

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE



**THE DADRA AND NAGAR  
HAVELI LAND REFORMS  
REGULATION, 1971**  
( 3 OF 1971 )

Printed by the Principal, I.T.I. at Govt. Printing Press, D.N.H. Silvassa. 1990

PRICE : 03--75 ps.

THE LAND REFORMS REGULATION 1971.  
Provisions of

Chapter I

Section 21 of chapter V and chapter VIII of the Land Reforms Regulation 1971 came in to force w.e.f. 15-12-73.  
All remaining provisions of said Regulation came into force w.e.f. 1-5-74

1. First amendment

5 of 1973

Published in Gazette of India extraordinary part II Section 1, dated 30th Nov., 1973. Amendment of section 4, 8, 9, 22, 28.

2. 2nd amendment

11 of 1976

Published in Gazette of India extraordinary part II Section 1 dated 2-7-76, Section 46.

3. 3rd amendment

13 of 1976

Published in Gazette of India extraordinary part II Section 1 dated 1-8-76, amendment of Section 47A.

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# THE DADRA AND NAGAR HAVELI LAND REFORMS REGULATION, 1971

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# THE DADRA AND NAGAR HAVELI LAND REFORMS REGULATION, 1971

No. 3 of 1971

*[Published in the Gazette of India Extraordinary, Part II, Section 1,  
dated the 8th December, 1971.]*

Promulgated by the President in the Twenty-second Year of the  
Republic of India.



सत्यमेव जयते

A Regulation to abolish Alwara and Terem tenures, to confer occupancy rights on Alwara and Terem holders and their tenants, to impose a ceiling on possession of agricultural lands, to provide for acquisition and distribution of land held in excess of such ceiling and to regulate the relation of landlords and tenants, in the Union Territory of Dadra and Nagar Haveli and for matters connected therewith.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by him :—

## CHAPTER I

### Preliminary

1. (1) This Regulation may be called the Dadra and Nagar Haveli Land Reforms Regulation, 1971.

(2) It extends to the whole of the Union territory of Dadra and Nagar Haveli.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Short title,  
extent and  
commence-  
ment.

Provided that different dates may be appointed for different provisions of this Regulation and any reference in any such provision to the commencement of this Regulation shall be construed as a reference to the coming into force of that provision.

## Definitions

2. In this Regulation, unless the context otherwise requires,—

(1) "Administrator" means the administrator of the Union territory of Dadra and Nagar Haveli, appointed under article 239 of the Constitution;

(2) "agricultural labourer" means a person whose principal means of livelihood is the income he gets as wages in cash or in kind, or partly in cash and partly in kind, in connection with manual labour on agricultural land, but does not include a tenant;

(3) "agricultural land" means land which is used or capable of being used for the purpose of agriculture and includes,—

(a) the sites of farm-buildings on or appurtenant to such land;

(b) grass land capable of being used for the purpose of agriculture, but does not include forest land.

*Explanation* :— If any question arises as to whether any grass land is capable of being used for the purpose of agriculture, such question shall be decided by the prescribed authority;

(4) "agriculture season" means the period commencing from 1st June and ending with 30th November of any year, or such other period as the Administrator may, by notification in the official Gazette, appoint;

(5) "agriculture" includes :—

(i) horticulture;

(ii) the raising of crops or garden produce;

(iii) the use by an agriculturist, or a dairy farmer, of land held by him, or part thereof, for grazing his cattle;

(iv) the use of any land, whether or not an appendage to paddy land, for the purpose of rabbit-manure;

(v) dairy farming;

(vi) poultry farming; and

(vii) stock breeding.

*Explanation* :— If any question arises as to whether any land or part thereof is used for any of the pursuits specified in sub-clause (iii) or sub-clause (iv), such question shall be decided by the prescribed authority;

(6) "agriculturist" means a person who cultivates land personally;

(7) "Alwara" means a document evidencing the grant of concession to enjoy land given under article 50 of the Organizacao Agraria;

(8) "Alwara-holder", in relation to any land, means a person in whose favour an Alwara has been granted in respect of that land and includes the successor-in-interest of such person and where such land has been mortgaged with possession to any other person, such other person;

(9) "appointed day" means the 20th day of August, 1964, being the date on which the Land Reforms Commission for the Union territory of Dadra and Nagar Haveli was appointed;

(10) "celling area" means the celling area within the meaning of section 8;

(11) "Collector" means the Collector of Dadra and Nagar Haveli and includes any officer, not below the rank of a Sub-Divisional Officer, specially empowered by the Administrator, by notification in the Official Gazette, to exercise and perform all or any of the powers and functions of the Collector under this Regulation;

(12) "farming society" means a society registered or deemed to be registered as a farming society under any law, for the time being in force, relating to the registration of co-operative societies;

(13) "forest land" means any land in the Union territory of Dadra and Nagar Haveli which the Administrator may, having regard to the tree-growth therein, the object for which such trees or their produce are or is put to use or can be used, and the virginity of the soil of such land, by notification in the official Gazette, declare to be a forest land;

(14) "Government" means the Central Government;

(15) "grass land" means land in which naturally growing grass is the main produce, irrespective of the purpose for which such grass may be used;

(16) "joint family" means,—

(a) in relation to persons governed by the Hindu law, a Hindu undivided family;

(b) in relation to others, a group or unit the members of which are, by custom or usage, joining in estate or possession or residence;

(17) "landless person" means an agricultural labourer who does not possess any land for purposes of agriculture and who intends to take to the profession of agriculture;

(18) "lendlord" means a person under whom a tenant holds land and to whom he is liable to pay rent;

(19) "Land Revenue Regulation" means the Dadra and Nagar Haveli Land Revenue Administration Regulation, 1971;

(20) "Organizacao Agraria" means the Organizacao Agraria for Nagar Haveli published as Portaria Provincial No. 985, dated the 22nd day of September, 1919, as amended from time to time;

(21) "person" includes a company, family, joint family, association or other body of individuals, whether incorporated or not, and any institution capable of holding property;

(22) "personal cultivation", with its grammatical variations and cognate expressions, means cultivation by a person on his own account—

(i) by his own labour, or

(ii) by the labour of any member of his family, or

(iii) by servants or by hired labour on wages, payable in case or in kind (but not as a share of the produce), under the personal supervision of himself or of any member of his family.

*Explanation 1* :— Land shall not be deemed to be cultivated under the personal supervision of a person or a member of his family unless such person or member resides, during the major part of the agricultural season, in the village in which the land or the major part thereof is situated or in a place situated within a distance of not more than eight kilometers from such village.

*Explanation 2* :- In the case of a person under disability, supervision by a paid employee on behalf of such person shall be deemed to be personal supervision.

*Explanation 3* :- For the purpose of this clause "member of a family" means father, mother, spouse, brought, son, grandson or dependent sister or daughter and in the case of a Hindu undivided family, a member thereof and also a divorced and dependent daughter;

(23) "person under disability" means —

- (i) a widow; or
- (ii) a minor; or
- (iii) a women, who is unmarried, or who, if married, is divorced or judicially separated from her husband, or whose husband is a person falling under sub-clause (iv) or sub-clause (v); or
- (iv) a member of the Armed Forces of the Union; or
- (v) a person who by reason of some mental or physical disability is incapable of cultivating land by personal labour or personal supervision;

(24) "prescribed" means prescribed by rules made under this Regulation;

(25) "prescribed authority", in relation to any provision of this Regulation, means such officer or authority as the Administrator may, by notification in the Official Gazette, specify in this behalf for the purpose of that provision;

(26) "rent" means whatever is lawfully payable periodically as rent, in cash or in kind, or partly in kind, whether as fixed quantity of the produce or as a share of the produce on account of the use or occupation of land or on account of any right in land but does not include land revenue;

(27) "Scheduled Castes" and "Scheduled Tribes" shall have the same meanings as are respectively assigned to them in clauses (24) and (25) of article 366 of the Constitution;

(28) "small holder" means a person who possesses or cultivates land the extent of which is less than one-fifths of the ceiling area, and who earns his livelihood principally by agriculture or by agriculture labour;

(29) "tenant" means a person who possesses land on lease, under an agreement, whether oral or written, and includes—

- (i) a person who is deemed to be a tenant under section 41;
- (ii) a person who is a tenant within the meaning of sub-clause (9) of clause 2 of the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961;
- (iii) a Wavaleadar; and
- (iv) a sub-lessee;

but does not include an Alwara-holder, a Terem-holder and a temporary lessee under the Government referred to in section 5.

*Explanation* :- For the purpose of this clause "Wavaleadar", in relation to any land, means a person who has been given such land by the owner thereof in consideration of rendering service to such owner and the land so given is under the personal cultivation of such person;

(30) "Terem" means a lease of land granted under article 84 of the Organizacao Agraria;

(31) "Terem-holder", in relation to any land, means a person in whose favour a Terem has been granted in respect of that land and includes the successor-in-interest of such person and where such land has been mortgaged with possession to any other person, such other person;

(32) "to cultivate", with its grammatical variations and cognate expressions, means to till or husband the land for the purpose of raising or improving agricultural produce, whether by manual labour or by means of cattle or machinery, or to carry on any agricultural operation thereon; and the expressions "cultivated" and "uncultivated" shall be construed accordingly;

(33) "to possess land" means to be in lawful and actual possession of land;

(34) "village site" means any area recognised according to any survey, custom or usage as village site on the date appointed under section 3;

(35) all other words and expressions used but not defined in this Regulation, but defined in the Land Revenue Regulation, shall have the same meanings as are respectively assigned to them in that Regulation.

## CHAPTER II

### Abolition of Alwara and Terem Tenures and grant of occupancy rights

3. Notwithstanding anything contained in any law for the time being in force or in any custom or usage or in any agreement settlement, grant, Alwara Terem or other instrument or in any decree or order of any Court or other authority, with effect on and from such date as the Administrator may, by notification in the official Gazette, appoint (hereinafter referred to as the "vesting date") all concessions granted in respect of any land held under an Alwara or Terem shall stand extinguished and such land shall vest in the Government, free from all encumbrances, and be subject to the rights, if any granted in respect thereof under this Chapter.

Extinguishment of concessions under Alwara, Terem, etc.

4. (1) On and from the vesting date, occupancy rights in respect of—

(a) any land (including grass land not capable of being used for the purpose of agriculture) which has not been put to agricultural use by an Alwara-holder or a Terem-holder and which vest in Government under section 3 shall be deemed to have been granted to the Alwara-holder or the Terem-holder, as the case may be, and nothing in this regulation, except the provisions contained in sections 21, 22, 44, 45, 46, 47 and 48, shall be applicable to such land or to any matter connected with such land;

Grant of occupancy rights in respect of lands vesting in Government under section 3.

(b) any grass land capable of being used for the purpose of agriculture (including the sites of farm-buildings, if any, on such land) which vests in Government under section 3 and which, on the vesting date, is in the possession of an Alwara-holder or a Terem-holder or a tenant shall be deemed to have been granted to the Alwara holder or the Terem-holder or the tenant, as the case may be, subject to the conditions specified in sub-section (2);

(c) any other land which vests in Government under section 3 and which, on the vesting date, is under the personal cultivation of an Alwara-holder or a Terem-holder or a tenant (including the site of farm-buildings, if any, appurtenant to such land which on the said date is in his possession) shall, subject to the provisions of this Regulation, be deemed to have been granted to the Alwara-holder or the Terem-holder or the tenant, as the case may be :

Provided that nothing in this sub-section shall be apply to—

(i) any forest land; or

- (ii) any agricultural land which falls within the limits of a village site; or
- (iii) any agricultural land possessed by an Alwara-holder or a Terem-holder or a tenant in excess of the ceiling area; or
- (iv) any land in relation to which an application has been made under section 7 of the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961, for so long as such application has not been finally disposed of.

(2) The conditions referred to in clause (b) of sub-section (1) shall be the following, namely :—

(a) that at the end of two years from the vesting date, the Alwara-holder or the Terem-holder or the tenant, as the case may be shall not possess grass land the extent of which is in excess of one-fourth of the extent of agricultural land possessed by him on the vesting date;

(b) that the grass land, the extent of which is in excess of one-fourth of the extent of agricultural land possessed by the Alwara-holder or the Terem-holder or the tenant, as the case may be, on the vesting date, shall be brought by him under cultivation within a period of two years from the vesting date subject to the further condition that at least one-half of such excess grass land shall be brought under cultivation within a period of one year from the vesting date:

Provided that if (for reasons beyond the control of the Alwara-holder or the Terem-holder or the tenant, as the case may be, proved to the satisfaction of the Collector on an application made by him in this behalf) one-half of the excess grass land could not be brought under cultivation in the first year, the Collector may grant permission to bring under cultivation in the second year such area of the excess grass land as has not been brought under cultivation in the first year :

Provided further that no such permission shall be granted after the expiry of a period of two years from the vesting date;

(c) that on failure to comply with the provisions of clause (b), the occupancy right in respect of the grass land which remains uncultivated and which is in excess of the extent of grass land which can be possessed as such under clause (a), shall on the expiry of a period of two years from the vesting date, stand forfeited to the Government free from all encumbrances and the provisions of sections 5, 21, and 22 shall apply to such land.

(3) Notwithstanding anything contained in sub-section (2), if the Administrator is satisfied that, having regard to the nature of any grass land, it is not practicable to bring such land or any part thereof under cultivation in accordance with the provisions of sub-section (2) he may, by order, for reasons to be recorded in writing, exempt such land or part thereof from the operation of that sub-section and thereupon occupancy rights in such land shall be deemed to have been granted to the Alwara-holder or Terem-holder or the tenant, as the case may be; as if he has fulfilled the conditions specified in sub-section (2).

(4) For the purpose of clause (c) of sub-section (1), where an Alwara-holder or a Terem-holder, being a person under disability, has leased on, any land possessed by him as such or any part thereof to a tenant, such Alwara-holder or Terem-holder, as the case may be, and not the tenant, shall be deemed to have personally cultivated such land or part thereof if,—

- (i) immediately before the time of granting the lease, such land or part thereof was under his personal cultivation;

(ii) at the time of granting the lease, there was no male member in his family who could undertake the personal cultivation of such land or part thereof; and

(iii) at the time of granting the lease, he was a person under disability and continues to be so upto and inclusive of the vesting date;

(5) Notwithstanding anything contained in sub-section (1),—

(i) where at the commencement of this Regulation there is a dwelling house on any land referred to in clause (b) or clause (c) of sub-section (1), but not being land covered by the proviso to that sub-section, and such dwelling house together with the land appurtenant thereto is in the occupation of a cultivator or an agricultural labourer or a village artisan, then the occupancy right in respect of such dwelling house and the land appurtenant thereto shall be deemed to have been granted to the person in such occupation;

(ii) where a tenant possessed any land under his personal cultivation and the site of any farm-building on such land on the appointed day but not so on the vesting date and such tenant has been restored to possession of such land or part thereof or such farm-building under section 43, then the occupancy rights in respect of such land or part thereof or such farm-building shall be deemed to have been granted to such tenant with effect from the date of restoration and the occupancy right, if any granted to any person in respect of such land or part thereof or such farm-building shall cease to be effective from that date.

(6) No Agricultural land, including any part thereof, in respect of which occupancy rights are deemed to have been granted to any person under this section shall be transferred by the way of sale, lease, mortgage, exchange or otherwise, except in accordance with such rules as may be made in this behalf and, where such transfer is by way of sale also on payment to the Government of such premium, if any, as may be specified in such rules.

Celling area

Provided that the premium that may be specified shall not be exceed on half of the difference between the sale price of the land and the occupancy price of the land and the occupancy price paid in respect thereof.

(7) Any transfer of land made in contravention of the provisions of sub-section (6) shall be void and the occupancy rights in respect of the land so transferred shall stand forfeited to the Government.

(8) Any reference in this section to a "tenant" shall be deemed to include a reference to a person in possession of the land under a mortgage from a tenant.

5. Notwithstanding anything contained in section 9, on and from the vesting date all lands which have vested in the Government under section 3 and which are possessed by any person and in respect of which no occupancy rights are deemed to have been granted under section 4, shall be possessed by that person as a temporary lessee under the Government on such terms and conditions, including payment of rent, as may be prescribed, and any such land may be resumed by the prescribed authority in accordance with the provisions of this Regulation.

Grant of land of temporary lease.

6. (1) If any land which immediately before it vests in the Government under section 3 was subject to a mortgage, other than a mortgage with possession, or other encumbrance and the occupancy rights in respect of such land are deemed to have

Re-attachment of encumbrances.

been granted under section 4 to the mortgagor or other encumbrancer, then save as otherwise provided in sub-section (2), such mortgage or other encumbrance shall again attach itself on the land and the mortgagee or the holder of the other encumbrance, as the case may be, shall exercise his rights accordingly.

(2) Where in respect of any land, occupancy rights are deemed to have been granted under section 4 to a mortgagee in possession of such land, the liability of the mortgagor to repay the mortgage money advanced by the mortgagee in possession of such land shall stand extinguished.

### CHAPTER III

#### Ceiling on possession of land

Exemption

7. Nothing contained in this Chapter shall apply to the following classes of land, namely:—

- (a) land which is not used or capable of being used for the purpose of agriculture;
- (b) land belonging to or held by the Central Government or any State Government;
- (c) land belonging to or held by a corporation, including a company, owned or controlled by the Central Government or any State Government.
- (d) land belonging to a local authority or held on lease by or from such authority;
- (e) land held or leased by a Land Mortgage Bank; and
- (f) land held by a farming society.

Ceiling area.

8. (1) Subject to the provisions of sub-section (2) the ceiling area of land for the purposes of this Regulation shall be:—

- (i) 7.5 hectares, in the case of land capable of yielding two or more crops in a year; or
- (ii) 11 hectares, in the case of the land capable of yielding only one crop in a year; or
- (iii) 16 hectares, in the case of any other land,

(2) where a person possesses land falling under more than one category specified in sub-section (1), that the land possessed by him shall be converted into land falling under category (iii) and the purpose of such conversion one hectare of land falling under category (i) shall be treated as equal to 2.15 hectare of land falling under category (iii) and one hectare of land falling under category (ii) shall be treated as equal to 1.45 hectares of land falling under category (iii).

(3) If any question whether any land is capable of yielding only one crop or more than one crop in a year arises such question shall be decided by the Collector and his decision thereon shall be final.

Prohibition on possession of land in excess of ceiling area and vesting of excess land in Government.

9. (1) Subject to the provisions of this section and section 10, no person shall possess land in excess of the ceiling area, whether as an occupant or a tenant or a mortgagee with possession or in any other capacity or capacities or partly in one capacity and partly in another; and the land so possessed in excess shall vest in the Government free from all encumbrances.

Provided that where the person is a joint family, each major male member of such family shall be entitled to possess:—

Provided that where the person is a joint family, each major male member of such family shall be entitled to possess

(i) where such member has no family, so much land as an individual is entitled to possess under this section; or

(ii) where such member has a family, so much land as a family is entitled to possess under this section, and, in either case, such possession may be either by the member himself or jointly with any other major male member of the joint family.

(2) For the purposes of this section, in the case of a person who is a member of a joint family or a farming society, the extent of land which such person would get as his share if the land possessed by such joint family or farming society is partitioned or divided, as the case may be, shall also be deemed to be land possessed by such person.

(3) Where a family consists of more than five members, such family shall be entitled to possess land in excess of the ceiling area to the extent of one-fifth of the ceiling area for each member in excess of five; so, however, as not to exceed twice the ceiling area in the aggregate.

*Explanation* :— For the purpose of this sub-section and sub-section (3), "family" means a person, his or her spouse and their minor sons and unmarried daughters.

(4) Where a person, his or her spouse, minor son or unmarried daughter possesses any land, the entire land so possessed by them shall be grouped together and the provisions of this Chapter shall apply to the total land so grouped together as if such land had been possessed by one person.

(5) Where an application has been made by any person under section 7 of the Free Dadra and Nagar Haveli Tenancy and Agricultural Land Ordinance, 1961, and such application is pending disposal at the commencement of this Regulation, then, for so long as such application is not finally disposed of, the extent of the land in relation to which such application has been made shall not be taken into account for the purpose of determining the ceiling area of land under this section in respect of that person.

10. (1) Notwithstanding any thing contained in any law for the time being in force, in determining the extent of land possessed by a person for the purpose of determining the ceiling area—

Effect of transfers and partitions after the appointed day.

(a) all transfers whether by way of sale, gift, mortgage with possession, exchange, lease, surrender or otherwise, and

(b) all sub-divisions whether by partition or otherwise, made by him on or after the appointed day, but before the commencement of this Regulation, shall be ignored:

Provided that any transfer of land under article 27 of Organizacao Agraria shall not be ignored;

Provided further that where any such sub-division has been effected by metes and bounds, between the appointed day and the commencement of this Regulation, following the death of the person who held the land so sub-divided or as a consequence of any order of a Court where any suit for partition had been pending on the appointed day, any person interested may apply to the Collector within such period as may be prescribed for a declaration that such sub-division shall not be ignored under this sub-section.

(2) Where an application has been made to the Collector under the second proviso to sub-section (1), the collector shall, after notice to the parties interested, inquire into the matter and if after such inquiry, and after hearing the parties concerned, he is satisfied that the sub-division was effected in the circumstances mentioned in that proviso, make a declaration to take effect and where he is not so satisfied, reject the application.

Future acquisition.

11. (1) The foregoing provisions of this Chapter shall *mutatis mutandis* apply in respect of lands acquired subsequent to the commencement of this Regulation by any person through inheritance, bequest, gift, family settlement, purchase, surrender, lease or otherwise.

(2) Where any person acquires land as aforesaid which together with the land, if any, held by him immediately before such acquisition exceeds the ceiling area, he shall within ninety days of such acquisition, file a statement before the prescribed authority giving the particulars of the land held by him including the land so acquired, in such manner as may be prescribed and the provisions of section 22 shall, so far as may be, apply in respect of such statement as if it had been filed under section 21.

(3) No document incorporating any transaction for the acquisition of any land in any of the modes specified in sub-section (1) shall be registered unless a declaration writing, duly verified, is made and filed by the person who acquires such land before the authority registering the document under the Indian Registration Act, 1908, as to the total extent of the land possessed by him on the date of such registration.

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(4) Every declaration under sub-section (3) shall be in duplicate and the registering authority shall, as soon as may be, forward a copy thereof to the prescribed authority within whose jurisdiction the land so acquired is situated.

Selection of land for retention within the ceiling area.

12. (1) Every person who possesses land in excess of the ceiling area shall, within such period and in such manner as may be prescribed, intimate to the prescribed authority the particulars of the land possessed by him and specify the land which he wants to retain and the prescribed authority may, after such inquiry as it deems fit, by order, specify the land which such person is entitled to retain within the ceiling area :

Provided that where the whole or part of land possessed by such person is subject to an encumbrance, then, the land to be retained by such person shall include the land so encumbered up to the extent of the ceiling area.

(2) If any person fails to intimate the particulars specified in sub-section (1) within the prescribed period, the prescribed authority may, after making such inquiry as it deems fit and after hearing such person, by order, specify, subject to the proviso to sub-section (1), the land which such person is entitled to retain within the ceiling area.

#### CHAPTER : IV

##### Compensation and occupancy rights.

Payment of compensation for lands vesting under Chapter II

13. (1) There shall be paid compensation in respect of every land which vests in the Government under Chapter II.

Provided that no such compensation shall be payable to an Alwara-holder or a Terem-holder for any land in respect of which occupancy rights are deemed to have been granted to the Alwara-holder or Terem-holder, as the case may be.

(2) In the case of any land in respect of which an Alwara has been granted, the compensation payable to the Alwara-holder shall be an amount equal—

(i) fifty-five times the annual land revenue assessment payable in respect of that land, where occupancy rights are not deemed to have been granted to any person under Chapter II; and

(ii) thirty-six times the annual land revenue assessment payable in respect of that land, where occupancy rights are deemed to have been granted to any person under Chapter II.

(3) In the case of any land in respect of which a Terem has been granted, the compensation payable to the Terem-holder shall be an amount equal to—

(i) eighteen times the annual land revenue assessment payable in respect of that land, where occupancy rights are not deemed to have been granted to any person under Chapter II; and

(ii) twelve times the annual land revenue assessment payable in respect of that land, where occupancy rights are deemed to have been granted to any person under Chapter II.

(4) Where—

(i) occupancy rights in respect of any grass land are deemed to have been granted to any person under clause (b) of sub-section (1) of section 4 and such occupancy rights subsequently stand forfeited to the Government under clause (c) of sub-section (2) of that section; or

(ii) occupancy rights in respect any land or part thereof or any farm-building on such land are deemed to have been granted to any person on the vesting date and such occupancy rights subsequently cease to be effective under clause (ii) of sub-section (5) of section 4,

then, there shall be paid compensation to the person who is divested of such occupancy rights, and the compensation so payable, in either case, shall be an amount equal to the compensation which would have been payable to such person had no such occupancy rights been deemed to have been granted to him on the vesting date.

(5) Where on the vesting date, there is any building or other structure or any land in respect of which an Alwara or a Terem has been granted and in respect of which compensation is payable under this section, the compensation so payable shall be increased by an amount equal to the value of such building or structure which may be determined by the prescribed authority in accordance with such rules as may be prescribed.

14. There shall be paid compensation in respect of every land which vests in the Government under Chapter III and such compensation shall be an amount equal to fifty-five times the annual land revenue assessment payable in respect of the land and the provisions of sub-section (5) of section 13 and section 16 shall, so far as may be, apply in relation to such land as they apply in relation to any land in respect of which an Alwara or Terem has been granted.

Compensation for lands in excess of the ceiling area.

15. Subject to the provisions of section 16, the compensation payable under section 14 shall be paid to the person or persons entitled there to.

Persons to whom compensation is payable

16. (1) In the case of any land held by a tenant in respect of which an Alwara or a Terem has been granted and in respect of which occupancy rights are not deemed to have been granted to the tenant under section 4 the compensation payable in respect of such land shall, subject to the provisions of sub-sections (2) and (3), be apportioned between the Alwara-holder or the Terem-holder, as the case may be, and the tenant in the ratio of 2:1.

Apportionment of compensation and amount of encumbrances.

(2) Whether there is any building or other structure on any land in respect of which compensation is payable under sub-section (5) of section 13 the compensation payable in respect of such building or structure shall, subject to the provisions of sub-section (3), be paid to the Alwara-holder or the Terem-holder or the tenant or other person who has a proprietary or other interest in the building immediately before the vesting date; as the case may be.

(3) Where the land or building or other structure, in respect of which compensation is payable under this Chapter, is subject to any encumbrance, the value of the encumbrance shall be deducted from the amount of compensation payable to the person liable for the encumbrance and shall be paid to the holder of the encumbrance:

Provided that where the value of such encumbrance is more than the amount of compensation, the amount of compensation so payable shall be distributed among the holders of the encumbrance in their order of priority.

Manner of  
payment of  
compensation.

17. The compensation payable under the foregoing provisions of this Chapter shall be paid in cash either in one lump or in annual instalments, not exceeding five, together with, interest, from the vesting date or, as the case may be, from the date on which the lands in respect of which such compensation is payable vested in the Government, on the unpaid balance at the rate of six per cent annum.

Occupancy  
price payable  
to Government.

18. (1) Every person to whom occupancy rights are deemed to have been granted in respect of any land under section 4, shall be liable to pay to the Government occupancy price to the extent hereinafter provided, namely :-

(i) in respect of any land in which occupancy rights are deemed to have been granted to the Alwara-holder of that land, no occupancy price shall be payable;

(ii) in respect of any land in which occupancy rights are deemed to have been granted to the Terem-holder, the occupancy price payable shall be eighteen times the annual land revenue assessment payable in respect of that land; and

(iii) in respect of any land in which occupancy rights are deemed to have been granted to the tenant and in respect of any dwelling house and the land appurtenant hereto in which occupancy rights are deemed to have been granted to a cultivator or an agricultural labourer or a village artisan, the occupancy price payable shall be thirty-six times the annual land revenue assessment payable in respect thereof.

Refund of  
occupancy  
price in certain  
cases.

(3) Where on any land in which occupancy rights are deemed to have been granted under sub-section (1) of section 4 is a member of a Scheduled Caste or Scheduled Tribe the occupancy price payable under sub-section (1) in respect of such land shall be reduced to one-half of the amount payable.

(3) Where on any land in which occupancy rights are deemed to have been granted under sub-section (1) of section 4 to a person there is any building or structure in respect of which compensation is payable under sub-section (5) of section 13 to any other person, the occupancy price payable under sub-section (1) shall be increased by an amount equal to the value of such building or structure, determined under the said sub-section (5).

19. Where any person had paid any occupancy price under section 13 and the occupancy rights in respect of which such price had been paid cease to be effective—

(i) by reason of forfeiture of occupancy rights in respect of any grass land to the Government under clause (c) of sub-section (2) of section 4; or

(ii) under clause (ii) of sub-section (5) of section 4, then, the occupancy price paid by such person shall be refunded to him after deducting the land revenue due, if any, under the Land Revenue Regulation (in respect of the land in which occupancy rights were granted) for the period for which such occupancy rights had been enjoyed by him.

20. (1) The occupancy price payable under section 18 in respect of any land shall be paid in annual instalments not exceeding six in number, the amount of each instalment being not less than—

Mode of payment of occupancy price.

(a) the annual land revenue assessment payable in respect of the land, where the same is payable by a member of 3 Scheduled Caste or Scheduled Tribe; or

(b) twice such assessment, in any other case.

(2) Where the occupancy price is paid in instalments as specified in sub-section (1), such instalments shall be paid along with the annual land revenue assessment, and the first instalment shall become due for payment before the expiration of the revenue year immediately following,—

(i) the date of the order made by the prescribed authority under section 25; or

(ii) where an appeal has been filed against such order, the date of decision in such appeal.

(3) where a person liable to pay occupancy price is also entitled to receive any amount by way of compensation under the provisions of this Regulation, he may, subject to such conditions and in such manner as may be prescribed, adjust the occupancy price against the compensation.

## CHAPTER V

### Procedural matters

21. (1) As soon as may be after the commencement of this Regulation, the prescribed authority shall publish or cause to be published a public notice in the prescribed manner in each village calling upon every Alwara-holder, Terem-holder, tenant or other person interested in any land to file before him within the prescribed period a statement giving the details of such land, his rights therein and such other particulars, in such form as may be prescribed, so as to enable such authority to determine any matter which has to be determined under this Regulation.

Notice to furnish particulars.

(2) Upon the publication of the notice under sub-section (1), every Alwara-holder, Terem-holder, tenant or other person interested in any land shall be deemed to have received notice as specified in that sub-section.

(3) Without prejudice to the provisions contained in sub-section (2), the prescribed authority may issue individual notices to any Alwara-holder, Terem-holder, tenant or other person referred to in sub-section (1) calling upon him to file a statement as required under that sub-section within such period as may be specified in the notice.

(4) Any person who was interested in any land immediately before the appointed day as an Alwara-holder, Terem-holder, tenant or in any other capacity has transferred any such land after the said date shall also be deemed to be a person interested in the land for the purpose of sub-section (1), (2), and (3).

(5) Where any person fails to file a statement as required under the foregoing provisions of this section, within the period prescribed therefor or furnishes inadequate

particulars, the prescribed authority may obtain, in such manner as may be prescribed, the necessary information directly or through any agency.

Enquiry by  
prescribed  
authority.

22. (1) The prescribed authority shall, as soon as may be after the filing of the statement or obtaining the information under section 21, give to the person interested in the land a reasonable opportunity of making representation and adducing evidence, if any, in support of such statement or information and after considering such representation and evidence and making such further enquiry as it may consider necessary, pass such order as it may deem fit, determining the following matters, namely:—

(a) the land in respect of which an Alwara or Terem, has been granted (hereafter in this sub-section referred to as "the said land");

(b) the forest or grass land comprised in the said land;

(c) the agriculture land included within the limits of village site and comprised in the said land;

(d) whether there is any dwelling house in the said land and if so, the land appurtenant thereto, and the person entitled to occupancy rights in respect thereof;

(e) the land selected by such person for retention under section 12;

(f) the land in which the Alwara-holder or the Terem-holder or the tenant, as the case may be, is entitled to occupancy rights under sub-section (1) of section 4;

(g) the land in excess of the ceiling area possessed by such person;

(gg) the amount of annual land revenue assessment relatable to any part of the said land having regard to its area and the assessment rate for the time being in force the land of the class comprised therein."

(h) the land which an Alwara-holder or a Terem-holder or a tenant or a mortgagee in possession is entitled to possess as a temporary lessee under section 5;

(i) the land which is encumbered, the amount involved and the names and other particulars of persons in whose favour the land stands encumbered;

(j) the land in respect of which a tenant is entitled to restoration under section 43; and

(k) any other matter which is necessary or relevant for carrying out the purposes of this Regulation.

(2) The order of the prescribed authority under sub-section (1) shall be communicated to the person or persons concerned in such manner as may be prescribed.

Resumption  
of land held  
under tem-  
porary lease.

23. (1) The prescribed authority may, at any time, after the vesting date and after notice to the person possessing any land as a temporary lessee under section 5 make an order directing resumption of such land.

(2) On the making of an order in respect of any land under sub-section (1), such land may be taken possession of by the prescribed authority;

Provided that if there is any standing crop on such land, the prescribed authority shall take possession of such land only after a reasonable opportunity has been given to the person in possession of such land to harvest the same.

(3) No order under sub-section (1) shall be made in respect of a temporary lessee of any agricultural land situated within the limits of a village site unless it is declared by the Administrator, by notification in the Official Gazette, that the resumption of such land is necessary in the public interest.

Claims for  
compensation.

24. (1) Any person who is entitled to claim any compensation or any part thereof under section 13 or section 14 or section 16 may make an application to the prescribed authority in such form and within such period as may be prescribed.

(2) On receipt of an application under sub-section (1), the prescribed authority shall, after giving notice to all persons who may be interested in the compensation amount and after making such enquiry as it may deem fit and giving a reasonable opportunity to the persons interested to make a representation in regard thereto, decide the amount of compensation, payable in accordance with Chapter IV, to each of the persons entitled thereto.

Payment of  
occupancy  
price.

25. (1) As soon as may be after the vesting date, the prescribed authority shall issue notice to every person who is liable to pay occupancy price under section 18 in, such form and in such manner as may be prescribed indicating the amount of occupancy price and the land in respect of which it is payable.

(2) Any person who has received notice under sub-section (1) may file an objection before the prescribed authority within such period as may be specified in the notice and where any such objection is filed, the prescribed authority shall, after making such inquiry as it may deem fit and after giving a reasonable opportunity for making representation, if any, by order, determine the occupancy price payable and the land to which it relates.

## CHAPTER VI

### Distribution of surplus land vested in the Government

Surplus  
land

26. (1) For the purpose of this Chapter "surplus land" means—

(i) land which has vested in the Government under section 3 but in respect of which no occupancy rights have been or are deemed to have been granted under any provision of this Regulation;

(ii) agricultural land possessed by a person in excess of the ceiling area and vested in the Government under Chapter III; and

(iii) land relinquished by the occupant thereof under section 53 of the Land Revenue Regulation.

(2) From out of the surplus lands, the Government may retain—

(i) all lands which fall within the limits of a village site;

(ii) forest lands; and

(iii) any other land which, in the opinion of the prescribed authority, is necessary to be retained for expansion of a village site or for any other public purpose.

Allotment  
of surplus  
land

27. (1) The prescribed authority may, subject to such rules as may be made in this behalf, allot surplus lands as are fit for agriculture and are not retained under sub-section (2) of section 26, in the following order of priority, namely:—

- (i) any person who is a member of the Scheduled Tribes and is a landless person;
  - (ii) any person who is a member of the Scheduled Castes and is a landless person;
  - (iii) any dependent of a member of the Armed Forces of the Union who was killed in action provided that such dependent is a landless person or a small holder and is capable of carrying on personal cultivation;
  - (iv) any serving member of the Armed Forces of the Union or any ex-Serviceman who, in either case, is a landless person and is capable of carrying on personal cultivation.
- Explanation :—** For the purpose of this clause "ex-Serviceman" means a person who has been a member of the Armed Forces of the Union but does not include a person who has ceased to be a member of the Armed Forces as a result of his being duly dismissed or discharged after court-martial or on account of bad character or as a result of desertion;
- (v) any person who has been rendered landless as a result of grant of occupancy rights to his tenants under section 4;
  - (vi) any person who has been rendered landless as a result of acquisition of his land for a public purpose;
  - (vii) any other landless person;
  - (viii) any person who is a member of the Scheduled Tribes and is a small holder;
  - (ix) any person who is a member of the Scheduled Castes and is small holder; and
  - (x) any other small holder.

(2) Notwithstanding anything contained in sub-section (1), where there is a farming society comprising persons belonging to any category as aforesaid, such society shall be given preference in the matter of allotting land to that category of persons.

(3) The prescribed authority shall not allot to any person land in excess of one-fifths of the ceiling area including any other land possessed by that person:

Provided that where the allottee is a farming society, only so much land shall be allotted, which together with the extent of other lands held by its members, shall not exceed, in area, one-fifths of the ceiling area multiplied by the total number of members of the society.

(4) Subject to the provisions of sub-section (3), the prescribed authority shall allot land in accordance with such rules as may be prescribed.

Allotted to  
have rights  
of occupants

28. (1) Every person to whom any land has been allotted under section 27 shall have occupancy rights over such land from the date of such allotment:

"Provided that the land so allotted shall not be transferred by way of sale, mortgage, gift, lease or otherwise except in accordance with such rules as may be made in this behalf and where such transfer is by way of sale, also on payment to the Government of such premium (not exceeding one half of the difference between the sale price of the land and the occupancy price paid in respect thereof under section 29 if any, as may be specified in such rules".

(2) Any transfer of land in contravention of the proviso to sub-section (1) shall be void.

29. (1) Every person to whom any land has been allotted under section 27, shall be liable to pay to the Government occupancy price to the extent and in the manner hereinafter provided.

Occupancy price payable by allottees.

(2) The occupancy price payable shall be equal to :—

(a) eighteen times the annual land revenue assessment payable in respect of the land allotted, where the allottee is a member of a Schedule Caste or Schedule Tribe, and

(b) thirty-six times such assessment, in any other case.

(3) The occupancy price payable under sub-section (2) shall be paid by the allottee in equal annual instalments not exceeding twelve in number, along with the land revenue payable in respect of such land, and the first instalment shall be payable before the first day of the revenue year immediately following the expiration of a period of five years from the date of allotment.

30. In respect of surplus lands which are not allotted under section 27, the Administrator may, having regard to public interest, frame such rules as he may deem fit for the management or disposal of such lands.

Management of surplus land not distributed.

## CHAPTER VII

### Tenancies

31. Nothing contained in this Chapter shall apply to any land or part thereof used, or capable of being used, for any purpose other than for the purposes of agriculture.

Provisions of Chapter not to apply to lands used for non-agricultural purposes.

32. (1) As from the commencement of this Regulation, no person shall lease out any land unless at the time of granting the lease he is a person under disability and there is no male member in the family who could undertake the personal cultivation of such land.

Lease of lands.

(2) Where a lease of land has been granted by a person under disability in whose family there was no male member who could undertake the personal cultivation of such land at the time of granting the lease and such lease is subsisting at the commencement of this Regulation, then such lease shall be deemed to be a lease granted under sub-section (1) as from such commencement.

(3) Every lease of land granted or deemed to be granted under this section shall be for a period of three years and at the end of the said period and thereafter at the end of every period of three years, the tenancy shall be deemed to have been renewed for a further period of three years on the same terms and conditions unless the person who granted the lease has, in the opinion of the prescribed authority, ceased to be a person under disability before the date from which the lease is deemed to have been renewed as aforesaid and notice in writing has been given by the prescribed authority to the tenant before the said date intimating him that such person has ceased to be a person under disability.

(4) Notwithstanding anything contained in the foregoing sub-sections a member of the Armed Forces of the Union may, on his discharge from service or posting to the reserve, resume any land held under him on lease within one year of such discharge or posting by giving not less than three months notice in writing thereof to the tenant of such land :

Provided that any land having standing crops thereon shall be resumed under this sub-section only after a reasonable opportunity has been given to the person in possession of such land to harvest the same.

**Surrender.** 33. No surrender of land made by a tenant shall be valid unless it is made in writing and no such surrender shall take effect unless the same is admitted by the tenant before the prescribed authority.

**Tenants not to be dispossessed.** 34. (1) No landlord shall dispossess this tenant except by way of resumption or eviction in accordance with the provisions of this Regulation.

(2) Any landlord who contravenes the provision of sub-section (1) shall, on conviction, be punishable with fine which may extend to two hundred and fifty rupees and the possession of the land shall be restored to the tenant or where the tenant is not willing to take possession of the land, such land may be leased out by the prescribed authority on behalf of the landlord in such manner and subject to such conditions (including a condition as to the payment of rent to the landlord) as may be prescribed, and every such lease shall be deemed to be a lease granted under section 32

**Rent payable by the tenant.** 35. Notwithstanding anything contained in any law for the time being in force or in any contract or custom or usage or in any decree or order of a Court, the rent payable annually by a tenant in respect of any land held by him shall not exceed an amount equal to four times the annual land revenue assessment payable in respect of that land and the tenant shall not be liable to pay rent in kind or to any customary dues or to render any service.

**Receipt for payment of rent.** 36. (1) Every landlord shall give or cause to be given a receipt for the rent received by him or on his behalf in such form as may be prescribed, duly signed by him or his authorised agent.

(2) Every payment made by a tenant to the landlord shall be presumed to be payment on account of the rent due from such tenant for the year in which the payment is made unless the tenant has given an express intimation in writing to the contrary to the landlord.

**Refund of excess rent and penalty of excess rent.** 37. (1) Where any landlord recovers from a tenant in excess of the amount due in accordance with the provisions of this Regulation, the tenant may, within such period as may be prescribed, make an application to the prescribed authority for the refund of the excess amount so recovered.

(2) On receipt of an application under sub-section (1), the prescribed authority may, after giving the landlord and the tenant an opportunity of being heard, pass such order as it deems fit for the refund of the amount, if any, recovered in excess and thereupon the landlord shall be able to make such refund to the tenant.

(3) If any landlord recovers from a tenant rent in excess of the amount due in accordance with the provisions of this Regulation, he shall also be liable to the penalty as provided in this Regulation,

38. (1) During the period of operation of any lease granted or deemed to have been granted under this Chapter, no tenant of a land shall be liable to be evicted therefrom or any part thereof by his landlord or by any person claiming through or under him, except on application made by the landlord to the prescribed authority and under the orders of the prescribed authority on any one or more of the following grounds, namely :—

Eviction of tenant

(a) that the tenant uses or attempts to use such land or part thereof for a purpose other than agricultural purpose; or

(b) that the tenant intentionally neglects to take steps within reasonable time to cultivate the land for two consecutive agricultural seasons; or

(c) that the tenant has intentionally committed acts of waste injurious to the land; or

(d) that the tenant defaults in making payments of the rent which has accrued due within twelve months of the date on which it fell due.

(2) On receipt of an application under sub-section (1), the prescribed authority may, after giving the parties an opportunity of being heard in the matter, make such order as it deems fit in the circumstances of the case.

(3) Every order made by the prescribed authority under sub-section (2) for the eviction of a tenant shall be deemed to be a decree of a civil court and shall be executable as such.

(4) No order for the eviction of a tenant from any land having standing crops thereon shall be executed unless a reasonable opportunity has been given to the person in possession of such land to harvest the same

39. (1) A tenant may deposit with the prescribed authority any rent payable by him to the landlord, along with an application in such form as may be prescribed.

Deposit of rent.

(2) On receipt of an application under sub-section (1) the prescribed authority shall cause notice of every deposit to be issued to the landlord and after making such inquiry as it may deem fit, determine whether the amount represents the current amount of the rent due and if such authority finds that any further sum is due, it shall allow the tenant such time not exceeding three months as it may deem fit for depositing the balance together with such costs of the proceedings as such authority may order and if it finds that no further amount is due, or if the tenant deposits within the time allowed such further sum as is ordered by such authority, the tenant shall be deemed to have paid rent within the period specified in sub-clause (d) of clause (1) of section 38.

40. (1) Where a landlord has obtained from, or been granted by, the Government any relief by way of suspension or remission of the whole or part of the annual land revenue assessment payable in respect of his land, the landlord shall be bound to give and the tenant of the land shall be entitled to receive from the landlord corresponding or proportionate relief, by way of suspension or remission, as the case may be, of rent payable in respect of such land.

Remission and suspension of rent.

(2) The nature and extent of the relief which a landlord is bound to give and which a tenant is entitled to receive under sub-section (1) shall be determined by the prescribed authority in such manner as may be prescribed.

(3) No suit shall lie and no decree of a civil court shall be executed for the recovery by the landlord of any rent the payment of which has been remitted or during the period for which the payment of such rent has been suspended under this section.

(4) The period during which the payment of rent is suspended under this section shall be excluded in computing the period of limitation for any suit or proceeding for the recovery of such rent.

(5) If any landlord recovers from a tenant rent without giving relief to the tenant as provided in sub-section (1), he shall be liable to refund to the tenant the amount so recovered by him and shall also be liable to the penalty as provided in this Regulation.

41. (1) Every person lawfully cultivating any land of another person shall be deemed to be the tenant of that land if such person is not—

Certain persons to be deemed to be tenants

(a) a member of the family of such other person; or

(b) a hired labourer or a servant on wages (payable in cash or in kind but not as a share of the produce) who cultivates the land under the personal supervision of—

(i) such other person or of any member of such other person's family; or

(ii) where such other person is a person under disability, a paid employee of such other person.

(2) In the event of a dispute as to whether a person cultivating the land is a tenant within the meaning of sub-section (1), the same shall be decided by the prescribed authority on an application made to it by the tenant or the landlord or any other person interested in the land.

42. (1) Where any land has been leased out by any person in contravention of the provisions of this Chapter or where any land is not resumed by the landlord within a period of one year of the landlord ceasing to be a person under disability, then, the tenant in respect of that land shall be entitled to get occupancy rights over that land.

Tenants to get occupancy rights in certain case.

(2) Any tenant entitled to get occupancy rights under sub-section (1) may make an application to the prescribed authority in such form and containing such particulars as may be prescribed.

(3) After the receipt of an application under sub-section (2), the prescribed authority may make such inquiry as it deems fit and after giving an opportunity to the landlord and the tenant to be heard in the matter, if the prescribed authority is satisfied that the tenant is entitled to get occupancy rights over the land, it may pass an order accordingly and thereupon the tenant shall be deemed to be the occupant of that land.

(4) Every tenant who is deemed to be the occupant of any land under this section shall be liable to pay compensation to the landlord calculated at thirty-six times the annual land revenue assessment payable in respect of that land.

(5) The compensation payable under this section shall be paid in cash either in one lump or in annual instalments not exceeding five, together with interest, from the date on which he is deemed to be the occupant of the land on the unpaid balance at the rate of six per cent per annum.

(6) The compensation payable under this section shall be a charge on the land.

## CHAPTER VIII

## Miscellaneous

43. (1) Where a tenant of any land has on or after the appointed day, surrendered, or been evicted from, such land or any part thereof and such surrender or eviction could not have taken place if the provisions of Chapter VII of this Regulation were in force and where applicable to such tenant on the date of such surrender or eviction, the prescribed authority may suo motu or on an application made within the prescribed period by the person who was the tenant, restore him to possession of the land or part thereof which he surrendered or from which he was evicted unless some other tenant, not being a member of the family of the landlord who evicted him, had bona fide been admitted to possession of such land and continues to be in such possession:

Restoration of possession of land in certain cases.

Provided that a tenant who has been evicted in accordance with the provisions contained in the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961, shall not be entitled to restoration under this section.

(2) Any application made under section 7 of the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961, which is pending disposal at the commencement of this Regulation shall be deemed to be an application made under sub-section (1) and shall be disposed of accordingly.

(3) The prescribed authority shall, before making an order under sub-section (1) make such enquiry as it may deem fit and give an opportunity to the landlord to represent his case.

within 30 days — 44. (1) An appeal shall lie to the Collector against every order of the prescribed authority made under any of the provisions of this Regulation.

Appeal against orders of prescribed authority.

(2) Every appeal under sub-section (1) shall be filed within such period, as may be prescribed and shall be accompanied by a certified copy of the order appealed against.

(3) The Collector shall, after giving the appellant an opportunity to represent his case and after making such enquiry, as he may deem fit confirm, vary or reverse the order.

within 60 days — 45. (1) An appeal shall lie to the Administrator or to any person authorised by him in this behalf, against every order passed by the Collector other than an order passed by him in appeal under this Regulation.

Appeal to Administrator.

(2) Every appeal under sub-section (1) shall be filed within such period as may be prescribed and shall be accompanied by a certified copy of the order appealed against.

(3) The Administrator or the person so authorised, as the case may be, shall, after giving the appellant an opportunity to represent his case and after making such enquiry as he may deem fit, confirm, vary or reverse the order.

within 20 days — 46. Where no appeal has been filed under section 44 or section 45 against an order passed in any case.

Revision

- (a) if such order has been passed by the prescribed authority, the Collector ; and
- (b) if such order has been passed by the Collector the Administrator or any person authorised by him in this behalf.

may, ~~sub~~ <sup>motu</sup> or on application made within the prescribed period, call for the records of the case and pass such orders thereon as he may deem fit ;

Provided that no order shall be passed adversely affecting any person unless an opportunity to represent his case has been given to that person."

Jurisdiction  
of civil  
courts ex-  
cluded

47. No suit or other proceeding shall lie or be instituted in any civil court with respect to any matter arising under or provided for by this Regulation :

Provided that if in a dispute between the parties a question of title is involved, a civil suit may be brought for the adjudication of such question.

47 A. Not with standing anything contained in any law for the time being in force, no party to any proceeding under this Regulation shall be entitled to be represented by a legal practitioner before the prescribed authority Collector or Administrator.

Parties not to be represented by legal by legal practitioners before prescribed authority etc.

Provided that the prescribed authority, Collector or Administrator as the case may be, in the interests of justice and for reasons to be recorded in writing, allow any such party to be represented by a legal practitioner his own cost.

Explanation for the purpose of this section, " legal practitioner " has the meaning as in clause (i) of sub-section (1) of section 2 of the Advocates Act, 1961.

Powers of  
prescribed  
authority,

48. The prescribed authority shall have the powers of a civil court while while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely :—

- (a) summoning and enforcing the attendance of any person and examining him on oath ;
- (b) requiring the discovery and production of any document ;
- (c) receiving evidence on affidavit ;
- (d) requisitioning any public record or copy thereof from any court or office ;
- (e) issuing commissions for the examination of witnesses or documents ;
- (f) any other matter which may be prescribed,

Recovery of  
amounts  
due as an  
arrear of  
land  
revenue.

49. Any amount due to the Government under this Regulation, if not paid as provided therein, shall be recoverable as an arrear of land revenue.

Assessment  
for the  
purpose of  
calculating  
compensa-  
tion and  
occupancy  
price.

50. Any reference in this Regulation to the annual land revenue assessment payable in respect of any land shall, in relation to the determination of compensation or occupancy price in respect of that land, be construed as a reference to the land revenue assessed under the Land Revenue Regulation in respect of that land and in force on the vesting date or on the date of restoration referred to in clause (ii) of sub-section (5) of section 4 or on the date on which the lands in excess of the ceiling area vest in the Government or the date on which the surplus lands are allotted under section 27 or on the date on which the tenant is deemed to be the occupant of the land under section 42, as the case may be.

51. The provisions of this Regulation shall have effect notwithstanding anything to the contrary contained in any other law, custom, or usage or agreement or decree or order of Court,

Regulation  
to override  
other laws.

52. Notwithstanding anything contained in the Court Fees Act, 1870, 7 of 1870, every application, appeal or other proceeding under this Regulation shall bear a court fee stamp of such value as may be prescribed,

Court fees.

53. Whoever contravenes any provision of this Regulation for which no penalty has been otherwise provided for therein shall be punishable with fine which may extend to five hundred rupees.

General  
provision  
as to  
penalties

54. No suit, prosecution or other legal proceeding shall lie—

(a) against any officer of the Government for anything in good faith done or intended to be done under this Regulation;

Power to  
remove  
difficulties

(b) against the Government for any damage caused or likely to be caused or any injury suffered or likely to be suffered by anything in good faith done or intended to be done under this Regulation.

55. If any difficulty arises in giving effect to the provisions of this Regulation, the Administrator may by order, do anything not inconsistent with such provisions which may appear to be necessary for the purpose of removing the difficulty :

Power to  
remove  
difficulties

Provided that no such power shall be exercised after the expiry of a period of two years from the date of publication of this Regulation,

56. (1) The Administrator may by notification in the Official Gazette, make rules for carrying out the purposes of this Regulation.

Power to  
make rules

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—

(a) regulating the transfer of any land in respect of which occupancy rights are deemed to have been granted under section 4 ;

(b) the terms and conditions on which lands may be held by a person as temporary lessee under section 5 ;

(c) the period within which any person interested may apply to the Collector for a declaration under the second proviso to sub-section (1) of section 10 ;

(d) the manner of filing the statement under Sub-section (2) of section 11;

(e) the period within which, the authority to which and the manner in which the particulars of the land held by a person may be intimated under section 12;

(f) the determination of the value of the building or structure under sub-section (5) of section 13;

(g) the conditions subject to which and the manner in which the occupancy price may be adjusted against the compensation under sub-section (3) of section 20;

(h) the manner in which a public notice may be published, the time within which the statement may be filed, the particulars to be given in the statement and the form in which the statement may be filed, under sub-section (1) of section 21;

(i) the manner of obtaining information under sub-section (5) of section 21;

(j) the manner in which the order of the prescribed authority may be communicated to the persons concerned under sub-section (2) of section 22;

- (k) the form in which and the period within which a person entitled to claim any compensation or any part thereof under section 13, or section 14 or section 16, may apply under sub-section (1) of section 24;
- (l) the form in which and the manner in which a notice may be issued under sub-section (1) of section 25;
- (m) the allotment of surplus land under section 26;
- (n) regulating the transfer of any land allotted under section 27;
- (o) the management or disposal of unallotted surplus land under section 30;
- (p) the manner in which land may be leased out by the prescribed authority under sub-section (2) of section 34;
- (q) the form in which and the manner in which a receipt may be given under sub-section (1) of section 36;
- (r) the period within which a tenant may make an application under sub-section 37 for the refund of excess rent recovered by a landlord;
- (s) the form of application under sub-section (1) of section 39;
- (t) the manner in which the nature and extent of the relief referred to in section 40 may be determined under sub-section (2) of that section;
- (u) the form in which and the manner in which a tenant may make an application for the grant of occupancy rights under section 42;
- (v) the period within which and in the manner in which a tenant may make an application for restoration of any land under section 43;
- (w) the period within which an appeal may be filed under sub-section (2) of section 44 and sub-section (2) of section 55;
- (x) the period within which an application for revision may be made under section 46;
- (y) the value of court fee stamps under section 52;
- (z) any other matter which has to be, or may be, prescribed.

Repeal and  
avings.

57. (1) On and from the date on which any provision of this Regulation is brought into force, all laws and orders or any part thereof as are relatable to the matters covered by such provision shall stand repealed.

(2) The repeal of any law or order or part thereof by sub-section (1) shall not affect—

- (a) the previous operation of such law or order or part thereof or anything duly done or suffered thereunder;
- (b) any right, privilege or, liability acquired, accrued or incurred under such law or order;
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against such law or order;

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid : and any such investigation, legal proceeding or remedy may be instituted or enforced and any such penalty, forfeiture or punishment may be imposed as if such law or order or part thereof had not been repealed.

(3) Subject to the provisions of sub-section (2), anything done or any section taken under any of the laws or orders or part thereof as would stand repealed under sub-section (1) shall, in so far as it is not inconsistent with any such provision of this Regulation as is brought into force, be deemed to have been done or taken under such provision.

(4) Any custom or usage prevailing at the time of the commencement of any provision of this Regulation and having the force of law shall, if such custom or usage is repugnant to or inconsistent with such provision, cease to be operative to the extent of such repugnancy or inconsistency.

V. V. GIRI,  
President.

UNION TERRITORY OF DADRA AND NAGAR HAVELI

Silvassa the 29th September 1972

No. ADM/LAW-LR-(1)—In exercise of the powers conferred upon him under clause (11) of section 2 of the Dadra and Nagar Haveli Land Reforms Regulation 1971 (No. 3 of 1971), the Administrator, Dadra and Nagar Haveli, hereby empowers the Secretary to the Administrator, Dadra and Nagar Haveli Silvassa, being an Officer not below the rank of Sub Divisional Officer, to exercise and perform all the powers and functions of the Collector under the said Regulation.

No. ADM/LAW/LR(2)—In exercise of the powers conferred upon him under clause (b) of rule 2 of the Dadra and Nagar Haveli Land Reform Rules, 1972, the Administrator, Dadra and Nagar Haveli hereby empowers Shri J. P. Gupta, Land Reforms Officer, Dadra and Nagar Haveli to exercise and perform all the powers and functions of the Mamlatdar under the said rules.

No. ADM/LAW/LR-(3):—In exercise of the powers conferred by clause (25) of section 2 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971 (No. 3 of 1971), the Administrator, Dadra and Nagar Haveli, hereby specifies that the prescribed authority in relation to the provision of the said Regulation mentioned in column 1 of the table below shall be the Officer or Officers mentioned against that provision in column 2 of that table.

TABLE

Provision of Regulation and Officer to be the prescribed authority

|            |                             |            |               |
|------------|-----------------------------|------------|---------------|
| Section 11 | ... Mamlatdar.              | Section 32 | ... Mamlatdar |
| Section 12 | ... Mamlatdar.              | Section 33 | ... Mamlatdar |
| Section 13 | ... Collector               | Section 35 | ... Mamlatdar |
| Section 21 | ... Mamlatdar.              | Section 37 | ... Mamlatdar |
| Section 22 | ... Mamlatdar.              | Section 38 | ... Mamlatdar |
| Section 23 | ... Collector               | Section 39 | ... Mamlatdar |
| Section 24 | ... Collector               | Section 40 | ... Mamlatdar |
| Section 25 | ... Mamlatdar.              | Section 41 | ... Mamlatdar |
| Section 26 | ... Mamlatdar.              | Section 42 | ... Mamlatdar |
| Section 27 | ... Collector. & Mamlatdar. | Section 43 | ... Mamlatdar |

No. ADM/LAW/LR(4)—In exercise of the powers conferred by section 56 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971 (3 of 1971), the Administrator hereby makes the following rules, namely :—

1. Short title :— These rules may be called the Dadra and Nagar Haveli Land Reforms Rules, 1972.
2. Definitions :— In these rules, unless the context otherwise requires—
  - (a) "Form" means a form appended to these rules;
  - (b) "Mamlatdar" means an officer specially empowered by the Administrator by notification in the official Gazette to exercise and perform all or any of the powers and functions of the Mamlatdar under these rules;
  - (c) "Regulation" means the Dadra and Nagar Haveli Land Reforms Regulation 1971;
  - (d) "Section" means a section of the Regulation;
  - (e) "Talathi" means an officer specially empowered by the Collector to exercise and perform all or any of the powers and functions of the Talathi under these rules;

3. **Transfer of land-**(1) A person who intends to transfer any agricultural land, in respect of which occupancy rights are deemed to have been granted to him under Section 4 or which has been allotted to him under section 27, shall make an application to the Collector.

Provided that no such application shall be necessary where—

- (a) the land is being mortgaged in favour of the Government or a co-operative society or a bank for raising a loan for a purpose connected with the cultivation of the land; or
  - (b) the land is being sold in execution of a decree of a Civil Court or for recovery of arrears of land revenue or Government dues recoverable as arrears of land revenue.
- (2) On receipt of such application the Collector may subject to the provisions of sub-rules (4) and (5) and after such inquiry as he may deem necessary, permit the transfer if he is satisfied that the transaction is bonafide or refuse to permit the transfer for reasons to be recorded in writing.
- (3) The Collector shall, subject to sub-rule (2), permit the transfer only in cases where the transfer will not contravene the provisions of any law (including rules made thereunder) for the time being in force and any of the following conditions is satisfied namely :—
- (a) The land is being sold, gifted, exchanged, leased or assigned in favour of a person who bona fide requires the land for an approved non-agricultural purpose.
  - (b) The land is being sold, gifted, exchanged, leased or assigned in favour of an industrial undertaking which requires the land for an agriculture purpose directly connected with the industrial operation carried out by such undertaking.
  - (c) The land is being sold, gifted, exchanged, leased or assigned in favour of an educational charitable or public religious Institution.
  - (d) The land is being sold, gifted, leased or assigned in favour of a cooperative farming society.
  - (e) The land is being sold in favour of an agriculturist and the vendor is either permanently giving up the profession of agriculture or is permanently rendered incapable of cultivating the land personally.
  - (f) The land is being given in gift whether by way of trust or otherwise and such gift is made bonafide in favour of a member of the occupant's family.
  - (g) The land is being exchanged :—
    - (i) with the land of equal or nearly equal value held as occupant and cultivated personally by a member of the same family ; or
    - (ii) with land of equal or nearly equal value situated in the same village with the object of forming a compact block or with a view to have better management of the land.
  - (h) The land is being leased by a person under disability.
- (4) Where the transferor is a member of the Scheduled Castes or the Scheduled Tribes and the transferee is not a member of such Castes or Tribes, the Collector shall not permit the transfer unless he is satisfied that the consideration for the transfer is adequate and that the transfer will not be against the interests of the transferor.

(5) Where the transfer is by way of sale of land, —

(a) in respect of which occupancy rights have been granted to the vendor under section 4 by virtue of his having been a tenant, or

(b) which has been allotted to the vendor under section 27, the transfer shall not be permitted before the expiration of five years from the vesting date or, as the case may be, the date of allotment unless—

(i) the consideration for the sale is not less than the market price of comparable land in the area, and

(ii) the vendor pays to the government as premium an amount equal to one half of the difference between the sale price of the land and the occupancy price which was paid by him in respect of that land.

4. Terms and conditions of temporary lease under section 5. — (1) The terms and conditions subject to which land shall be possessed by a person as a temporary lessee under section 5 until it is resumed in accordance with the provisions of section 23 shall be as under, namely :—

(a) the lessee shall pay to the Government as rent an amount equal to four times the land revenue assessment relating to the extent of the land ;

(b) the lessee shall not sublease the land ;

(c) the lessee shall be liable to pay such other cases as may be payable in respect of the land ;—

(d) the lessee shall not intentionally commit any act of waste injurious to the land ;

(e) if the lessee fails to vacate the land when required to do so in accordance with the provisions of sections 23, he shall be summarily evicted.

5. Application for declaration under second proviso to sub-section (1) of section 10

(1) An application for declaration under the second proviso to sub-section (1) of section 10 may be made to the Collector at any time before the determination by the Mamlatdar under clause (9) of sub-section (1) of section 22 of the land in excess of the ceiling area possessed by the applicant.

(2) Upon receipt of an application referred to in sub-rule (1) the Collector shall stay the inquiry by the Mamlatdar under section 22, if any is pending until he makes the declaration or rejects the application.

(3) The application shall specify—

(a) the land in respect of which the declaration is required ;

(b) the applicant's share in such land, and shall be accompanied by a copy of the partition document or Court order, if any.

6. Statement under section 11.—(1) The statement to be filled under sub-section (2) of section 11, shall be in Form I.

(2) The statement shall be filed before the Mamlatdar in duplicate together with a certified copy of the document evidencing the transfer.

(3) The particulars furnished in the statement shall be entered in a register to be maintained in Form II and one copy of the statement shall be returned by the Mamlatdar after indicating thereon the serial number under which the statement is so registered and putting thereon his signature with date.

(4) The particulars of action taken on the statement shall be indicated in the relevant column of the register.

7. (1) The particulars specified in sub-section (1) of section 12 shall be intimated to the Mamlatdar upon their being required by the Mamlatdar, during the inquiry under section 22 or by a separate notice, within such period not being less than 15 days as may be allowed by the Mamlatdar.

(2) The particulars referred to in sub-rule (1) shall be furnished in duplicate, in Form III, and one copy thereof shall be returned by the Mamlatdar after putting thereon his signature with date.

(3) If the Mamlatdar comes to conclusion that the person is not entitled to retain the whole or part of the land selected for retention, he shall call upon him to give a revised selection in Form III giving time as prescribed in sub-rule (1).

8. Determination of value of building or structure under section 13,—The value of a building or other structure referred to in sub-section (5) of section 13 shall be determined by the Collector, having regard to the following factors, namely :—

- (a) the built area ;
- (b) the nature of the construction ;
- (c) the present cost of construction ;
- (d) the age and condition of the structure ; and
- (e) such other factors as he may consider relevant :—

9. Adjustment of occupancy price against compensation under section 20. —

(1) Where a person liable to pay any amount as occupancy price under Chapter III of the Regulation is also entitled to receive any amount by way of compensation under the chapter, he may apply to the Collector for adjustment of the amount of occupancy price against the amount of compensation payable, within a period of 30 days from the date of the decision fixing the compensation under section 24 or the order fixing the occupancy price under section 25, whichever date is later.

(2) Where the occupancy price payable exceeds the compensation (excluding interest thereon) payable, the difference shall be paid in accordance with the provisions of sub-section (1) of section 20.

(3) Where the compensation payable exceeds the occupancy price which remains to be paid, the difference between the occupancy price and the compensation shall be paid in accordance with the provisions of section 17.

10. Notice under section 21, —(1) The public notice to be given under sub-section (1) of section 21 shall be in Form IV and the individual notice to be given under sub-section (3) of section 21 shall be in Form V.

(2) The statement under sub-section (1) of section 21 shall be in Form VI and shall be filed in duplicate within a period of 30 days from the date of publication of the notice under sub-rule (1) before the Mamlatdar, who shall return one copy thereof after putting thereon his signature with date.

11. Where statement under section 21 is not filed — (1) Where any person fails to file the statement under sub-rule (2) of rule 10 the Mamlatdar may ascertain the required particulars by recording the statement of such person or direct any officer subordinate to him to ascertain such particulars by recording the statement such person.

(2) Where the required particulars cannot be ascertained in the manner prescribed in sub rule (1) the Mamlatdar may ascertain the particulars in such manner as he may deem fit.

12. Communication of order under section 22.—A copy of the order of Mamlatdar under section 22 shall be sent to the person concerned by registered post, or in the manner provided for service of notice in rule 43.

13. Claim for compensation— (1) An application under section 24 for compensation may be made to the Collector in Form VII with 30 days from the date of communication of the order under sub-section (i) of section 22.

(2) Where no application for compensation is received within the specified period, the Collector shall proceed to decide the amount of compensation in accordance with the provisions of sub-section (2) of section 24.

14. Payment of occupancy price.—The notice under sub-section (1) of section 25 shall be issued by the Mamlatdar in Form VIII.

15. Procedure for allotment of surplus land referred to in section 26(1) (i).—The procedure for allotment of surplus land referred to in clause (i) of sub-section (1) of section 26 shall be as prescribed in rules 16 to 29.

16. Division of the territory into zones. — The Collector shall divide the Union territory into such zones as he may consider necessary.

17. Extent of land to be allotted.—The surplus land available for distribution shall be divided into plots of such size as the Collector may with the approval of the Administrator determine and no person shall be allotted more than one such plot.

18. Calling for applications for allotment.—As soon as may be after the total area of the surplus land available in a zone for distribution under clause (i) of sub-section (1) of section 26 is known the Mamlatdar shall publish or cause to be published in each village in the zone a public notice in Form IX calling for applications for allotment from eligible persons residing in the village.

19. Form and manner of application.—The applications for allotment of land shall be made in duplicate to the Mamlatdar within 30 days from the date of the notice under rule 18 in Form X.

20. Registration of applications. — On receipt of an application under rule 19, the Mamlatdar shall cause the application to be entered in a register to be maintained in Form XI and return one copy of the application after putting their on the serial number of the application and his signature with date.

21. Determination of the plot of land to be allotted to an applicant. — As soon as may be after the expiration of the period of making an application for allotment, the Mamlatdar shall consider all the applications received by him and after such further inquiry as he may deem necessary, determine the plot to be allotted to each applicant :

Provided that the procedure specified in rules 22 to 24 shall be followed where having regard to the number of eligible applicants, the number of plots available for distribution is not adequate.

22. Draw of lots.—Where, having regard to the number of eligible applicants, the number of plots available in a zone for distribution is not adequate for allotment to all such applicants, the applicants to be allotted and shall be selected by draw of lots.

23. Public notice of the draw of lots.—Where it becomes necessary to select applicants for allotment by draw of lots, the Mamlatdar shall cause a public notice in Form XII to be published in each village within the zone announcing the time and place of the draw and calling upon all interested persons to be present at the draw.

24. Draw of lots how to be held.—The draw of lots shall be held publicly at the appointed time and place and the result of the draw of each lot shall be announced immediately after the draw of the lot and shall be final.

25. Allotment order.— (1) After determining plot to be allotted to an eligible applicant and verifying that, the plot is vacant, the Mamlatdar shall make an order of allotment in Form XIII.

26. Effect of failure to take possession of the allotted land where an allottee fails to take possession of the plot allotted to him within a period of 15 days from the service of the order of allotment, then the order shall stand cancelled and he shall no longer be eligible for allotment of surplus land referred to in clause (i) of sub-section (1) of section 26;

Provided that where the collector is satisfied that the failure was due to good and sufficient reasons, he may extend such period by a further period not exceeding 7 days.

27. Talati to report taking of possession- The Talati shall send to the Mamlatdar a report of a cases where the possession of land has been taken by the allottee and also of cases where the allottee has failed to take possession of the land within the period prescribed in the order of allotment or within the period of extension allowed to him by the Collector.

31. Condition of allotment of land under section 27- Every grant of land allotted under section 27 shall be subject to the provisions of the Land Revenue Administration Regulation and the Rules framed thereunder and in particular to the following conditions, namely:-

(a) all the conditions specified in the order of allotment in Form XIII appended to these rules;

(b) such other conditions as the Collector may include in the agreement to be executed by the allottee.

32. Lease of land under section 34-(1) where a tenant entitled to the restoration of possession of land under sub-section (2) of section 34 is not willing to take possession of land, The Mamlatdar may, by written order, and subject to the conditions mentioned therein, lease out such land on behalf of the landlord to a landless person, failing that to any other agricultural labourer, and failing that to a small holder.

(2) The rent payable by the new tenant shall be determined by the Mamlatdar, provided that the rent so determined shall not be less than the rent which was being paid by the previous tenant.



(2) The allotment order shall be served on the allottee and a copy thereof shall be sent to the Talathi concerned who shall give possession of the plot as directed in the order.

26. Effect of failure to take possession of the allotted land.—Where an allottee fails to take possession of the land within a period of 15 days from the service of the order of allotment then the order shall stand cancelled and he shall no longer be eligible of sub-section (1) of section 26 ;

Provided that where the Collector is satisfied that the failure was due to good and sufficient reasons, he may extend such period by a further period not exceeding days.

27. Talathi to report taking of possession.—The Talathi shall send to the Mamlatdar a report of cases where the possession of land has been taken by the allottee and sign of the land within the period prescribed in the order of allotment or within the period of extension allowed to him by the Collector.

28. Mamlatdar to send list of applicants not allotted land or of plots remaining unallotted.—The Mamlatdar shall send to the Collector in respect of each zone a list in Form XIV of eligible applicants who are not allotted land or, as the case may be a list in Form XV of plots of land remaining unallotted.

29. Allotment of plots in one zone to applicants in another zone.—(1) After receipt of the lists referred to in rule 28, the Collector shall determine the plots to be allotted to each applicant who has not been allotted land in his own zone, having regard to the place of residence of the applicant and the location of the plot :

Provided that where, having regard to the number of eligible applicants who have not been allotted land, the number of plots available is not ~~been allotted land, the~~ number of plots available is not adequate the selection of applicants for allotment shall be made by draw of lots and the procedure prescribed in rules 22 to 24 shall so far as may be apply to the holding of such draw.

2. After the determination of plots to be allotted under sub-rule (1), the procedure in rules to 27 shall apply.

30. Procedure for allotment of land other than land referred to in section 26 (1) (i). The procedure for allotment of surplus land other than the surplus land referred to in clause (i) of sub-section (1) of section shall so far as may be, be as prescribed in rules 17 to 27

31. Conditions of allotment of land under section 27.—Every grant of land allotted under section 27 shall be subject to the provisions of the Regulation and these rules and to the provisions of the Land Revenue Administration Regulation and the Rules framed thereunder and in particular to the following conditions, namely :—

32. Lease of land under section 34. — (1) Where a tenant entitled to the restoration of possession of land under sub-section (2) of section 34 is not willing to take possession of the land, the Mamlatdar may, by written order, and subject to the conditions mentioned to a landless person, failing that to any other agricultural labourer, and failing that to a small holder.

2. The rent payable by the new tenant shall be determined by the Mamlatdar, provided that the rent so determined shall not be less than the rent which was being paid by the previous tenant.

33. Form of receipt for rent.— (1) The receipt for rent to be given under sub-section (1) section 36 shall be in Form XVI.

2. The tenant shall sign, or put his left hand thumb impression upon, the counterfoil of the receipt in token of his having received it.

34. Application for refund of excess rent.— An application for refund of excess rent under sub section (1) of section 39 shall be made to the Mamlatdar within a period of 60 days from the date of payment.

35. Application for deposit of rent.— An application for deposit of rent under sub-section (1) of section 39 shall be made to the Mamlatdar in Form XVII.

36. Remission and suspension of rent—(1) The Mamlatdar shall determine in each case the nature and extent of the relief which a landlord is bound to give and a tenant is entitled to receive under sub-section (1) of section 40, in accordance with sub-rules (2) and (3).

of the whole or any portion of the annual land revenue assessment, the relief to the tenant shall be by way of suspension of the rent for the same period and the portion of the rent to be suspended shall bear the same proportion to the total rent payable as the portion of the annual land revenue assessment suspended bears to the total annual land revenue assessment payable.

(3) Where the relief given to the land lord is by way of remission of the whole or part of the annual land revenue assessment, the relief to be given to the tenant shall be way of remission of rent and the portion of rent remitted shall bear to the total rent payable, the same proportion as the portion of land revenue assessment remitted bears to the total rent payable, the assessment.

38. Application for occupancy right under section 42— An application by a tenant for occupancy rights under sub-section (2) of section 42 shall be made to the Mamlatdar in Form XVIII.

39. Application for restoration of possession — An application for restoration of possession under sub-section (1) of section 43 shall be made to the Mamlatdar within six months from the date of commencement of the Regulation.

40. Period of limitation for appeals etc.—(1) Every appeal under section 44 shall be filed within a period of 30 days from the date of the impugned order.

(2) Every appeal under section 45 shall be filed within a period of 30 days from the date of the impugned order.

(3) Every application for revision under section 46 shall be filed within a period of 30 days from the date of the impugned order.

(4) In computing the period referred to in sub-rule (1), (2) or (3), the time taken to obtain a certified copy of the impugned order shall be excluded.

41. Court fees. — An application or appeal mentioned in column (1) of the table below shall bear a court fee stamp of the value specified against it in column (2) or (3) of the table.

TABLE

| Description                               | Fee for persons belonging to S.C. or S.T. | Fee for other persons |
|---|---|-----------------------|
| 1   | 2   | 3                     |
| Appeal under section 44                   | 50 paise                                  | 10 rupees.            |
| Appeal under section 45                   | 1 rupee                                   | 15 rupees.            |
| Application for revision under section 46 | 1 rupee                                   | 25 rupees.            |
| Any other application.                    | 15 paise                                  | 50 paise              |

42. Procedure for inquiries :—(1) Every inquiry under the Regulation shall be held at a time and place which shall have been intimated to the persons concerned and an inquiry once commenced shall not be adjourned for a period exceeding 10 days at a time except in accordance with rule 7.

(2) If on the date fixed for the inquiry or on any date to which the inquiry has been adjourned any party does not appear, the inquiry may be conducted in his absence and the order may be passed ex parte.

(3) Any party aggrieved by an order passed ex parte against him may apply, within 30 days from the date of such order, to the authority that conducted the inquiry to have the order set aside on the ground that he was prevented by sufficient cause from being present, and such authority may set aside the order and hold a fresh inquiry.

(4) The order in every inquiry shall be communicated to the persons concerned by pronouncement at a time and place which shall have been intimated to them, except in the case referred to in rule 12.

43. Service of individual notices :— (1) Every notice to be served on an individual shall be served on him at his ordinary place of residence,

(2) where the individual is not found at such place, the notice may be served on any adult member of his family.

(3) Where the service of the notice cannot be made on the individual or on any member of his family, it may be served by affixing a copy of the notice on the outer door of the house in which the individual ordinarily resides or at the place where he is known to work or carry on business.

(4) Where the service of notice is by affixing a copy thereof in the manner provided in sub-rule (3), such service shall be made in the presence of two respectable persons residing in the village whose signatures shall be obtained on the copy of the notice to be returned to the authority issuing the notice.

(5) Notwithstanding anything contained in this rule, service may be made on a person by sending the notice to him by registered post.

44. Public notice how published :— Any public notice required to be given in a village shall be published by beat of drum in all padas (localities) of the village and by affixing copies thereof on the notice board of the office of the authority giving the notice, at the chavdi (Patelad) and also at conspicuous places in all localities of the village.

By order of the Administrator,

JAGDISH SAGAR

Collector,

Dadra and Nagar Haveli, Silvassa.

SILVASSA

Dated 29-9-1972

FORM I  
( See rule 6 (1) )

Statement to be furnished under sub-section (2) of section 11 of the Dadra and Nagar Haveli Land Reforms Regulation : 1971.

1. Name of holder :
2. Place of Residence :
3. Names of members of family and relationship to holder :—

| Name  | Age                               | Relationship |
|---|-----------------------------------|--------------|
| 4. Ceiling applicable to holder/family :—       |                                   |              |
| 5. Details of land held before new acquisition. |                                   |              |
| Name of village<br>1.                           | Survey Number/Sub-division.<br>2. | Area<br>3.   |

| 6. Details of new acquisition. |                          |                                       |                               |   |
|--------------------------------|--------------------------|---------------------------------------|-------------------------------|---|
| Date of acquisition.           | Area of land<br>acquired | Village in which<br>land is situated. | Survey number<br>Sub-division | Nature of acqui-<br>sition i.e. whether<br>by sale, gift,<br>inheritance etc. |
| 1.                             | 2.                       | 3.                                    | 4.                            | 5.  |

Signature of the applicant.

FORM II  
( See Rule 6 (3) )

Register of acquisitions

| Serial<br>Number                                   | Name of the holder | Ceiling applicable to<br>holder/family.                       | Area of land<br>held prior to<br>acquisition. |
|--|--------------------|---|---|
| 1  | 2                  | 3   | 4   |
| Area of land acquired (under this<br>application ) |                    | Particulars of land<br>acquired village<br>survey Number etc. | Action taken.                                 |
| 5  |                    | 6   | 7   |

**FORM III**  
( See Rule 7 )

Intimation of land selected for retention within the Ceiling area.

1. Name of holder :
2. Address :
3. Particulars of Land possessed and land selected to be retained.

| Serial | Name of Village. | Land possessed |      | Land chosen to be retained |      |
|--------|------------------|----------------|------|----------------------------|------|
|        |                  | Survey Number  | Area | Survey Number              | Area |
| 1      | 2                | 3              | 4    | 5                          | 6    |

Details of encumbrances, if any, on the land not selected for retention.

7

Signature of the person.

**FORM IV**  
[ See rule 10 (1) ]

Public notice under sub-section (1) of section 21 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971.

Whereas the Dadra and Nagar Haveli Land Reforms Regulation, 1971 has come into force with effect from \_\_\_\_\_ this public notice is hereby given to every Alwara holder, Terem holder, tenant and other person interested in any land to file before the un assigned, within a period of 45 days from the date of Publication of this notice, a statement giving details of land and thir rights therein in Form VI prescribed under sub-rule (2) of rule 10 of the Dadra and Nagar Haveli Land Reforms Rules, 1972.

Place :—

Date :—

Mamlatdar.

FORM V  
[See rule 10 (1)]

Notice under sub-section (3) of section 21 of the Dadra and Nagar Haveli Reforms Regulation, 1971.

To, shri..... Village..... Whereas a public notice calling upon all Alwara holders Terem-holders, tenants and other interested persons to file before the undersigned a statement in Form VI prescribed under sub-rule (2) of rule 10 has been given on..... in your village, you are required to furnish the said statement in duplicate on or before..... to the undersigned.

If you fail to furnish the required details in the Form VI (enclosed herewith) in duplicate on or before..... further action will be taken in accordance with the provisions of sub-section (5) of section 21 of the Regulation.

Place :—

Date :—

FORM VI  
( See Rule 10 (2) )

Form of statement to be filed (in duplicate) under sub-section(1) of section 21 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971.

N. B. :— Separate Forms are to be filled for holdings in different villages.

PART 1

Details regarding the holder members of his family.

1. Name of the holder :

2. Place of Residence :

3. Village

| Names of members of holder's family and age. ( wife, husband, minor sons and unmarried daughters). | Relationship with holder. | Whether the land is held as member of H. J. F. or a family joint in or estate possession, so given of such name joint family. | Whether anyother land is held jointly with any other person society or etc. If so, names if thereof. |
|--|---------------------------|---|--|
| 1  | 2                         | 3   | 4  |

Whether any member of the family holds land separately in his own right; if so give

Whether the holder is a person under disability.

Whether the holder is a member of Scheduled Castes/Scheduled Tribes.

5

6

7

Part II

Details of land held on the appointed day i.e. 20th August, 1964 and transfer and acquisitions thereafter.

(a) Land held separately in own name

| Sl. No.   | Village in which situated   | Survey No.                         |  | Area                                |   | Whether the land is used for agricultural purposes. if not, State whether it is grass land. or forest land or state the purpose for which used |
|---|---|------------------------------------|--|-------------------------------------|---|--|
|   |   | Sub-division number.               |  | H.                                  | A.  |  |
| 1   | 2   | 3                                  |  | 4                                   |   | 5  |
| Whether still held  | If transferred, date of transfer, name of transferee and nature of transfer i.e., by sale, gift, mortgage, etc. |                                    | If acquired, date of acquisition and name of transferor. |                                     | Tenure of land-whether Alwara/Terem, Give number and date of Alwara/Terem document. |  |
| 6   | 7   |                                    | 8  |                                     | 9   |  |
| Nature of right-whether as Alwara holder/Terem holder/tenant/mortgagee-in-possession. |   | Whether under personal cultivation |  | If tenanted, the name of the tenant |   | Details of encumbrance, if any. In case of mortgage with possession, state name and address of mortgagee.                                      |
| 10  |   | 11                                 |  | 12                                  |   | 13   |

(b) Land held jointly with other person, society or as member of a joint family, etc,

| Sl No.             | Village in which situated  | Survey No.                                   |   | Area   |  | Whether the land is used for agricultural purposes. If not, state whether it is grass land or forest land or state the purpose for which used. |
|--------------------|--|--|---|--|--|--|
|                    |  | Sub-division number                          |   | H.   | A.   |  |
| 1                  | 2  | 3  |   | 4  |  | 5  |
| Whether still held | If transferred, date of transfer and name of transferee i.e. by sale, gift, mortgage, etc. |  | If acquired, date of acquisition and name of transferor |  | Tenure of land, whether Alwara Terem, Give details of number and date of document. |  |
| 6                  | 7  |  | 8   |  | 9  |  |
| Holder's share     |  | If held jointly, give name of joint holders. |   | Details of encumbrances, if any. In the case of mortgage with possession, state the name and address of mortgagee. |  | If tenanted, the name of the tenant.   |
| 11                 |  | 12   |   | 13   |  | 14   |

(c) Details of form buildings, dwelling houses and other structures in the lands detailed in (a) and (b).

| Village in which situated | Survey No.<br>Sub-Division No. | Nature of the<br>structure | If the structure is<br>a dwelling house,<br>state whether the<br>occupant of the<br>house is a cultiva-<br>tor, agricultural<br>labourer or village<br>artisan and give<br>his name. |
|---------------------------|--------------------------------|----------------------------|--|
| 1                         | 2                              | 3                          | 4  |

(d) Particulars relating to land, If any, in respect of which application under section 7 of the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961 is pending.

| Village in which situated | Survey No.<br>Sub-division No. | Name and address of person who<br>has made the application. |
|---------------------------|--------------------------------|---|
| 1                         | 2                              | 3   |

I, .....resident of.....  
do hereby solemnly declare that the above statement contains to the best of my knowledge and belief correct and complete information in respect of all the lands held by me in my own name and jointly with others, I further declare that no land so held has been left out

Signature of the holder or of his  
guardian or authorised agent or  
his behalf,

FORM VII  
( See Rule 13 )

Application for compensation under sub-section (1) of section 24 of the Regulation.

1. Name of the applicant :
2. Place of residence :
3. Village :
4. Taluka :

5. (I) Compensation claimed under section 13 (2) of the Regulation :—

| Serial<br>Number | Name of village<br>Assessment | S. No.<br>Hissa<br>No. | Area | Amount of<br>compensation<br>claimed |
|------------------|-------------------------------|------------------------|------|--------------------------------------|
|------------------|-------------------------------|------------------------|------|--------------------------------------|

(a) In respect of the land held on Alwara, in respect of which no occupancy rights have been granted to any persons (i. e., land vested in Govt. as surplus land).

(b) In respect of land held on Alwara, in respect of which occupancy rights have been granted to any person other than Alwara-holder.

| Serial Number  | Name of Village Assessment               | S. No. Hissa No.                  | Area Amount of compensation claimed |
|--|--|-----------------------------------|-------------------------------------|
| (II) Compensation claimed under 13 (3) (I) and (II)  |  |                                   |                                     |
| (a) In respect of land held on Terum in respect of which no occupancy rights have been granted.  |  |                                   |                                     |
| (b) In respect of land held on Terum, in respect of which occupancy rights have been granted to any person other than the Terum-holder |  |                                   |                                     |
| (III) Compensation claimed under Sub-section (5) of section 13 read with section 16(2)   |  |                                   |                                     |
| Details of building or structure.  | Village and Survey No. in which situated | Whether Pacca or Katcha and area. | Purpose for which used.             |
| 1(a)   | 1(b)                                     | 2                                 | 3                                   |

PART III

DETAILS OF LAND UNDER IRRIGATION

| S. No. | Survey No. | Perennially irrigated | Seasonally irrigated | Unirrigated | Remarks<br>If irrigated source of irrigation Govt. Scheme private well |
|--------|------------|-----------------------|----------------------|-------------|--|
| 1      | 2          | 3                     | 4                    | 5           | 6  |

Signature of the holder of his  
guardian of authorized agent on his  
behalf.

| (VII) Compensation claimed by other person for rights, title or interest, if any, subsisting on or over the land on the vesting date as a result of extinguishment of his right, title or interest. |   |                       |                |
|---|---|-----------------------|----------------|
| Nature of the right, title or interest.   | Evidence supporting the right, title or interest with copy of document, if any. | Compensation claimed. | How arrived at |
| 1   | 2   | 3                     | 4              |

Applicant's Signature.

FORM VIII  
( See Rule 14 )

Form of notice for payment of occupancy price under sub-section (1) of section 25.

To. Shri.....Village.....

Whereas occupancy rights in respect of the land specified in the schedule hereto appended have been granted to you on and from the vesting date, you are hereby directed to pay the occupancy price in respect of the said land, The total amount payable by you is Rs.....

The above amount may be paid either in lump sum or in annual instalments, in the following manner :—

(a) In equal annual instalments each not being less than the annual land revenue assessment payable in respect of the said land (for Scheduled Caste or Scheduled Tribe).

(b) In annual instalments each not being less than twice the annual land revenue assessment payable in respect of the said land (for those not belonging to Scheduled Tribe or Scheduled Caste).

You are hereby called upon to state your objection, if any, within fifteen days from the date of service of this notice, to the proposed occupancy price and state whether you desire to pay the amount in lump sum or in annual instalments, If you fail to reply, within this period, it will be presumed that you have nothing to say in the matter and necessary order as deemed fit will be passed.

SCHEDULE

| S. No. | Village | Survey Number/<br>Hissa Number | Area on which<br>occupancy is<br>granted (state if<br>there is any<br>building or<br>structure) | Assessment<br>in respect of<br>lands ment-<br>ioned in<br>Col. 4 | Was land<br>held as<br>terum holder<br>or as tenant | Occupancy<br>chargeable |
|--------|---------|--------------------------------|---|--|---|-------------------------|
| 1      | 2       | 3                              | 4   | 5  | 6   | 7                       |
|        |         |                                |   |  |   |                         |

No.

Date .....

Place .....

Mamlatdar.

FORM IX  
See rule 18)

Public notice under rule 18 of the Dadra and Nagar Haveli Land Reform Rules, 1972.

Whereas the lands vested in Government under section 3 and in respect of which no occupancy rights have been granted in accordance with section 4 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971 are available for distribution;

And whereas the applications of the following categories of persons shown in section 27 of the Regulation are proposed to be considered for the present :—

- (1)
- (2)
- etc.

Now, therefore, all eligible persons of the above categories interested in the grant of the surplus land on payment of occupancy price are hereby called upon to submit to the undersigned, within 30 days from the date of this notice, applications for grant of land in form X prescribed under rule 19 of the Dadra and Nagar Haveli Land Reforms Rules, 1972 (Copies of forms can be had from Talathi of the village or office of the undersigned). The applicants will have to abide by the conditions of the grant of land, which can be known from the office of the undersigned.

No. .

Date.

Place.

Mamlatdar

FORM X  
(See rule 19)

Application for allotment of surplus land under rule 19 of the Dadra and Nagar Haveli Land Reforms Rules, 1972 (To be filled in duplicate).

1. Name of Applicant
2. Profession or means of livelihood of applicant
3. No. of family members with relationship to the applicant.
4. Address or permanent residence of applicant
5. Details of land held, if any.

- |   | Village   | Survey No. | Area       | Nature of holding      |
|---|---|------------|------------|------------------------|
|   | 1   | 2          | 3          | 4                      |
| 6. Details of land held by any other member of the Family (item -3) | Name of family member   | Village    | Survey No. | Area Nature of holding |
|   | 1   | 2          | 4          | 4 5                    |
| 7. Category to which applicant belongs.                             | (Here mention any of the categories mentioned in section 27 of the Regulation to which you belong). |            |            |                        |
| 8. Annual income from all sources (give details of each source)     |   |            |            |                        |
| 9. Details of other immovable or movable property held.             | (Here give details of buildings, houses, cattle, shares, etc. held, with value of each).            |            |            |                        |

I, ..... do hereby state that the details given above are the correct details to the best of my knowledge and belief.

That I intend to take to cultivation of land to be allotted, personally and I bind myself to abide by all the conditions of allotment.

Signature of applicant.

FORM XI  
(See rule 20)

REGISTER OF APPLICATIONS FOR ALLOTMENT OF SURPLUS LAND

| Serial Number | Name of the applicant | Address | Date of receipt of application | Final order passed | Remarks (Here mention if applicant holds any land) |
|---------------|-----------------------|---------|--------------------------------|--------------------|--|
| 1             | 2                     | 3       | 4                              | 5                  | 6  |

FORM XII  
[ See rule 23 ]

Notice of Time and Place for drawing lots for allotment of surplus land  
WHEREAS, certain lands in the Zone are declared surplus and whereas the surplus lands are not adequate to meet with the demands of the eligible applicants, it is proposed to select the applicants to be allotted lands by draw of lots at (place)..... on ..... of ( time ) ..... All persons interested are requested to remain present at the time of draw of lots.

Date :—

Place :—

Mamlatdar.

FORM XIII  
( See Rule 25(1) )

ALLOTMENT ORDER

In exercise of the powers conferred under section 27 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971, read with rule 25 of the Dadra and Nagar Haveli Land Reforms Rules, 1972, the land in the Schedule appended hereto is hereby granted to Shri..... of ..... subject to the following conditions :-

- (1) The grantee shall have to pay the occupancy price of Rs..... in twelve equal annual instalments payable with the land revenue of such land.
- (2) The first instalment of occupancy price shall be payable before the first day of the revenue years immediately following the expiration of five years from the date of allotment,
- (3) The grantee shall cultivate the land personally and shall bring the land under cultivation within a period of two years from the date of allotment.
- (4) The grantee shall not transfer his rights in the land by way of lease, sale, mortgage etc. except with the permission of the Collector,
- (5) The grantee shall take possession of the land allotted to him within 15 days from the date of service of this order failing which the order shall stand cancelled.
- (6) The grantee shall execute an agreement, as may be prescribed by the Collector.
- (7) The land shall be liable to resumption, without any compensation, for breach of the above and other conditions of agreement, provided that any instalments of occupancy price already paid shall be refunded.

## SCHEDULE

| Serial Number | Name of village | Survey Number | Area | Assessment |
|---------------|-----------------|---------------|------|------------|
| 1             | 2               | 3             | 4    | 5          |

No.....

Date.....

Place.....

Mamlatdar

## FORM XIV

(See rule 28)

List of applicants eligible for grant of surplus lands,

| Serial Number | Name of the applicant | Age | Residence | Serial No. in the register of applications | Remarks |
|---------------|-----------------------|-----|-----------|--|---------|
| 1             | 2                     | 3   | 4         | 5  | 6       |

## FORM XV

(See rule 28)

List of plots of land which remain unallotted.

| Serial Number | Name of the village | Survey Number | Sub-Division Number | Area |
|---------------|---------------------|---------------|---------------------|------|
| 1             | 2                   | 3             | 4                   | 5    |

## FORM XVI

(See rule 33)

## Form Of Rent Receipt

| Village Number | Survey Number | Area | Name of the tenant | Rent payable | Rent actually recovered in Cash show details of arrears, if any |
|----------------|---------------|------|--------------------|--------------|---|
| 1              | 2             |      | 3                  | 4            | 5   |

Received today the rent of Rs.....

Specified in column 6 from Shri.....

Signature of landlord or the  
authorised agent with date.

Signature or thumb mark of  
tenant or his authorised agent.

( To be obtained on the counter-foil )

FORM XVII  
(Sec rule 35)

To, Application for deposit of rent

The Mamlatdar,  
Dadra and Nagar Haveli,  
Silvassa.

Name of the applicant.

Age

Profession.

Residence

Name of the opponent.

Age

Profession

Residence

Sir.

I am the tenant of the following land and the opponent to the landlord of the  
said land :—

| Village | Survey Number | Area | Assessment |
|---------|---------------|------|------------|
|---------|---------------|------|------------|

My tenancy has been terminated by the landlord on the ground of non-payment  
of rent. The landlord refuses to accept rent ( Strike out which is not applicable ).

I however deposit herewith an amount of Rs ..... ( Rupees ..... )  
being the amount of the rent due for the year. I also hereby agree to deposit further  
sum, if any, that may be ordered by the Court.

I therefore pray that the said amount may be paid to the opponent landlord through  
the Court and declare that the rent is duly paid within the prescribed period without  
prejudice to my tenancy rights.

A copy of Record of Rights of the tenanted land is enclosed.

( Signature of the tenant )

FORM XVIII  
(Sec rule 38)

To,

The Mamlatdar,  
Dadra and Nagar Haveli,  
Silvassa.

Name of the applicant.

Age

Profession.

Residence

Name of the Opponent.

Age

Profession

Residence

Application under section 42 (1) of the Dadra and Nagar Haveli Land Reforms  
Regulation, 1971.

Details of land.....

| Village | Survey Number | Area | Assessment |
|---------|---------------|------|------------|
|         |               |      |            |

The land shown above has been leased out by the above opponent to me and I have been cultivating it personally since the year ..... I am entitled to get occupancy rights over that land for the following reasons :—  
(to be mentioned)

I may, therefor, be declared as an occupant of the above said land under the provisions of the Land Reforms Regulation.

I agree to pay compensation to the landlord as Provided in section 42(4) of the said Regulation.

Signature of the applicant



# The Gazette of India

PUBLISHED BY AUTHORITY

NO 301 NEW DELHI, SATURDAY, OCTOBER 14, 1972 (ASVINA 22 1894)

Separate paging is given to this Part in order that it may be filed as a separate compilation

(PART III SECTION - 3)

(Notifications relating to Minor Administration)

UNION TERRITORY OF DADRA AND NAGAR HAVELI  
Silvassa, the 30th September 1972

No. ADM/LAW/164 (18)-In exercise of the powers conferred by Section 3(1)(b) of the Minimum Wages Act, 1948 (Act No. XI of 1948), the Administrator, Dadra and Nagar Haveli, hereby proposes to revise the minimum rates of wages fixed in his Notification. No. ADM/LAW/164 (48) dated 17-10-1967, as specified in the Schedule hereto annexed.

Now therefore by virtue of the provisions contained Sub-Section 5(1)(b) of the Minimum Wages Act, 1948, the Administrator hereby issues and publishes this draft Notification for purposes of the revision of rates as aforesaid:

The Secretary to the Administrator, Dadra and Nagar Haveli is hereby authorised to receive representations from the persons likely to be effected by proposed revision.

Such representations shall be so forwarded to the Secretary to the Administrator, as to reach him latest by 29th November, 1972. Any representation received after this date will not be considered.

They will be taken into consideration on or after 30-11-1972. All the persons likely to be affected by this proposal are therefore requested to send their representation containing objections, suggestions, if any, to the Secretary to the Administrator by 29-11-1972.

By order of the Administrator,

## SCHEDULE

The Minimum Wages rate payable for any Agricultural labour as mentioned in Part II of the Schedule provided to the Minimum Wages Act, 1948 shall be at the rate of Rs. 3/- (Rupees three) per day per person in the whole of the Union Territory of Dadra and Nagar Haveli irrespective of the fact whether the person employed is a male, female or an adolescent.

AUTHORISED FOR ISSUE  
Sd/- ILLEGIBLE  
Secretary to the Administrator,  
Dadra and Nagar Haveli,  
Silvassa.

JAGDISH SAGAR  
Collector,  
Dadra and Nagar Haveli,  
Silvassa.

UNION TERRITORY OF DADRA AND NAGAR HAVELI

Silvassa the 29th September 1972

No. ADM/LAW-LR-(1)—In exercise of the powers conferred upon him under clause (11) of section 2 of the Dadra and Nagar Haveli Land Reforms Regulation 1971 (No. 3 of 1971), the Administrator, Dadra and Nagar Haveli, hereby empowers the Secretary to the Administrator, Dadra and Nagar Haveli Silvassa, being an Officer not below the rank of Sub Divisional Officer, to exercise and perform all the powers and functions of the Collector under the said Regulation.

No. ADM/LAW/LR(2)—In exercise of the powers conferred upon him under clause (b) of rule 2 of the Dadra and Nagar Haveli Land Reform Rules, 1972, the Administrator, Dadra and Nagar Haveli hereby empowers Shri J. P. Gupta, Land Reforms Officer, Dadra and Nagar Haveli to exercise and perform all the powers and functions of the Mamlatdar under the said rules.

No. ADM/LAW/LR-(3):—In exercise of the powers conferred by clause (25) of section 2 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971 (No. 3 of 1971), the Administrator, Dadra and Nagar Haveli, hereby specifies that the prescribed authority in relation to the provision of the said Regulation mentioned in column 1 of the table below shall be the Officer or Officers mentioned against that provision in column 2 of that table.

TABLE

Provision of Regulation and Officer to be the prescribed authority

|            |                             |            |               |
|------------|-----------------------------|------------|---------------|
| Section 11 | ... Mamlatdar.              | Section 32 | ... Mamlatdar |
| Section 12 | ... Mamlatdar.              | Section 33 | ... Mamlatdar |
| Section 13 | ... Collector               | Section 35 | ... Mamlatdar |
| Section 21 | ... Mamlatdar.              | Section 37 | ... Mamlatdar |
| Section 22 | ... Mamlatdar.              | Section 38 | ... Mamlatdar |
| Section 23 | ... Collector               | Section 39 | ... Mamlatdar |
| Section 24 | ... Collector               | Section 40 | ... Mamlatdar |
| Section 25 | ... Mamlatdar.              | Section 41 | ... Mamlatdar |
| Section 26 | ... Mamlatdar.              | Section 42 | ... Mamlatdar |
| Section 27 | ... Collector. & Mamlatdar. | Section 43 | ... Mamlatdar |

No. ADM/LAW/LR(4)—In exercise of the powers conferred by section 56 of the Dadra and Nagar Haveli Land Reforms Regulation, 1971 (3 of 1971), the Administrator hereby makes the following rules, namely :—

1. Short title :— These rules may be called the Dadra and Nagar Haveli Land Reforms Rules, 1972.
2. Definitions :— In these rules, unless the context otherwise requires—
  - (a) "Form" means a form appended to these rules;
  - (b) "Mamlatdar" means an officer specially empowered by the Administrator by notification in the official Gazette to exercise and perform all or any of the powers and functions of the Mamlatdar under these rules;
  - (c) "Regulation" means the Dadra and Nagar Haveli Land Reforms Regulation 1971;
  - (d) "Section" means a section of the Regulation;
  - (e) "Talathi" means an officer specially empowered by the Collector to exercise and perform all or any of the powers and functions of the Talathi under these rules;
  - (f) Words and expression used but not defined in these rules shall have the meanings assigned to them in the Regulation.

To be published in the Gazette of India, Part II, section  
3 (ii) dated 26th June, 1965.

Ministry of Home Affairs

New Delhi, the 22nd June, 1965.

N O T I F I C A T I O N

S.O. In exercise of the powers conferred  
by sub-section (2) of section 1 of the Dadra and Nagar  
Haveli (Laws) Regulation, 1963 ( 67 of 1963), the central  
Government hereby appoints the first day of July 1965 as  
the date on which the said Regulation shall come in force.

(No.F.10/6/65-LT1)

Sd/-

(Hari Sharda )

Special Secretary.

THE DADRA AND NAGAR HAVELI (LAWS)  
REGULATION, 1963

No 6 OF 1963

Promulgated by the President in the Fourteenth Year of the  
Republic of India.

A Regulation to extend certain laws to the Union territory of  
Dadra and Nagar Haveli.

In exercise of the powers conferred by article 240 of the  
Constitution, the President is pleased to promulgate the following  
Regulation made by him:—

1. (1) This Regulation may be called the Dadra and Nagar Haveli (Laws) Regulation, 1963. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. As from the commencement of this Regulation, the Acts and Ordinances mentioned in the First Schedule, as they are generally in force in the territories to which they extend, shall extend to, and be in force in, the Union territory of Dadra and Nagar Haveli subject to the modifications, if any, specified in that Schedule. Extension and amendment of certain laws.

Provided that each of the following Acts shall come into force in the said Union territory only on such date as the Administrator of the Union territory may, by notification in the Official Gazette, appoint for that Act, namely:—

1. The Police Act, 1861 (5 of 1861).
2. The Indian Christian Marriage Act, 1872 (15 of 1872).
3. The Lepers Act, 1898 (3 of 1898).
4. The Mussalman Wakf Validating Act, 1913 (6 of 1913).
5. The Indian Forest Act, 1927 (16 of 1927).
6. The Mussalman Wakf Validating Act, 1930 (32 of 1930).
7. The Criminal Law Amendment Act, 1938 (20 of 1938).
8. The Drugs Act, 1940 (23 of 1940).
9. The Wakf Act, 1954 (29 of 1954).
10. The Probation of Offenders Act, 1958 (20 of 1958).
11. The Prevention of Cruelty to Animals Act, 1960 (59 of 1960).

3. (1) All laws in force immediately before the 11th day of August, 1961, in Free Dadra and Nagar Haveli, other than the laws Repeal and saving.

referred to in sub-section (3), shall, as from the commencement of this Regulation, stand repealed:

Provided that, if there is any law corresponding to any Act referred to in the proviso to section 2, such corresponding law shall stand repealed as from the coming into force of that Act.

(2) Nothing in sub-section (1) shall affect—

(a) the previous operation of any law so repealed or anything duly done or suffered thereunder; or

(b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed; or

(c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or

(d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Regulation had not been made:

Provided that anything done or any action taken (including any appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, patent, permit or licence granted, or registration effected) under any such law shall be deemed to have been done or taken under the corresponding provision of the Act or Ordinance extended to the Union territory of Dadra and Nagar Haveli by this Regulation and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the said Act or Ordinance.

(3) The laws specified in the Second Schedule and the following laws made by the Administrator of Free Dadra and Nagar Haveli, namely:—

(i) the Abkari Act of 1956 of the Nagar Haveli Liberated Areas, and

(ii) the Free Dadra and Nagar Haveli Tenancy and Agricultural Lands Ordinance, 1961,

shall continue in force until repealed or amended by law.

Extension of  
rules, orders,  
etc., under  
certain laws.

4. All rules, notifications, orders, regulations and bye-laws made or issued by the Central Government under the provisions of any Act or Ordinance specified in the First Schedule generally for the territories to which such Act or Ordinance extends shall, as from the date of coming into force of such provisions in the Union territory

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of Dadra and Nagar Haveli, extend to and come into force in that Union territory.

5. (1) In any Act or Ordinance specified in the First Schedule or in any rule, notification, order, regulation or bye-law made or issued thereunder and extended to the Union territory of Dadra and Nagar Haveli by this Regulation,— Rules of construction.

(a) any reference to any provision of law not in force, or to any functionary not in existence in the Union territory of Dadra and Nagar Haveli shall be construed as a reference to the corresponding law, if any, or the corresponding functionary, if any, in existence in that Union territory:

Provided that—

(i) if any question arises as to who such corresponding functionary is, or

(ii) if there is no such corresponding functionary,

the Administrator of that Union territory shall decide as to who such functionary will be and his decision shall be final;

(b) any reference to the State Government shall, save as otherwise directed in the First Schedule, be construed as a reference to the Central Government and also as including a reference to the said Administrator.

(2) Where by any Act specified in the First Schedule, a power is conferred to make rules, regulations or bye-laws, or to issue orders with respect to the application of the Act, or with respect to the establishment of any Court or office or the appointment of any Judge or officer thereunder, or with respect to the person by whom, or the time when, or the place where, or the manner in which, or the fees for which, anything is to be done under the Act, then that power may be exercised at any time after the passing of this Regulation; but rules, regulations, bye-laws or orders so made or issued shall not take effect till the commencement of the Act in the Union territory of Dadra and Nagar Haveli.

(3) For the purpose of facilitating the application in relation to the Union territory of Dadra and Nagar Haveli of any Act or any rule, notification, order, regulation or bye-law made or issued thereunder, any court or other authority may construe it in such manner, not affecting the substance, as may be necessary or proper to adapt it to the matter before the court or other authority.

Power to  
remove diffi-  
culties.

6. If any difficulty arises in giving effect in the Union territory of Dadra and Nagar Haveli to the provisions of any Act or Ordinance extended by this Regulation to that Union territory, the Central Government may, by order in the Official Gazette, make such provisions or give such directions as appear to it to be necessary for the removal of the difficulty, and any such order may provide for the transfer of any matter pending before any court, tribunal or other authority immediately before the commencement of this Regulation to any corresponding court, tribunal or authority for disposal.

### THE FIRST SCHEDULE

(See section 2)

| Year<br>1 | No.<br>2 | Short title<br>3                               | Modifications<br>4 |
|-----------|----------|--|--------------------|
| 1850      | 21       | The Caste Disabilities Removal Act, 1850.      |                    |
| 1855      | 12       | The Legal Representatives' Suits Act, 1855.    |                    |
| 1856      | 15       | The Hindu Widows' Remarriage Act, 1856.        |                    |
| 1860      | 21       | The Societies Registration Act, 1860           |                    |
| 1860      | 45       | The Indian Penal Code                          |                    |
| 1861      | 5        | The Police Act, 1861                           |                    |
| 1863      | 20       | The Religious Endowments Act, 1863.            |                    |
| 1865      | 3        | The Carriers Act, 1865                         |                    |
| 1866      | 21       | The Converts' Marriage Dissolution Act, 1866.  |                    |
| 1867      | 25       | The Press and Registration of Books Act, 1867. |                    |
| 1870      | 7        | The Court-fees Act, 1870                       |                    |
| 1871      | 1        | The Cattle-trespass Act, 1871                  |                    |
| 1871      | 23       | The Pensions Act, 1871                         |                    |
| 1872      | 1        | The Indian Evidence Act, 1872                  |                    |
| 1872      | 9        | The Indian Contract Act, 1872                  |                    |
| 1872      | 15       | The Indian Christian Marriage Act, 1872.       |                    |

| Year<br>1 | No.<br>2 | Short title<br>3                        | Modifications<br>4  |
|-----------|----------|---|---|
| 1873      | 5        | The Government Savings Banks Act, 1873. |   |
| 1873      | 10       | The Indian Oaths Act, 1873              |   |
| 1874      | 3        | The Married Women's Property Act, 1874. | <p>In sub-section (2) of section 6—</p> <p>(1) in clause (a), add at the end:—</p> <p>"or</p> <p>(ii) in the Union territory of Dadra and Nagar Haveli on or after the commencement of the Dadra and Nagar Haveli (Laws) Regulation, 1963;"</p> <p>(2) in clause (b), after the words "any territory", insert "other than the Union territory of Dadra and Nagar Haveli";</p> <p>(3) after clause (b), insert—</p> <p>"(c) by a Buddhist in the Union territory of Dadra and Nagar Haveli, on or after the commencement of the Dadra and Nagar Haveli (Laws) Regulation 1963;"</p> <p>(4) in the proviso, add at the end—</p> <p>"or</p> <p>(iii) before the commencement of the Dadra and Nagar Haveli (Laws) Regulation, 1963, in any case to which sub-clause (iv) of clause (a) or clause (c) applies."</p> |
| 1874      | 4        | The Foreign Recruiting Act, 1874        |   |
| 1875      | 9        | The Indian Majority Act, 1875           |   |
| 1875      | 18       | The Indian Law Reports Act, 1875.       |   |
| 1877      | 1        | The Specific Relief Act, 1877           |   |
| 1878      | 6        | The Indian Treasure-trove Act, 1878.    |   |
| 1880      | 1        | The Religious Societies Act, 1880.      |   |

| Year<br>1 | No.<br>2 | Short title<br>3   | Modifications<br>4   |
|-----------|----------|--|--|
| 1881      | 26       | The Negotiable Instruments Act, 1881.                    | In section 32, after the words and figures "at any time before the first day of April, 1891", insert "or in the case of the Union territory of Dadra and Nagar Haveli, before such date as may be specified by notification by the Central Government,". |
| 1882      | 2        | The Indian Trusts Act, 1882                              |  |
| 1882      | 4        | The Transfer of Property Act, 1882.                      |  |
| 1882      | 7        | The Powers-of-Attorney Act, 1882.                        |  |
| 1884      | 4        | The Indian Explosives Act, 1884                          |  |
| 1885      | 13       | The Indian Telegraph Act, 1885                           |  |
| 1886      | 6        | The Births, Deaths and Marriages Registration Act, 1886. |  |
| 1887      | 7        | The Suits Valuation Act, 1887                            |  |
| 1887      | 9        | The Provincial Small Cause Courts Act, 1887.             |  |
| 1888      | 3        | The Police Act, 1888                                     |  |
| 1888      | 4        | The Indian Reserve Forces Act, 1888.                     |  |
| 1889      | 1        | The Metal Tokens Act, 1889                               |  |
| 1890      | 1        | The Revenue Recovery Act, 1890                           |  |
| 1890      | 6        | The Charitable Endowments Act, 1890.                     |  |
| 1890      | 8        | The Guardians and Wards Act, 1890.                       |  |
| 1890      | 9        | The Indian Railways Act, 1890                            |  |
| 1892      | 2        | The Marriages' Validation Act, 1892.                     |  |
| 1893      | 4        | The Partition Act, 1893                                  |  |
| 1894      | 1        | The Land Acquisition Act, 1894                           |  |
| 1894      | 9        | The Prisons Act, 1894                                    |  |
| 1895      | 10       | The Indian Railway Companies Act, 1895.                  |  |
| 1895      | 15       | The Government Grants Act, 1895                          |  |

| Year<br>1 | No.<br>2 | Short title<br>3                                 | Modifications<br>4   |
|-----------|----------|--|--|
| 1897      | 3        | The Epidemic Diseases Act, 1897                  |  |
| 1897      | 10       | The General Clauses Act, 1897                    |  |
| 1898      | 3        | The Lepers Act, 1898                             |  |
| 1898      | 5        | The Code of Criminal Procedure, 1898.            |  |
| 1898      | 6        | The Indian Post Office Act, 1898                 |  |
| 1899      | 2        | The Indian Stamp Act, 1899                       | In sub-section (1) of section 57, omit "and" at the end of clause (d) and after clause (e), insert—<br><br>"(f) if it arises in the Union territory of Dadra and Nagar Haveli, to the High Court at Bombay." |
| 1900      | 3        | The Prisoners Act, 1900                          | In Schedule I, omit entry 30.  |
| 1901      | 2        | The Indian Tolls (Army and Air Force) Act, 1901. |  |
| 1903      | 14       | The Indian Foreign Marriage Act, 1903.           |  |
| 1905      | 4        | The Indian Railway Board Act, 1905.              |  |
| 1906      | 3        | The Indian Coinage Act, 1906                     |  |
| 1908      | 5        | The Code of Civil Procedure, 1908                |  |
| 1908      | 6        | The Explosive Substances Act, 1908.              |  |
| 1908      | 9        | The Indian Limitation Act, 1908                  |  |
| 1908      | 16       | The Indian Registration Act, 1908.               |  |
| 1909      | 7        | The Anand Marriage Act, 1909                     |  |
| 1910      | 9        | The Indian Electricity Act, 1910 -               |  |
| 1911      | 2        | The Indian Patents and Designs Act, 1911.        | In section 2, clause (7), omit "and" at the end of sub-clause (d) and after sub-clause (e), insert—<br><br>"(f) in relation to the Union territory of Dadra and Nagar Haveli, the High Court at Bombay."     |

| Year | No. | Short title                                    | Modifications.  |
|------|-----|--|---|
| 1    | 2   | 3  | 4   |
| 1912 | 4   | The Indian Lunacy Act, 1912                    |   |
| 1913 | 2   | The Official Trustees Act, 1913                | In section 2, clause (2), omit "and" at the end of sub-clause (d) and after sub-clause (e), insert—<br><br>"(f) in relation to the Union territory of Dadra and Nagar Haveli, the High Court at Bombay."  |
| 1913 | 3   | The Administrator General's Act, 1913.         | In section 2, clause (12), omit "and" at the end of sub-clause (d) and after sub-clause (e), insert—<br><br>"(f) in relation to the Union territory of Dadra and Nagar Haveli, the High Court at Bombay." |
| 1913 | 6   | The Mussalman Wakf Validating Act, 1913.       |   |
| 1914 | 2   | The Destructive Insects and Pests Act, 1914.   |   |
| 1916 | 15  | The Hindu Disposition of Property Act, 1916.   |   |
| 1917 | 18  | The Post Office Cash Certificates Act, 1917.   |   |
| 1919 | 12  | The Poisons Act, 1919                          |   |
| 1920 | 5   | The Provincial Insolvency Act, 1920.           |   |
| 1920 | 14  | The Charitable and Religious Trusts Act, 1920. |   |
| 1920 | 34  | The Indian Passport Act, 1920                  |   |
| 1921 | 18  | The Maintenance Orders Enforcement Act, 1921.  |   |
| 1923 | 5   | The Indian Boilers Act, 1923                   |   |
| 1923 | 8   | The Workmen's Compensation Act, 1923.          |   |
| 1923 | 19  | The Indian Official Secrets Act, 1923.         |   |
| 1924 | 4   | The Central Board of Revenue Act, 1924.        |   |
| 1925 | 4   | The Indian Soldiers (Litigation) Act, 1925.    |   |

| Year<br>1 | No.<br>2 | Short title<br>3   | Modifications<br>4  |
|-----------|----------|--|---|
| 1925      | 19       | The Provident Funds Act, 1925                              |   |
| 1925      | 39       | The Indian Succession Act, 1925                            |   |
| 1927      | 16       | The Indian Forest Act, 1927                                |   |
| 1928      | 12       | The Hindu Inheritance (Removal of Disabilities) Act, 1928. |   |
| 1929      | 19       | The Child Marriage Restraint Act, 1929.                    |   |
| 1930      | 2        | The Dangerous Drugs Act, 1930                              |   |
| 1930      | 3        | The Indian Sale of Goods Act, 1930.                        |   |
| 1930      | 30       | The Hindu Gains of Learning Act, 1930.                     |   |
| 1930      | 32       | The Mussalman Wakf Validating Act, 1930.                   |   |
| 1931      | 16       | The Provisional Collection of Taxes Act, 1931.             |   |
| 1932      | 9        | The Indian Partnership Act, 1932                           | In section 1, for sub-section (j), substitute—<br><br>“(j) It shall come into force at once except section 69, which shall come into force on the 1st day of July, 1964.”                 |
| 1933      | 2        | The Children (Pledging of Labour) Act, 1933.               |   |
| 1933      | 17       | The Indian Wireless Telegraphy Act, 1933.                  |   |
| 1934      | 2        | The Reserve Bank of India Act, 1934.                       | In the First Schedule, in paragraph 1, for “Maharashtra and Goa, Daman and Diu”, substitute “and Maharashtra and the Union territories of Dadra and Nagar Haveli and Goa, Daman and Diu.” |
| 1934      | 20       | The Indian Carriage by Air Act, 1934.                      |   |
| 1934      | 22       | The Aircraft Act, 1934                                     |   |
| 1934      | 30       | The Petroleum Act, 1934                                    |   |
| 1934      | 32       | The Indian Tariff Act, 1934                                |   |

| Year<br>1 | No.<br>2 | Short title<br>3   | Modifications<br>4   |
|-----------|----------|--|--|
| 1936      | 3        | The Parsi Marriage and Divorce Act, 1936.                      |  |
| 1936      | 4        | The Payment of Wages Act, 1936                                 |  |
| 1936      | 5        | The Decrees and Orders Validating Act, 1936.                   |  |
| 1937      | 1        | The Agricultural Produce (Grading and Marking) Act, 1937.      |  |
| 1937      | 19       | The Arya Marriage Validation Act, 1937.                        |  |
| 1937      | 26       | The Muslim Personal Law (Shariat) Application Act, 1937.       |  |
| 1938      | 4        | The Insurance Act, 1938  |  |
| 1938      | 5        | The Manoeuvres, Field Firing and Artillery Practice Act, 1938. |  |
| 1938      | 20       | The Criminal Law Amendment Act, 1938.                          |  |
| 1938      | 24       | The Employers' Liability Act, 1938.                            |  |
| 1938      | 26       | The Employment of Children Act, 1938.                          |  |
| 1939      | 4        | The Motor Vehicles Act, 1939.                                  | In the Sixth Schedule, after the entry relating to the Laccadive, Minicoy and Amindivi Islands, insert--<br>"Dadra and Nagar Haveli, Nil". |
| 1939      | 8        | The Dissolution of Muslim Marriages Act, 1939.                 |  |
| 1939      | 16       | The Registration of Foreigners Act, 1939.                      |  |
| 1940      | 4        | The Currency Ordinance, 1940                                   |  |
| 1940      | 10       | The Arbitration Act, 1940                                      |  |
| 1940      | 23       | The Drugs Act, 1940  |  |
| 1942      | 6        | The Multi-unit Co-operative Societies Act, 1942.               |  |
| 1942      | 7        | The Coffee Act, 1942   |  |
| 1942      | 18       | The Weekly Holidays Act, 1942                                  |  |
| 1942      | 41       | The Armed Forces (Special Powers) Ordinance, 1942.             |  |
| 1944      | 1        | The Central Excises and Salt Act, 1944.                        |  |
| 1944      | 18       | The Public Debt Act, 1944                                      |  |

| Year<br>1 | No.<br>2 | Short title<br>3  | Modifications<br>4 |
|-----------|----------|---|--------------------|
| 1946      | 25       | The Delhi Special Police Establishment Act, 1946.                         |                    |
| 1946      | 31       | The Foreigners Act, 1946.   |                    |
| 1947      | 2        | The Prevention of Corruption Act, 1947.                                   |                    |
| 1947      | 7        | The Foreign Exchange Regulation Act, 1947.                                |                    |
| 1947      | 15       | The Armed Forces (Emergency Duties) Act, 1947.                            |                    |
| 1947      | 18       | The Imports and Exports (Control) Act, 1947.                              |                    |
| 1947      | 24       | The Rubber Act, 1947.   |                    |
| 1947      | 31       | The Antiquities (Export Control) Act, 1947.                               |                    |
| 1947      | 48       | The Indian Nursing Council Act, 1947.                                     |                    |
| 1948      | 8        | The Pharmacy Act, 1948.   |                    |
| 1948      | 11       | The Minimum Wages Act, 1948.  |                    |
| 1948      | 15       | The Industrial Finance Corporation Act, 1948.                             |                    |
| 1948      | 16       | The Dentists Act, 1948.   |                    |
| 1948      | 31       | The National Cadet Corps Act, 1948.                                       |                    |
| 1948      | 40       | The Indian Matrimonial Causes (War Marriages) Act, 1948.                  |                    |
| 1948      | 46       | The Coal Mines Provident Fund and Bonus Schemes Act, 1948.                |                    |
| 1948      | 54       | The Electricity (Supply) Act, 1948.                                       |                    |
| 1948      | 56       | The Territorial Army Act, 1948.   |                    |
| 1948      | 61       | The Central Silk Board Act, 1948.   |                    |
| 1948      | 63       | The Factories Act, 1948.  |                    |
| 1949      | 10       | The Banking Companies Act, 1949.  |                    |
| 1949      | 46       | The Banking Companies (Legal Practitioners' Clients' Accounts) Act, 1949. |                    |
| 1950      | 4        | The Preventive Detention Act, 1950.                                       |                    |

| Year   | No. | Short title   | Modifications |
|--------|-----|---|---------------|
| 1      | 2   | 3   | 4             |
| 1950   | 12  | The Emblems and Names (Prevention of Improper Use) Act, 1950.       |               |
| 1950   | 29  | The Transfer of Prisoners Act, 1950.                                |               |
| 1950   | 40  | The Army and Air Force (Disposal of Private Property) Act, 1950.    |               |
| 1950   | 43  | The Representation of the People Act, 1950.                         |               |
| 1950   | 45  | The Air Force Act, 1950   |               |
| 1950   | 46  | The Army Act, 1950  |               |
| 1950   | 49  | The Contingency Fund of India Act, 1950.                            |               |
| 1950   | 74  | The Telegraph Wires (Unlawful Possession) Act, 1950.                |               |
| 1951   | 43  | The Representation of the People Act, 1951.                         |               |
| 1951   | 63  | The State Financial Corporations Act, 1951.                         |               |
| 1951   | 65  | The Industries (Development and Regulation) Act, 1951.              |               |
| 1952   | 19  | The Employees' Provident Funds Act, 1952.                           |               |
| 1952   | 30  | The Requisitioning and Acquisition of Immovable Property Act, 1952. |               |
| 1952   | 31  | The Presidential and Vice-Presidential Elections Act, 1952.         |               |
| 1952   | 36  | The Indian Standards Institution (Certification Marks) Act, 1952.   |               |
| 1952   | 37  | The Cinematograph Act, 1952   |               |
| 1952   | 46  | The Criminal Law Amendment Act, 1952.                               |               |
| 1952   | 53  | The Notaries Act, 1952  |               |
| 1952   | 60  | The Commissions of Inquiry Act, 1952.                               |               |
| ✓ 1952 | 62  | The Reserve and Auxiliary Air Forces Act, 1952.                     |               |
| 1952   | 74  | The Forward Contracts (Regulation) Act, 1952.                       |               |
| 1953   | 27  | The Air Corporations Act, 1953                                      |               |
| 1953   | 49  | The Salt Cess Act, 1953   |               |

| Year<br>1 | No.<br>2 | Short title<br>3   | Modifications<br>4 |
|-----------|----------|--|--------------------|
| 1954      | 21       | The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954. |                    |
| 1954      | 27       | The Delivery of Books and Newspapers (Public Libraries) Act, 1954.     |                    |
| 1954      | 29       | The Wakf Act, 1954   |                    |
| 1954      | 37       | The Prevention of Food Adulteration Act, 1954.                         |                    |
| 1954      | 43       | The Special Marriage Act, 1954   |                    |
| 1955      | 10       | The Essential Commodities Act, 1955.                                   |                    |
| 1955      | 22       | The Untouchability (Offences) Act, 1955.                               |                    |
| 1955      | 23       | The State Bank of India Act, 1955.                                     |                    |
| 1955      | 25       | The Hindu Marriage Act, 1955   |                    |
| 1955      | 42       | The Prize Competitions Act, 1955                                       |                    |
| 1955      | 51       | The Railway Stores (Unlawful Possession) Act, 1955.                    |                    |
| 1956      | 1        | The Companies Act, 1956  |                    |
| 1956      | 30       | The Hindu Succession Act, 1956   |                    |
| 1956      | 31       | The Life Insurance Corporation Act, 1956.                              |                    |
| 1956      | 32       | The Hindu Minority and Guardianship Act, 1956.                         |                    |
| 1956      | 33       | The Inter-State Water Disputes Act, 1956.                              |                    |
| 1956      | 42       | The Securities Contracts (Regulation) Act, 1956.                       |                    |
| 1956      | 48       | The National Highways Act, 1956  |                    |
| 1956      | 49       | The River Boards Act, 1956.  |                    |
| 1956      | 69       | The Terminal Tax on Railway Passengers Act, 1956.                      |                    |
| 1956      | 78       | The Hindu Adoptions and Maintenance Act, 1956.                         |                    |
| 1956      | 93       | The Young Persons (Harmful Publications) Act, 1956.                    |                    |
| 1956      | 102      | The Indian Medical Council Act, 1956.                                  |                    |

| Year | No. | Short title  | Modifications |
|------|-----|--|---------------|
| 1    | 2   | 3  | 4             |
| 1956 | 104 | The Suppression of Immoral Traffic in Women and Girls Act, 1956.         |               |
| 1957 | 14  | The Copyright Act, 1957  |               |
| 1957 | 23  | The Railway Protection Force Act, 1957.                                  |               |
| 1957 | 58  | The Additional Duties of Excise (Goods of Special Importance) Act, 1957. |               |
| 1957 | 62  | The Navy Act, 1957   |               |
| 1957 | 67  | The Mines and Minerals (Regulation and Development) Act, 1957.           |               |
| 1958 | 20  | The Probation of Offenders Act, 1958.                                    |               |
| 1958 | 21  | The Rice-Milling Industry (Regulation) Act, 1958.                        |               |
| 1958 | 24  | The Ancient Monuments and Archaeological Sites and Remains Act, 1958.    |               |
| 1958 | 27  | The Mineral Oils (Additional Duties of Excise and Customs) Act, 1958.    |               |
| 1958 | 32  | The Public Premises (Eviction of Unauthorised Occupants) Act, 1958.      |               |
| 1958 | 43  | The Trade and Merchandise Marks Act, 1958.                               |               |
| 1959 | 10  | The Parliament (Prevention of Disqualification) Act, 1959.               |               |
| 1959 | 38  | The State Bank of India (Subsidiary Banks) Act, 1959.                    |               |
| 1959 | 46  | The Government Savings Certificates Act, 1959.                           |               |
| 1959 | 54  | The Arms Act, 1959   |               |
| 1960 | 19  | The Hindu Marriages (Validation of Proceedings) Act, 1960.               |               |
| 1960 | 59  | The Prevention of Cruelty to Animals Act, 1960.                          |               |
| 1961 | 23  | The Criminal Law Amendment Act, 1961.                                    |               |
| 1961 | 27  | The Motor Transport Workers Act, 1961.                                   |               |
| 1961 | 28  | The Dowry Prohibition Act, 1961.   |               |

| Year<br>1   | No.<br>2 | Short title<br>3   | Modifications<br>4   |
|-------------|----------|--|--|
| STATE ACTS  |          |  |  |
| BOMBAY ACT  |          |  |  |
| 1906        | 2        | The Mamlatdars' Courts Act, 1906, as in force in the State of Maharashtra. | <p>Throughout the Act, for "State Government", substitute "Administrator of Dadra and Nagar Haveli".</p> <p>In section 1, for sub-sections (2) and (3), substitute—</p> <p>"(2) It extends to the whole of the Union territory of Dadra and Nagar Haveli.</p> <p>(3) It shall come into force at once."</p> <p>Omit section 2.</p> <p>In section 3, for clause (aa), substitute—</p> <p>"(aa) "Collector" includes any officer specially appointed by the Administrator of Dadra and Nagar Haveli to perform the functions of a Collector under this Act".</p> <p>In section 23, omit sub-section (2A) and the words "Assistant Collector, Deputy Collector or Assistant Commissioner" occurring in sub-section (3).</p> <p>Omit section 27.</p> |
| GUJARAT ACT |          |  |  |
| 1962        | 10       | The Gujarat Co-operative Societies Act, 1961.                              | <p>(i) Throughout the Act, unless otherwise directed—</p> <p>(a) for the words "State Government", substitute "Administrator";</p> <p>(b) for the words "State of Gujarat", substitute "Union territory of Dadra and Nagar Haveli";</p> <p>(c) for the word "State" (except where it occurs in the expression "State Government" and except in Chapter V and section 163), substitute "Union territory".</p> <p>(ii) In section 2—</p> <p>(a) clause (r) shall be re-</p>  |

| Year<br>1 | No.<br>2 | Short title<br>3 | Modifications<br>4   |
|-----------|----------|------------------|--|
|           |          |                  | <p>numbered as clause (1a) and before the clause as so re-numbered insert—</p> <p>'(1) "Administrator" means the Administrator of the Union territory of Dadra and Nagar Haveli;'</p> <p>(b) for clause (11), substitute—<br/>'(11) "Land Revenue Code" means Organizacao Agraria for Nagar Haveli in force in the Union territory of Dadra and Nagar Haveli immediately before the commencement of this Act therein;'</p> <p>(c) omit clauses (22) and (23).</p> <p>(iii) In sub-section (2) of section 14, for "State Co-operative Council", substitute "Administrator".</p> <p>(iv) In sections 22 (1) (d) and 43, for "State Government", substitute "Central Government".</p> <p>(v) In section 49, for clause (g) of sub-section (1), substitute—</p> <p>"(g) the Record of Rights relating to the land shall include the particulars of every charge on land or interest created under a declaration under clause (a) or clause (b)".</p> <p>(vi) In Chapter V and in section 80, for the words "State Government", wherever they occur, substitute "Central Government".</p> <p>(vii) In section 66, in sub-section (2), omit the words 'to contribution to the educational fund of such federal co-operative society as the State Government may by notification in the <i>Official Gazette</i> specify as "the Gujarat State Co-operative Union" to the payment of rebate on the basis of support received from members and persons who are not members to its business and subject to the prescribed conditions to payment of hono-<br/>raria'.</p> |

| Year<br>1 | No.<br>2 | Short title<br>3 | Modifications<br>4   |
|-----------|----------|------------------|--|
|           |          |                  | <p>(viii) Omit section 69.</p> <p>(ix) In section 70, omit the words and figures "and for the educational fund as provided in section 69," and for clauses (a) and (b), substitute the words "of the Administrator of Dadra and Nagar Haveli".</p> <p>(x) In section 71, in subsection (2), for the words "State Co-operative Council", substitute "Administrator".</p> <p>(xi) In section 81, for the word "administrator" or "administrators" wherever it occurs, substitute "Special Officer" or "Special Officers", as the case may be.</p> <p>(xii) In section 90, in subsection (r), for the words "Consolidated Fund of the State", substitute "Consolidated Fund of India".</p> <p>(xiii) In section 102, for the word "Tribunal", substitute "Administrator".</p> <p>(xiv) In the proviso to section 103 and in section 105, for the words "the Collector", wherever they occur, substitute "the Mamlatdar".</p> <p>(xv) (a) In sub-section (r) of section 106, omit the words and figures "as defined under the Bombay Agricultural Debtors Relief Act, 1917";</p> <p>(b) for sub-section (4), substitute—</p> <p>"(4) Until the arrears due to the society together with interest and any incidental charges incurred in the recovery of such arrears are paid, or security for payment of such arrears is furnished to the satisfaction of the Registrar, it shall be lawful for the Mamlatdar and the Registrar to take the following precautionary measures, namely :—</p> |

| Year<br>1 | No.<br>2 | Short title<br>3 | Modifications<br>4  |
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|           |          |                  | <p>(i) to prevent the crop being removed from the land;</p> <p>(ii) (a) to require that the crop growing on any land liable to the payment of arrears due to the society shall not be reaped until a notice in writing is given to the Mamlatdar or the Registrar, as the case may be, in this behalf, with an acknowledgment of its receipt;</p> <p>(b) to direct that no such crop shall be removed from the land on which it has been reaped or from any place in which it may have been deposited without the written permission of the Mamlatdar or the Registrar;</p> <p>(c) to cause watchmen to be placed for any such crop to prevent the unlawful reaping or removal of the same, and to realise the amount required for the remuneration of the said watchmen at such rate not exceeding the rate of pay received by such watchmen as an arrear of land revenue due in respect of the land to which such crop belongs.</p> <p>(5) The Mamlatdar's or Registrar's orders under sub-clause (a) or (b) of clause (ii) of sub-section (4) may be issued generally or in individual cases. If the order be general, it shall be made known by public proclamation to be made by beat of drum in the village and by affixing a copy of the order in the Patelad or some other public building in the village. If it be to individual holders, a notice thereof shall be served on each holder concerned.</p> |

| Year | No. | Short title | Modifications  |
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|      |     | 3           | 4  |
|      |     |             | <p>(6) Any person who shall disobey any such order after the same has been so proclaimed, or a notice thereof has been served upon him, or who shall within the meaning of the Indian Penal Code, abet the disobedience of any such order, shall be liable, on conviction after a summary inquiry before the Mamlatdar, to a fine not exceeding double the amount of land revenue due on the land to which the crop belongs in respect of which the offence is committed.</p> <p>(7) The Mamlatdar or Registrar, as the case may be, shall not defer the reaping of the crop, nor prolong its deposit unduly, so as to damage the produce, and if within two months after the crop has been deposited the dues have not been discharged, he shall either release the crop and proceed to realise the revenue in any other manner authorised or take such portion thereof as he may deem fit for sale and release the rest."</p> <p>(xvi) In section 115, in the proviso, omit clause (b).</p> <p>(xvii) Omit sections 116 to 145 and sections 150 to 152.</p> <p>(xviii) In section 153, in sub-section (3), for the word "Tribunal", wherever it occurs, substitute "Administrator".</p> <p>(xix) In section 155, omit the words, brackets and figures "except those referred to in sub-section (9) of section 150".</p> <p>(xx) Omit section 156.</p> <p>(xxi) In section 160, for the words "State Co-operative Council", substitute "Administrator".</p> |

| Year | No. | Short title | Modifications   |
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|      |     |             | <p>(xxii) In section 162, in clause (b), omit the words "or to any panchayat constituted under any law relating to panchayats for the time being in force".</p> <p>(xxiii) In section 163—</p> <p>(a) in sub-section (1), for the words "in any other State", substitute "elsewhere in India";</p> <p>(b) in sub-section (2), for the words "in any other State", substitute "elsewhere in India" and for the words "Registrar of the State", substitute "Registrar of the State or Union territory".</p> <p>(xxiv) In section 164, for the words "an administrator", substitute "Special Officer", and omit the words "and all members of the Tribunal".</p> <p>(xxv) In section 168, omit sub-sections (4) and (5).</p> <p>(xxvi) Omit section 169.</p> |

### THE SECOND SCHEDULE

[See section 3(3)]

1. Organizacao Agraria for Nagar Haveli published under Portaria Provincial No. 985, dated 22-9-1919.
2. Portaria Provincial No. 1055, dated 23-12-1920.
3. Diploma Legislative No. 406, dated 17-3-1930.
4. Decreto No: 27, 135, dated 20-10-1936.

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President.

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