

TAMIL NADU BHOODAN YAGNA ACT, 1958

SSI THE TAMIL NADU BHOODAN YAGNA ACT, 1958. TABLE OF CONTENTS. SECTIONS. 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 Short title and extent, Definitions, Establishment and incorporation of State board. Constitution of State Board. Term of office. Disqualifications for membership. Resignation of Chairmen or member. Removal of Chairman or member. Filling up of casual vacancies. Dissolution of State Board. Vesting of land in State Board. Secretary. Meetings of State Board. Acts of State Board, etc., not to be invalidated by informality, etc. Local Committees. Donation of land. Hearing of objections. Partition of holding. Grant of land by State Board. Donation of land made prior to commencement of Act. 125-3—54A 11958 : 21 22 23 24 25 26 27 28 29 unnoouan ragna. Funds of State Board. Application of Funds. Filing of suits. T.N. Act xv Exemption from registration and stamp duty, Vesting of Gramdan lands in Sarvodaya Panchayat. Management of Gramdan lands. Power to make regulations, Power to make rules. 1958: T.N. Act Dhoodan Yagna. I[TAMIL NADU] ACT No. XV OF 1958.2 [THE I[TAMIL NADU] BHOODAN YAGNA ACT, 1958] 853 [Recefredt& of zhe *z.k i9S\$, first in the Fort St- George Gazette on the 16th July 1958 (AsaEa 25, 1880)]. An Act to facilitate the donation of lands for the Bhoodan Yagna and the transfer and settlement of such lands in the 3[State of Tamil Nadu.] WHEREAS it is: necessary and expedient to facilitate the donation of lands for the Bhoodan Yagna .ihitfated, by Shri Acharya Vinobha Bhave and the transfer and Settle- ment of such lands for the of landless poor persons or for community purposes and to provide in Gramdan Vj Ilages for the vesting of lands in, and the raanagpnEnt of those lands by, the Sarvodaya Panchayat i the 3[State of Tamil Nadu] ; BE it enacted in the Ninth Year of the Republic of India as follows r.. (1) This Act may be called the h Tamil Nadu] Bhoodan Yagna Act, 1958. (2) It extends to the whole of the 3[State of Tamil Nadu]. These words were substituted for the word " Madras " by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 2 For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 4th November 1957, Part IV-A, page 130, For the report of the Joint Select Committee, see Fort St. George Gazette Extraordinary, dated the 12th February 1958, Part IV-A, pages 5-20, This Act was extended to the added territories by section 3 of and the First Schedule to, the Tamil Nadu (Added Territories) Extension of Laws (No. 2) Act, 1961 (Tamil Nadu Act 39 of 1961) repealing the corresponding law in force in those territories. " State of s This expression was substituted for the expression Madras " by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. Short title and extent. 854 Bhoodan Yagna. (1958: T.N. Act xv 2. In Act, unless the context otherwise requires— Definitions means the movement (u) ' Bhoodan Yagna ' initiated by Shri Acharya Vinobha Bhave for the acquisition of lands through voluntary gifts for distribution to l[land- less poor p] sonso societies or Sarvodaya Panchayats or for community -purposes] ; (b) ' Community purpose ' means any purpose which is for the general good of the community ; (c) ' Government ' means the State Government ; ' Gramdan land ' means land donated for Gramdan in a Gramdan village and includes any land in such village donated for the Bhoodan Yagna and granted sub-section (l) of section 19 to the Sarvodaya Panchayat constituted for that village ; (i) ' Gramdan village ' means any revenue village or villages or pvt., or parts thereof in which— (i) not less than two-thirds of the number of persons residing and owning lands donate all their lands for Gramdan ; or (ii) not less than one-half of the total extent of the lands owned by persons residing in such village or -villages or part or parts is donated by persons residing and owning lands for Gramdan, lands therein donating all their and which the Government may, by notification; declare to be a Gramdan village] , ' Inquiry Officer ' means [he Tahsildar or the Deputy Tahsildar in independent charge, having jurisdiction in the taluk or sub-taluk where lands donated for the Bhoodan Yagna are situate or 'ouch olücer as the 1 These words were substituted for persons or for community purposes " I Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964), 2 These clauses were substituted for the original clauses ; (d) and (e) by section 2 (ii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 3 This clause was inserted by section 2 (iii) of the 'Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 4 1958: T.N. Act XV Dhoodan Yagna. 855 District Collector may, by notification, appoint for such village or villages where lands donated for the Bhoodan Yagna are situate, as may be specified in the notification (f) ' landless poor person ' means a

person who either is not a owner of land or a owner of land which does not exceed the limits prescribed in this behalf and whose annual income does not exceed three hundred rupees ; includes any tenant having heritable (g) ' owner ' and alienable interest in land ; (h) ' Sarvodaya Panchayat ' means the Sarvodaya Panchayat constituted for a Gramdan village ; and the 1[Tamil Nadu (i) State Board] means State Bhoodan Yagna Board] established under section 3. 3. (1) The duty of carrying out the provisions of this Establishment and Act, shall, subject to the restrictions, conditions and limitations therein contained, be vested in a Board to be called Union of State The 1[Tamil Nadu State Bhoodan Yagna Board]'. Board, 3 (2) The State Board shall be a body corporate having perpetual succession and a common seal with power to enter into contracts and to acquire, hold, administer and transfer property, movable or immovable, and shall, by the said name, sue and be sued, 4. (1) The State Board shall consist of a Chairman Constitution and ten or more but not exceeding fourteen other members of State who shall be appointed by the Government in consultation Board' with Shri Acharya Vinobha 'Bhave or a person nominated by him in writing in this behalf, (2) The appointment of the Chairman and the other members of the State Board shall be published in the Fort St. George Gazette.* This expression was substituted for the expression " Madras State Bhoodan Yagna Board " by paragraph 3(1) of, and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970, which was deemed to have come into force on the, 14th January 1969, On Now the Tamil Nadu Government Gazette. 856 Bhoodan Yagna [1958: T.N. Act XV 5. Every member of the State Board including the Term of Chairman, shall hold office for a term of four years from the date of appointment, and shall be eligible for re- appointment. Disqualification 6. (1) A person shall be disqualified for appointment for to the State Board if on the date of appointment such member- .73 ship. person— (a) is less than twenty-one years of age ; or (b) is of unsound mind ; or (c) has applied to be or has been, or is, adjudged an insolvent ; or (d) has been sentenced by a Criminal Court for an offence involving moral delinquency, such sentence not having been reversed ; •or (e) has on any previous occasion been removed from the office of members of the State Board or of a Local Committee or has been removed by order of a competent Court from any position of trust either for mismanagement or corruption. . (2) A member of the State Board shall cease to hold his office if he— (a) is sentenced by a Criminal Court for an offence involving moral delinquency, such sentence not having been reversed ; or (b) becomes of unsound mind ; or (c) has applied to be, or has been, or is adjudicated an insolvent. Resignation 7. The Chairman or any other member of the State Board may at any time resign his office by tendering his or member,' resignation in writing to the Government. No such resignation shall take effect unless it is accepted and the acceptance is communicated to him. p' 1958: T.N. Act XVI Bhoodan Yagna 857 8' (1) •The Government may, after making such enquiry Removal of as may be prescribed, by order, remove the Chairman, or Chairman or any other member of the State Board, if they are satisfied members that the Chairman or (a) has become disqualified for appointment to the State Board for any of the reasons mentioned in section 6; or (b) has become incapable of acting as Chairman or other member or has so abused his position as Chairman or member as to render his continuance as such detrimental to the public interest; or (c) has failed, without excuse sufficient in the opinion of the State Board, to attend three consecutive meetings of the State Board, (2) Where a person who has ceased to a. member by reason of his failure to attend three consecutive meetings of the State Board applies to the Government within one month from the date of the order of removal for restoration to office, the Government may, on the recommendation of the State Board, restore him to his office of member : Provided that a member shall not be so restored more than twice during his term of office. (3) Every order of removal under sub-section (1) of restoration under sub-section (2) shall be published in the Fort St. George Gazette.* 9. (1) Any casual vacancy in the office of the Chairman Filling up of or any other member. of the State Board shall be filled casual within two months by a fresh appointment, in the manner vacancies. prescribed. (2) The Chairman or member appointed to fill a vacancy under sub-section (1) shall enter upon office forthwith but shall hold office only so long as the member in whose place he is appointed would have been entitled to hold office if the vacancy had not occurred. (3) Every appointment under sub-section (1) shall; be published in the Fort St. George Gazette,* *Now the Tamil Nadu Government Gazette. 858 Bhoodan Yagna [1948: Act XV 10. (1) If at any time the Government are satisfied Dissolution of State that— J {2Bbãrd. (a) the State Board has failed without reasonable cause or excuse to discharge the duties or to perform the functions imposed on or assigned to it by or under *this Act; or (b) circumstances have arisen in which the State Board is or may be rendered unable to discharge the duties or to perform the functions imposed

on or assigned to it By or under this Act; or (c) it is otherwise expedient so to do, they may, in consultation with Shri Acharya Vinobha Bhave, by notification direct— (i) in cases falling under clause (a), that the State Board be dissolved and reconstituted on such date as the Government may fix in that behalf, and (ii) in cases falling under clause (h) or (c), that the State Board be superseded for a specified period. (2) Before publishing a notification under sub-section (1), the Government shall communicate to the State Board the grounds on which they propose to do so, fix a reasonable period for the State Board to show cause against the proposal and consider its explanations or objections, if any. (3) On the date fixed for the dissolution of the State Board: under sub-section (1); all its members as well as its Chairman shall be deemed to have vacated their offices and fresh appointments shall be made in accordance with the provisions of this Act and the Chairman and the members newly appointed shall enter upon their offices on the date fixed for the reconstitution of the State Board, (4) Supersession shall take effect from noon on the date specified in the notification or if no date is specified, on the date of publication of the notification, and thereupon the following consequences shall ensue :— (a) members of the State Board as well as its Chairman shall be deemed to have vacated their offices, 44 1958: T.N. Act XV] Bhoodan Yagna 859 (b) All or any of the powers and functions of the State Board and of its Chairman shall, during the period of supersession, be exercised and performed, as far as may be, and to such extent as the Government may determine, by such persons or by such authority as the Government may appoint in that behalf. (5) The Government may, by notification— (a) from time to time extend the period of supersession of the State Board ; and (b) make such other incidental or consequential provisions as may appear to them to be necessary, (6) The Government shall reconstitute the State Board before the expiry of the period specified in the notification under sub-section (1) or of the extended period notified under sub-section (5). (7) When the State Board is dissolved or superseded under this section, the Government until the date the reconstitution thereof and the reconstituted State Board thereafter shall, be entitled to all the assets and be subject to all the liabilities of the State Board as on the date of the dissolution or supersession and on the date of the re- constitution 11. AIL lands donated for purposes of the Bhoodan Vesting of Yagna whether before or after the commencement of this land in Act shall subject to the provisions of sections 16, 17 and Board' 20 vest in the State Board. 12. (1) The State Board may appoint one of its members to act as its Secretary and such other officers and servants as it may deem necessary for the purposes of this (2) The State Board may delegate to the Secretary any of its powers, duties or functions under this Act except such powers, duties or functions as the Government may by general or special order specify

13. The State Board shall meet, and shall from time to time make such arrangements with reference to the place, day, hour, notice, management and adjournment of Board. 860 Bhoodan Yagna [1958: T.N. Act XV its meetings, as it may think fit, subject to the following provisions, namely (a) the Chairman may, whenever he thinks fit and shall, when so required by the Government, call a meeting of the State Board ; (b) the Chairman shall attend every meeting of the State Board unless he is prevented by sickness or other reasonable cause (c) no business shall be transacted at any meeting unless there be present a majority of the number of members then in office ; (d) every meeting shall be presided over by the Chairman and in his absence by a member chosen by the meeting to preside for the occasion , (e) all questions at a meeting shall be decided by a majority of the members present and voting at the meeting, and in every case of equality of votes, the person presiding shall have and exercise a second or casting vote ; (f) if a poll be demanded, the names of the members voting and the nature of their votes shall be recorded by the person presiding; and (g) minutes of the proceedings at each meeting (together with the names of the members present) shall be recorded in a book to be provided for the purpose, and such minutes shall be read at the next ensuing meeting and signed by the person presiding at such meeting. The minutes book shall be open to inspection by any member during office hours

14. No act of the State Board or of any person acting as Chairman thereof shall be deemed to be invalid by reason only of a defect in the establishment of the Board or of such act having been done during the period of any vacancy in the office of Chairman or member of the State Board, or on the ground that the Chairman or any member of the Board was not entitled to hold or to continue in such office. 1958: T.N. Act XV] Bhoodan Yagna 15, (1) The State Board may, for any district or portion of a district, constitute a Local Committee consisting of not more than five members who shall be appointed by the State Board from among the residents of the area concerned. The appointment of such members shall

be subject to the approval of (he Government and shall be for such period as may be prescribed. (2) The State Board shall appoint one of the members of the Local Committee to be its Chairman who shall also act as its Secretary. (3) (a) The State Board may authorize any Local Committee constituted under sub-section (1) to exercise in the area within the jurisdiction of such Local Committee all or any of the powers, duties or functions vested in the State Board by this Act except such powers, duties or functions as may be specified by the Government by general or special order, and may in like manner withd •aw such authority. (b) The exercise of any duties or functions delegated under clause (a) shall be subject to such restric- tions and conditions as may be •prescribed and also to control and revision by the Government or by such persons as may be empowered by them in this behalf. The Govern- ment shall also have power to control and revise the acts or proceedings of any person so empowered. (4) The provisions of sections 6 to 10, 13 and 14 shall apply to a Local Committee subject to the modifi- cation that the powers exercisable by and the duties imposed on the Government under the said sections shallp in relation to a Local Committee, be exercised bythe State Board : Provided that the dissolution, reconstitution • or supersession of a Local Committee shall be subject to the approval' of 'the Government. *16. (1) Notwithstanding- anything to the contrary Donation of contained in any other law for thetime being in force, * Donations and grants of land for the Bhoodan Yagna or for Gramdan deemed-to shave beénnade under this Act prior, . to the commencement of Tamil Nadu Act 36 of 1964 spere to be valid transfers notwithstanding anything cöntained . n any ju'dÉe; ment, decree or order of any court even if they were not made in accordance with any law relating to ,tranSfeÉ of property cr regis-ü tration.,• Please see section 11 of:the Tamil 2Nadu. Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 862 D hoodan Yagna T.N. Act XV (a) any. owner rmay, made in the prescribed manner, donate his land for the Bhoodan Yagna: Provided thal where any land is owned jointly by two or more persons, no donation of land shall be valid \$ unless the declaration is signed by all such joint owners : Provided further that a declaration made by a minor shall not be valid ; (b) any pel'son to whom the Government have assigned any land onthe yound of his having been a political sufferer may, by declaration made in the pres- cribed manner, donate such land for the Bhoodan Yagna provided the following conditions are satisfied, namely (i) in the case the land was not under cultivation before assignment, the assignee should have brought it under cultivation three years from, '{he date of assignment ; (ii) the assignee should have paid in full all the due to the Government in respect of the public land und repaid in ft' 11 the loan or loans obtained from the Government, together with the interest thercon, before making the donation for the Bhoodan Yagna. (2) Where the owner donating his land for the Bhoodan Yagna under sub-section (1) is a janmi or any other landlord n an area where the Malabar Tenancy Act, Act of 1930), ! sin force, no dona- tion of his land. for i he Bhoodan Yagna shall bC valid unless the tenant of such janmi or landlord transfers all his right, title and interest im such land to the State Board for the purposes of the Bhoodan Yagna by declara- tionmade in the presciibed manner, Every declaration made under sub-section (1) shall be filed with the State Board,] i These words were substituted for the word Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptati0J of Laws (Second Amendment) Order, 1969. 2 This sub-section was substituted for original sub-section (3) by section 3 of the Tamil Nadu Btthoodan Yagna (Amendment) Acti 1964 (Tamil Nadu Act 36 of 1964). 6 1958: TON, Aet xvj Dhoodan Yagna 863 17, The State Board shall, as soon as may of aftei• the filing of every declaration under the sub-section objections. (3) of section 16, publish the declaration in the Fort St. George Gazette* and in such other manner as may be prescribed and forward the declarayon to the Inquiry Officer concer ned (2) Any person whose interests are affected by any such declaration may, within two months of the publication of the declaration, file objections on the same ' before the 2[Inquiry OEcer] (3) The 8[Inquiry Offcer] shall register every such objection, fix a date for its hearing and shall give notice of such date to the donor, the objector, the State Board andthe Local Committee concerned.. (4) On the date of heari ng or any other dale to which it may be postponed, the 4[Inquiry Offcel] , shall proceed to investigate and disposs of the objection and. by order within such time as may be prescribed either conium the declaration or declare it null and void. 5[Where there is no objection, the Inquiry Offcer, after making such inquiry as he deems fit, shall; as soon as may be, by order, confirm the declaration or declare i: null and void,] This sub-section was substituted for original subsection (1) by section 4 (i) of the Tamil Nadu Bhoodan Yagna (Amendment) •Act, 1964. (Tamil Nadu Act 36 of 1964). 2 These words were substituted for the words " Tahsildar or the Deputy Tahsildar in independent charge, having jurisdiction in the taluk 01' su b-taluk where the land is situatc " by section 4

(ii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 8 These words were substituted for the words " Tahsildar or the Deputy Tahsildar, as the case may be " by section 4 (iii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 4 These words were substituted for, the words " Tahsildar, or the Deputy Tahsildar as the case may be " by section 4 (iv) (a) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964), 5 „This sentence was added by section (iv) (b) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). Now the Tamil Nadu Government Gazette, 1958: T.N. Act XV (a) Where the Inquiry Officer passes an order, under sub-section (4) confirming a declaration, he shall, as soon as may be, communicate the order along with the record of his proceedings to the State Board. (b) As soon as may be after the receipt of the order referred to in clause (a) , the State Board shall— (i) publish such order in the Fort St. George Gazette ; and (ii) send a copy of such order duly authenticated by any officer authorised by the State Board in this behalf to the registering officer under the Indian Registration Act, 1908 (Central Act XVI of 1908), within the local limits of, whose jurisdiction the land to which the order relates is situated, and such registering officer shall register such order : Provided that no fee shall be payable for such registration and it shall not be necessary for any member of the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration]. Upon such registration, all the right, title and interest of the donor in such land shall, notwithstanding anything contained in any other law for the time being in force but subject to the provisions of section 23, stand transferred to, and vest in, the State Board for the purposes of the Bhoodan Yagna.] Where the Inquiry Officer passes an order under sub-section (q) declaring the declaration null and void, he shall, as soon as may be, communicate a copy of such order to the State Board. On the passing of such Order, the donation shall stand cancelled and the donor shall be deemed to continue to have all his right, title and interest in such land as if he has not made any declaration under sub-section of section 16.] 1 This subsection was substituted for the original sub-section (5) by section 4 (v) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 2 This subsection was substituted for the original sub-section (6) by section 4 (vi) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 3 This sub-section was substituted for the original subsection (7), by section 4 (vii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). Now the Tamil Nadu Government Gazette, 1958: T. N. Act XV Bhoodan Yagna (8) The State Board may, at any stage of the proceedings reject the declaration of a donor on any of the following grounds, namely (i) that the donor is incompetent to make the donation ; (ii) that the title of the donor is defective; (iii) that, there are encumbrances on the land; (iv) that there are arrears of land revenue or rent; (v) that the land donated is common pastureland, cremation or burial-ground, tank, pathway or thrashing floor ; or (vi) any other prescribed grounds. Pending the completion of the proceedings" under this section, the State Board may, subject to such terms and conditions as may be agreed upon between the donor and the State Board, arrange for the cultivation of the lands donated for the Bhoodan Yagna under sub-section (1) of section 16 as it thinks fit.] 18. If any land donated for the Bhoodan Yagna forms part of a holding, the State Board or the Local Committee, as the case may be, may apply to the Inquiry Officer for possession and the Inquiry Officer may, notwithstanding any provision in any other law to the contrary, partition the holding, demarcate the land and effect its subdivision. This subsection was added by section 4 (viii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964), 2 These words were substituted for the words "May apply to the Tahsildar or the Deputy Tahsildar, in independent cases as the case may be, having jurisdiction, for possession and the Tahsildar or the Deputy Tahsildar, may" by section 5 of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 125-3—55 866 Yagna [1958: T. N. Act XV 19. (1) The State Board may, in the manner prescribed Grant of land by and as far as possible taking into consideration the wishes state of the donor, grant any land which has vested in it to a landless poor person who is able and willing to cultivate the land or to the Government or a local authority for community purposes or to a co-operative society or Sarvodaya Panchayat]. and the grantee of the land shall acquire therein such rights and liabilities and subject to such conditions, restrictions and limitations as may be prescribed and the same shall have effect, any other law to the contrary notwithstanding : Provided that any political sufferer who has donated land under clause (b) of sub-section (1) of section 16 shall not be eligible for the grant of any land under this section. Where any land vested in the State Board and situated in a Gramdan village is granted

to the Sarvo- daya Panchayat constituted for that Gramdan village, such land shall be deemed, for all purposes of this Act, to be a Gramdan land vested in the Sarvodaya Panchayat andi *hall thereupon be dealt with accordingly ; and in respect of any land so vested in the Sarvodaya Panchayat, thug State Board Ghall not have any rights or be subject tp any obligations under this Act.] (2) The State Board may take such steps for the management of the lands vested in it as it thinks fit until they are disposed of under this Act. 20, (1) The State Board shall prepare a list of all (a) the area, description and other partiucalars 'C menæment. otAct; of the !and, (b) the name and" address of the donor, (c) the date of the donation, (d) the nature of the interest of the donor in the land, i These words were inserted by section 6 (i) of the Tamil Nadu Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). *This sub-section was inserted by section 6 (ii) of the Tamil Nadu Bhoodan, Yagna (Amendment) Act, 1964 (Tami! Nadu Act 36 of 1958 T. N. Act Bhoodan Yagna (e) if the land already been granted to any the naæe and (g) such other particulars as may be prescribed. (2) Every list prepared under sub-section (1) shall be published ip the Fort St. George Gazette.* (3) Upon such publication, the provisions of sub- sections (2) to (8) of section 17 shall apply in respect of land described in the list published under sub-section (2) as if such publication Vt-ere a declaration in respect of that land filed under sub-section (3) of section 16 : Provided that where an order is made by the Illnquiry Offcer] under sub-section (4) of section 17 confirrling the donation, such donation shall be deemd to nave been accepted with effect from i.he date on which the donation was made and for this purpose, tnis Act Ghall be deemed to have been in force on such date. (4) Where such lanu has been granted to any person shall, with effect from the date of grant, be deemed further to have been granted to the grantee under and in accor- dance with the provisions of section 19

21. The State Board shall have its own fund and may Fucds of accept grants, donations, gifts or loans from •the Central State Boarde Government or the State Government or any local authority or person for all or any of the purposes of the State Board

22. AIL property, moneys, funds and all other assets Application *received by or.vessting in the State Board shall be held and Of funds• applied by ig subject to the provisions and for the purposes of thissAct. {These words were substituted for the words 'G fahsildar or the Deputy Tahsildar" by section {7 cfthe Tamil Nadu Bh0(dan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36, of 1964). *Now the Tamil 'Nadu Government Gazette. 125-3--55A 868 Bloc Yagna T, N. Xv Filing of 23. Every order of the Officerl passed under suits. sub-section (4) of section 17 shall be final and not be subject to appeal' r revisi n : Provided that any person whose interests are affected as a result of the donation of any land for purposes of thé Bhoodan Yagna, whether before or after the commence- ment of this Act, may, within three months from the date of the order of the l[Inquiry Offcer] under sub-section (4) * * *], institute a suit in the Civil of section 17, - [court having jurisdiction to set aside the order of the i[Inquiry Offcer] and the decision of such court shall be binding on the State Board. 8[24. Notwithstanding anything contained in any • Uther 'law, every declaration and every grant of land made "tratidn and duty, or deemed to have been made under this Act shall be 'and be deemed always to have been exempt from registration Atid' payment of stamp duty and of encumbrance certificate Vesting of 25. (1) The provisions of sections 16, 17 and 20 shall Gramdan as far as may be apply to lands donated for Gramdan as lands in Sarvodaya,they apply to lands donated for Bhoodan Yagna. panchayat. (2) In any Gramdan village all Gran)dan lands shall vest in the Sarvodaya Panchayat. (3) No act done by a Sarvodaya Panchayat shall be invalid on the ground nac, the existence of any vacancy in or defect in the constitution of the panchayat. l These words were substituted for lthe words " Tahsildar or the Deputy Tahsildar " by section 8(i) of the Tamil Nadu Bhoodan Yagna (Amendment) Agt, 1964 (Tamil Nadu Act 36 of 1964). a The words ' as the case may be" were omitted by section 8(ii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 ot T 964). 8This section was substituted for the original section 24 by 9 of the Tamil Nadu Bhoodan Y agati (Amendment) Act. 1964 (TamjJ Nadu Act 36 of 1964). 34 1958: T. N Bhoodan Yagna 869 26, (1) The Sarvodaya Panchayat shall have possession Manageheit of and manage all the Gramdan lands vested in it. (2) The Sarvodaya P'anchayat shall have power— (a) to arrange for the cultivation of all lands vested in it either by itself or by distributing them among _the residents of the Gramdan village concerned whether ; jointly or severally • (b) to distribute the produce of the lands among the villagers in any manner it deems fit ; (c) to set apart lands for growing trees, raising fruits and vegetables or for any other purpose which is for the general good of the community specified in this behalf by the State Board from time to time ; (d) to make advances in kind or cash to the familieo of the Gramdan village to whom lands are distributed for

cultivation and recover those advances ; (e) to carry out land improvements ; (f) to buy and instal any machinery for improving cultivation ; (g) to provide, maintain and augment irrigation sources and facilities ; (h) to undertake reclamation of waste lands ; (i) to carry out soil conservation measures; and (j) generally to undertake and carry out all measures to increase agricultural production. (3) The Sarvodaya Panchayat shall have power to incur expenditure for all or any of the purposes mentioned in this section, of Gram (an lands. 870 Bhoodan Yagna [1958; T. Ne Act XV Powerto 27, (1) The State Board may, after consultation with the Government make regulations not inconsistent with this Act and the rules made thereunder, to provide for all matters for which provision is expedient for the purpose of giving effect to the provisions of this Act. (2) In particular, and without prejudice to the generality of the foregoing power, such regulations may provide for— (a) the procedure and the disposal of the business the State Board and Local Committees ; (b) the remuneration and conditions of service of employees of the State Board, the Local Committees and the Sarvodaya Panchayat ; (c) the manner of constitution of the Sarvodaya Panchayat, the term of office of the members including the Chairman of the Sarvodaya Panchayat, the powers, functions and duties of the Sarvodaya Panchayat, the holding of meetings of the Sarvodaya Panchayat and the conduct of business thereat ; (d) the payment of travelling and other allowances to the chairman and members of the Sarvodaya Panchayat ; (e) the procedure to be followed by the Sarvodaya Panchayat in respect of financial matters generally, including the manner in which and the restrictions and conditions subject to which, expenditure should be incurred by it (f) the form in which the accounts of the Sarvodaya Panchayat shall be kept, the audit and publication of such accounts and the charges, if any to be made for such audit ; (g) the preparation of an annual budget and the reports and returns to be furnished by it to the State Board and the Government ; (h) the delegation of powers and functions of the Sarvodaya Panchayat to the chairman or any member thereof ; (i) the conduct and defence of legal proceedings and the manner of signing pleadings ; (j) the form and manner in which contracts may be executed by the State Board and the Sarvodaya Panchayat ; (h) generally the conduct of the business of the Sarvodaya Panchayat 1958: T.N. Act 28. (1) The Government may make rules to carry out the purposes of this Act. 871 1, make Power to make rules. (2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for (a) all matters expressly required or allowed this Act to be prescribed ; (b) the matters [to be taken into account in granting lands to landless poor persons, 2] co-operative societies or Sarvodaya Panchayats ; (c) the form of declaration and the manner in which it shall be filed and the documents to be filed along with the declaration ; (d) the nature, scope and manner of enquiry, hearing and disposal of objections and confirmation or supersession of the declaration under section 17 ; (e) the service of notices under this Act ; (f) the payment of travelling and other allowances to the Chairman and members of the State Board and Local Committees ; (g) the procedure to be followed by the State Board in respect of financial matters generally, including the manner in which, and the restrictions and conditions subject to which, expenditure should be incurred by it ; (h) the form in which the accounts of the State Board shall be kept, the audit and publication of such accounts and the charges, if any, to be made for such audit ; (i) the preparation of an annual budget and the reports and returns to be furnished by it to the Government. All rules made under this Act shall be published in the Fort St. George Gazette, and unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published. " by notification " were omitted by section IO(i) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 2 These words were added by section IO(ii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). 3 These sub-sections were substituted for the original (3) by section IO(iii) of the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1964 (Tamil Nadu Act 36 of 1964). *Now the Tamil Nadu Government Gazette, Bhoodan Yagna 1958: T. N. Act XV (4) Every rule, order or notification made or issued by the Government under this Act shall, as soon as possible after it is made or issued, be placed on the table of both Houses of the Legislature, and if, before the expiry of the session in which it is so placed or the next session, both Houses agree in making any modification in any such rule, order or notification or both Houses agree that the rule, order or notification should not be made or issued, the rule, order or notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; but so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or notification.] 378 Short title. Validation of donation and grant of land. Bhoodan Yagna (Amendment) [1964 : T.N. Act 36] [TAMIL NADU ACT No, 36 OF 1964 2.

THE I[TAMIL NADU] BHOODAN YAGNA (AMENDMENT) ACT, 1964, [Received the assent of the President on the 12th November 1 '64, first published in the Fort St. George Gazette on the 25th November 1964 (Agrahayana 4, 1886).] An Act to amend the 11 Tamil Nadu] Bhoodan Yagna Act, 1958. BB it enacted by the Legislature of the 3[State of Tamil Nadu] in the Fifteenth Year of the Republic of India as follows 1. This Act may be called the ILTamil Nadu] Bhoodan Yagna (Amendment) Act, 1964. 2-10. (The amendments made by these sections have been incorporated in the principal Act, namely, Tamil Nadu Act XV of 1958)

11. Notwithstanding anything contained in any judgment, decree or order of any court, no donation of any land for the Bhoodan Yagna or for Gramdan and no grant of any such land made or deemed to have been made under the principal Act, as in force immediately before the commencement of this Act, shall be deemed to be invalid on the ground only that the donation or the grant of land* as aforesaid was not made in accordance with any law. These words were substituted for the word 'Madras' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. For Statement of Objects and Reasons, see Fort St. George Gazette Extraordinary, dated the 17th March 1964, Part IV—Section 3, pages SO—51. 8 This expression was substituted for the expression "State of Madras" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation Laws (Second Amendment) Order, 1969. o o 380 • [1964 : T.N. Act 36 Bhoodan Yagna (Amendment) the State Board to appear in person or by agent at the registration office in any proceeding connected with such registration : Provided also that notwithstanding anything contained in section 11 or sub-section (5) of section 17 of the principal Act, as in force immediately before the commencement of this Act, the right, title and interest of the donor in such land shall stand transferred to and vest in the State Board or the Sarvodaya Panchayat, as the case may be, only on registration of the copy of the order under the first proviso. Explanation.—For the removal of doubts, it is hereby declared that if in any case the declaration or grant of any land donated under the principal Act has been registered under the Indian Registration Act, 1908 (Central Act XVI of 1908), before the commencement of this Act, the copy of the order confirming the declaration in respect of such land under sub-section (4) of section 17 of the principal Act shall not be deemed to require registration under this section, 4 Nadu Act of 1958. TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th June 1992 and hereby published for general information : ACT No. 25 OF 1992. An Act to amend the Tamil Nadu Bhoodan Yagna Act, 1958. It is enacted by the Legislative Assembly of the State of Tamil Nadu in the Year of the Republic of India as follows 1. (1) This Act may be called the Tamil Nadu Bhoodan Yagna (Amendment) Act, 1992. (2) It shall come into force on the

2. In section 4 of the Tamil Nadu Bhoodan Yagna Act, 1958 (hereinafter referred to as the principal Act), in sub-section (1), the words " in consulta- tion with Shri Acharya Vinobha Bhave or a person nominated by him in writing in this béhalf " shall be omitted

3. In section 10 of the principal Act, in sub-section (1), the words 't, in .ennsult•ation with Shri Acharya Vinobha Bhave f' shall be omitted. [By order of the Governor) MI). ISMAIL, Secretary to Cco•ernment,• LattUl Department. 107 Short tide and commencement. Amendment of secdon 4. Amendment of secdon Group) 'IV-2 Ex. (355) TAMIL NADU GOVERNMENT GAZETTE EXT AORDINARY The f'ollowing Act of the 'Fanlil Nadu Legislative Assenmbly r ceived the assent of the Governor on the 3rd Decenlber 2000 and is hereby pu lished for general information: ACT No. 37 OF 2000. In :lct /in•ther lo rhc Taniil iVadu Bhoodan it enacted by the Legislative Assembly of the State of 'Fainil Nadu in the Fifty-first year of the Republic of India as follows: (1) This Act may be called the -ranul Nadu Bhoodan Y •aena (Anrndrnt) Act, 1. 2000. (2) [t shall come into force on such date as the State (Government may, by notification, appoint

2. In section 2 of the 'Tamil Nadu Bhoodan Yagna Act, 1958 (hereinafter referred to as the principal Act), in clause (f), for the expression "three hundred rupees' expression "such sum not exceeding twenty-five thousand rupees, as may be prescribed" shall be substituted

3. After section 17 of the principal Act, the following section shall be inserted, namely: "17-A.to exchange the donated land.—Notwithstanding anything contained in this Act, the Government may, if the

circumstances so warrant, permit the exchange of the land already donated to, and vested in, the State Board, with an alternate land, by the donor or his legal heirs, as the case may be, in such manner as may be prescribed, subject to the following conditions, namely:- (a) the alternate land shall be of equivalent value; (b) there shall be no encumbrance on the alternate land; (c) the donor or his legal heirs shall be competent to transfer such alternate (d) there shall not be any arrear of land revenue or tax or any amount due to the Government or other authority; (e) the land already donated had not been assigned to any person or authority 131 consequence- ment. A amendment of section 2. Insertion of new section 17- A. A amended section 19. under this Act."

4. In section 19 of the principal Act.(1) in sub-section (1), (a) after the expression "willing to cultivate the land", io a houseless poor person as house site" shall be inserted; (b) the following Explanation shall be added, namely: the expression "or "Explanation.—For the purpose of this sub-section, "houseless poor person means a person who does not own any house or house-site and whose annual income does not exceed such sum not exceeding twenty-five thousand rupees, as may be prescribed."; 132 TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY (2) after sub-section (2), the following sub-section shall be added, namely: "(3) No withstanding anything contained in this section, the Government may, on the recommendation of the State Board, grant any land vested in that Board, to any person or institution, for any public purpose, subject to such conditions as they deem fit, after double the market value of such land.". (By order of the Governor) K. PARTHASARATHY, Secretary to Government, L(I) Department. I of

