land comprised in the holding,
viz :-

Village :

Survey number :

Sub-division number :

Extent :

Boundaries :

4. The value of incumbrances subsisting or claims for maintenance or alimony charged on the right, title and interest of the landowner and intermediaries, if any :

5. The amount due to the holders of encumbrances or the persons entitled to maintenance or alimony and the order of priority in which the amount is payable :

6. Whether the lease claimed is one subsisting on 22nd March, 1968 :

7. Whether the lease claimed is a bogus one created to defeat the ceiling provisions of the Act (reasons to be stated) :

8. Whether the cultivating tenant owns an extent of land (including the land, the right, title and interest in respect of which are to be assigned) in excess of the ceiling area (reasons to be stated)

9. Improvements (including timber trees) on the land belonging to the landowner or intermediary :

10. Value of each of the improvements and the total value thereof :

11. Purpose for which the land used on 22nd March, 1968 :

12. Fair rent/contract rent of the holding :

13. (here enter any other matter the Land Tribunal has decided to refer) :

Copy of the public notice and a statement of the details of persons to whom individual notice have been served are enclosed.

(By order of the Land Tribunal)

Head Ministerial Officer.

Place :

Date :

* Strike out if inapplicable.

FORM E2

(See rule 9)

Serial number (1)	Name of the cultivating tenant (2)	Survey number (3)	Page number in the book containing E3 register. (4)

FORM - E3

(See rule 9)

Register to be maintained by the Village Committee

Name of Village committee Survey number

(1) Serial number in E2 Register.	(2) Date or receipt of requisition.	(3) Reference number and name of Land Tribunal.	(4) Survey number/Sub-division number to which assignment proceedings relate.	(5) Name of cultivating tenant as furnished by the Land Tribunal.	(6) Due date for furnishing the advice to the Land Tribunal.	(7) Gist of advice of the village committee.	(8) Signature of the convener of the committee.	(9) Date on which the advice is furnished to the land Tribunal.	(10) Remarks.

FORM E4

(See rule 13)

Advice given by the Village Committee of
village to the Land Tribunal in the matter of O. A
year

The Village Committee on the basis of the requisition received from the Land Tribunal, has considered the matters referred to it and the advice of the Village Committee on each item is as furnished below :-

(1) The names and addresses of -

- (a) the land owner ;
- (b) the intermediary, if any ; and
- (c) the cultivating tenant ;

(2) The names and addresses of all other persons interested in the land :

(3) Such particulars as are necessary for the identification of the land comprised in the holding, viz :-

Village :

Survey number :

Sub-division number :

Extent :

Boundaries :

(4) The value of encumbrances subsisting or claim for maintenance or alimony charged on the right, title and interest of the landowner and intermediaries, if any :

(5) The amount due to the holders of encumbrances or the persons entitled to maintenance or alimony and the order or priority in which the amount is payable :

(6) Whether the lease claimed is one subsisting on 22nd March 1968 :

(7) Whether the lease claimed is a bogus one created to defeat the ceiling provisions of the Act (reasons to be stated) :

(8) Whether the cultivating tenant owns an extent of land (including the land, the right, title and interest in respect of which are to be assigned) in excess of the ceiling area (reasons to be stated) :

(9) Improvements (including timber trees) on the land belonging to the landowner or intermediary :

(10) Value of each of the improvements and total value thereof :

(11) Purpose for which the land was used on 22nd March 1968 :

FORM I

Statement to accompany order under sub-section (7) of section 80H

(See rule 18)

Before the Land Tribunal of

Before the Appellate Authority of

Original application No. of 19

Suo Motu Proceedings No. of 19

Appeal No. of 19

High Court Revision Petition No. of 19

Present (Name of Land Tribunal or Appellate Authority)

Part A

1. Particulars of the holding in respect of which the right, title and interest of the landowner and intermediaries have vested in Government.

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

(b) Survey No and sub-division No if any or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

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

2. Particulars of the land, the right, title and interest in respect of which is assigned to the cultivating tenant :

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

(b) Survey number and sub-division number if any or a description of the land sufficient for its identification :

(c) Boundaries :

(d) Extent :

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

Part B

1. Name and address of cultivating tenant :

2. Whether the purchase price is payable in lump or in installments and the amount of purchase price-

- (a) where payable in lump :
- (b) where payable in installments.

3. Details of set off and adjustments against purchase price :-

- (a) under sub-section (9) of section 80H ;
- (b) under sub-section (1) of section 80R ;
- (c) under sub-section (2) of section 80R ;
- (d) under clause (b) of sub-section (2) of section 80S ;
- (e) under clause (d) of sub-section (2) of section 80S ;

Purchase price actually payable by cultivating tenant after set off and adjustments.

Part C

1. Amount of compensation payable to the landowner and intermediaries in respect of the entire holding [in filling up this item, the provisions of sub-section (4) of section 80A shall be taken into consideration].

2. Amount of compensation due on apportionment.

- (a) to the landowner :
- (b) to the intermediary or each of the intermediaries :

Note : where the right, title and interest of an intermediary are held of two or more persons jointly, the amount of compensation due to the different persons need not be shown and it would be sufficient if the amount of compensation due to all such person jointly, is shown.

Part D

1. Name and address of the landowner whose right, title and interest have vested in the Government.

2. Details of set off and adjustments against compensation due to landowner-

- (a) under sub-section (9) of section 80H ;
- (b) under sub-section (1) of section 80R ;
- (c) under sub-section (2) of section 80R ;
- (d) under clause (b) of sub-section (2) of section 80S ;

3. Amount of compensation actually payable to the landowner after set off and adjustments :

4. Name and address of the holder of encumbrances charged on the right, title and interest of the landowner :

5. Amount of encumbrance charged on the right, title and interest of the landowner :

(Where there are more than one encumbrance, note the names and addresses of the holders of encumbrances in the order of priority and the amount due to each such holder.)

6. Name and address of the person entitled to maintenance or alimony charged on the right, title and interest of the landowner :

7. Amount of the value of maintenance or alimony charged on the right, title and interest of the landowner.

(Where there are more than one claimant, note the names and addresses of such claimants in the order of priority and the amount due to each such claimant).

8. Amount of compensation actually payable to the landowner after deducting the amount of encumbrance and value of maintenance or alimony.

(Where more than one person is entitled to share the compensation and where the Land Tribunal allots separate shares to each such person, the name and address of each landowner and the amount due to him shall be specified ; and if jointly awarded, it should be specifically stated that it is jointly awarded).

Part E

1. Name and address of the intermediary whose right, title and interest have vested in Government :

2. Details of set off and adjustments against the compensation due to intermediary or each of intermediaries :

(a) under sub-section (9) of section 80H ;

(b) under sub-section (1) of section 80R ;

(c) under sub-section (2) of section 80R ;

(d) under clause (b) of sub-section (2) of section 80S.

3. Amount of compensation actually payable to the intermediary or each of the intermediaries after set off and adjustments :

4. Name and address of the holder of encumbrance charged on the right, title and interest of the intermediary :

5. Amount of encumbrance charged on the right, title and interest of the intermediary or such of the intermediaries (where there are more than one encumbrance, note the names and address of the holders of encumbrances in the order of priority and the amount due to each such holder) :

6. Name and address of the person entitled to maintenance or alimony charged on the right, title and interest of the intermediary :

7. Amount of the value of maintenance or alimony charged on the right, title and interest of the intermediary or each of the intermediaries :

(Where there are more than one claimant, note the names and addresses of such claimants in the order of priority and the amount due to each such claimant).

8. Amount of compensation actually payable to the intermediary or each of the intermediaries after deducting the amount of encumbrance and the value of maintenance or alimony :

(Where more than one person is entitled to share the compensation and where the Land

Tribunal allots separate shares to each such person, the name and address of each intermediary and the amount due to him shall be specified and if jointly awarded, it should be specifically stated that it is jointly awarded).

Part F

1. Name and address of the institution which is entitled to annuity and the amount of annuity

2. Where the right, title and interest of the institution have vested in the Government on a day subsequent to 1st April 1981 the amount of rent which the institution is entitled for the period from 1st April 1981 to the date of such vesting and the name and address of the person who is liable to pay such rent to the institution :

Part G

1. In case the cultivating tenant is not entitled to assignment of the whole or a part of the holding, annual rent payable by the cultivating tenant for the holding or portion not assigned under section 80F to the Government :

Part H

1. Date on which the right, title and interest of the landowner and intermediaries vested in Government or is deemed to have vested in the cultivating tenant :

Seal :

Land Tribunal.

Note : Where the landowner or an intermediary is to be given annuity instead of compensation, the compensation due to that landowner or intermediary including the amount of encumbrances charged on the right, title and interest of such landowner or intermediary shall not be paid, but shall be earmarked to the Government.

FORM J

Draft/Final Statement of Annuity

[See rule 20(2)]

BEFORE THE LAND TRIBUNAL OF

Application No of 19

1. Name of the institution :
2. Its location (Village, taluk and district in which situate) ;
3. Nature of the institution as religious, charitable or educational :

Sl. number of the holding	(1)	(2a)	(2b)	(2c)	2(d)	2(e)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	
		District	Taluk	Village	Survey number and subdivision number	Extent	Whether the institution is entitled to annuity in respect of this holding	Name(s) and address(es) of the tenants in possession	Fair rent in respect of the holding	If the institution is an intermediary, the rent payable by it to its landlord with the name and address of landlord	Rent to which the institution will be entitled if fair rent is determined for the holding	Collection charges.	Amount of annuity to which the institution is entitled.	Details of encumbrances if any subsisting and charged on the right, title and interest of the institution with name and address of the holder of encumbrance and the amount due.	Where there are more than one encumbrance the order of the priority of each encumbrance.	Remarks.	

FORM K

Register of Statement of Annuity of Religious Institution etc.

[See rule 20 (6)]

Government Secretariat - Revenue Department

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Serial number.	Name of the Institution.	Its location (village, taluk and district in which situate).	Nature of the Institution as religious, charitable or educational	Date of receipt of the annuity statement from the Land Board.	Date of notification vesting in Government of the rights of the institution in lands.	Date of issue of the annuity payment order.	Amounts of annuity.	Remarks.

FORM L

Annuity Payment Order No.....

[See rule 20 (6)]

Institution's Half/Treasury Half

GOVERNMENT OF PONDICHERRY

Debitable to

Head of Account

Major head :

Minor head :

Voted

Charged / Non-voted

Name of Institution
Amount of annuity : (In words)
..... (In figures)
Payable in lump/..... installments.

Date or dates on which payable
Name of Treasury at which payable

Secretary to Government

*** Deputy Secretary to Government**

* Score out the designation not applicable

OFFICE OF THE PAY AND ACCOUNTS OFFICER PONDICHERRY

Dated, the

Sir,

UNTIL FURTHER NOTICE and on the expiration of every year, be pleased to pay the sum of Rs.....
being the amount of annuity payable under section 75 of the Mahe Land Reforms Act 1968 upon the production of this ORDER and a receipt according to usual form.

The payment should commence from

Signature

Designation

To

The Treasury Officer,
.....

Payable at Treasury

Amount of annuity :
(In words and figures)

(Every separate payment is to be recorded below by the Disbursing Officer)

Year for which annuity is due	Number of instalment if any	Date of payment	Disbursing officer' initials
(1)	(2)	(3)	(4)

19

19

19

19

19

19

19

19

19

FORM M

Claim form for Annuity

[See rule 20 (9)]

To

The Treasury Officer,

1. Name and address of the institution entitled to annuity.
2. Particulars of the Government Order by which annuity is sanctioned :
3. Amount of annuity (in words and figures) :
4. Year for which annuity is claimed :
5. Name and address of the person(s) claiming annuity on behalf of the institution :
6. In which capacity the money is being received from the Treasury (whether Trustee, Manager, Executive Officer, etc.) :
7. Number and date of authorisation issued by Pay and Accounts Officer, Pondicherry :
8. Head of account to which the amount relates :

Declaration

I/We hereby declare that I am/we are competent to receive the annuity on behalf of the above described institution.

Signature of claimant(s)

Place :

Date :

(Seal of the Institution, if any)

For the use of Audit Officer

FORM N

Register of Annuities

[See rule 20 (10)]

Name of Treasury :

1. Name and address of the Institution to which annuity is payable.

2. Person to whom the annuity is payable on behalf of the Institution.

Annuity payment order number	Amount of annuity in words Rs.	in figures Rs.	Number and date of pay and Accounts Officer's letter authorising payment.	The period for which annuity is payable
(1)	(2)		(3)	(4)

Nature of payment (state whether annuity is payable in lump or instalments)	The date on which the annuity becomes due for payment	The Voucher number of the treasury and the date of payment made by the treasury	Signature of the Treasury Officer with date who effected the payment	Remarks
(5)	(6)	(7)	(8)	(9)

FORM O

Joint application

(See rule 21)

BEFORE THE LAND TRIBUNAL OF

1. Particulars of the land, the right, title and interest in respect of which are to be assigned to the cultivating tenants-

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

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

(c) Boundaries :

(d) Extent :

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

2. Details of contract of tenancy :

3. Name and address of the cultivating tenant(s) :

4. Name and address of landowner(s) :

5. Name and address of intermediary (ies) :

6. Name and address of holder of encumbrance, if any, charged on the right, title and interest of the landowner/intermediary :

7. Name and address of the persons entitled to maintenance or alimony, if any, charged on the right, title and interest of landowner/intermediary :

8. Total amount of compensation :

9. Amount of compensation due to each of the landowners and/or intermediaries :

10. Amount of purchase price due to each of the cultivating tenants :

11. Amount due to each of the holders of encumbrance :

12. Amount due to each of the persons entitled to maintenance or alimony :

Signatures : [Here enter signatures of all persons referred to in items (3) to (7) both inclusive].

- 1.
- 2.
- 3.
- 4.

Witnesses :

Place :

Date :

CERTIFICATE

I/We whose name(s) and address(es) is/are specified in item (3) do hereby declare that I am/ we are/the cultivating tenant(s) for the holding specified in item (1), that to the best of my/our knowledge and belief there is no other person entitled to that right.

Cultivating tenant(s)

Witnesses :

Place :

Date :

We, whose names and addresses are specified in items (3) to (7) (both inclusive) do hereby declare that the particulars furnished in items (1) to (12) are true and correct, that to the best of our knowledge and belief there is no other person entitled to any of the rights specified in any of those items.

Signature of persons referred to in items (3) to (7)

Witnesses :

- 1.
- 2.
- 3.
- 4.

Place :

Date :

FORM T

Order of assignment

[See rule 21]

To

All whom it may concern

WHEREAS a joint application in Form O, attached to this order has been filed before this Land Tribunal on for the assignment of the right, title and interest of the landowner(s) (here enter names and addresses) intermediary(ies) (here enter names and addresses) and encumbrance holders (here enter names and addresses) and persons entitled for maintenance or alimony (here enter names and addresses) in respect of the lands described in the sub-joined schedule to the cultivating tenant(s) (here enter names and addresses) ;

AND WHEREAS after due enquiry this Land Tribunal has been satisfied that-

- 1. all persons interested in the holding are parties to the application ;
- 2. the cultivating tenant(s) is/are entitled for assignment ;
- 3. the landowner or any intermediary of the holding is not a religious, charitable or educational institution of a public nature which has opted for annuity ;

NOW, therefore, the properties described in the schedule below are hereby assigned in terms of the said joint application to the cultivating tenant(s) mentioned above without any liability to the Government for the payment of compensation or any other amount to any persons in respect of the holding to which this order relates.

SCHEDULE

Serial number	Number of the statement	Taluk	Village	Survey number or a description of the land sufficient for its identification	Extent of the land.
(1)	(2)	(3)	(4)	(5)	(6)

Dated this day of

(Seal)

Land Tribunal

FORM Q

Certificate of purchase

(See rule 22)

LAND TRIBUNAL

Dated

Assignment certificate No of 19

Reference :

Application No of 19

Suo motu Proceedings No of 19

This is to certify that the Government have assigned to Thiru/Tmt

The cultivating tenant of the land specified in the schedule below, the right, title and interest of the land owner and intermediaries in respect of the said land which vested in the Government under section 80.

Given under my hand and seal this day of 19

Seal of Office.

Land Tribunal

SCHEDULE

Serial number	District, taluk and village.	Survey number/ Sub-division number or a description sufficient for identifying the land.	Extent.	Boundaries.	Class of land.	Purchase price, if any due and the date or dates on which it is payable.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

FORM R

Application for payment of compensation on behalf of Land Board

[See rule 25 (2)]

Before the Land Tribunal

In O. A. No 19 of
in **suo motu** Proceedings No of 19 of
Name(s) and address(es) of the applicant :

- 1.
- 2.
- 3.

I am a/We are party(ies) to the abovementioned proceedings (here specify the number and year of the proceedings) relating to assignment of the right, title and interest of the land owner and intermediaries in respect of the holding to which the above said proceedings relate.

I/We have been jointly/awarded a compensation of Rs and the cultivating tenant Thiru to whom the right, title and interest have been assigned has/have paid the purchase price in lump.

I/We declare that to the best of my/our knowledge and belief that my/our total compensation due to me/us in respect of all my/our holdings situate in the State and held by cultivating tenants after deducting the value of encumbrances and claims for maintenance or alimony is not more than Rs. 20,000.

I/We request that the remaining 50% of the compensation payable to me/us by the Land Board under section 80K of the Act in respect of this holding to which this proceeding relates may be paid to me/us by the Land Tribunal in full acquittance of my/our claims for compensation in respect of this holding.

I/We agree that in case it is found out that the abovesaid declaration is not correct and that I/ we have been paid any amount in excess of what I am/we are entitled to, such excess may be recovered from me/any one of us as provided in section 137A of the Act.

Place:
Date :

Signature(s) of the applicant(s)