

TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) ACT, 1961

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Amendment,' Order, 1969. 2 For Statement of Objects and Reasons, see Fort; St George Gazette Extraordinary, dated the 26th November 1965. Part IV—Section 3, pages, 29-32. For the purpose of fixation of ceiling area in respect of lands in an inam estate certain special provision has been made in section 75 of the Tamil Nadu Inam Estates (Abolition and version into Ryotwari) Act, 1963 (Tamil Nadu 26 of 1963), By virtue of section 4 of the Tamil Nadu Land (Fixation of Ceiling on Land) Third Amendment Act, 1972, the amendments made by the said Act to the principal Act have effect notwithstanding anything inconsistent therewith contained in the Tamil Nadu Public Trusts (Regulation of Agricultural Land) Act, 1961 (Tamil Nadu Act 57 of 1961). 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 of Laws (Second Amendment) Order, 1969. 1961 : Act 58 Land Reforms (Fixation of Ceiling on Land) 965 necessary the agricultural land of the ceiling area and to distribute such landless and other persons among the rural areas such distribution will best serve the agricultural production and progress. S&C 1a1 pco*Q; Afij:qÄÄBAS it is expedient to provide for all these and connected Twelfth Schedule public of as follows. CHAPTER 1. 1. (1) This Act may be called the 11 Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. and extent. (2) It extends to the whole of the State of Tamil Nadu, 3[2. (1) Subject to the provisions of sub-sections (2) Act not to and (3) and of section 6, nothing contained in this Act shall apply to lands held,— (i) by any religious institution, or by existing religious institution or religious (ii) by any religious trust of a public nature, trust of which is in existence on the date of the commencement of this Act. nature. i These words were substituted for the word "Maarao" by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969. 2 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 of Laws Amendment Order, 1969. 8 This section was substituted for the following section 3 (1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have come into force on the 1st March 1972 :— " 2. Act not apply to lands held by religious trusts. — Subject to the provisions of section 6, nothing contained in this Act shall apply to lands held by religious trusts of a public nature. 12.5-6-42 966 Land Reforms (Fixation of Ceiling on Land) [1961 : T.N. Act 58 (2) Notwithstanding anything contained in sub-section (1) no such religious institution or religious trust of a public nature as is referred to in sub-section (1) shall acquire by any means whatsoever any land after the date of the commencement of this Act. (3) Notwithstanding anything contained in this Act, for purposes of this section— (a) where a public trust in existence on the date of the commencement of this Act, has been created both for a public purpose of a religious nature and for any other public purpose ; or (b) where the income from a public trust in existence on the date of the commencement of this Act is appropriated both for a public purpose of a religious nature and for any other public purpose, such public trust shall be deemed to be a religious trust of a public nature]. Definitions

3. In this Act, unless the context otherwise requires,— (1) "agriculture" includes— (a) horticulture ; (b) the raising of crops, grass or garden produce ; (c) the use by an agriculturist of land held by him, or part for grazing ; (d) the use of any land for the purpose of raising manure crops (e) dairy farming ; (f) poultry farming ; (g) livestock breeding ; (h) growing of trees ; and "agricultural" shall be construed accordingly ; (2) "agricultural company" means any company formed for the purpose of carrying on any business that has for its main object the acquisition of gain by from agricultural land and "non-agricultural company" means any other company 11: hT,N' Act 58: Land Reforms (Fixation of Ceiling on Land) 967 (3) "agricultural year" means the year commencing on the 1st day of April, or, in respect of the whole or a part of any district on such other date as the Collector of the district may specify in that behalf by notification in the District Gazette ; (4) "ancillary purposes of the plantation" includes replanting ; (5) "authorized officer" means any Gazetted Officer authorized by the Government by notification to exercise the powers conferred on, and discharge the duties imposed upon, the authorized officer under this Act for such area as may be specified in the notification ; and "Gramdan land" (6) "Bhoodan Yagna" shall have the same meaning as in Clauses (a) and (d) respectively of section 2 of the Tamil Nadu Bhoodan Yagna Act, 1958 (Tamil Nadu Act XV of 1958) ; (7) "ceiling area" means the extent of land which a person is entitled to hold under section 5 ; (8) "company" means a company as defined in section 3 of the Companies Act, 1956" (Central Act I of 1956) ; (9) " " means a secured creditor and includes

'Idæ«who has Obtai/d (atta.ehmént Of land ioh* of a decree of (iO) cultivating tenant '(i)xhéan\$ a person whor cdhu:tes his own physicallå60uror thåtófany family in the cultivâtj9n*.Of any land belonging under a tenancyä+ment, express or (if) includes— (a) any such person who continues in posses- Sion of{the land after the determinatipn:of the tenancy ageemeåtybr. 1 Thesesords.were substituted for thÖwård Madr as " by the Tåmfil Adaptation of LawsOrd6K41969, as Ja mended by the Tahiil Nadu Adaptation of Lawi (Second Amendment) Order, 1969, 125-6—62A 968 Land Rffoæs(Fixation [1961 : Act SW of Cqiiningon Ldnd) (b) of such person, if the heir contri- butes his own physical labour or that of any member cf bis family in the cultivation of such land, or (c) a sib-tenant if he contributes his own physical labour or that of any :member of his family in the cultivation of such land ; but (iii) does not include a mere interemediary or his heir ; " date of the commencement of this Act ' means the 15th dav of February 1970.1 "date of the publication of this Act" means the dat" of the publication of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970, in the *Fort St. George Gazette (14) "family" in relation to a pelson means the person, the wife or husband, as the case may be, of such person and his or her— (i) minor sons and unmarried daughters, and (ii) minor grandsons and unmarried grand' daughters in the male line, whose father and mother are dead, 1 This clause was substituted for the following clause by section 2 (1) (a) Of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, (1970 Tamil' Nadu Act 17 of 1970), which was deemed to have come into force on the i 5th February 1970:— "(11) "date of the commencement of this Act" means the date on which the Madras Land Reforms (Fixation of 1960 was published in the Fort Sl. Ceiling on Land) Bili, George Gazette, namely, the 6th day of April I S 60" 2 This clause was substituted for the following clause by section 2 (1) (b) of the Tamil Nadu Land R forms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970 : "(12) "date of the publication of this Act" means the date of the publication of+his Actin the Fort St. George Gazette; " 3 The following clause was omitted by section 3 (1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971):— "(13) "existing sugar factory" means any sugar factory which was in existence on the date of the commencement of this Act ; " *Now the Tamil Nadu Government Gazette, 1961 : T.N. Act 58] Land Ref rms(Fixation ofteif*wn Land) 969 sons" Explanation the purpose of this clause, and "minor grand sons" not include sons or grande Sons— (i) between whom an&-the other: members of the family, a partition by means of a registered instru- ment has taken place; or (ii) in respect of whose family properties a preliminary decree for partition has been passed : 2[notified date]. before the 3[Explanation ll.—For the purpose of this clause— (a) in the case of persons governed by Hindu Law,•• "unmarried daughters" and "unmarried grand' daughters" shall not include "unmarried daughters" or "unmarried grand-daughters"— (i) in whose favour any land has been volun- tarily transferred by either of whose parents or grand- parents on account of natural love and affection ; or (ii) in whose favour a preliminary decree for partition has been passed before the notified date ' i The explanation to clause (14) was numbered as Explanation I of that clæ•se by section 2(1) (c) (i) ofthe Tamil Nadu Land Reforms (Reduction of Ceiling ca Lard) 1970K Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th Febru- ary 1970. 2 These words were svbstituted for the words "date of the com- mencement of this Act" by section 2 (1) (c) (i) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970. 3 This explanation was inserted by section (2) (1) (c) (ii) of the T amil Nadu Land Refohns (Reduction Of Ceiling on Land)) Act, 1970 (Tamil Nadu Act 19 of 1970), whiéKy@s deemed to have come mto force on the 15th February 1970. 970 Land Reforms (Fixation of Ceiling on Land) [1961 : T.N. Act 58 11 (b) in the case of persons governed by any law other than Hi4du Law, "minor sons , unmarried daughters", "minor gand-sons", and "unmarried grand- daughtus", shall not include "minor sons' , "un-married &ughters," "minor grand-sons " and "unmarried grand-daughters (i) in whase favour any land bas been volun• tarily tl ansfetretd by either of whose parents 01 grand parents on account of natual love and affection ; cr (ii) in whose favour a preliminary decree fot partitibn has béen passed before the notifiéd date l; 15) "f0iest land" includes any waste land contain• ing trees or shrubs; (16) "full owner" means a person entitled to the absolute prop:ietorship of land; (17) 'Government" means the State Government; (19) "to hold land" with its grammatical valiationa and cognate expressions means to own land as ownet or to possess or enjoy land es possessory mottgagee or as tenant or as intermedialY or in one or more Of those epactties; i The following clause was omitted by section 3(1) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on

Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972 "(18) "hill area" means any local area specified in column (3) of Schedule I and such other local area comprising a hill as the Government may, by notification, from time to time, specify 971 1961 : T.N. Act 581 Land Reforms (Fixation of Ceiling on Land) (20) "inam land" in any area in the State except the transferred territory— (a) means any land the extent of which in inam has been made, confirmed or recognized by the Government, and (b) includes— (i) any land in any lease-hold village ; (ii) any land which is either in whole or in part, from payment of land revenue ; any land of 81 land revenue alone or part thereof has been given in any person; made, confirmed or codified n an estate under the Tamil Nadu] Estates Land 1908 Nadu] Act I' of 1908) ;but does not include any inam land on which full assessment of revenue has been levied under the [Tamil Nadu Inams (Assessment) Act, 1956 (11 Tamil Nadu] Act XL of 1956); (21) "intermediary" means any person who, not being an owner or a possessor of mortgage, has an interest in land, and is entitled, by reason of such interest, to possession thereof, but has transferred such possession to others (22) "land" means agricultural land, that is to say, land which is used or capable of being used for agricultural purposes ; (23) "Land Board" means the [Tamil Nadu Land Board] constituted under section 24; (24) "Land Commissioner" means the Land Commissioner appointed under section 97 ; 1 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 This expression was substituted for the expression "Madras Land 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. 1972 Land Reforms (Fixation of Ceiling on Land) [1961 : T.N. Act 58 (25) "landowner" means the owner of the land let for cultivation by a tenant and includes the heirs, assignees, legal representatives of such owner or persons deriving rights through him; (26) "Land Tribunal" means a Land Tribunal constituted under section 76; (27) "lease-hold village" means any village specified in column (4) of Schedule I and such other village of part thereof as the Government may, by notification from time to time, specify; (28) "limited owner" means any person entitled to a life estate in any land and includes persons deriving rights through him; II Explanation.—A person who has a right to enjoy the land during his lifetime shall be deemed to be a limited owner notwithstanding that he has no power to alienate the land.] (29) "member of the Armed Forces" means a person in the service of the Air Force, Army or Navy of the Union of India and includes a seaman : Provided that if a question arises whether any person is a member of the Armed Forces, such question shall be decided by the Government and their decision shall be final , [This explanation was added by section 5 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 6th April 1960. *The following clause was omitted by section 3(D) of Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971):— '6 (30) " new sugar factory " means any sugar factory which has come or comes into existence on or after the commencement of this Act ; 4 1961 : T.N. Act 58] Land Reforms (Fixation of Ceiling on Land) 973 'notified date' means the date specified by the Government in a notification, Which shall be a date after the date of the publication of this Amendment,] (32) " orchard " means an enclosure or) assemblage of fruit or nut-bearing trees, constituting the, main crop therein, whether of spontaneous or artificial growth, but does not include trees on such bunds as are not within or adjunct to such enclosure or assemblage , expression "fruit or nut -bearing trees " shall not include plantain trees] ; (33) " owner " (a) means— (i) any person holding land in severally or jointly or in common under a ryotwari settlement or in any way subject to the payment of revenue direct to the Government, or a landholder as defined in the 81 Tamil Nadu] Estates Land Act, 1908 (3[Tamil Nadu] 1 of 1908), or a ryot as defined in that Act, or (iii) an inamdar not being a landholder defined as aforesaid, and (b) includes— (i) full owner or limited owner, or (ii) the lessee of any lease-hold village or his heirs, assignees, legal representatives or deriving rights through him ; 1 .This clause Was substituted for the following clause by section 2(1) d) of the Tamil Nadu Land Ceiling Act, 1970 (Tamil Nadu Act which was deemed to come into force on the 15th January 1970) specified in the d?' sub-section (1) of next section, This : was added by 'Of- the Tamil Nadu (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act, 10 of 1972) deemed to have come into force on the 6th

Äpril 1960. 3 These words were substituted for the wdrrd "Madras" by the Tamil Nadu Adaptation of Laws Order* '1969,: as amended by the Tamil Na:lu Adaptation of. Laws (Second,Amendment), Order, 1969 974 Land Refoms (Fixation of Ceilint2öiLand) [1961 : Act 58 (34) " person/"includes any * * * l, company, family, firm, society or; association of individuals, yhether incorporated or not acor any private trust or public trust] ' (35) " plantation " means any land used for growing all or any of the following, namely, cardamom, cinchona, coffee, rubber Or tea ; (36) " possessory mortgagee " means a mortgagee entitled to the possession' of the whole or part of the mortgaged property and to receive the rents and profits accruing from such property or any part of such rents and profits and to appropriate the same in lieu of interest or in payment cf the mortgage money Or partly in lieu of interest or partly in payment of the mortgage money 3[and ' possessory mortgage ' and ' possessory mortgagor' shall be construed accordingly "private trust" includes a trust under which the beneficiaries are persons, who are ascertained or capable of being ascertained, Explanation.—Notwithstanding anything contained in this ACI, for the purposes of this clause, where the in- ccme from a public trust is substantially appropriated for the benefit. of the founder of the trust or his heirs or of the family of the founder or of his heirs, such trust shall be deemed to be a private trust notwithstanding the terms ofthe trust.] ' Proclamation on Emergency' means the proclamation issued under clause (1) of Article 352 of the Constitution of the 26th day on October 1962 i The word "trust" was omitted by secton 3 (2) (a) of Tamil Nadu Reforms Land(Fixation of Ceiling on Land)Third Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have ceme into force on the I st March 1972, 2 These words were added by seciion 3 (2) (a), ibid, 8 These words were added by section 2 of the Tamil Nadu Land Reforrhs (Fixation of Ceiling on Land) Amendment Act, 1965 Nadu Act 10 of 1965), which was deemed to have comeinto force on the 2nd May 1962. 4 Clause (36-A) was renumbered as clause (36-AA) and this was inserted by section 3(2)(b) of the Tamil Nadu Land Refo (Fixation ofCeiling on Land) Third Amendment Act, 1972 (T Act 37 of 1972), which was deemed to have come into foi on the 1st March 1972, a This clause was by section 6(i) of the Tamil Na Tenancy (Amendment), Act, 1965 (Tamil Nadu Act 9 of IS 65), 196 •S'T%N. Act 581 975 mms; (Fi ration Lai illiik on Land) GAAA)ftpublié aetrust for a public puri6G'of a religious, charita or of an educational _natuie; (36-B) religious institution " means any— (i) temple; (ii) math ; (iii) mosque ; Or (iv) church ; which is dedicated to, or for the benefit of, or used as of right by, the public as a place of religious worship (37) " Schedule " means a Schedule appended to this Act ; (38) "seaman" means every person including a master, pilot or apprentice employed or engaged as a member of the crew ofa ship or a sailing vessel to which the Merchant Shipping Act, 1958 (Central Act 44 of 1958) applies ; (39) " Settlement Officer " means an officer appointed under sub-section (I) of section 58 ; (40) " standard acre " means— (1) in any area in the State, except the transferred territory— (a) 0.8 acre of wet land assessed to land revenue at any rate above Rs, 15 •per acre ; or (b) 1 acre of wet land assessed to land revenue at the rate of Rs. 10 and above but not exceeding Rs. 15 per acre; or (c) 1.2 acres of wet land assessed to land revenue at the rate of Rs. 8 and above but below Rs, 10 per acre ; or (d) 1.6 acres of wet land assessed to land revenue at the rate of Rs. 6 and abevn below Rs. 8 per acre; or 1 These clauses were in.serted by sections 3(2)(c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act cf 1972), which was deemed to have come into force on the 1st March 1972. 976 Land Reforms (Fixation of Ceiling on Land) [1961 : T.N. Act 58 (e) 1.75 acres of wet land assessed to land reven u a, rate of Rs. 4 and above but below Rs. 6 per acre ; or (f) 2 acres of wet land assessed to land revenue at any rate below Rs. 4 per acre ; or (g) 2.5 acres of dry land assessed to land revenue at the rate of Rs. 2 and above per acre ; or (h) 3 acres Of dry land assessed to land revenue Pt the rate of Rs. 1.25 and above but below Rs, 2 per acre ; or (i) 4 acres of dry land assessed to land revenue at any rate below Rs. 1.25 per acre ; (2) in the Kanyakumari districe-- (a) 1 acre of registered wet land irrigated by any soUrce frmng part of, or benefited by, any project; or • (b) 1.2 acres' of registered dry land irrigated by aty* source mentioned in item (a) ; or l[bbbl 1.6 eacres of wet land irrigated by any Governet mcnt source other than a source mentiOned in item (a); (c) acres of dry land irrigated by .any Govern- ment source other t.han a source mentioned in item ori (d) 4 acres of dry land unizrigated by any source mentioned in item (a) or by any other Goverment soure of irrigation ; (3) in the Shencottah taluk of the Tirunelveli district— (a) 1.2 acres of wet land irrigated by any river or'? stream or by tank fed by any ri.ver or stream; or (b) 1.6 acres of wet land irrigated by any Govern- ment source other than source mentioned in item (a) ; 1 This item was inserted by section 3(l)(b) Of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land.) Second

Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972. 1961 : T.N. Act 581 Land Reforms' (Fixation of Ceiling on Land) 2 acres of dry land irrigated by any Government source ; or (d) 4 acres of dry land, unirrigated by any source mentioned in item (n.) or by any other Government source of irrigation ; Explanation I* e—For the Purpose of sub-clause (1) of clause (40), " land revenue " shall mean — (i). in the case of any land in respect of which a ryotwari settlement is in force on the date of the commencement of this Act, the ryotwari assessment payable on that date." (ii) in the case of any inam land on which full assessment of revenue has been levied under the 11 Tamil Nadu Act XL of 1956 such assessment ; (iii) in the case of any land [other than an inam land referred to in clause (ii)] in respect of which a ryotwari settlement is not in force on the date of the commencement of this Act, but is brought into force after that date but before the date of publication of the draft statement under sub-section (5) of section 10, the assessment payable under such settlement after it is brought into force; in the case of any land in respect of which a ryotwari settlement effected in pursuance of section 22 of Madras Abolition of Ryotwari Conversion into Ryotwari Act, 1948 (Madras Act 1 of 1948) has not been brought into force before the date of publication of the draft statement under (5) of section 10, or in the case of any inam land, the land revenue notified by the Government in this behalf with due regard to the highest rate of ryotwari assessment payable for any land of a similar description and with similar advantages in the nearest ryotwari village: 1 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. * The additional assessment, additional water-cess or surcharge payable under the Tamil Nadu Additional Assessment and Additional Water-cess Act, 1963 (Tamil Nadu Act 8 of 1963) or the Tamil Nadu Land Revenue and Water-cess (Surcharge) Act, 1965 (Tamil Nadu Act 34 of 1965), as the case may be, shall not be deemed to be land revenue for the purpose of calculating standard acre under Tamil Nadu Act 58 of 1961. Please see section 17 (ii) of Tamil Nadu Act 8 of 1963 and section 15 (vi) of Tamil Nadu Act 34 of 1965. 977 978 Land Reforms (Fixation of Ceiling on Land) Provided that no notification shall be issued under this clause, unless the persons likely to be affected by such notification are given a reasonable opportunity to make representation and adduce evidence in respect of the rates proposed to be specified in the notification : Provided further that the land revenue notified by the Government under this clause shall not be modified notwithstanding that a different rate of assessment is fixed under— (i) any settlement that may be brought into force ; or (ii) the 4 Tamil Nadu Inams (Assessment) Act, 1956 (Tamil Nadu Act XL of 1956); after the date of the publication of the said notification. Explanation II.—In sub-clauses (2) and (3) of clause (40) " wet land " and " dry land " shall include inam wet land and inam dry land respectively. Explanation III.—For the purpose of sub-clause (2) of clause (40), " project " means any of the following irrigation systems, namely : (i) Kodayar project system proper ; (ii) (a) Pazhayar system ; (b) Vallian system ; (c) Thiruparappu Right Bank Channel and Left bank Channel system; (d) Champakulam system; (iii) Alathuraiyar system. i These words were substituted for the word '6 Madras ' by the Tamil Nadu Adaptation of Laws Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969, i. 1961 : T.N. Act 581 Land Reform' (Fixation of Ceiling on Land) Explanation IV.—In any area in the State, except the transferred territory, one acre of dry land— (a) irrigated by direct flow of water from any Government source of irrigation supplying water— (i) for two crops and above, shall be deemed to be equivalent to one acre of wet land assessed to land revenue at the rate of Rs. 8 and above but below Rs. 10 per acre ; (ii) for only one crop, shall be deemed to be equivalent to one acre of wet land assessed to land revenue at the rate of Rs. 4 and above but below Rs. 6 per acre. (b) irrigated by lifting water from any Government source of irrigation shall be deemed to be equivalent to one acre of wet land assessed to land revenue at the rate of Rs. 4 and above but below Rs. 6 per acre : Provided that the Government may, in respect of any particular area, by notification, direct that one acre of dry land irrigated from any Government source of irrigation shall be deemed to be equivalent to any specified extent of any of the categories of land specified in sub-clause (1) of clause (40) on the ground of quality of the soil or on any other ground : Provided further that such notification shall not come into force unless it is approved by the Legislature. Explanation V.—Where the land held by a person consists of more than one of the kinds of the land specified in clause (40), the extent of the land held by him shall, for the purposes of this Act, be reduced to standard acres calculated according to the proportions specified in Clause (40) ; (41) " State " means the State of Tamil Nadu ; (42) " Stridhana land " means any land held on the date of the coming into force of this Act by a female member

of a family in her own name. substituted for the expression, "State of Madras" by the Tamil-Nadu & Adaptation of, Laws and Order, 1969, as amended by the Tamil Nadu Adaptation of Laws (Sixth Amendment) Order, 1969. 8 C; Land Reforms (Fixation of Ceiling on Land) IE(43) (44) [1961 : T.N. Act 5 (45) "surplus land" means the land held by a person: in excess of the ceiling area and declared to be surplus land under section 12, 13 or 14; (46) "tenant" means any person who has paid or has agreed to pay rent or other consideration for his benefit allowed by another to enjoy the land of the latter under a tenancy agreement, express or implied, and includes— (i) any such person who continues in possession of the land after the determination of the tenancy agreement (ii) the heirs, assignees, legal representative of such person, or persons deriving rights through such person; (iii) a cultivating tenant; (47) "topsoil" means any land containing groups of fruit or nut-bearing trees including palmyra trees, constituting the main crop in such land, whether of spontaneous or artificial growth and includes orchards, but not include trees on such bunds as are not within or adjunct to such groups of trees; 2[Explanation.—The expression "fruit or shoot" shall not include plantain trees.] trees (48) "transferred territory" means the Kanyakumari district and the Ghencottah taluk of the Tirunelveli The following clauses were omitted by section 3 (1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act 1971 (Tamil Nadu Act 41 of 1971):— (43) "sugar factory" means any factory in which sugar is manufactured by vacuum pan process and which is a company; (44) "Sugar Factory Board" means the Tamil Nadu Sugar Factory Board constituted under section 38; " This explanation was added by section 3 (1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960. 496 V A T N, Act Land Reforms (Fixation of Ceiling on Land) 1981 means a private trust or a public trust] ; it contained in this Certain Act, if, by virtue of the operation of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971, the total extent of land held by any person exceeds the ceiling area, then, in relation to such person and in this Act, unless the context otherwise requires,— (i) 'date of the commencement of this Act' means the date specified by the Government under sub-section (2) of section 1 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 ; (ii) 'notified date' means the date specified by the Government in a notification which shall be a date subsequent to the date specified under sub-section (2) of section 1 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 10 313-B. Notwithstanding anything contained in this Act, if, by virtue of the operation of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972, the total extent of land held by any person exceeds the ceiling area, then, in relation to such person and in this Act, unless the context otherwise requires (i) 'date of the commencement of this Act' means the 1st day of March 1972; (ii) 'notified date' means the date specified by the Government in a notification, which shall be a date subsequent to the date of the publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have come into force on the 1st March 1972 trust" means trust for a public purpose of a religious or charitable, or of an educational nature, and includes any temple, math, mosque, church or other place, by whatever name known, which is dedicated to, or for the benefit of, or used as of right by, any community or section thereof as a place of public religious worship." This section was inserted by section 3 (2) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). 8 This section was inserted by section 3 (2) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972, 125-6--63 *582 Land Reforms, (Fixation of Ceiling on Land) [1961 : T.N. Act 58 Certain Special definitions, Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972, in the Tamil Nadu Government Gazette.] 113-C. Notwithstanding anything contained in this Act, If, by virtue of the operation of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972, the total extent of land held by any person exceeds the ceiling area; then, in relation to such person and in this Act, unless the context otherwise requires,— (i) 'date of the commencement of this Act' means the 1st day of March 1972 ; (11) 'notified date' means the date specified by the Government in a notification, which shall be a date subsequent to the date of publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972, in the Tamil Nadu Government Gazette.] 213-1). Notwithstanding anything contained in this Certain Special

defini- Act, if, by virtue of the operation of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972, the total extent of land held by any person exceeds the ceiling area, then, in relation to such and in this Act, unless the context otherwise requires;— (i) 'date of the commencement of this Act' means the 1st day of March 1972 (ii) 'notified date,' means the date specified by the Government in a notification, which shall be a date sequent to the date the publication of the Land (Fixation: of. Ceiling on: Land) 'Fourth' Amendment Act, the Tamil Nadu Government Gazette,] f05qe on th9Ast 1*This section sEction of; the TamilNdti Reforms (Fixationsof &iling on land) Fourth Act, i972 (Tamil Nadu Act 39 of 1972), ,which came into force on;the 1st March 1972. 1961 : TON, Act 581 Land Reforms (Fixation of Ceiling on Land) 983 1[3-E. Notwithstanding anything contained in this Certain Act, if, by virtue of the operation of section 3 of the Tamil Cial defini• Nadu Land Reforms (Fixatiom of Ceiling on Land) tions• Fifth Amendment Act, 1972, the total extent of land held by any person exceeds the ceiling area, then, in relation to such person and in this Act, unless the c0ntext otherwise requires,— (i) " date of the com.mencement of this Act " means (a) for the period before the 15th day of February D70, the 6th day of April 1960 ; (b) for the period commencing on the 15th day of February 1970, the 15th day of February 1970 ; (ii) " notified date " means the; date specified by the Government? in a notification, shalllbe a date sube sequent Qt'o the date of the publication! of{the Tamil; Nadu Land Reforms (Fixation l'of Ceiling on Amend- ment Nadu Goyernment Gazetté.l «to eaooxs m 4. The brovisions of this Act shallhâve effect notwith- Act to over standing •anything inconsistent théreWith contained in ride other laws, the Sime being in any custom, contracts, usage decree? or ordeø• öfiarcourt or other etc, 1 This section was inserted by section 3(2) or the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act. 1972 (Tamil Nadu Act 10 of 1974), which was &emed to have come into force on the 6th April 1960. 125-6—63A 984 Land Reforms (Fixation of Ceiliht on Land) CHAPTER 11. • T.eN. Act 5B [1961 . FIXATION OF CEILING ON LAND HOLDINGS. 5. (1) Subject to the provisions of sub-sections Ceiling area. (3-A), (3-B) and (3-C) and of Chapter VIII, the ceiling area in the case of every person (other than the institutions referred to in clauses (c) and (d) and subject to the provi- sions of sub-sections (3-A), (3-1B), (3-C), (4) and (5) and or Chapter VIII, the ceiling area in the case of every family consisting of not more than five members shall be 15 standard acres.] (b) The ceiling area in the case of every family consisting of more than five members shall, 2[subject to the provisions of sub-sections (3-A), (3-B), (3-C), (4) and (5)] and of Chapter VIII, be 3[15 standard acres] together with an additional 5 standard acres for every member of the family in excess of five. IThis clause was substituted for the following clawe (a) by section 3(4)(a)(i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have come into force on the 1st March "(a) Subject to the provisions of Chapter VIII, the ceiling ara in the case of every person and, subject to the provisions of sub sections (4) and (5) and of Chapter VIII, the ceiling area in the cae of every family consisting of not more than five members, shall standard acres. [In the said clause, for the figures and words " 30 standard acres the figures and words " 15 standard acres " were earlier substituta» by section 2 (2) (a) of the Tamil Nadu Land Reforms (Reduction Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 Of 1970), which deemed to have come into force on the 15th February 1970.] " 2 This expression was substituted for the expression " subject to provisions ofsub-sections (4) and (5) " by section 3(4) (a) ('ii) of the Tami}. Nadu Land Reforms (Fixation of Ceiling on Land) 'Th& Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which deemed to have come into force on the 1st March 1972. 3 These figures and words were substituted for the figure . " 30 standard acres " by section 2 (2)(a) of the Tamil wor ds Land Reforms (Reduction of Ceiling on Land) Act, 1970 (T Nadu Act 17 of 1970), which was deemed to have come into fm•e. the 15th February 1970. Land Reforms (Fixation 1961: TN, Act 58] of Ceiling on Land) 985 (i) The ceiling aree in the case of the insti- tutions meqtioned in column (1) of the Table below and in existence on the date of the commencement of this Act, shall be the extent specified in the corresponding entry in column (2) thereof : Provided that such extent was held by such insutution on the date of the commencement of this Acie (1) The Table. (2) (1) Any College affiliated to or 40 (Forty) standard acres. recognised by any University under any law or rule relating to education. (2) Any High School or equiva- 20 (Twenty') lent school recognised by the acres. Government or University under any law or rule relating to education, standard (3) Any Elementary School or 10 (Ten) standard acres. Higher Elementary School or other equivalent institution recognised by the Govern- ment under any law or rule relating to education. (4) Any Students' Hostel 25 (Twenty-five) sta no dard acres. (5) Any Polytechnic Institution. 25 (Twenty-

five) stan- dard acres. 1 These clauses were added by section 3(4) (a) (iii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972. 986 Land Reforms (Fixation of Ceiling on Land) (1) (6) Any Agricultural School, (1) Any Orphanage [1961 : T.N. Act 58 (2) 25 (Twenty-five) standard acres, 25 (Twenty-five) standard acres, (ii) Notwithstanding anything contained in sub- clause (i), no such institution as is referred to in that sub- clause and— (a) holding land, on the date of the commencement of this Act, less than the extent specified in the corresponding entry in column (2) of, the under sub- clause (i), shall acquire by any means whatsoever; after that date, any land in excess of the extent so held; and (b) holding no land at all on the date of the commencement of this Act, shall acquire by any means whatsoever, after that date, any land. Explanation.—In calculating the extent of land on the date of the commencement of this Act, by any of the institutions mentioned above, the land held by such institution and the extent of land: * apportioned under sub-section (3-B) shall be taken into account. (d) (i) The ceiling area in the case of a public trust of a charitable nature in existence on the date of commencement of this Act (other than trusts in which the institutions referred to in clause (c) (i) are the beneficiaries) shall be 5 (five) standard acres: Provided that such extent of land is held by such trust on the date of the commencement of this Act (ii) Notwithstanding anything contained in sub- clause (i), no such public trust of a charitable nature is referred to in sub- clause (i) and— (A) holding land on the date of the commencement of this Act less than five standard acres shall acquire by any means whatsoever, after that date, land in excess of the extent so held; and (B) holding no land on the date of the commencement of this Act, shall acquire by any means whatsoever, after that date, any land. Explanation.—In calculating the extent of land held by such institution, such extent of the share of the land held individually by the members of such family shall be held by the members of such family. (b) In calculating the extent of land held by family or by an individual person, the share of the family or, of the individual person in land held by a firm, society or association of individuals (whether incorporated or not) by a company (other than a non-agricultural company) shall be taken into account. Explanation.—For the purposes of this section— (a) the share of a member of a family or of an individual person in the land held by an undivided Hindu family, a Marumakkattayam, an Aliyasantana family or a Nambudiri family, and (b) the share of a family or of an individual person in the land held by a firm, society or association of individuals (whether incorporated or not), or by a company (other than a non-agricultural company), shall be deemed to be the extent of land— (i) which, in case such share is held on the date of the commencement of this Act, would have been allotted to such member, person or family had such land been partitioned or divided, as the case may be, on such date, or (ii) which, in case such share is acquired in any manner whatsoever after the date of the commencement of this Act, would be allotted to such member, person or family if a partition or division were to take place on the date of the preparation of the draft statement under sub-section (1) of section 10. (i) For the purposes of this Act, the land owned by a private trust shall be deemed to be land owned by the beneficiaries under the private trust and each such beneficiary shall be deemed to be the owner of the land to the extent of the share of his beneficial interest in the said trust; (ii) In calculating the extent of land held by such beneficiary for the purpose of this Act, such extent of the share of the land as is mentioned in clause (i) shall be taken into account, the purpose of this sub-section, the trustee of a private trust shall be deemed to be a beneficiary under such private trust, if any income or part thereof from such private trust is enjoyed by him or his heirs, or by his family or the family of his heirs; (iii) (a) The land held by the public trust referred to in the Explanation to clause (36-A) of section 3 shall be deemed to be held by the founder of the trust or his heirs or the family of the founder or of his heirs. (b) In calculating the extent of land held by such founder or his heirs or such family, the extent of the land held by the public trust shall be taken into account. (iv) (a) Where any of the institutions mentioned in clause (c) of sub-section (1), is a beneficiary under a public trust, the land owned by such public trust shall be deemed to be land owned by such institution and each such institution shall be deemed to be the owner of the land for the purposes of this Act to the extent of the share of the beneficial interest in such public trust. Sub-sections (3-B) and (3-C) were inserted in section 3 (4) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act of 1972), which was deemed to have come into force on the 1st March 1972. 1961} T.N. Act 58] Land Reform' (Fixation of Ceiling on Land) (b) In calculating the extent of land held by such institution, such extent of the share

of the land as is mentioned in sub-clause (a) shall be taken into account. (3-B) * (a) Notwithstanding anything contained in this Act, where the income from a public trust in existence on the date of the commencement of this Act, is appropriated for the establishment or maintenance of one or more institutions referred to in column (1) of the Table under sub-clause (i) of clause (c) of sub-section (1), the ceiling area in the case of such public trust shall be the extent of standard acres, which is to the total extent of land calculated in the manner specified below for all categories of institutions :— Number of institutions in each category mentioned in column (1) of the Table X number specified in the corresponding entry in column (2) thereof : Provided that such extent of land was held by such trust on the date of the commencement of this Act. (b) Notwithstanding anything contained in clause (a), no such public trust as is referred to in that clause and— (i) holding land on the date of the commencement of this Act less than the extent allowed under clause (a) shall acquire by any means whatsoever after that date, any land in excess of the extent so held ; and 'holding of land' at date of the commencement of this Act, shall include by any means after that date any land notwithstanding it is contained in this Act, be held by any public trust which is created after the date of the commencement of this Act.] (4) Subject to the provisions of sub-section where the stridhana land held by any female member of a family together with the other land held by all the members of that family, is in excess of standard acres, the female member concerned may hold, in addition to the 1 These figures and words were substituted for the figures and words "30 standard acres" by section 2(2)(b) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970. 990 Land [1961 : T.N. Act 58 Land) extent. of land where the family is entitled under sub-section (1) to hold 30 standard acres : Provided that where any extent of stridhana land held by the female member concerned is in excess of the extent which she is entitled to hold under sub-section (1) in case of a Hindu family, the extent of land which she is entitled to hold shall not be the extent of 30 standard acres, but shall be the extent of 30 standard acres, in addition to the extent of stridhana land, which together with the extent so included, shall not exceed 30 standard acres, of stridhana land held under clause (a) by any female member of a family consisting of more than five members— or more than 5 standard acres, the additional extent of 5 standard acres allowed under clause (b) of sub-section (1) shall be reduced by the same extent as the extent of stridhana land held. Illustrations. (a) Hindu family consists of the husband A, his wife and his three sons B, C and D, and the wife of B and grandsons E and F, B is a major and C and D are minors, E and F are the minor sons of B, The extent of land held by the undivided Hindu family is 140 standard acres, that is to say, A's share and share of his sons, the land held by the undivided Hindu family is 140 standard acres each. A's wife has 115 standard acres of stridhana land and B's wife has 10 standard acres of stridhana land. These figures and words were substituted for the figures and words " 80 standard acres " " 20 standard acres ", " 30 standard acres " and " 20 standard acres " respectively by section 2 (2) (c) (i) of Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970. (b) For the purpose of and B's family will each constitute separate unit [Section 3 (14)]. A's family consists of himself, his wife and his minor sons C and D. If the share of A in the land held by the undivided Hindu family, namely, 140 standard acres is included within the 145 standard acres allowed under sub-section (1) of section 5, the wife's stridhana land to the extent of 115 standard acres may be included to make up 145 standard acres [section 5 (2) (1)]. The wife can hold in addition, 5 standard acres as stridhana land. All the members of A's family will, therefore, be together entitled to hold 20 standard acres and the remaining 5 standard acres will be treated as surplus land. B's family consists of himself, his wife and his minor sons E and F. If the stridhana land of B's wife, namely, 10 standard acres is included within the 145 standard acres allowed under sub-section (1) of section 5, the share of B and his sons in the land held by the undivided Hindu family to the extent of 30 standard acres may be included to make up 145 standard acres [section 5 (4)]. All the members of B's family will therefore be together entitled to hold 30 standard acres and the remaining 35 standard acres will be treated as surplus land. These figures and words were substituted for the figures and words "20 standard acres" and " 30 standard acres " respectively by section 2 (2) (c) (ii) (a) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970. This sentence was substituted for the following sentence by section 2 (2) (c) (ii) (b) of the Tamil Nadu Land Reforms (Reduction of Ceiling

on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970 :— " All the members of A's i'll therefore be together entitled to hold 30 standard acres and the remaining 60 standard acres will be treated as surplus land. " 3 These figures and words were substituted for the figures and words " 20 standard acres ", " 30 standard acres ", " 20 standard acres " 30 standard acres " and " 10 standard " 30 standa.rd acres ' respectively by section 2 (2) (c) (iii) of the Tamil Nadu Land acres Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the, 15th Febru• ary 1970, 992 Land Reforms (Fixation of [1961: T.N. Act 58 Ceiling on Land) (b) A family consists of husband and bis wife. The husband is a member of an undivided Hindu family and his share in the land held by the undivided Hindu family is 1[10 standard acres]. The wife has stridhana land of 1[10 standard acres]. If the entire stridhana land of 1[10 standard acres] held by the wife is included within the 1[15 standard acres] allowed under sub-section (l) of •nMion 5, then, an extent of standard acres] of the share of the husband in the undivided Hindu family may be standard included to make up 1[15 standard acresl. acres] will be treated as surplus land and the wife is not entitled to hold any additional extent of stridhana land [section 5 But if the 2110 standard acres] which is the share of the husband in the undivided Hindu family is included within the 2[15 standard acres] allowed under sub-section (I) of section 5, then an extent of standard acres] of stri- dhana land of the wife could also be included to make up 2[15 standard acres]. The wife may retain additional standard acres] of stridhana land [section 5 (4)]. 31 There will be no surplus land.] 1 These figures and words were substituted for the figures and words " 25 standard acres", " 20 standard acres:" , . " 20 standard ' " 30 standard acres " , " IO standard acres '9 and " 30 acres dard a.cres and for the words " Fifteen standard acres " respectively by section 2 (2) (d) (i) of the Tamil Nadu Lan' Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970, 2 These figures and words were substituted for the figures and worde ", " 5 standard acres" " 30 standard acres " 25 standard acres ' " 30 standard acres " and " 5 standard acres " respectively by section 2 (2) (d) (ii) (a) of the Tamil Nadu Land Reforms (Reduction o Ceiling on Land)Agt, 1970 (Tamil Nadu Act 17 of 1970), which w deemed to have come into force on the 15th February 1970. 3 This sentence was substituted for the following sentence by sect' 2 (2) (d) (ii) (b)' of th9 Tamil Nadd Land Refor;ns (Reductioni Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which deemed to have come into force on the 15th February' 1970 c' Ten standard acres will be treated as surplus land 1961 : TON, Act 58] Land Reforms (Fixation of 993 Ceiling on Land) (c) A Muslim family consists of the husband, his wife and his two minor sons. The wife has 1[15 standard acres] of stridhana land and the minor sons, have no property. The, husband has 1125 standard acres]. If the entire extent of land' which the family is entitled io •hold under syb- of section' 5 consists&oftbe länd owned by thie h•âSband only, thén, the wife can Kofd additional 1110 stan- daid acres] [section 5 (4)]. The remaining 1115 standard ? é\ééfwillrbe treated ds surplus' länd, A Christian family 'consists10f the husband; his wife and his two sons. The husband and the minor sons heve no property. The wiferhas stridhana land 8f acres].. The family-can retain 2 "15 st?Ddard acresT... The remaining standard iacres] Wi. l' be treated as surplus land and the wife is' nbt.Aentitled to hold any additional extent of stridhana land [section 5 (4)]. (5) Notwithstanding anything contened in sub-sec\$iom (1) ane int st*b-section (4)nagd, in Chapter V41 extem of.ib9 laid upldyq#eemed to be ,held by aßy*famliy 3[sfia'11 in fio case exceed! 30 standard acies], (6) In calculating the extent of land held or deemed to be held by any the extent of land which may revert to such immediately after the death of any limited owner shall, during the lifetime of the limited owner, be excluded. IThese figures and words were substituted for the figures and words ' 50 standard acres ' ' IO standard acres ' " 30 standard acres ' respectively by section 2 (2) (e) of the Tamil and "40 standard acres ' Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into forge on the 15h February 1970. 2These figures and words were substituted for the figures and words ' 30 standard acres " and " 10 standard acres" " 40 standard acres ' respecti vely by section 2 (2) (f) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come ' into force on the 15th February 1970. 8 This expression was substituted for the expression " shall in no case exceed 40 standard acres " by section 3(2) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972. (The figures and words " 40 standard acres " were earlier substituted for the figures and words G' 60 standard acres " by section 3(3) of the Tamil Nadu Land

Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972.) 994 Land Reforms (Fixation of Ceiling on Land) Act, 1961 : T.N. Act 58 Ceiling on Land) Basis of calculation - 6. Where under the terms of a [public trust] any interest in the land in which the [public trust] is the extent of land held created or in the income from such land is reserved in favour of the founder or of such [public trust], or of any other person, the authorized officer shall declare the extent of land which bears to the total extent of land in respect of [Public trust], which the [public trust] is created, the same proportion as such interest bears to the total interest in such land or the income therefrom. The extent of the land so declared shall, with effect from the date of such declaration, be deemed to be held by the founder or such other and shall be taken into account in calculating the extent of land held by him. The extent so declared shall cease to be the [public trust] property from the date of such declaration but shall be subject to any other liability that may be subsisting on such land : Provided that the extent of such liability shall bear the same to the entire liability as the extent so declared bears to the total extent

7. On and from the date of the commencement of this Ceiling On holding land' Act, no person shall, except as otherwise provided in this Act, but subject to the provisions of Chapter VIII, be entitled to hold land in excess of the ceiling area : Provided that in calculating the total extent of land held by any person, any extent in excess of the ceiling area and not exceeding half an acre in the case of wet land and one acre in the case of dry land shall, irrespective of the assessment of such land, be excluded.

1 These words were substituted for the word " trust " by section 3 (5) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have come on the 1st March 1972., 4 1961 58] Land (Fixation of Ceiling on Land) Act, 1961 (1961 : T.N. Act 58) 8. (1) thirty days) from the date of the commencement of this Act, held or is deemed to have held, land in excess of the ceiling area shall; 'in respect of all land held or deemed to have been held by such person on furnish to the authorized officer within whose jurisdiction the holding of such or the major part thereof, is situated, a return containing the following particulars namely: — (i) particulars of all the land ; (ii) particulars of the members of the family and of the stridhana land held by each member of the family (iii) particulars of any interest in the land held by a trust or in the income from such land reserved in his favour or in favour of any member of his family ; (v) particulars of land— (a) interspersed among plantations, or (b) contiguous to any plantation, in existence [on the date of the commencement of this Act] in any area which such person desires to hold for extension, or ancillary purpose* of the plantation ; (vi) particulars of the encumbrances, if any, over the land together with the name and address of the creditor; (vii) particulars of any pending litigation respecting the land or part thereof ; (viii) particulars of the land which such person desires to retain within the ceiling area and the land which he desires to be declared as surplus land ; (ix) particulars of the land held by tenant, if any, and the name and address of such tenant; [and] was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 ' (Tamil Nadu Act 30 of 1974), which was deemed to have come into force on the 6th April 1960 for the expression " on 6th day of April 1960 " which in turn was substituted 'for the expression " on the date of the commencement of this Act " by section 3(3) of the Tamil Nadu Land Reforms

(Fixation Of Ceiling on Land Fifth Amendment• Act, 1972 (Tamil- Nadu Act .10 of 1974), which was come into force on the 6th April 1960, 2 The words " other than a hill area " were omitted by section 3 (4) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972. b This word was added by section 3 (3)(a) (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). The following clause (x) was omitted by section 3 (3) (a) (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971) factory, " the case of an existing sugar mill particulars Of the land which sugar factory— (a) holds as owner, and holds otherwise than as owner and the basis on which such land is held ; and which such sugar factory desires to hold for the cultivation of sugarcane for use in the factory; and" 1961 ; *T.N. Act 58] Land Reforms (Fixation of Ceiling on Land) 1997 (xi) such other particulars as may be prescribed II Explanation I. —In the case of a member of the Armed Forces, the reference to ninety days shall be deemed to be a reference to one year.] Explanation land is held or deemed to be held by— (a) an individual, the return shall be furnished by him or any person authorized by him in writing in this behalf , (b) a person who is a minor, lunatic, idiot, or is subject to a like disability, the return shall be furnished by the guardian, manager or other person in charge of such person or of the property of such person, (c) a company or other corporate body, return shall be furnished by any person competent to act for such company or body in this behalf.. Explanation, III.—Where land is held or deemed to be held by a family, the return shall be furnished by the person in management of such family or of the property of such family and the return so furnished shall be binding on the other members of the family : Provided that the authorized officer shall give to the other members of the family a reasonable opportunity of making their representations and of adducing evidence, if any, in respect of such return and shall consider such representations and evidence before the preparation of the draft statement under sub-section (1) of section 10

1. This explanation was substituted for the following explanation by section 2 (3) (b) (iii) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970 " Explanation I.—In the case of a member of the Armed Forces, the return under sub-section (1) shall be furnished within six months after the Proclamation of Emergency has ceased to operate " The said explanation was earlier substituted for the following original explanation by section 6 (ii) of the Tamil Nadu Tenancy (Amendment) Act, 1965 (Tamil Nadu Act 9 of 1965) ' Explanation I.—In the case of a member of the Armed Forces, the reference to ninety days shall be deemed to be a reference to one year." 125-6—64 998 Land Reforms (Fixation of Ceiling on Land) (1961 : T.N. Act 58 9, (1) If any person who has held or is deemed to have held land in excess of ceiling area fails to furnish the return under section 8 or furnishes an incorrect or incomplete return under that section, the authorized officer may, by notice, require such person to furnish the return or the additional particulars, as the case may be, within the time specified in the notice, or within such further time not exceeding thirty days as the authorized officer may, in his discretion, allow. (2) (a) Where any person, on whom notice under sub-section (1) has been served, fails to furnish the return, or the additional particulars, as the case may be, within the time specified in that notice, or within the further time allowed by the authorized officer under sub-section (1), the authorized officer may obtain in such manner as may be prescribed the necessary information either by himself or through such agency as he thinks fit. (b) The authorized officer shall, as soon as may be, after obtaining the information under clause (a), give to the person concerned a reasonable opportunity of making his representation and of adducing evidence, if any, in respect of such information and consider any such representation and evidence and pass such orders as he deems fit, 1 The following sub-section (2) was omitted by section 3(3) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 Of 1971) " (2) The notification referred to in sub-section (1) shall contain such particulars and shall be published in such manner as may be prescribed " , * These words were substituted for the expression "in excess of 15 standard acres" by section 3 (6) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have come into force on the 1st March 1972. The figures and words " standard acres" were earlier substituted for "the figures and words " 30 standard acres" by section 2 (4) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Act 17 of 1970), which was deemed to have come into force on the 15th February 1970, 1961 : T.N. Act 58 1 Land Reforms (Fixation of Ceiling on Land) (3) Where the authorized officer finds from the return furnished under section 8, or under sub-section (1), or the additional particulars, if any, furnished under sub-section (1), or from the information obtained by the authorized officer under clause (a) of sub-section (2) that the person concerned desires to hold— (a) (i) any land interspersed among plantations, or (ii) any land contiguous to any plantation, [on the date of the commencement of this Act] in any area in existence 1 This expression was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 (Tamil Nadu Act 30 of 1974), which was deemed to have come into force on the 6th April 1960 for the expression " on the 6th day of April 1960 " which in turn was substituted for the expression " on the date of the commencement of this Act " by section 3 (3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960.

2 The words " other than a hill area " were omitted by section 3 (5) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972. 3 The word " or " was omitted by section 3 (4) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972. 4 The following clause (b) was omitted by section 3 (4) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972 :— (b) any land for dairy farming or livestock breeding, he shall* subject to such rules as may be prescribed in this behalf forward a copy of the return, the additional particulars, or the information obtained, as the case may be, to the Land Board 125-6—64A 1000 Land Reforms (Fixation of Ceiling on Land) [1961 : T.N. Act 58 10. (1) On the basis of the return furnished under sub-section (1) of section 8 and the basis of the representation and publication and evidence under the proviso to Explanation III to sub-section (1) of section 9 and

the additional part statement as regards culars, if any, furnished under that sub-section, or on the land in excess of the basis of the information obtained by the authorized officer. • area, under clause (a) of sub-section (2) of section 9 and the orders passed on the representation and: the evidence, any, under clause (b) of sub-section (2) of section 9, as case may be, the authorized officer shall, subject to the provisions of sub-sections (2), (3) and (4) and after making such enquiry as he deems fit, prepare a draft statement in respect of each person holding or deemed to have held land in excess of the ceiling area. Such draft statement shall contain the following particulars, namely : — (i) the name and address of the person ; (ii) particulars of all land held by such person and total extent of such land ; (iii) particulars of the members of the family of the stridhana land held by each female member of family ; (iv) particulars of any interest either in the land held by a trust or in the income from such land reserved in his favour or in favour of any member of his family ;

The following sub-section (4) was omitted by section 3 (2) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971) " (4) Where the authorized officer finds from the return furnished under section 8 or under sub-section (1), or the additional particulars, if any, furnished under sub-section (1), or from the information obtained by the authorized officer under clause (a) of sub-section (2) that any existing sugar factory desires to hold land for the cultivation of sugarcane for use in the sugar factory shall, subject to such rules as may be prescribed in this behalf, for a copy of the return, the additional particulars, or the information obtained, as the case may be, to the Sugar Factory Board. 1961 ; TON,

Act 581 Land Reforms (Fixation of Ceiling on Land) 1001 (vi) particulars of land— (a) interspersed among plantations, or (b) contiguous to any plantation, in existence on [on the date of the commencement of this] and which land such Act] in any area 31 * person desires to hold for extension, or ancillary purposes, of the plantation ; (vii) particulars of encumbrances, if any, over the land together with the name and address of the creditor ; (viii) particulars of the land which such person desires to retain within the ceiling area ; (ix) the extent of the ceiling area of the person ; (x) particulars of the land which may be comprised within the ceiling area (xi) particulars of the land held by tenant, if any, and the name and address of such tenant ;

The following clause (v) was omitted by section 3 (5) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972 : ' (v) particulars of the land which such person desires to hold for dairy farming or livestock breeding ; ". 2 This expression was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 (Tamil Nadu Act 30 of 1974), which was deemed to have come into force on the 6th April 1960 for the expression " on the

6th day of April 1960 ", which in turn was substituted for the expression ' on the date of the commencement of this Act by Section 3(3) - Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960. then a bill omitted by section 3(6) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972, 1002 Land Reforms (Fixation [1961 : T.N. Act 58 of Ceiling on Land) (xii) particulars of the land proposed to be declared as surplus land ; [and] (xiv) such other particulars as

may be prescribed. (2) (a) For the purpose of calculating for the first time [after the date of the commencement of this Act] the ceiling area of a family holding land on the date of the commencement of this Act in excess of '[15 standard acres], the authorized officer shall take into account only those members of that family who are alive on the notified date. But for the purpose of calculating the ceiling area of such family for the second or for any subsequent time, the authorized officer shall take into account only those

members of that family who are alive on the date of the preparation of the draft statement under sub-section (1). (b) For the purpose of calculating the ceiling area of any other family [for the first time after the date of the commencement of this Act, or for any subsequent time], the authorized officer shall take into account only those members of that family who are alive on the date of the preparation of the draft statement (1). This word was added by section 3 (5)(i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971) ' "(xiii) in 'the case of an existing sugar factory, also the particulars of the land in which such sugar factory— (a) holds as owner, and (b) holds otherwise than as owner and the basis on which such land is held and which such sugar factory desires to hold for the cultivation of for use in the sugar factory ; and " These words were inserted by section 2 (5)(a)(i) of the Tamil Nadu Land Reforms

Reduction of Ceiling on Land) Act, ' 1970 (Tamil Nadu Act •17 • of 1970), which was deemed "to have - come into force on the 15th February 1970. These figures and words were substituted :for and words "30 standard•acres" by section 2 (5)(a)(ii) of the; Tamil Nadu: Land Reforms-(Reduction of Ceiling om Land) Act, 1970 (Tamil Nadu Act 17 ot which was deemed to have c0me into force the 15th February 1970. 5 These words were substituted for the words "for the first or for any subsequent time", by section 2 (5)(b) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970),• which was deemed to have come into force on the 15th February -1970. 1961 : 1003 rnmnd Reformsa(Fixation Ceilipgcgn Land) the cparßiculars the. 't#€öt'ÉFacticable,. specify in the Stâtémént, Chie land whch i" capable cf easy, and convenient enjoyment as the land to be re :ained by such person within his ceiling area any person,,has specifiéd4#e particulars of the• land which he desires to retidin• Withiwhis ceiling area, the authorized*6ffcer shall,} as far as püdtieablé' l[but' subject to the provisions of subsections (4-AY" and (4-B)], declare the same land as compr.ised within hié ceiling area : Provided that where in the opinion of the authorized omcer, the utility of any land or part thereof held by any person has been diminshed by agy 'wilful act of such person, after the date of the commencement of this Act, the authorized omcer shall declate such land or any part thereof as comprised within his ceiling area : Provided further that the authorized omcer shall, subject to such conditions as may be prescribed, declate the share of any person in the land held by an agricultural company, a co-operative society or a land mortgage bank, or any part of •such share as comprised within the ceiling area : Provided also that subject to the above provisions, the land which the authorized oficer proposes to declare as surplus land under clause (xii) of sub-section (I) shall, as far as practicable, be such as is capable of easy and convenient enjoyment. Notwithstanding anything contained in sub-section (4), where the transfer or partition of any land has been declared to be void under section 22, it shall be the duty of the authoriSed Officer to include, subject to the provisions of sub-section (4-B), such land within the ceiling area of the transferor or the person effecting the partition, as the case may be, as if no such transfer o • partition hac taken place : This expression was inserted by section 3 (I)(i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amend- ment Act, 1972 (Tamil Nadu Act 7 of 1974), which was deemed to have come into force on the 1st March 1972. 2 These sub-sections were inserted by section 3 (I) (ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974), which "as deemed to have come into force on the 1st March 1972. 1004 Land Réforms (Fixation [1961 : TON, Act 58 of Ceiling on Land) Provided that in respect of the land so- included nothing in this sub-section shall affect the rights of the transferee or of the person in whose favour 'the partition was effected. (4-B) Where the transfer of any land has been declared to be void under section 22 and where the extent of the land so transferred is in excess of the ceiling area of the transferor, the land so transferred shall be included within the ceiling the transferor in the following order of preference (i) firstly, land transferred to a person who was landless immediately before the date of such transfer and who was not related to the transferor or any member of his family ; (ii) scndly, land transferred to a cultivating tenant who was cultivating that land immediately before the date of such transfer ; (iii) thirdly, land transferred to a person who was not related to the transferor or any member oc his family ; and (iv) land transferred to others. Explanation.—In this sub- section " landless erson " means a person who does not hold any land.] (5) The draft statement shall be published and COPY thereof shall be served on the persons concerne(the tenants, creditors and all other persons who in tl opinion of the authorized oficer are interested in t: land to which such draft statement relates, toeeether Wi a notice stating that any objection to the draft stateme shall be preferred within thirty days] from the serv of sach notice. The authorized omcer shall duly consi(any objection received within the time specified in said notice from the persons on whom a copy of the statement has been served or any objection recei lThese words were substituted for the words "within sixty day section 3 (5) (b) (i) of the Tamil Nadu Land Reforms (Fixatio Ceiling on Land) Fourth Amendment Act,' 1972 (Tamil Nadu A of 1972), which was deemed to have come in!gforce on the 1st h 1972. 1961 : T.N. Act 58] Land Reforms (Fixation 1005 of Ceiling on Land) 11 within thirty days] from the date of the publication of the draft statement from any other rerson. The authorized oficer shall, after giving the objector a reason- able opportunity of being heard and of add ucing evidence, if any, and subject to as may be made, pass such orders as he deems fit : 21 11. (1) alf while 'considering the objections received Authorized under sub- section (5) of section IO or otherwise, the to decide questi- authorized oficer finds that âny question has arisen on of title in regarding the title of a person to any. land and such certain cases. question has not

already been finally determined by, or is 't not pending before, a competent court, the Land Tribunal or other authority, the authorised officer may, subject to the provisions of sub-section (2), decide such question summarily in such manner as may be prescribed and may pass such order as he deems fit. (2) Where in the opinion of the authorised officer the decision of a question under sub-section (1) involves, a substantial question of law or fact; he shall, for reasons to be recorded in writing refer the question to the Land Tribunal. (3) The order of the authorised officer under sub-section (1) shall not be subject to appeal or revision, but any party may, within three months from the date of service of a copy of such order, institute a suit in the Land Tribunal within whose jurisdiction the land or the major part thereof is situated to have the order set aside or modified but subject to the final result of such suit if any, the order of the authorised officer shall be final. These words were substituted for the words "within sixty days" by section 3 (5)(b)(i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972.

The following proviso was omitted by section 3 (5) (b) (ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972 "Provided that the authorised officer may, in his discretion, allow such further time not exceeding thirty days for the receipt of the objections under this sub-section, " 1006 12.

Publication Of final statement. [1961 : T.N. Act. 58 Land Reforms (Fixation of Ceiling on Land) After the disposal of the objections, if any, preferred under sub-section (5) of section 10, and after passing the order, if any, under sub-section (1) of section 11, the authorised officer shall, subject to the provisions of this Act and the rule made thereunder, make necessary alterations in the draft statement in accordance with the order passed on the objections aforesaid and the order, if any, passed under sub-section (1) of section 11, and shall declare the surplus land held by each person. The authorised officer shall thereafter publish a final statement specifying therein the total land held by the person, the land to be retained within the ceiling area, the land declared to be surplus land and such other particulars as may be prescribed and cause a copy thereof to be served on the persons referred to in sub-section (5) of section 10. Such a statement shall, subject to the provisions of section 14, be conclusive evidence of the facts stated therein, 13, (1) Notwithstanding anything contained in sections 11 and 12, the authorised officer shall, in calculating the total extent of land held by any person, exclude— (i) the land in respect of which any question of title is pending before a competent court, or the Land Tribunal or other authority ; [and] This word was added by section 3 (6) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972, " and " at the end of 2 The following clause and the word omitted by section 3 (6) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972:-- " (ii) the land in respect of which the question whether such land could be permitted to be used for dairy farming or livestock breeding is pending before the Land Board ; and", 1961 : T.N. Act 58 Land Reforms (Fixation of Ceiling on Land) 1007 (iii) the land in respect of which the question whether such land could be permitted to be used for the extension or for ancillary purposes, of the plantation in existence on the date of the commencement of this Act is pending before the Land Board in any area [Board ; and where after such exclusion the land held by such person is in excess of the ceiling area, he shall declare the land in excess to be surplus land. The land so declared as surplus land shall be incorporated in the final statement published under section 12. 14. (1) As soon as may be, after the final disposal of the proceeding or suit relating to the question of title of any land excluded under clause (i) of sub-section (1) of section 13, the authorised officer shall— (i) amend the final statement published under section 12, or 1 This expression was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 (Tamil Nadu Act, 30 of 1974), which was deemed to have come into force on the 6th April 1960 for the expression " on the 6th day of April 1960 ", which in turn was substituted for the expression " on the date of the commencement of this Act " by section 3 (3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960, and The words " other than a hill area " were omitted by section 3 (7) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972, The following sub-section (2) was omitted by section 3(6) of the Tamil Nadu Land

Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971): " (2) Notwithstanding anything contained in sections 11 and 12, the authorized officer shall, in calculating the extent of land held by any existing sugar factory, exclude the land in respect of which the question whether such land could be continued to be used for the cultivation of sugarcane for use in the existing sugar factory is pending before the Sugar Factory Board and where after such exclusion the land held by the existing sugar factory is in excess of the ceiling area, he shall declare the land in such excess to be the surplus land of the existing sugar factory. The land so declared as surplus land shall be incorporated in the final statement published under section 12. " Amendment of final statement in certain cases, of (i) where there is no such final statement, or a final statement, if necessary, under section 12, in accordance with the decision of the court or the Tribunal, or other authority, as the case may be. (2) As soon as may be, after the Land Board decided— (b) under section 31 whether any land under clause (iii) of sub-section (1) of section 13 could be permitted to be used for extension, or for purposes, of any plantation, the officer (i) amend the final statement published under section 12, or (ii) where there is no such final statement, if necessary, under section 12 in accordance with the decision of the Land Tribunal. The following clause and the word " or " omitted by section 3 (7) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 41 of 1972), which was deemed to have come into effect on 1st March 1972:— " (a) under section 27 whether any land under sub-section (1) of section 13 could be permitted for farming or livestock breeding; or " a The following sub-section (3) was omitted from the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1971 (Tamil Nadu Act 41 of 1971): " (3) As soon as may be after the Sugar Factory Board decided under section 40 whether any land under section 13 could be continued to be used for cultivation of sugarcane for use in the existing sugar factory the authorized officer shall— (i) amend the final statement published under section 12, or (ii) where there is no such final statement, if necessary, under section 12 in accordance with the decision of the Sugar Factory Board. (4) The final statement amended or prepared under sub-section (1) or shall be published and the authorized officer shall cause a copy of the final statement as so amended or prepared to be served on the persons referred to in sub-section (5) of section 10. 15. Notwithstanding anything contained in sections 12 and 14, the authorized officer may, either of his own motion or on the application of parties,— (a) if he is satisfied that a bona fide mistake has been made in any statement published under section 12 or 14, the necessary corrections therein; (b) at any time, correct any clerical or arithmetical mistake in regard to any entry in such final statement. 16. (1) Where any land held by any person as possessor or mortgagee is in excess of the ceiling area of such person, the possession of the land in such excess shall, with effect from the date of publication of the final statement under section 12 or 14 (a) in any case where the total holding of the possessor or mortgagee is not in excess of the ceiling area, revert to the possessor or mortgagee; (b) in any case where the total holding of the possessor or mortgagee is in excess of the ceiling area, and where he desires the land mortgaged by him or any part thereof to be included within his ceiling area in the return furnished by him under section 8, revert to him subject to the condition that the land so reverted together with the other land held by him does not exceed the ceiling area. (2) Where the possession of the land in excess held by a possessor or mortgagee or any part thereof does not revert to the possessor or mortgagee under sub-section (1), the Government may acquire such land under section 18. i These brackets, figures and word were substituted for the brackets, figures and word "(1), (2) or (3)" by section 3 (7)(ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971), Power to rectify bona fide mistakes and clerical errors, Possession Of land held by Possessor or mortgagee to revert to the possessor or mortgagee in certain cases. [1961 : T.N. Amendment of (Fixation of Ceiling on Land) Act] • The possession of the land mortgaged reverts under sub-section (1), pay the mortgage money due to the possessor or mortgagee in respect of that land, (ii) Where possession of a part only and mortgaged reverts to the possessor or mortgagee under sub-section (1), the possessor or mortgagee shall pay the mortgage money such amount of the money as bears to the entire amount of the money, the same proportion as the value of the land mortgaged on the date of such reversion bears to the entire extent of the land mortgaged on that date. (iii) Where no agreement can be reached in respect of the mortgage money payable under (i) or (ii), the authorized officer shall, subject to the provisions of clause (iv) and after making such arrangements as he deems fit, decide the amount so payable, (iv) Where in the opinion of the authorized officer the decision of a question under sub-section (1) involves a substantial question of law or of fact, for reasons to be recorded in writing refer the matter to the Land Tribunal. (b) The land or any part thereof, the possession of which reverts to the possessor or mortgagee under section (1), shall be the security for the mortgage money. (c) The

mortgage money referred to in shall, for the purpose of Article 132 of Division of the First Schedule to the Indian Act, 1908 (Central Act IX of 1908), be deemed to become due with effect from the date of reversion, sub-section (1), and shall carry interest at the rate of a half per centum per annum from the date of reversion.—In this sub-section "mortgage" means the money payable in accordance with the provisions of the Tamil Nadu Agriculturists' Loans Act, 1938 (Tamil Nadu Act IV of 1938). 1 These words were substituted for the words "mortgage" by the Tamil Nadu Adaptation of Laws Order, 1969 by the Tamil Nadu Adaptation of Laws (Second Order, 1969). 1961 : T.N. Act 8] Land Reforms (Fixation of Ceiling on Land) (4) Where the possession of any land or any part thereof is likely to revert to the possessory mortgagor under sub-section (1), the authorized officer shall first fix the ceiling area of the possessory mortgage. 17, (1) Where any land held by any person as tenant is in excess of the extent of land which he is entitled to hold under section 5, the possession of the land in such excess shall, with effect from the date of the publication of the final statement under section 12 or 14, revert to the land owner and to the extent to which the land of the land owner himself is not liable to be surplus land in accordance with the provisions of this Act. (2) Where in respect of any land, the possession of which reverts to the land owner under sub-section (1), the contract of tenancy provides for the continuance of the tenancy after the expiry of the agricultural year immediately succeeding the date of such reversion, such landowner shall pay ***] to the tenant an amount equivalent to one-eighth of 2 [the annual value of the land calculated in the manner specified in Part I of Schedule III]. Out amount], three-fourths shall be paid to the cultivating tenant and one-fourth to the intermediary, if any, (3) If any dispute arises in regard to the amount *** payable under sub-section (2), either party may make an application to the authorized officer within whose jurisdiction the land or the major part thereof is situated. The words "as compensation" were omitted by section 5(i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. 2 This expression was substituted for the expression "the fair rent" by section 5(i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 27th October 1978. 8 These words were substituted for the words "such compensation" by section 5 (i) (a) (B) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. The words "of compensation" were omitted by section 5 (i) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. Possession of land held by tenant to revert to the land owner in certain cases • [1961 : T.N. Act Land Reforms (Fixation of Ceiling on Land) Act, 1961, for deciding such dispute. The authorized officer shall decide such dispute in accordance with such procedure as may be prescribed. Acquisition 18. (1) After the publication of the final statement of surplus under section 12 or 14, the Government shall, subject to land, the provisions of sections 16 and 17, publish a notification to the effect that the surplus land is required for a public purpose. (2) As soon as may be after the publication of a notification under sub-section (1), the authorized officer shall— (a) cause to be published in every village or town in which any part of the land specified in such is situated a proclamation containing the terms of the notification; (b) cause a copy of the notification to be served on the persons concerned, the creditors, persons whose names appear in the final statement published under section 12 or 14 and such other persons as may be specified in the rules made by the Government, (3) On the publication of the notification under sub-section (1), the land specified in the notification together with the trees standing on such land and buildings [machinery, plant, apparatus, wells, filter points or power lines], constructed, erected or fixed on such land and used for agricultural purposes shall, subject to the provisions of this Act, be deemed to have been acquired for a public purpose and vest in the Government free from all encumbrances [with effect from the date of such publication and all right, title and interest of all persons in such land shall, with effect from the said date, be deemed to have been extinguished : 1 These words were substituted for the words "machinery, plant or apparatus" by section 3 (8) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). 2 These words were substituted by section 4 (1) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978), which was deemed to have come into force on the 1st March 1972 for the words "with effect from the date of the commencement of this Act" which in turn were substituted for the words "with effect from the date of its publication" by section 3 (2) (a) of the Tamil

Nadu, Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974), which was deemed to have come into force on the 1st March 1972. 1961 : TON, Act 58] Land Reforms (Fixation of Ceiling on Land) date of such the authorized officer to such conditions may be prescribed, harvest of such crop by the person who had raised such crop. (4) Subject to the rules made under sub-section (5), the authorized officer may, at any time after the publication of the notification under sub-section (1), take possession of any land specified in the said notification. (5) The Government may make rules— (a) specifying the classes of tenants, who may be allowed to continue in possession of, the land, 1 This expression was substituted by section 4 (1) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978), which was deemed to have come into force on the 1st March 1972, for the expression "on the date of the publication of the notification under sub-section (1)" which in turn was substituted for the expression "on the date of such publication" by section 3 (2) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974), which was deemed to have come into force on the 1st March 1972. The following sub-section which was inserted by section 3 (2) (c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974), which was deemed to have come into force on the 1st March 1972 was omitted by section 4 (1) (c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978), which was deemed to have come into force on the 1st March 1972. (3-A) (a) Every person who, after the date of the commencement of this Act, was in possession of, or deriving any benefit from, the property vested in the Government under sub-section (3) shall be liable to pay to the Government, for the period, after such commencement, for which he was in such possession or deriving such benefit, an amount as compensation for the use, occupation or enjoyment of that property as the authorized officer may fix in the prescribed manner. Such officer shall take into consideration such factors as may be prescribed. (b) Any amount payable to the Government under clause (a) shall be recoverable as arrears of land revenue". 125-6—65 [1961 : T.N. Act 58 Land Reforms (Fixation of Ceiling on Land) (b) permitting any co-operative society registered deemed to have been registered under the Madras Act, 1932 (Madras Act VI of Co-operative or under the Travancore-Cochin Co-operative Societies Act, 1951 (Travancore-Cochin Act X of 1952) or any land mortgage bank to which the Indian Co-operative Land Mortgage Banks Act, 1934 (Indian Act X of 1934) applies or any agricultural company to in possession of the notwithstanding any thing contained in sections 5 and 7 Even after the publication of the notification under sub-section (1), Such rules may also provide for the conditions subject to which the persons referred to in clauses, (a) and (b) may continue in possession of the land, Direction by 2[18-A. Where for any reason, the extent of any Land Commissioner held by any person has not been included in the total extent of the land held by such person for the purposes of this Act, the Land Commissioner may, at any time, direct authorized officer to include such land in such total extent and the ceiling area shall be calculated or recalculated as the case may be, in accordance with the provisions of this Act, and accordingly, the provisions of sections and the other provisions of this Act shall apply as if the extent of the land so included were mentioned in the return required to be furnished under section 81 Power of 3[18-B. Where the authorized officer has made Government section 15 in the final statement correction under modification published under section 12 or 14, the Government may, notification under section notification make the necessary consequential or incidental 18(1) consequential modification in the notification published under sub-section (1) of section 18. correction under section 15. These words were substituted for the word "Madras" 15. Tamil Nadu Adaptation of Laws Order, 1969, as amended Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1972 This section was inserted by section 3 (8) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972. These sections were inserted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment (Tamil Nadu Act 15 of 1974). Land Reforms (Fixation of Ceiling on Land) 1961 : TON, Act 58] of Ceiling on Land 18-C. Where, as a result of any decision in any appeal Power of or revision or other proceeding or in pursuance of a Government to cancel or direction under section 18-A, the notification published under sub-section (1) of section 18 requires cancellation notification or modification, the Government may, by notification, under cancel or modify such notification to give effect to such section 18(1) in certain decision and nothing in this section shall be deemed to prevent the issue of a fresh notification by the Government under sub-section (1) of section 18 in accordance with the provisions of any notification, if the land not so have vested (a) is modified under section

18-B or 18-C, as the case may be, by way of omission (whether relating to extent or survey number or otherwise), the land to which such omission relates, or (b) is cancelled under section 18-C, the surplus land specified in such notification, shall be deemed never to have vested in the Government and the authorised Officer shall make the necessary consequential modification in the assessment roll.]

Concerned, Any 2[under section 50] in respect of such land shall be recovered by the Government as if it were an land revenue. (2) The land referred to in sub-section (1) shall stand reverted with effect from the date of the publication of the notification effecting the modification or cancellation, as the case may be, to the person lawfully entitled to such land and any assignment of such land by the Government to any person prior to such date shall be deemed to have been cancelled. No claim shall be enforceable in respect of such land against the Government. These words were substituted for the words "the compensation assessment roll" by section 5 (ii) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. This expression was substituted for the words "by way of compensation" by section 5 (ii) (b), *ibid.* 125-6—65A Vesting Of land newly included. [1961 : TON. Act 1016 Land Reforms (Fixation of Ceiling on Land) or any person deriving rights from the date vesting of such land in the Government ending, 'with the date of sub-section. 18-E. Where, any notification is modified section 18-B "18-C by way of inclusion, the which such inclusion relates shall be deemed to be vested in the government as if such land were included in a notification issued under sub-section, and accordingly, the provisions of this Act shall apply to land so vested. '[Amount payable by] persons in possession of the property vested in the Government. 1[18-F. (1) Every person who, after the vesting of the property in the Government under section (3) of section 18, is in possession of, or, deriving any benefit from, such property, shall be liable to the Government for the period for which he is in possession or deriving such benefit after such vesting an amount * * *] for the use, occupation or enjoyment of that property as authorized officer may. Such officer shall in the prescribed manner, take into consideration such factors as may be prescribed' (2) Any amount payable to the Government under sub-section (1) shall be recoverable as arrears of revenue.] 1 This section was inserted by section 4(2) of the Tamil Nadu Land (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978), which was deemed to have come into force on the 1st March 1972, and these words were substituted for the words from" by 5 of the Tamil Nadu Land (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act of 1979), which was deemed to have come into force on April 1972. words "as compensation" were omitted by (iii) (b), *ibid.* 1961: TON, Act Land of Ceiling on Land) CHAPTER 111. CEILING ON FUTURE ACQUISITION AND RESTRICTION ON CERTAIN TRANSFERS. 19. (1) On and after the date of Declaration to be made relating to the transfer of land either by sale, gift, exchange, before the mortgage, surrender, agreement registering or otherwise, shall be registered unless a declaration in writing is made in duplicate in such

form certain cases, as may be prescribed and filed by the transferee before under Indian Registration Act of 1908, and the extent thereof, to include the following:-

64±timee and in such e \$k*ibed, {hé declaration sib-Seétiön (1) 'id \fiei adth&orized omcer, within
"whose jurisdiction the land in question is the subject matter of the transfer or the major part thereof is situated.

(3) On receipt of the copy of declaration under sub-section (2), the authorized officer may obtain such information as may be necessary and take such action as he deems fit in accordance with the provisions of this Act, and in accordance with such rules as may be made in this behalf. 20. (1) If, as a result of any transfer of land either by sale, gift (other than gift made in contemplation of future acquisition), exchange, surrender, agreement, settlement or otherwise effected on or after the notified date, the extent of land held by the transferee exceeds the ceiling area, then, the right, title or interest accrued in his favour by virtue of such transfer in the land in exercise of the ceiling area shall, as a penalty for contravention of the provisions of section 7, be deemed to have been transferred to the Government with effect from the date of such transfer, on a declaration made by the authorized officer. These words were substituted for the word "mortgage" by section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965) which was deemed to have come into force on the 2nd May 1962. Vesting of land newly included.. [Amount payable by] persons in possession of the property vested in the Government. [1961 : Act 58 of 1961 Land Reforms (Fixation of Ceiling on Land) or any person deriving rights from them, for the period from the date of the vesting of such land in the Government and ending with the date of reversion under this sub-section, 18-E. Where any notification is modified under section 18-B or 18-C by way of inclusion, the land in which such inclusion relates shall be deemed to have been vested in the Government as if such land were included in a notification issued under sub-section (1) of section 18 and accordingly, the provisions of this Act shall apply to the land so vested]. 18-F, (1) Every person who, after the date of vesting of the property in the Government under section (3) of section 18, is in possession of, or deriving any benefit from, such property, shall be liable to the Government for the period for which he is in possession or deriving such benefit for the use, occupation and enjoyment of the property as the authorized officer in the prescribed manner, into consideration such factors as may be prescribed. (2) Any amount payable to the Government under sub-section (1) shall be recoverable as arrears of revenue.] This section was inserted by section 4(2) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978), which was deemed to have come into force on the 1st March 1972. The words "from" were substituted for the words "from" by section 5 (iii)(a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 10 of 1979), which was deemed to have come into force on the 1st April 1972. The words "as compensation" were omitted. (iii) (b), ibid. Land Reforms (Fixation of Ceiling on Land) that— (a) no such declaration shall be made unless the transferor and the transferee have been given a reasonable opportunity of being heard and of adducing evidence, if any, (b) the transferee shall be liable for payment of the consideration for, and to discharge other liabilities under, such transaction and the transferor shall have no claim for such consideration against the Government, otherwise than in respect of such land, (c) no suit or other proceeding by the transferee shall lie in any court for recovery of the consideration for any such transaction, (2) The Government may make rules providing for the manner in which any right, title or interest transferred to the Government under sub-section (1) shall be disposed of.] 21. (1) If, on or after the date of the commencement of this Act— future acquisition by inheritance (a) any person acquires by inheritance or bequest or gift from any person; by sale in execution of decree, (b) and before the notified date, any person acquires by sale in execution of a decree or order of a civil court or of an award or order of any other lawful authority, any land which, together with the land, if any, already held by him, exceeds in the aggregate the ceiling area, then he shall, within ninety days from the notified date or from the date of such acquisition; whichever is later, furnish to the authorized officer the following particulars, namely (i) particulars of the land: already held by him and those of the land so acquired; (ii) particulars of the land which he desires to retain within the ceiling area; (iii) particulars of the date of the acquisition; (iv) particulars of the manner of acquisition and of the documents, if any, under which such acquisition was made (v) the name and description of the person who held the land immediately before the date of acquisition; (vi) particulars of the land held by tenant, if any, and the name and address of such tenant; and (vii) such other particulars as may be prescribed. 1 [1] In this sub-section "bequest" shall include gift made in

contemplation of death. (2) If, as a result of marriage or adoption on or after the date of commencement of this Act, the extent of land held by any person exceeds in the aggregate the ceiling area, then, he shall, within ninety days from the notified date or from the date of marriage or adoption, as the case may be, whichever date is later, furnish to the authorized Officer within whose jurisdiction his holding or the major part thereof situated, a return containing the following particulars, namely (i) particulars of the land held before the date of the marriage or adoption ; (ii) particulars of the land held after the date of marriage or adoption ; and (iii) The explanation to sub-section (1) was numbered as explanation I of that sub-section.

The following Explanation II was added by section 6(iii) (a) of the Tamil Nadu Tenancy (Amendment) Act, 1965 (Tamil Nadu Act 9 of 1965), was, however omitted by section 2 (6) (a) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970) which was deemed to have come into force on the 15th February 1970. Explanation II.—In the case of a member of the Forces, the return under sub-section (1) shall be furnished within six months after the Proclamation of Emergency has ceased to operate, or within ninety days from the date of the acquisition, whichever is later. 1961 : Act 58 Land Reforms (Fixation of Ceiling on Land) (iii) such other particulars as may be prescribed, 11 (3) If he furnishes the return or furnishes an incorrect or incomplete return, within the period specified in sub-section (1) or sub-section (2), the provisions of section 9 and other provisions of this Act shall, as far as may be, apply as if it were a return required to be furnished under section 8. 2121 -A, Notwithstanding anything contained in any other provision of this Act and in any other law for the time being in force, where, be valid. 15th day of February 1970 but before the 2nd day of October 1970— (a) any person has effected by means of a registered instrument a partition of his holding or part thereof ; or (b) any parent or grand-parent has voluntarily transferred any land on account of natural love and affection to any minor son, unmarried daughter, minor grand-son, or unmarried grand-daughter in the male line ; or (c) The following explanation, which was added by section 6 (iii) (b) of the Tamil Nadu Tenancy (Amendment) Act, 1965 (Tamil Nadu Act 9 of 1965) was omitted by section 2 (6) (b) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970:— the case of a member of the Armed Forces, the return under Sub-section (2) shall be furnished within six months after the Proclamation of Emergency has ceased to operate, or within ninety days from the date of marriage or adoption, whichever is later. *This section was inserted by section 2 (7), ibid. 8 This expression was substituted for the words " after the date of the commencement of this Act but before the notified date " by section 3 (8) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have come into force on the 1st March 1972. 102± land— Land Reforms (Fixation of Ceiling on Land) (c) any person has voluntarily transferred any (i) to any educational institution ; or (ii) hospital of a public nature solely for the purposes of such institution or hospital ; such partition or transfer shall be valid : Provided that in the case of transfer to such educational institution or hospital, the land transferred absolutely vests in the institution or hospital and the entire income from such land is appropriated for the institution or hospital.] 22. Where, on or after the date of the commencement of this Act, but before the notified date, any person has made or transferred any land held by him by sale, gift (other than after the date of the gift made in contemplation of death), exchange, surrender, mortgage or in any other manner whatsoever except this Act, but by bequest or has effected a partition of his holding or before the notified date, part thereof], the authorized officer within whose jurisdiction such land, holding or the major part thereof is situated may, after notice to such person and other persons, 1 The words " or partition " were omitted by section 2(8) (a) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970 ; and these words, were substituted for the word " Transfer " by section 4(a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974), which was deemed to have come into force on the 2nd October 1970. 2 The words " or has effected a partition of his holding or part thereof " omitted by section 2(8) (b) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970, were again inserted by section 4(b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974), which was deemed to have come into force on the 2nd October 1970, 1961 : T.N. Act 58 Land Reforms (Fixation of

Ceiling on Land) affected by such transfer or partition] and after such enquiry as he thinks fit to make; 2[declare the transfer or partition to be void if he finds that the transfer or the partition, as the case may be], defeats any of the provisions of this Act. 3123, (1) Subject to the provisions of section 20, for the Transfers or purpose of fixing, for the first time after the date of the sub-divisions made or effected before 1 The words " or partition " omitted by section 2 (8) (b) of the the publica. Tamil Nadu Land Reforms (Reduction. of; Ceiling on Land) Act ' tion of noti- 1970 (Tamil Nadu Act 17 of 1970), which:, was deemed to have cation under the 15th FébruâYy*1970; were again inserte# by sub-section Land of Ceiling," on .LandiSixtlyAmendment:Act, 1972(Tami Nadu Act •7 off 1974) (l)of section 18. whichvaS?deqmed to have come into fo#epon the 2nd, October 1970' were substituted) föf\$the wordS " declare the transf& to bé void if he finds that théftransfer" by Tamil Nadu Land Reforms (Fixation of - Ceiling on Land) Sixth Amendment Act, 1972 (Tamil .NadWfÄctr 7 of 1974), which was deemed tohavecome into force on the 2n&hOctober 1970, (The words or bartition" and "or the partitionnaspthe case may be. " were by section 2(8) (b) of the Tamil Nadu Land Reforms (Reductidn!of Ceiling Land) Act; '1970 (Tamil Nadu Act 17 of 1970); ; h'hich was deemed to have come intQ force on the 15th February 1970. 8 •This section was substituted for thé following original section by section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) (Second Amendment) Act, 1974 (Tamil Nadu Act 32 of 1974), which was deemed to have come into force on the 6th April 1960 "23. Authorized oDicer not totake into consideration certain transfers or sub-divisions before publication of final statement.— Subject to the provisions of section the purpose of fixing, for the first time, the ceiling area of any person holding land on the date of thé commencement of this Act, in excesS of 30 standard acres, the authorized offcer shall not take into consideration— (a) any transfer, whether by sale (including sale in execution of a decree or order of a civil court cr of an award or order of any other lawful authority) or by gift other than gift made in contempla- tion of death), exchange, surrender, settlement or otherwise; or (b) any subdivEision (including subdivision by a decree or order df a civil court or any other lawful authority) whether by partition or otherwise, effected on or after the notified date and before the date of the publication oi' the final statement under section 12 or [Earlier, after the words "for the first'time", the words " after the date of the commencement of this Act" were inserted, and for the the figures and words ' 30 standard acres ", figures and words staridard acres " were substituted. in section 23 by secti? 2(9) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970' (Tamil Nadu Act 17 of 1970), which was deemed to have come into force : on the 15th February 1970, if Section 2(9) of the Tamil Nadu Act 17 of 1970 was subsequently omitted by section 4 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amend- ment Act, 1974 (Tamil Nadu Act 32 of 1974). Land Reforms (Fixation t1961: 'f. N. Act se of Ceiling on Land) commencement of this Act, the ceiling alea of any person holding land on the date, of the commencement of this Act in excess of 30 standard acresz— (a) any transfer, Whether} by sale (including sale in execution of a decree or order of a civil court or of an award 01 order of any other lawful authority) or by gift (other than gift made in contemplation of death), exchange, surrender, settlement or otherwise ; or (b) any sub-division (including sub-division by a decree or order of a civil court or any other lawful authority) whether by partition or otherwise ; effected on or after the notified'dato and before the publica- tion of a notification under sub-section (1) of section 18 shall be, and shall be deemed•always to have been, void and accordingly the authorized offcOr shall calculate the ceiling area of such person as if no such transfer or sub-division had taken place. Explanation.—This sub-section shall, on and from the 15th day of February 1970, have effect as if for the 30 standard acres ", the figures and figures and words ' 15 standard acres " had been substituted; words (2) It siaall be the duty of the authorized offcer to include the land so transferred or sub-divided, within the ceiling area of the transferor or the person who held the Jand ;mmmediately before such. sub-division, as the case may be, as if no such transfer or sub-division had taken' place, CHAPTER Iv. CONSTITUTION AND FUNCTIONS OF THE LAND BOARD, Constitution 24. ** (1) The Government may constitute for the of the Land State a Board called the 1[Tamil Nadu Land Board]. Board. (2) The Land Board shall consist of— (a) one judicial omcör who is, or is qualified for appointment as, or a person who has been, a Judge of a High Court, nominated by the Government ; 1 This expresssion was substiiüted for the expression " Midtoß Laid Board " by paragra#ii the Schedule to, the Tamil Nidu'Adaptation of Laws "(By virtue. of section • 6 Of; the.Tami Nadu Land tiöff9fiCeiling on La9d) dment.Act g \$439 of 1972). on and 'frEthe{dåbfö f e;Land ' stOédi*60lisheg; 8 tbëreof cébed to hold office#ssÜéh andsthé cöi*uencee I n d2in the said sectiion föllowed.- 1961: T.N. Act 58] Land

Reforms (Fixation of Ceiling on Land) (b) the Land Commissioner, e*-oficio ; 1025 one *member of the Board of Revenue (other than the !Land Commissioner) nominated by the Govern- ment ; (d) two non-omcial members nominated by the Government.] (3) The member referred to in clause (a) of sub- section (2) shall be the Chairman of the Land Board. The Secretary to the Land Board shall be a Gazetted Officer nominated by the Government, but he shall not be entitled to vote. (4) (a) The term of office of a member referred to in clause (a) or (d) of sub-section (2) shall be three years o: auch shorter period as the Government may fix nd such member shall bé eligible for re-nomination. (b) Any member referred to in clause (a) or (d) of sub-ception (2) shall be deezned to have, vacated his seal if he absent's himself without excuse, suffcient in the opiniOn of the Land Board, from the meetings of the Land Board, for a period of three consecutive months reckoned from the date of the commencement of his term of omce or of the last meeting which he attended, as the case may be, or if, Nvithin the said period less than three meetings have been held, absents himself from three consecutive meetings held after the said date : Provided that no meeting from which a member ..himself shall be counted against him under this clause if due notice of that not given to him, Clauses * 'ihxwhich was. déemed into force on the 1972=— 1st. Directortof Animal ex- otgeto, méinbersqnominated bi i Å+â•nment. " 19(1) 1 Board of Revenue deemed to be ja refe• rence to Mthe Appropriate Authority *ibéclfiéd in notification under sub-section (1) of section 4 of the said Act, 1026 Land Reforms (Fixation of (1961: 'LN. Act 58 Ceiling on Land) (5) A member referred to in clause (a) of su b-section (2) may, at any tim,) by noticedp writing to the Govern- ment, and a member referred to in clause (d) of that sub- section may, at any time by nptice in writing to the Chair- man, resign his omce, but he shall continue in office until the nomination of his successor, (6) (a) A casual vacancy in the omce of a member referred to in clause (a) or (d) of éu b-section (2) shall be filled by fresh nomination, (b) The person nominated to fill a casual vacancy under clause (a) shall hold. omce for a period of- three years or for such shorter as the Government may fix and he Ghall be eligible foffre-nomination. 25, The Land Board shall perform such functions Functions of the Land as are assigned to it by or under this Act. Board, 1[26. 1 27, IThe following sections were omitted by section 3 (10) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemyd to have come Into force on the 1st March i972 " 26. Applicati(n to the Land Board for future acquisition of land for dairy farming or livestock breeding—Any person desiring to acquire in excess of the ceiling area any land for dairy farming or livestock breeding shall make an application to the Land Board for permission to acquire Buch land, Every such application shall be in writing and sh ill contain— (a) the extent and other particulars of the land proposed to be acquired and those of the land, if any, already held by the applicant ; (b) the approximate number of heads of cattle proposed to be kept in the land, their breed and special features ; and (c) such other particulars as may be prescribed

27. Decision of the Land Board in respect of land to be used jor dairy farming or livestock breeding.—On receipt of a copy of the return, additional paticulars, or information, as the case may be, forwarded by the authorized offcer under clause (b) of sub-section (3) of section 9, or on receipt of the application under section 26, the Land Board shall, after making such enquiry and ins- pection of the land or livestock, as it deems fit and after satisfying itself that the land in respect of which permission is requiréd could with advantage be used for dairy farming or livestock breeding, gant the permission for the whole or part of such land and subject to such conditions 4s it deems fit or refuse to grant such permission, " 1961: T,y. Act 1 29' Land Reforms 1027 IThe f8110winÉ' sections were omitted 3 (10) of the Tamil Nadü Länd Reforms (Fixation of Ceiling Land) Fourth Amendment&.Act, 1972 (Tamil Nadu Act 39. 0% 1972), which was deemed to have come into force on the 1st N:fäfch 1982 28. Matters to be considered by the Land Board when granting or refusing permission under section 27.—The Land Dard shall, in deciding whether to gant or refuse permission under section 27, take into consideration the following matters, namely :— (a) the interest to be served by the development of dairy farming or livestock breeding ; (b) the status and previous experience, if any, 01' the person concerned ; (c) the suitability of the land to be used for dairy farming or livestock breeding ; (d) the number of heads of cattle, if any, owned by the Der- son concerned, their breed and special features ; (e) the land already owned by the applicant for the purpose of cultivation ; and (f) such other matters as may be prescribed

29. Cancellation of permission granted under section 27.— The Land Board may cancel the permission granted under section 27— (a) on the breach of any condition specified by the Land Board under section 27, or (b) if the land in respect of which the permission was granted is us 3d ot allot,ved to

be used for any purpose other than for dairy farming or livestock breeding, or (c) if, as a result of any irrigation project constructed at the cost of the Government, the land in respect of which the permission was granted, could with advantage, be cultivated, or (d) if the person concerned has obtained the permission by fraud or misrepresentation : Provided that no such permission shall be cancelled unless a reasonable opportunity has been given to the person likely to be affected by such cancellation to show cause against such cancellation," 1028 Land Reforms (Fixation of [1961: T.N. Act 58 Ceiling on Land) 30, Any owner of plantation in existence [on the date Application to the Land of the commencement of this Act] in any area * Board for * *] desiring to acquire in excess of the ceiling area future acquisition of land interspersed land which is interspersed among plantations or is contiguous to any plantation and which may be required for contiguous the extension, or for ancillary purposes, of the plantation to any Plaa- 814 make an application to the Land Board for permission to acquire such land. ' Every such application shall be in writing and shall contain— (a) the extent and other particulars of the land proposed to be acquired and those of the land, if any, held by the applicant ; (b) such other particulars as may be prescribed

31. On receipt of a copy of the return, additional particulars or information, as the case may be, forwarded in by the authorized officer under clause (a) of sub-section (3) Board of section 9 or on receipt of the application. under section respect land inter- 30, the Land Board shall, after making such enquiry and inspection of the land and the plantation specified in among contiguous the application as it fit and, after satisfying itself any that the land in respect of which permission is required to is necessary for the extension for ancillary purposes, plantation. of the plantation, grant the permission for the, or part of such land and subject to such conditions as it deems fit, or refuse to grant such permission : Provided that the extent of land which is to any plantation and respect of which land permission is granted shall in no case exceed twenty per centum of the total extent of such plantation. LBi, This "provision was introduced by QCA Land Reforms (Fixation- of Ceiling. on Land) Third "Amendment Act, 1974 (Tamil Nadu Act 30 of 1974), which was deemed to have come into force on the 6th April 1960, for the expression "on the 6th day of April 1960 within two weeks of the date of this by section 3 (3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 2 The words "other than hill area" were omitted by section 3(8) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 . (Tamil Nadu Act 20 of 1972), which was to have come into force on the 1st March 1972, 1961: T.N. Act 58] Reforms of Ceiling on Land) 1029 32, The Land Board shall, in deciding whether to grant or refuse permission under section 31, take into consideration the following matters, namely the Land Board in (i) area under plantation and area required for granting refusing ancillary purposes of the plantation ; permission under section 31. (ii) lands necessary for factories; labour quarters, and other ancillary, buildings and other matters as may be determined by the Land Board. 33. The Land Board may cancel the permission granted Cancellation under section 31— Of permission granted under (a) on account of breach of any condition specified by the section 31 Land Board under section 31, or (b) if the land in respect of which the permission was granted is used for any purpose other than for the purpose of extension, or for ancillary purposes, of the plantation, or (c) if the person concerned has obtained the permission by fraud or misrepresentation : Provided that no such permission shall be cancelled unless a reasonable opportunity has been given to the person likely to be affected by such cancellation to show cause against such cancellation

34. The decision of the Land Board granting or Decision of refusing permission under [section] 31 or cancelling. the Land Board to be permission under [section 33] shall be final and shall not be called in question in any court. 1 These expressions were substituted for the expressions "section 27 or 31" and "section 29 or 33" respectively by section 3 (11) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972. 125-6—66 1030 Land Reforms (Fixation of Ceiling on Land) [1961: T.N. Act Meetings of 35, (1) The Land Board shall meet at such times and the Land places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed. Power of Land Board to rectify bona-fide mistakes and clerical errors. (2) The Chairman, or in his absence, such member as may be chosen by the members present from among

themselves shall preside at a meeting of the Land Board, (3) No member of the Land Board shall vote on, or take part in, the discussion of any question coming up for consideration at a meeting of the Land Board, if the question is one in which he is directly or indirectly interested, (4) All questions at a meeting of the Land Board shall be decided by a majority of the votes of the members present and voting and in the case of an equality of votes, the Chairman or in his absence, the member presiding shall have a second or casting vote. (5) All communications and orders of the Land Board shall be issued by the Secretary or by such officer subordinate to him as may be authorized by the Land Board in this behalf

36. The Land Board may, either of its own motion or on the application of any of the parties—(a) if it is satisfied that a bonafide mistake has been made in regard to any decision, make the necessary correction therein ; (b) at any correct any clerical or arithmetical mistake in its decision. 37, No act of the Land Board shall be deemed to be Act of Land . Board not Invalid by reason only of a defect in its constitution or on to he invali- the ground that the Chairman or any member had dated by to hold his office or by reason of such act having been done during the period of any vacancy in the office of Chairman or any member of the Land Board. Laid Reforms & Bill No. 1031 of 1961. CHAPTER IV-A, PEI MISS 10fi*4 GOVERNMENT TO HOLD IN EXCESS LAND BY INDUSTRIAL OR COMMERCIAL UNDERTAKINGS. 37-A. (1) If any industrial or commercial undertaking Industrial or desires to hold or acquire any land in, excess of the ceiling commercial area, it shall make an application to the Government undertaking to apply to for permission to hold or acquire such land. Every Government such' application shall be in writing and shall contain such particulars as may be prescribed. Sion to hold excess land. " industrial or com- Explanation.—In this section, mercial undertaking " means any industrial or commercial undertaking (other than a co-operative society) which bonafide carries on any industrial or commercial operation. (2) The Government may grant the permission for the whole or part of the land specified in the application subject to such conditions as they deem fit or refuse to grant such permission. The order granting such permission shall contain the particulars of the land in respect of which such permission is granted. (3) The Government shall, in deciding whether grant or refuse the permission under sub-section (2), take into consideration the following factors, namely : (a) the nature of the industrial or commercial operation ; (b) whether the excess land is required for immediate use or use in future ; - and (c) such other particulars as may be prescribed. (4) Notwithstanding anything contained in this Act, no industrial or commercial undertaking which has been approved by the Government under clause (iv) of section 73 before the date of the publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972, in the Tamil Nadu Government Gazette, shall be entitled to hold or acquire land in excess of the ceiling area unless such industrial or commercial undertaking has obtained the permission of the Government under this section in respect of such excess land. 1 This Chapter was inserted by section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972. 103 2 Land Reforms (Fixation of Ceiling on Land) 1961: T.N. Act 58 (5) The Government may cancel the permission in respect of any land granted under this section on the breach of any condition specified by the Government.] 1138 to 49 in The following Chapter V and sections 38 to 49 y, pre.mitted by section 3 (9) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act; 41 "CHAPTER V. CONSTITUTION AND FUNCTIONS OF THE SUGAR FACTORY BOARD

38. Constitution Sugar: Factory The Government may constitute for the State a Board called the Tamil Nadu sugar Factory Board. (2) The Board shall consist (a) one who is or is as, or a person who has been, a Judge of a High Court, nominated by the Government ; (b) two officers in the opinion of the Government who have knowledge in financial matters relating to sugarcane cultivation, . nominated by the Government: (c) the Secretary to the Government in the Department dealing with sugar factories, ex-officio ; (d) the Director of Agriculture, ex-officio. (R) The member referred to in clause (a) of sub-section (2) shall be the Chairman of the Sugar Factory Board and the member referred to in clause (c) or (d) of the said subsection as may be nominated by the Government shall be the Secretary to the Sugar Factory Board. (4) (a) The term of office of a member referred to in clause (a) or (b) of sub-section (2) shall be three years or such shorter period as the Government may fix and such member shall be eligible for renomination. (b) Any member referred to in clause (a) or (b) of sub-section (2) shall be deemed to have vacated his seat if he absents excused, sufficient in the opinion of the Sugar Factory Board from the meetings of the Sugar Factory Board for a period of three consecutive months reckoned from the date of

the commencement of his term of or of the last meeting which he attended, as the case may be. or if, within the said period less than three meetings have been held, absents himself from three consecutive meetings and after the said date : (cont). 1961: T.N. Act 581 Land Reforms (Fixation of Ceiling 1033 Provided that no meeting from which a member absents himself shall be counted against him under this clause due notice of that meeting was not given to him. (5) A member referred to in clause (a) of sub-section (2) may, at any time by notice in writing to the Government and a member referred to in clause (b) of that sub-section may, at any time by notice in writing to the Chairman, resign his office, but he shall continue in office until the nomination of his successor. (6) (a) A casual vacancy in the office of a member referred to in clause (1) or (b) of sub-section (2) shall be filled by fresh nomination. (b) The person nominated to fill a casual vacancy under clause (a) shall hold office for a period of three years or for such shorter period as the Government may fix. He shall be eligible for re-election. 39. Functions of 'the Sugar Factory Board.—The Sugar Factory Board shall perform such functions as are assigned to it' by or under this Act, 40, *in respect of the Sugar Factory Board. In respect of land which is used for the purpose of a copy of the return, additional particulars or information, as the case may be, for the authorized officer. 41. Sub-section (4) of section 9, the Sugar Factory Board shall, after making such inquiry and inspection of the land and the existing sugar factory as it deems fit and after satisfying itself that the land held by the existing sugar factory as owner and in respect of which permission is required, could with advantage be used for the cultivation of sugarcane for use in the factory, grant the permission for the whole or part of such land and subject to such conditions as it deems fit or refuse to grant such permission. (2) Notwithstanding anything contained in this Act, where any land is held by any existing sugar factory as tenant or as possessory mortgagee and where such land together with the other land, if any, held by the landowner or the possessory mortgagor is not in excess of the ceiling area of the landowner or the possessory mortgagor, the Sugar Factory Board shall permit the existing sugar factory to continue to hold such land 'on lease or on possessory mortgage on existing terms and conditions or on such other terms and conditions as may be agreed to by the landowner or the possessory mortgagor and the existing sugar factory. (3) Where the surplus land of the landowner or the mortgagor or any portion thereof is held by the existing sugar factory as tenant or as possessory mortgagee, the Sugar Factory Board may make such recommendation to the Government as it deems fit in regard to the disposal of such surplus land under (cont.) section 94. 1034 Land Reforms (Fixation of Ceiling) [1961 : TON, Act 581 Ceiling on Land) 41. Matters to be considered by the Sugar Factory Board when granting or refusing permission under section 40.—The Sugar Factory Board shall in deciding whether to grant or refuse permission under section 40 take into consideration the following matters, namely : (a) the requirement of the existing sugar factory ; (b) the financial structure of the existing sugar factory; and (c) such other matters as may be prescribed

42. Application by any existing or new sugar factory for future acquisition of land,—(i) Any existing sugar factory desiring to acquire any land in excess of the ceiling area, or of the extent of land permitted to be held under section 40, or (ii) any new sugar factory desiring to acquire any land in excess of the ceiling area, shall make an application to the Sugar Factory Board for permission to acquire such land. Every such application shall be in writing and shall contain— (a) the extent and other particulars of the land proposed to be acquired and those of the land, if any, already held by the applicant ; (b) such other particulars as may be prescribed

43. Decision of the Sugar Factory Board in respect of land to be acquired by existing or new sugar factory.—On receipt of the application under section 42, the Sugar Factory Board shall, after making such enquiry and inspection of the land and the existing or new sugar factory specified in the application as it deems fit and after satisfying itself that the land in, respect of which permission is required could with advantage be used for cultivation of sugarcane for use in the existing or new sugar factory, grant the permission for the whole or part of such land and subject to such conditions as it deems fit or refuse to grant such permission

44. Matters to be considered by the Sugar Factory Board when granting or refusing permission under section 43.—The Sugar Factory Board shall, in deciding whether to grant or refuse permission under section 43, take into consideration the following matters, namely— (a) the situation of the existing or new sugar factory ; (b) the requirement of the existing or new sugar factory; (c) such other matters as may be prescribed.

45. Cancellation of permission.—(1) If it appears to the Government that— (a) the permission granted by the Sugar Factory Board under section 40 or 43 has been obtained by misrepresentation or fraud, or (b) any condition specified by the Sugar Factory Board under section 40 or 43 has been contravened, the Government shall constitute a Sugar Factory Tribunal, consisting of a Judge of a High Court and refer the matter to such Tribunal. (2) If, on such reference, the Sugar Factory Tribunal finds that— (a) the permission granted under section 40 or 43 was obtained by the sugar factory concerned by misrepresentation or fraud, or (b) any condition specified by the Sugar Factory Board under section 40 or 43 has been contravened, the Sugar Factory Tribunal shall either cancel the permission or pass such other order as it deems fit : Provided that no order shall be passed under this sub-section unless a reasonable opportunity has been given to the sugar factory concerned to show cause against such order. (3) The Sugar Factory Tribunal shall in deciding any reference under, this section have such powers and shall follow such procedure as may be prescribed

46. Decision to be final in certain cases. Subject to the provisions of section 45, the decision of the Sugar Factory Board granting or refusing permission under section 40 or 43 shall be final and shall not be called in question in any Court. (2) The decision of the Sugar Factory Tribunal under section 45 shall be final and shall not be called in question in any Court. (3) Meetings of the Sugar Factory Board shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at meetings, as may be prescribed. The Chairman or in his absence such member as may be chosen by the members present from among themselves shall preside at a meeting of the Sugar Factory Board. (4) No member of the Sugar Factory Board shall vote on, or take part in, the discussion of any question coming up for consideration at a meeting of the Sugar Factory Board, if the question is one in which he is directly or indirectly interested. (5) All questions at a meeting of the Sugar Factory Board shall be decided by a majority of the votes of the members present and voting and, in the case of an equality of votes, the Chairman or in his absence, the member presiding, shall have a second or casting vote. (6) All communications and orders of the Sugar Factory Board shall be issued by the Secretary or by such officer subordinate to him as may be authorized by the Sugar Factory Board in this behalf

48. Power of Sugar Factory Board and Sugar Factory Tribunal to rectify bona fide mistakes and clerical errors.—The Sugar Factory Board or the Sugar Factory Tribunal may, either of its own motion or on the motion of any member, (a) if it is satisfied that a bona fide mistake has been made in regard to any decision; make the necessary correction therein ; (b) at any time, correct any clerical or arithmetical mistake in its decision

49. Act of Sugar Factory Board not to be invalidated by infirmity. The act of the Sugar Factory Board shall be deemed to be invalid by reason only of a defect in its constitution or on the ground that the Chairman or any member had ceased to hold his office or by reason of such act having been done during the period of any vacancy in the office of the Chairman or any member of the Sugar Factory Board. [Earlier, in section 42, the words "for cultivation of sugarcane for use in the existing or new sugar factory, shall make an application to the Sugar Factory Board" were substituted for the words "shall make an application to the Sugar Factory Board" by section 4 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965)]. 1961 : Act 581 Land Reforms (Fixation of Ceiling on Land) CHAPTER VI. * 1037 AMOUNT PAYABLE FOR LAND. ACQUIRED] 50:- (1) . Every person whose right, title or interest in any land is acquired by the Government under Chapter II of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 shall be paid an amount according to the rate specified in the Schedule III for land acquired by or for such right, title or interest in any such land. the Government. 1 e.T&mheading. was- substituted for. the heading "COMPENSATION" April 2 This ". Word was substituted for the word "compensation" by section 50 (b), ibid. This expression was inserted by section 4(3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978 (Tamil Nadu Act 25 of 1978), which was deemed to have come into force on the 1st March 1972. *The additional assessment, additional water cess or surcharge payable under the Tamil Nadu Additional Assessment and Additional Act, 1963 (Tamil Nadu Act 8 of 1963) or the Tamil Nadu Land Revenue and Water-cess (Surcharge) Act, 1965 (Tamil Nadu Act 34 of 1965), as the case may be shall not be deemed to

be land revenue for the purpose of calculating the amount payable under Tamil Nadu Act 58 of 1961. Please see section 1.7 (ii) of Tamil Nadu Act 8 of 1963 and section 15 (vi) of Tamil Nadu Act 34 of 1938 Land Fixation of [1961 : T.N. Act 38 Ceiling on Land] 11 Explanation. —*It is hereby declared that for the purposes of this sub-section "person" shall include family and that where any right, title or interest in any land held by a family or deemed to be held by a family under sub-section (2) of section 5, is acquired by the Government under Chapter 11, the amount payable under this sub-section shall be determined in respect of the whole of such right, title or interest of the family in such land as a unit, whether such right, title or interest is held individually or jointly by some or all of the members of that family]. (2) Any person claiming any 2[amount] under sub-section (1) may 3[within thirty days] from the date of the publication of the notification under sub-section (1) prefer the claim before Of section 18 * * * * the authorized officer in such form and containing such particulars as may be prescribed. This explanation was added by section 4 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 6th April 1960. 2 This word was substituted for the word "compensation" by section 5(v)(c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. 8 These words were substituted for the word "within sixty days" by section 3(12) (i) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on 1st March 1972. 4 The words 'or within such further time not exceeding thirty days as the authorized officer may in his discretion allow' were omitted by section 3 ibid. *Any proceeding taken or order under Tamil Nadu Act 58 of 1961 and disposed of the 2nd May 1962 and the 27th October 1978 contrary to the provisions of the said Act as amended by section 4 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979) shall be reopened within a period of five years from the 27th 1978 and disposed of in accordance with the provisions, of the said Tamil Nadu Act 58 of 1961 as so amended, Please see section 9 of Tamil Nadu Act 11 of 1979. 1961; TON. Act Land Reforms (Fixation of Ceiling on Land) 1039 (3) (a) The authorized officer shall determine the amount 11 *** *1 at the rate specified in Schedule III, and prepare 2[a draft assessment roll] in such manner and containing such particulars as may be prescribed. He shall cause it to be published together with— (i) a statement that the, amount ***] specified therein is the entire amount for all interests in the land and that subject to the other provisions of this Act, the named therein are the only persons who are entitled thereto in the proportion stated therein, and (ii) a notice stating that objections, if any, in respect of any entry in the draft may be preferred by any in such manner as may be 3[within thirty days] from the date of the publication : cause to be served (b) The authorized officer on the persons whose names appear in the draft aforesaid a copy of the draft together with a copy of the said statement and of the said notice. of compensation" were omitted by section 5 (v) 1 The words (d) (A) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. a These words were substituted for the words "a draft compensation assessment roll" by section 5 (v) (d) (B), ibid. s These words were substituted for the words 'within sixty days' by section 3 (12) (ii) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972; following proviso 3 (12) (ii) (b), "Provided that the authorized officer in his discretion, allow such further time not exceeding thirty days." [1961: T.N. Act 58 1040 Land Reforms (Fixation of Ceiling on Land) (4) The authorized officer shall consider any objection which may be preferred under sub-section (3) and after giving the parties a reasonable opportunity of being heard and of adducing evidence, if any, pass such order as he thinks fit and record the reasons therefore (5) When such objection, if any, in regard thereto has been finally disposed of, the authorized officer shall make such alteration in [the draft assessment roll] as may be necessary to give to any order made in regard to the objection and shall cause the draft so altered to be published finally in such manner as may be prescribed. (6) if no objection is preferred within the period the notice published under sub-section (3) specified in] the authorized officer shall cause [the draft assessment roll] to be published finally in such manner as may be prescribed, (7) Every entry in the 3 [] assessment roll published finally under sub-section (5) or sub-section (6) shall, except as provided in this Act, be final and conclusive evidence of— (a) the matters referred to therein; (b) the nature of the interest of the persons named therein

in; and (c) the apportionment of the 4[amount] among the persons claiming interest in the 4[amount]. 1 These words were substituted for the words "the draft compensa- tion assessment roll" by section 5 (v) (e) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. 2 The words "or within the further time allowed by the authorized . officer under that sub:section " were omitted by section 7 (2) (i) of the Tamil Nadu• Land'. Reforms (Fixation of Ceiling on •Land) Amendment Act; Nadu Act 11 of 1979), which was deemed to have comet intdTöfee on the 27th October 1978.1 3 The word "compensation" was omitted by sectioni 5 (y) (f) (A) of the Tamil Nadu Land Reforms (Fixation of Ceiling on land) Amendmert Act, 1979. (Tpni) Nadu Act 11 of 1979), '*which , wu deemed to have come into force on the 20th April 1592. This word was substituted for the word "compensation" by section S (v) (f) (B), ibid. 196E'r.K.ßAct58j9 LmzdR4fÆ(Fixatibnof 1041 Ceilinrãil.ünd) the * I ääé"ëshent roll has been PubfisHéd f nail' under (6), theiâüthâifzéd. omcer shall, withitfNéUéh• time as may be prescribed;' endorse a certificat é ih&ébn stating the date ofthefinal publicatiön thereofähH>ém11 date and subscribe the, his nqme and omciatdeSignation and such siälilé bönclüsive pro*6ÉÄiph publication and the qf ptibliëätion. (9) authorized omcer is satisfied either of his own motion or on the applicat.ioi 6f any of the parties that tra bonafide mistake has beenrm4de in regard to any entry in the 2[draft assessment roll or; in the] 11 assessment roll as published i finally, make necessary correction therein and on such cprrection being mede, the provi ;ions of sub-sections (3) to (8) shall, as far as may be, apply thereto, (10) Notwithstanding anything contained in sub- section (9), the authorized officer may at any time correct either of his own motion or on the application of any of the parties any clerical or arithmetical mistake in regard to any entry in the 2[drzft assessment roll or in the] * assessment 1'(311 as published finally. 51. (I) Where any surplus land acquired under the provi- Claims of sions of this Act is subject to a mortgage or charge subsisting mon tgagee or charge hol- on the date of the acquisition, the moftgatee or the charge der on sur- holder sh.c 11, where the amount due to him or part thereof plus gand. can be fixed by agreement, be paid such amount or part. Where no such agreement c.a.n be reached, the mortgagee or the charge holder shall 31 within sixty days] from the The word "compensation" was omitted by section 5 (v) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil NaduAct 11 of 1979), which was to have come into force on • the 20th April 1972. * These words were. inserted hy section 7 (2) (ii) of the Tamil Nadu Land Reformsr (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 1.1 of 1979), which was deemed to have come into force the 27th October 1978. a These words were substituted for the words "within nin.ety days" by section 3 (1 3; of the Tamil Nadu Land Reforme (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 29 of 1972), which was deemed to have come into force on the 1st March 1972. Claims of limited on surplus land, [1961: T.N. Act 58 1&\$2 Land Refonns (Fixation of Ceiling on Land) date of the acquisition, prefu• ? claim in such manner as may be prescribed before the authorized who shall, subject to the . provisions of subsection. (3),decide the claim in such manner as may be prescribed and !ecord the reasons for the 'decision. (2) Where there are more claimants than one, the authorized omcer shall settle the order in, which each clai- mant is entitled to receive the amount due to him, and in doing so he shall be guided by the appropriate provisions of the Transfer of Proper!y Act, 1882 (Central Act IV of 1882), (3) Where in the opinion of the authorized the decision of a claim under sub-section (1) or sub-section (2) involves a subétanti?l question of law or of fact, he shall, for reasons to be recorded in writing, refer the claim to the Land Tribunal for decision. (4) If the amount of claim allowed to the mortgage or the charge holder by the authorized omcer e*cceeds l[the amount payable under section 50, the entire amount payable under the said section 50] shall be paid to the mortgagee or the charge holder, at; the case may be, and the balance may be recovered by the mortgagee or the charge holder in accordance with law for the time being in force. 52. (1) Where any surplus land acquired under the provisior s of this Act is held by a limited owner on the date of the acquisition, the amount 21 * * I payable in respect of such surplus land under section 50 shall, subject to such conditions as may prescribed, be kept in before such authority as may be prescribed. The authorized oncer shall direct payment of the interest i from the a * * * so deposited to the person or persons who would, for the time being, have been entitled to the possession of the said land : This expression was substituted for the expression "the amount of compensation payable under section 50, the entire amount of such compensation" by section 5(vi) of Tamil Nadu Land Reforms (Fixation of Ceilling On Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April

1972. *The words " of compensation " were omitted by section 5(vii), *ibid.* I 1961 : T.N. Act 581 Land Reforms (Fixation of 1043 Ceiling on Land) Provided that where the limited owner has created an encumbrance over the surplus land referred to in this section, the whole or any portion of the interest aforesaid shall be paid to the encumbrancer, to the extent to which the is entitled and the balance shall be paid to the person or persons who would, for the time being, have been entitled to the possession of the said land.] referred to in sub-sec- (2) The amount * * * fion (l) shall remain so until the same is paid to any person or persons becoming absolutely entitled thereto, 53. Where any surplus land acquired under the provisions of this Act is on the date of the acquisition subject to a maintenance charge for payment of maintenance to another, the amount on surplus] payable in respect of surplus land under land, section 3-r'T Shall; subject to such? as may be kept in deposit before the authority as may be prescribed. Such amount * *] shall be deemed to be substituted security and, shall continue to remain such security till the death, of the maintenance- holder or till the right to receive ceases to exist or till the liability to pay maintenance is discharged, 54, (1) Where the contract of tenancy provides for the of the tenancy in respect of any surplus land payable] to that Nests in the Government under, Section 18, after the certain tenants. expiry of the agricultural year immediately succeeding the date. of such vesting, the tenant shall be entitled to 8[an amount] as specified in Schedule .IV: of compensation " were omitted by section 5(vii) of the Tamil Nadu Land Reforms. (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force On 20th April 1972. These words were substituted for the word " compensation ' by section 5(viii) (a), *ibid.* 8 These words were substituted for the words " compensation ' by section 5(viii) (b) (A), *ibid.* [1961 : T.N. Act 58 1044 Land Reforms (Fixation of Ceiling on Land) Provided that such tenant shall not be entitled to any amount in respect of such surplus land also under sub-section (1) of section 50. (2) The 2[amount] referred to in sub-section (1) shall be apportioned between the cultivating tenant and the intermediary concerned in the manner specified in Schedule 41 The amount payable under section 50] Mode of payment of as finally determined under this Act shall, within such amount of time as may be prescribed, be paid either in cash or in bonds or partly in cash and partly in bonds as the Government may deem fit. (2) The bonds shall be issued on such terms and carry such rate of interest as may be prescribed. The interests shall be paid— (i) in the case of any land held by any person referred to in clause (a) or (b) of sub-section (5) of section 18 with effect from the date of the publication of the notification, 4 under sub-section- (1) of section 18; and (ii) in any other case, with effect from the date taking possession of the land under (4) Of, section 18. 1 This word was substituted for the word " compensation " by section 5(viii) (b) (B) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972 * This word was substituted for the word " compensation " by section 5(viii) (c), *ibid.* 3 These words were substituted for the word " compensation " by section 5(ix) (a) *ibid.* 4 This expression was substituted for the expression " amount of compensation " by section 5(ix) (b), *ibid.* 1961 : T.N. Act 581 Land Reforms (Fixation of Ceiling on Land) CHAPTER VII. SURVEY AND SETTLEMENT OF LANDS IN THE TRANSFERRED TERRITORY. 56. (1) Every land in the transferred territory or part thereof shall, if such land or part thereof has not been surveyed in the transferred territory in accordance with the Provisions contained in the Tamil Nadu Survey and Boundaries Act, 1923 (Tamil Nadu Act VIII of 1923), be surveyed in accordance With the provisions of that Act 21 * * (2). The cost of the survey, except so much as is payable under the provisions of section 8 of the Tamil Nadu Survey and Boundaries Act, 1923 (Tamil Nadu Act VIII of 1923), shall be borne by the Government, 57. (1) The Settlement Officer shall effect 21 * * * Manner of effecting ryotwari settlement of every land in the transferred territory ryotwari or part thereof in accordance with a settlement notification framed and published by the Government for the purpose . (2) The said notification shall embody the principles adopted in making ryotwari settlements in ryotwari areas and shall adopt— (a) the rates of assessment set out in the settlement notification in force on such date and in such district as may be specified by the Government ; (b) if more than one such notification is in force in that district, the rates set out in one of those notifications which the Government consider to be the most appropriate to the case, (3) Neither the settlement notification nor any order passed in pursuance thereof shall be questioned in any court of law, * words were substituted for the word " Madras " by the Tamil Nadu Adaptation of Laws ; 1969, amended by the Tamil Nadu Adaptation of Laws (Second - Amendment) order, [1969. " within a period from the date of commencement of this Act" were

ohiEled Mby section 5 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Laid) Amendment Act, 1965 (Tamil Nadu Act IO of 1965), 125-6—67 1046 Land Reforms (Fixation of [1961 ; TON, Ceiling on Land) (4) For removal of doubts, it is hereby declared that nothing in this sectioff shall be construed to be in derogation of any law relating to the levy of tax on land in force in the transferred territory. 58. (1) As soon as may be, after the date of-the publi- Appointment and fur,ctions cation of this Act, the Government shall appoint one or of Secfle ment more Settlement Officers to cany out the functions and omcert. duties assigned to them by or under this Chapter. (2) Every Settlement Ofncer •shall be subordinate to the Lard Commissioner and shall be guided by such 12 wful instructions as he may issue from time to time and the Land Commissioner shall also have power to cancel or revise any of the orders, acß or proceedings of the Sett lemert Officer. [58*A. (1) Notwithstanding anything contained in Ryotwari settlcenvent to this Chapter, tae provisions of sections 56 to 58 shall be emected cease to e.,pply to every land in the transferred under2[Tamil (other than the Sreepade.m land belonging to thc Sreepa- Nadu Act] dam Palace) and in respeci of such land survey shall be 30 of 1964 in tail) cage. made and ryotwari settlement shall be effected in accor- dance with the provisions of the 81 Tamil (Trans- ferred Territory) Ryotwari Settlement Act, 1964 (31 Tamil Nadu] Aci 30 of 1964) and for the purposes of tnis Act such survey and settlement shall be deemed to be made and effected under this Chapter. (2) The provisions of sections 56 to 58 shall conti- nue to apply to the Sreepadam land belonging to the Sreepadam Palace.] i This secl ion was insmed by section 6 of the Tamil Nadu I.And Reforms (Fixat ion of Ceilil,g on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965.) * expression —was substituted for the expression "Madras Act" by paragraph 3 (2) the Tamil Nadu Adaptation of Laws Order, 1970. 8 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. ' TON, Act 58] Land Reforms (Fixation of 1047 1961 , Ceiling on Land) CHAPTER VIII,;. CULTIVATING,, TENANT'S CEILmd*ARBA

60. Chapter, ..'cultivating tenant's ceiling area' Definition of means 5 !étândård acrés héld by any-E person partly as cultivating tenant's cultivating tenant and partly as ownec•ortvholly as culti- ceiling area, Vâtiné teiäht} Expldnâtion.—For the purposesli.df., this Chapter, "cultivating tenant" includes any tenant wÅo is in actual posESSION of land but does not cÖntribute fi13 own physical labour or that of any member of his family in the culti- vatipnx offri9uph land. the Chapter, "date •Of; {he publication Certain definitions of this Act?? and "notified date" shall respectively mean for the "the 2nd May 1962" and "the 2nd October 1962." purpose of this Chapter. 61. (1) Every cultivating tenant Who holds on the Person hold. notified date land in excess of the cultivating tenant's ing land as cultivating ceiling area shall, within ninety days- from the said date tülant furnish to the authorized omcer a return containing the furnish following particulars, namely return in certain (i) particulars of the land, if any, which he holds Casey as owner , (ii) particulars of the land which he holds as culti , vating tenant ; 1 The following section was omitted by section 3 of the Tamil Nadu Land Refprms (Fixation of Ceiling on Land) Amendment Act, 1972 (Tamil Nadu Act 10 of 1972) "59, Provisions of this Chapter to remain in force for a per; 'of three years.—The provisions of this Chapter shall remain in force for a period of three years from the date of tnv publication of this Act. {a [Earlier the words "ten years", "eight years" and "six years" were substituted for the words "e;gh., years", "six years" and respectively by section 2 of the Tamil Nadu 'ft hree years" Land Reforms (Fixation of Ceilil g on Land) Amendment Act, 1970 (Tamil Nadu Act 9 of 1970) by ion 2 of the Tamil Nadu Laüd Reforms (Fixation of Ceiling on Land) AmeLdment Act! , 1967 (Tamil Nadu Act, 22 of 1967) and by section 7 of the Tamil Nadu Land Reforms (Fixation of Ceilir,g on Latd) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965). This section was inserted by section 2 (10) of the Tami! Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970) which was den.u?d to have conu into force on the 15th Februaury 1970. 125-6—67A Land Reforms (Fixation oj JO Ceiling on Land) (iji) particulars of the name and address of the land owner concerned ; and (W) such other particulars as may be prescribed. the case of a member of the Armed Forces, the return under sub-section (1) shall be furnished within six months after the Proclamaüion of Emergency has ceased to operate. (2) If any cultivating tenant who has held land iD exces;; of the cultivating tenant's ceiling ara, fails to furnish the return. under. sub-section (1): or furnishes an incorteet or incomplete return unde that sub-section; the}author' omcor may, by notice, require such cultivating tenan to furnish the ;rpturn or the additional , pertieularsr as the case may be, withih the time specified in or within such-furthef time not exceediné phirty days the authorised officer may, in his discretion, allow. (3) (a) Where any cultivating tenant on

whom notice under sub-section (2) has been served fails to furnish the return or the additional case, may be, within the time specified in that notice: or, within the further time, if any, allowed by the authorized officer under sub-section (2), the authorized officer may obtain in such manner as may be prescribed the necessary information either by himself or through such agency as he thinks fit. (b) The authorized officer shall, as soon as may be after obtaining the information under clause (a), give to the cultivating tenant concerned a reasonable opportunity of making his case and of adducing evidence, if any, in respect of such information and consider any such representation and evidence and pass such orders as he deems fit.

1 This explanation was added by section 6(iv) of the Tamil Nadu Tenancy (Amendment) Act, 1965 (Tamil Nadu Act 9 of 1965).

1049 Authorized officer to take possession of land in excess of the cultivating tenant's ceiling area, 1961 : TON, Act 58) Land Reforms (Fixation of Ceiling on Land) 62. On the basis of the return furnished under sub-section (1) of section 61 or on the basis of the return furnished under sub-section (2) of that section, and the additional particulars, if any, furnished under that sub-section, or the basis of the information obtained by the authorized officer under clause (a) of sub-section (3) of section 61, and the orders passed on the representation and the evidence, if any, under clause (b) of sub-section (3) of that section, the authorized officer shall, subject to such rules as may be made in this behalf and subject to the rights of the owner of the land, take possession on behalf of the Government, of the land held by the person as cultivating tenant and in excess of the cultivating tenant's ceiling area : Provided* that the authorized officer shall not take possession of such land unless he has given, a reasonable opportunity of being heard to the land owner and the cultivating tenant concerned : Provided further that the authorized officer shall give in such manner as may be, prescribed, not less than three months' notice in writing intimating the cultivating tenant of his decision to take possession of the land and the notice shall expire with the end of the agricultural year in which such notice is given : 1[Provided further that the authorized officer may, for reasons to be recorded in writing, permit the possession of the land* held by the person as cultivating tenant and in excess of the cultivating tenant's ceiling area, if the total extent of such excess land does not exceed half an acre in the case of wet land and one acre in the case of dry land, irrespective of the assessment of such land.] Provided also that where there is any crop standing on such land on the date of the expiry of the notice aforesaid, the authorized officer may postpone taking possession of the land and permit the harvest of such crop by the person who had raised such crop. 1 This proviso was inserted by section 3 (10) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1972 (Tamil Nadu Act 20 of 1972) which was deemed to have come into force on the 1st March 1972.

1050 Land Reforms (Fixation of Ceiling on Land) 63. (1) With effect on and from the date on which authorized officer takes possession of the land under section 62, the Government shall be deemed to be tenant of the owner of the land, (2) In respect of the land referred to in sub-section (1), the Government shall be liable to pay annually to the owner of such land fair rent as calculated in the manner specified in paragraph 4 of Part I of Schedule III, rent shall be paid in cash or in kind in accordance with such rules as may be made by the Government. (3) If any dispute arises in regard to the rent payable under sub-section (2), either party may make an application to the Land Tribunal within whose jurisdiction referred to in sub-section (1) or the major part is situated for deciding such dispute. 64. (1) The authorized officer shall distribute portions of the land, the possession of which he has taken under section 62, to the landless or to persons in possession of land below the cultivating tenant's ceiling area. (2) The distribution under sub-section (1) shall be in accordance with such rules and subject to such conditions as may be prescribed. Such rules may also provide for the manner of recovery of any amount due to the Government from, and the manner of evicting, the person to whom such distribution is made. A authorized officer empowered to summarily dispossess persons in certain cases, 65.- The authorized officer may summarily (i) any person to whom any land has been distributed under section 62 if such person fails to comply with conditions subject to which the distribution was made, or contravenes any rule made under this Chapter ; (ii) any other person occupying such land in contravention of the provisions of this Chapter or thereunder, 1961 TN. Act Land Reforms (Fixation of Ceiling on Land) 1051. Where, in respect of any land the possession of which has been taken by the authorized officer under section 62, the contract of tenancy provides for the continuation of the tenancy after the expiry of the agricultural year immediately succeeding the date of taking such possession, the Government shall pay to the tenant 2[an amount] as provided in sub-section (2). C) The amount payable to any tenant under sub-section (1) shall be one-eighth of the annual value of the land calculated in the manner in Part V of Schedule III, 5011 of such amount, three-fourths shall be paid to the cultivating tenant and one-fourth to the intermediary,

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any University constituted by any law any land assigned by the Government to, and held by, any Land Colonisation Co-operative Society any land in respect of which the Government have granted permission to any industrial or commercial undertaking under section 37-A and such permission continues in force : Provided that such land shall be exempt only so long as the conditions, if any, specified by the Government are complied with 1 This clause was substituted for the following clause section 3 (9) of the Tamil Nadu Land Reforms (Fixation of on Land) Third Amendment Act, 1972 (Tamil Nadu Act 37 1972), which was deemed to have come into force on the 1st March 1972:- (ii) any land held by— (a) any charitable or educational institution of a public nature ; (b) any trust ; (c) any University constituted by any law ; 2 This clause was substituted for the following clause by section 3 (4) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act 1972 (Tamil Nadu Act 10 of 1974) which was deemed to have come into force on the 6th April 1974 " (iii) any land owned by such co-operative societies [than societies registered or deemed to have been registered under the Madras Co-operative Societies Act, 1932 (Madras Act VI of 1932) or under the Travancore-Cochin Co-operative Societies Act (Travancore-Cochin Act X of 1952)] as are approved by the Government ;" This clause was substituted for the following clause by section 3 (11) (a) of the Tamil Nadu Land Reforms (Fixation of on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972 " (iv) any land held by any industrial or commercial undertaking (other than a co-operative society) which, in the opinion of the Government, bona fide carries on any industrial or commercial operation and which is approved by the Government: Provided that such approval shall be subject to such as may be prescribed : •Provide:} further that such land shall be so long; as the said conditions are complied with;" 1961 : T.N. Act 58 Land Reforms (Fixation of Ceiling on Land) 1055 (vi) all plantations in existence on the date of the commencement of this Act 31 Provided that such plantations shall be exempt only so long as they continue to be plantations (vii) lands converted on or before the 1st day of July 1959 into orchards or topes or arecanut gardens, whether or not such lands are contiguous or scattered : Provided that such land shall be exempt only so long as they continue to be orchards, topes or arecanut gardens; (viii) any land used exclusively for growing fuel trees 4[on the 6th day of April 1960]: Provided that such land shall be exempt only, so long as such land is used for such purpose , (ix) Gramdan land and land donated for purposes of the Bhoodan Yagna , i The following clause (v) was omitted by section 3 (1) (b) Of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972 " (v) any land in any hill area; " 2 This expression was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 (Tamil Nadu Act 30 of 1974), which was deemed to have come into force on the 6th April 1960, for the expression " on the 6th day of April 1960" which in turn was substituted for the expression "on the date of the commencement of this Act " by section 3 (3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960. s This proviso was added by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1975 (Tamil Nadu Act 21 of 1975), which was deemed to have come into force on the 6th April 1960. This expression was substituted for the expression " on the date of the commencement of this Act" by section 3 (3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960, 1056 Land Reforms (Fixation of Ceiling on Land) (xi) any land— [1961 : T.N. Act 58 (a) interspersed among plantations, (b) contiguous to any plantation, or in existence on the date of the commencement of this Act] in any area] and in respect of which the Land Board has granted permission under section 31 and such permission continues in force ; (xii) any land awarded for gallantry to defence personnel : Provided that such land shall be exempt only for the lifetime of the person to whom the award was granted ; IT he following clause was omitted by section 3 (14) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972:— "(x) any land used exclusively for dairy farming or live- stock breeding and in respect of which the Land Board has granted permission under section 27 and such permission continues in force ; 2This expression was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1974 (Tamil Nadu Act 30 of 1974), which was deemed to have come into force on the 6th April 1960, for the expression " on the 6th day of April 1960 " which in turn was substituted for the expression- on the date

of the commencement of this Act " by section 3(3) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972 (Tamil Nadu Act 10 of 1974), which was deemed to have come into force on the 6th April 1960, the words " other than a hill area " were omitted by section 3(11)(c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972. The following clause was omitted by section 3(10) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1971 (Tamil Nadu Act 41 of 1971) " (xiii) any land used for the cultivation of sugarcane in respect of which the Sugar Factory Board has granted under section 40 or 43 and such permission continues in force under the Ceiling on Land 1057 175, the following sections were omitted by section 3(11) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971) " 74. Special provision for grazing lands.—Notwithstanding anything contained in this Act, if any person has, the date of the commencement of this Act, held land used exclusively for grazing and assessed to land revenue at Rs. 1.25 below per acre, he shall be entitled to hold such grazing land up to an extent of fifty acres in addition to the ceiling area. Provided, that nothing contained in this section shall entitle any person to hold land for grazing if such person has been granted permission by the Land Board under section 27 to hold any land for dairy farming or livestock breeding. Explanation.—Any land used exclusively for grazing shall not cease to be grazing land merely by reason of the ploughing or preparing the soil for the sowing of fodder seeds or of the raising or harvesting of fodder crops

75. Grazing land to be taken into account for ceiling area in certain cases.—If either of its own motion or on application by any person the Land Board decides that such grazing land as is referred to in section 74 has become fit for cultivation as a result of any irrigation project constructed at the cost of the Government, such land shall be taken into account for calculating the ceiling area and the person holding such land shall, within such time as may be prescribed, furnish a return containing the particulars required under section 8 and the provisions of section 9 and other provisions of this Act shall, as far as may be, apply to such return."

[Earlier, in section 74, the following proviso was inserted and in the original proviso for the word " Provided " the words " Provided further " were substituted by section 8 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965) " Provided that such person shall be entitled to such land only so long as land is used exclusively for grazing ".] 1060 Land Reforms (Fixation of Ceiling on Land) Act 58 of 1961 (2) The High Court, after giving the parties a reasonable opportunity of being heard, shall— (a) determine a case finally ; (b) remand a case ; (c) take additional evidence or require such evidence to be taken by the Land Tribunal. Explanation.—In this section and in section 78 " date of the decision," means the date on which such decision is communicated to the party concerned. Limitation 80. The provisions of section 4 and of sub-sections (1) of Act to apply and (2) of section 12 of the Indian Limitation Act, 1908 shall, as far as may be, apply to appeals under section 78 or 79. any appeal under section 78 or 79. The following section was omitted by section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972) which was deemed to have come into force on the 1st March 1972. Revision by the Land Tribunal.—The Land Tribunal shall call for and examine— (i) the record of any authorized officer within its jurisdiction in respect of any proceeding under section 12, 13, 14 (1), (2), (3) (5) or 50 (9), or (ii) the record of any proceeding under section 54; to satisfy itself as to the regularity of such proceeding or the correctness, legality, or propriety of any decision passed thereon; and if, in any case, it appears to the Land Tribunal that any such proceeding, decision or order should be annulled, reversed or remitted for reconsideration, it may pass accordingly : Provided that the Land Tribunal shall not pass any order to any party unless he has been given a reasonable opportunity of being heard. " [The brackets and figure " (3)" in clause (i) were earlier* by section 3 (12) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971* - (Tamil Nadu Act 41 of 1971).] 15 1961 : 78. T.N. Act 58] Land Reforms (Fixation of Ceiling on Land) CHAPTER XL APPEALS AND REVISION, 1059 (1) Against any decision of any authorized officer under section 9 (2) (b), 10 (3), (4), (5), 16 (3) (a) (iii), 20, 22, Tribunal. 30 (4), 51 (1), (2), 52, 61 (3) (b) or 102 (2) (b), the Government may within ninety days from the date of the decision and any person aggrieved by such decision, may within thirty days] from the date of such decision, to the Land Tribunal. (2) The Land Tribunal may admit an appeal presented after the expiration of the period mentioned in sub-section (1) 2[but not exceeding thirty days], if it is satisfied that the party concerned had sufficient cause for not

presenting it within the said period. On: fecei##'of an*pbéal undefr su b-section (1), the Land Tribunal, after gi+ingthe pdfié: a reasona ble oppor- Cunity of being heard, shall— (g) determine a case finally ; (b) kemand a casen; (c) take additional evidence or requite such evidence to be taken by the authorized officer. 79, (1) Against a decision of the Land Tribunal under Appeal to the sect.ion,,ll (3) or 77 (2) the Government . may; within High Court, sixty days from the date of the decision and any person aggrieved by su ch decisio.n may within thirty days from the date of ghe decision, appeal to the High Court : P'ovided that the High Court may admit an appeal presented after the expiration of the said period if it is satisfied that the party concerned had suffcient cause not presenting it within the said period. These words were substituted for the words '6 with in by section 3 (5) (a) of the Tamil Nadu Land sixty days Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil NadU Act 30 of 1972), which was deemed to have come into force on the 1st March 1972. 2 This expression was inserted bv section 3'(15) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was demed to have come into force on the 1st March 1972. 1060 Land Rejbrms (Fixation [1961 T, N, Act 58 of Ceiling on Land) (2) The High Court, after giving the partiesa leason- able opportunity of being heard, shall— (a) determine a case finally ; (b) remand a case ; (c) take additional evidence or require such evidenc to be taken by the Land Tribunal, Explanation.—In this section and in section 78 " date of the decision " means the date on which such decision is communicated to the party concerned. Limitation 80, The provisions of section 4 and of Act to apply and (2) of section 12 of the Indian Limitation Act, 1 to appeal (Central Act IX of 1908) shall, as far as may be, apply tq under sec- tion 78 or 79, any appeal under section 78 or 79. Omitted by section 3 (16) iThe following section was the Tamil Nadu Land Reforms (Fixation of Ceiling on Land* Fouri.h Amendment Act, 1972 (Tamil Nadu Act 39 of 19 which was deemed to have come into force On the 1st Ma " 81. Revision by the Land Tribunal.— —The Land Tribunal call for and examine— (i) the record of any authorized omcer within its juris in respect of any proceeding under section 12, 13;14 (1), (2), (5) or 50 (9), or (ii) the record of any proceeding e •Under sub-secti of section 54; to satisfy itself as" t0'thé or the correctness, legality, or passed theron;and if, in any gase, ittrappegrætp* that any such*" proceeding, , decisionroq, annulled, reversed or remitted for reconsidera on, It may accordingly : ProVidéthat the Land Tribunal shall hot *ass any ord dicial to anyparty unless he has been given a-reasonable op of being heard. Ohe brackets 'nd figure " (3)" in ear by section 3 (12) ot the Tamil Nadu Land) Reforms' - (F Ceiling; on { länd) Amendment Act, of 1971).] 1961 : T.N. Act 581 Land Reforms (Fixat ion of Ceiling on Land) 82. The Land Commissioner may call for and examine RevisiOn by the Land the record of any authorized officer in of anv pro- Commise qeeding l[under section 9 (3), 12, 13, 14 (1), 14 (2), i 7 (3) ' sioner. 18 (4), 50 (5) or 50 (9) or the record of any proceeding under sub-section (2) of section 54] and in respect of any other proceeding under this Act not beinÉ a proceeding in of which a suit or an appeal * the Land Tribunal is provided by this'Äét tow satisfy himself as.to the regularity of such proceediliÉ or the correctness, legality or propriety of anydecision of Order passed thereon; and%if, in any cases it appears to thet Land Commis- sioner that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsi- deration, he may pass orders accordingly : Land CommiSsidner shall not pass anyhi É#judicialto.anyparty unless%he• has been given a opportunity of being heard , 83, Subject to. the provisions of section 79, every Land Revision by Tribunal shall be deemed to be a court subordinate to the High Court. High Court for the purposes of section 115 of the Code of Civil Procedure, J 908 (Central Act V of 1908), and its orders shall be liable to revision 'by the High Court under the provisions of that section

84. The High Court, the Land Tribunal or the land Power to Commissioner may stay the execution of any decision or stay.order pegding the exercise of its or his powers under this Chapter This expression was substituted for the expression " under section 9 (3), 17 (3) or 18 (4) " by section 3 (17) (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amend- ment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972, the figures and having been earlier substituted for the figures anu brækets "9 (3)" brackets by section 3 (13) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 197] (Tamil Nadu Act 41 of 1971). 2 The words or revision" were omitted by section 3 (17) (ii) of the Tamil Nadu Land Rforms (Pixation of Ceiling on Land) Pourth AnendftEnt. Act, 1972 (Tamil Nadu Act 39 of '972), which wad demod to have come into force on the 1st March1972, 125«6.....68 1060 LaidReforms (Fixation [1961 {T, N, Act 58 of Ceiling on Land) (2) The High Court, after giving the partiesa reason- able opportunity of being (a) determine a case

finally ; (b) remand a case ; (c) take additional evidence or require such evidence to be taken by the Land Tribunal. Explanation.—In this section and in section 78 " of the decision " means the date on which such decision is communicated to the party concerned. Limitation 80, The provisions of section 4 and of sub-sections (1) Act to apply and (2) of section 12 of the Indian Limitation Act, 1908 to appeal (Central Act IX of 1908) shall, as far as may be, apply to under section 78 or 79. any appeal under section 78 or 79, Omilte(i by section 3 (16) of IThe following section was the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force On the 1st March 1972 " 81. Revision by the Land Tribunal.—The Land Tribunal may call for and examine— (i) the record of any authorized omcer within its jurisdiction r in respect of any proceeding under section 12, 13, 14 (1), (2), (3), (5) or 50 (9), or (ii) the record of any proceeding under sub-section (2) of section 54; to satisfy itself as to the regularity of such ing or the correctness, legality, or propriety of any decision or o passed thereon; and if, in any case, it appears to the Land Trib that any such proceeding, decision or order should be mo annulled, reversed or remitted for reconsideration, it may pass or accordingly : Provided that the Land Tribunal shall not pass any order dicial to any party unless he has been given a reasonable oppo of being heard. " I The brackets and figure " (3)" in clause (D were earlier by section 3 (12) of the Tamil Nadu Land Reforms (Fixa Ceiling on Land) Amendment Act, 1971' - (Tamil". Nadd ' of 1971),] [961: N. Act 58j -Laid - kefbhis 1063 (Fixdction 0f•CeUjng on Where the transfer or portion of any land has been Pinalty for declared to void undef section; any person has return show- in the return furnished by him un&r this Act specified ing land such land to be declared as surplus land of the transferor subject Io or of the person effecting the partition, the person so void trans- furnishing the return shall be punishable with imprison- fers or parti- tions under ment which may extend to six months or with fine which section 22 may extend to two thousand rupees-or with both.] as surplus land. person, on or after the notified date, volun- Penalty for tarilyacquires b! lease or possessory mortgage any land acquisition land, ifany, already held by him by lease or poSessory excaææ in 'theeaggfegate the ceiling area, he shall be mortgage in punishable with fine not exceeding one thousand rupees. excess of the ceiling area. 90, If any person wilfully contravenes any lawful order Penalty for passed under this Act or obstructs any person from lawfully contraven- taking possession of any land under any of the provisions tion of any lawful order. of this Act, he shall be punishable with fine which may extend to five hundred rupees. gg91. Ifany person, after the date of vesting in the Govern- Penaltyv for ment of any land acquired under this Act and before cutting trees or for rem«» disposal of such land under this Act, cuts or causes to be ving any cut, trees on the land, or removes or causes to be removed, machinery, azy building, 2[machinery, plant, apparatus, wells, filter etc, points or power lines] constructed, erected or fixed on the land and used for agricultural purposes, or does or causes to be done any act likely to diminish the utility of the land, he shall be punishable with imprisonment for a term whieh may extend to one year, or with fine not exce- ding one thousand rupees, or with both. 92. (1) If the person committing an offence under this Offences by Act is a company, the company as well as every person companies,â in charge of, and responsible to, the company for the 1 This sect ion was i.nserted by section 5 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974). a Th?se words were sub3titu'ed for th3 words " machinery, plant or apparatus " by secüon 3 (8) of t,h) Tam:l Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971), 125-6—68A 1064 [1961: r. N, Act 58 Land Reforms (Fixation of Ceiling on Land) conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be procee&d against and punished accordingly : Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence. (2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, any director, manager, secretary or other omcer of the company, such directors manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liabb to be proceeded against and punished accordingly. Explaation.—For the purposes of this section— (a) " company" means any body corporate and includes a firm or other association of individuals, and (b) " director " in relation to a, firm means a partner in the firm. Obiizance 93. (1) No court shall take cognizance of any offence of Offences, punishable under this Act except on complaint in writing made by the authorized omcer or any officer empowered by him by

special order. (2) No court inferior to that of a *Presidency Magistrate or a Magistrate of the first class* shall try any offence punishable under this Act. • According to clauses (a) and (c) of sub-section (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act of 1974), any reference to a Magistrate of the first class shall be construed as a reference to a Judicial Magistrate of the first class and any reference to a Presidency Magistrate shall be construed as a reference to a Metropolitan Magistrate with effect on and from 1st April 1974. 58L LatdRefbMSj(Fixation of 1065 Ceiling on Land) CHAPTER DISPOSAL OF LAND ACQUIRED BY GOVERNMENT UNDER THIS ACT. 94, (1) Subject to the provisions of sub-section (2) [Land Disposal of section 94-A] the Government may, after taking into land acquire consideration the objects specified in the preamble, make rules providing for the manner in which any land acquired by the Government under this Act shall be disposed of. 21 * (2) (a) In the disposal of the land acquired by the Government under this Act, the Government shall give preference to any person who is completely dispossessed of his holding, or whose extent of holding is reduced below 3 [three acres of dry land or one and a half acres of wet land] held by him partly as cultivating tenant and partly as owner or wholly as cultivating tenant, by virtue of the provisions of this Act. 5 [Explanation,—Where a person holds both dry and wet land, then, for the purpose of calculating the extent of his holding under this clause, one acre of wet land shall be deemed to be equal to two acres of dry land.] 1 These, words, figures and letter were inserted by section 3 (14) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). 2 The following proviso was omitted by section 7 (6) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 27th October 1978 "Provided that no such rules shall come into force unless they are approved by the Legislature." This expression was substituted for the expression "three standard acres" by section 3 (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1979 (Tamil Nadu Act 8 of 1980). 4 The following clause (b) was omitted by section 3 (14) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971): "(b) Where any surplus land acquired under this Act is held by any existing sugar factory as tenant or as mortgagee, immediately before the date of the acquisition, the Government shall, in the disposal of such land, take into consideration the recommendation of the Sugar Factory Board in that behalf," This explanation was added by section 3 (ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Act, 1979 (Tamil Nadu Act 8 of 1980). [1961: TON, Act 58 Land Reforms 1066 (Fixation of Ceiling on Land) 1[94-A. (1) Where any surplus land acquired by the Rules in respect of surplus Government land held by any sugar factory surplus land held • Immediately before the date of the acquisition, the Government by sugar factory and amendment shall make arrangement for the disposal of such land with sugarcane for supply to the sugar factory required Government, concerned. (2) The Government may make rules in respect of the lands referred to in sub-section (1) for the cultivation of sugarcane through a corporation (including a company) owned or controlled by the State and for such other matters in connection with the administration of such lands, (3) Notwithstanding anything contained in sub-section (1) or sub-section (2), the Government may, by notification, direct that it is not compulsory to cultivate sugarcane in any such land as is referred to in sub-section (1) and on the issue of such notification, the land concerned may be cultivated either with sugarcane or with any other crop. (4) Nothing in this section shall be construed as preventing the Government from making rules under section 94 providing for the manner of disposal of any surplus land acquired under this Act and held by any sugar factory immediately before the date of acquisition and accordingly, the Government may make rules under section 94 providing for the disposal of such land. 94-B. (1) Notwithstanding anything contained in Certain lands section 17 or any other provision of this Act or in any other to be held as tenant by the Corporation law for the time being in force, where immediately the date of the commencement of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971, any land is held as tenant by any sugar owner a contract of tenancy which is subsisting and land is within the ceiling area of the land owner concerned, such land shall be deemed to be held as tenant by the corporation (including a company), if any, referred to in sub-section (2) of section 94-A for the unexpired period of Sections 94-A, 94-B and 94-C were inserted by section 3 (15) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971), 1961; T.N. Act 58 1967 Land Reforms (Fixation of Ceiling on Land) the contract land for a period of years] after expiry of such contract] and

accordingly the said contract of tenancy shall force and effect against the said corporation and may be enforced or acted upon as fully and effectually as if in the place of the sugar factory, the corporation had a party thereto 3[and the amount of rent payable under the contract of tenancy shall be continued to be paid to land by the corporation]. (2) Nothing in this Act shall apply to any land referred to in sub-section (1) only so long as such land is deemed to be held as tenant by the corporation (including a company) under sub-section (1). 94-C. (1) Except as otherwise provided in sub-sections Exemption in aspect of (2) and (3) of section 5 and in section 6, nothing con*ained land held by in this Act shall apply to any extent of land not exceeding sugar factory 100 standard acres held by a sugar factory solely for research for reserch purposes, and seed farm purposes. (2) The question whether any land is held solely for research and seed farm purposes shall be decided by Government]. These words were inserted by section 2 (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1975 (Tamil Nadu Act 11 of 1975), which was deemed to have come into force on the 15th January 1972. a These words were substituted for the words "five years" by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1980 (Tamil Nadu Act 21 of 1980), which was deemed to have come into force on the] 5th January 1972. „rtion 2 (ii) of the Tamil Nada 'These words were added Land Reforms (Fixation of Ceiling on Land) Amendment 1975 (Tamil Nadu Act 11 of 1975), which was deemed to have into force on the 15th January 1972. Conversion Of one kind of land into anolher nct to affect ceiling area in certai cases. Decrease in number of members of family not o anect ceiling area. Appoint- {1961: T.. N, 1068 (Fixation of Ceiling CHAPTER MISCELLANEOUS. 95, Notwithstanding anything contained in this Act, where on account of any improvements. made in the land by or at the cost of the person holding such land, One kind of the lands specified in clause (40) of section 3 is converted into another kind of the lands specified in the said clause after the date of the publication of the final statement under section 12 or 14, such conversion shall not be taken into account in calculating the extent of land held by such person. But where such conversion cakes place as a result of any irrigation project construted at the cost of the Government, the land •so converted shall be reduced to standard acre according to the proportion specified in the clause aforesaid, and the ceiling area of such person shall be fixed in accordance with the provisions of this Act. 96, Notwithstanding anything contained in this Act, the extent of ceiling area wnich a famiij is entitled to hold under the provisions of this Act, immediately after the date of the publication of the final statement under section 12 or 14, shall not be reduced by reason only of any decrease after the said date in the number of members on such family : 1[Provided that nothing contained in this section shall be deemed to affect the refixation of the ceiling area under the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970.] 97. The Government may appoint any *member of the ment Of land Board of Revenue as Land Commissioner for the State to Commissi- exercise suell powers and discharge such duties as are oner. assigned to him by or under this Act. 2This proviso was added by section 2 (11) of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970), which was deemed to have come into force on the 15th February 1970, *By virtue of section 10 (1) of the Tamil Nadu Board of Revenue A'u l;tion Act, 1980 (Tamil Nadu Act 36 of 1980) any reference to the Member of the Board of Revenue shall be deemed to be a reference to the Appropriate Authority specified in the notification Under sub. section (1) of section 4 of the said Act. 1961 : T.N. Act 58] Land Reforms (Fixation of Ceiling on Land) 1069 98. The Government may issue such orders and directions of a general character as they may consider necessary in respect of any matter relating to the powers and dutiß of lhe authorized omcer, the Land Board 1 [* * a.nd the Land Commissioner. The authorized] and the Land Com- the Land Board, I * * missioner shall give effect to all such orders and directions. 99, (1) On the application of, any of the parties or of his own motion— (a) the ctor of the district may at any sta.ge after giving the parties a reasonable opportunity of being heard, tra.nsfers any application or other proceed- ing under this Act pending before any authorized omcer in the district for disposal to any other authorized omcer in the same district. (b) the Land Commissioner may at any stage after giving the parties a reasonable opportunity of being heard, transfer any application or other proceeding under this Act pending b. fore any authorized officer in any district for disposal to any other authorized omcer in an J othtr district. (2) Where; any application or proceeding has been transferred undi r sub-section (1), the authorized oncer to whom such transfr is made may, subject to any special directions given in the order of transfer, either hold the inquiry de novo or proceed from the stage at which the said application or other proce 3ding stood when it was transferred, 100. The authorized 2 [the Land Cammis- sioner or the Land Board] shall furnish to the

Government such returns, statistics, accounts and other information as the Government may, from time to time require, 101, The authorized officer may obtain from any Court, Land Board, [* *] Land Tribunal or other authority any information relating to any proceeding. The words " Sugar Factory Board " were omitted by section 3(16) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). These words were substituted for the words "the Land Commissioner, the Land Board or the sugar Factory Board" by section 3(17) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). The words " Sugar Factory Board " were omitted by section 3(18), *ibid*, Power of Government to issue orders and directions to the authorized officer, etc. Transfer of proceedings from one authorized officer to another, Returns and reports, Authorized officer empowered to obtain information from court, etc, [1961 : TON, Act 58 Land Reforms 1070 (Fixation of Ceiling on Land) pending before the authorized officer, and such Court, Land Tribunal or authority, as case may be, shall, if such information be available with it, furnish him with such information within a reasonable period. 102. (1) For the purpose of carrying into effect the provisions of this Act the authorized officer may, by notice, require any person to furnish any information from persons. Costs relating to the extent of land held by such person, the number of members of the family, if any, of such person, and such other particulars as may be prescribed. The person aforesaid shall furnish the information to the authorized officer within such time as may be specified in the notice or within such further time not exceeding thirty days as the authorized officer may, in his discretion, allow. (2) (a) Where any person on whom notice under sub-section (1) has been served fails to furnish the information within the time specified in that notice or within the further time allowed by the authorized officer under sub-section (1), the authorized officer may obtain, in such manner as may be prescribed, the necessary information either by himself or through such agency as he thinks fit. (b) The authorized officer shall, as soon as may be after obtaining the information under clause (a), give to the person concerned a reasonable opportunity of making his representation and of adducing evidence, if any, in respect of such information and consider any such representation and evidence and pass such orders as he deems fit

103. The costs of, and incidental to, all proceedings before the authorized officer, Land Commissioner, Land [* *] Land Tribunal or other authority Board, shall be in his or its discretion.

The words " Sugar Factory Board " were omitted by section 3 (18) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). * The words "Sugar Factory Board" were omitted by section 3 (19), *ibid*. Land Reforms (Fixation of Ceiling on Land) 104, The authorized officer or any person acting under his orders may at any time enter upon any land but not a dwelling-house, with such other officers or persons as he upon land considers necessary and make a survey and take measurements thereof or do any other act which he considers necessary for carrying out the purposes of this Act. 105. (1) No suit, prosecution or other legal proceeding indemnity. shall lie against the authorized officer, Land Board, [* *] Land Commissioner, Land Tribunal or other authority for anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder. (2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused by virtue of any provision of this Act or by anything which is in good faith done or intended to be done in pursuance of this Act or any rule or order made thereunder. 106, The Government may; for the purposes of this Preparation Act, cause to be prepared and published a record of rights of record in accordance with such rules as may be made by them, *107, Except as otherwise provided in this Act, no civil court shall have jurisdiction to decide or deal with any Civil courts, question which is by or under Act required to be decided or dealt with by the authorized officer, the Land Board, [* *] the Land Commissioner, the Land Tribunal or other authority. 1 The words " Sugar Factory Board " were omitted by section 3(20) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). 2 The words "The Sugar Factory Board " were omitted by section 3(21) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971), Court-fees. Delegation of powers, Power to make rules. 1072 Land Reforms (Fixation of Ceiling on Land) 108. The court-fee payable in respect (a) any suit under sub-section (3) of section 11, shall be twenty-five rupees ; (b) any appeal to the Land Tribunal under section 78, shall be five rupees ; (c) any appeal to the High Court under section 79 shall be twenty-five rupees ; (d) any application for revision by

the Land Tribunal under section 81 or for revision by the Land Commissioner under section 82, shall be one rupee ; (e) any application for revision by the High Court under section 83, shall be ten rupees ; (f) any other case, shall be such fee as may be prescribed. The Government may, by notification, direct that any power exercisable by the Land Commissioner or any authorized officer, under this Act or the rules made thereunder, shall in relation to such matters and subject to such conditions, as may be specified in such notification, be exercisable also by such officer or authority subordinate to the Government, as may be specified in the notification. 110. (1) The Government may make rules to carry out the purposes of this Act. (2) In particular; and without prejudice to the generality of the foregoing power, such rules may provide for— (a) all matters expressly required or allowed by this Act to be prescribed ; Act ; F' TON. Act 581 Land Reforms (Fixation 1073 of Ceiling on Land) (b) the manner of service of notice under this (c) the manner of giving reasonable opportunity or of adducing evidence under (this Act, (e) the place at which and the manner in which the draft statement under sub-section of section 10 and the final statement under section 12 or 14 may be (f) the manner of service of a copy of the final statement under section 12 or 14; (g) the manner of publication of a proclamation under clause (a) of sub-section (2) of section 18 ; (h) the qualifications which shall be possessed by the members nominated under clause (d) of sub-section (2) of section 24 ; (i) the manner in which the draft assessment roll may be published under sub-section (3) of section 50; (j) the manner of apportionment of the 3[amount] payable under this Act among the persons claiming interest in such 8[amount] ; (k) the procedure to be followed by the authorized officer under this Act ; (l) the terms and conditions of service of the Chairman and members of the Land Board 1 The following clause was omitted by section 8) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have come into force on the 1st March 1972 "(d) the minimum extent of land which any person shall hold in order to entitle him to hold any land for dairy farming or livestock breeding; " a The word " compensation " was omitted by section 5(xi) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. This word was substituted for the word " compensation " by section 5 (xi) (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972. 4 The words ' and of the Sugar Factory Board ' were omitted by section 3(22) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act 1971 (Tamil Nadu Act 41 of 1971). [1961 : T.N. Act 58 Land Reforms (Fixation of Ceiling on Land) (m) the manner in which, and the officer by whom, fair rent shall be ascertained for the purposes of this Act ; (n) the circumstances under, and the conditions subject to, which, and the authority or officer before . * * * 1 payable under this whom any amount Int IL Act may be kept in deposit ; (o) the manner of payment of the amount * * so deposited to the persons entitled thereto ; (p) the manner of communicating to the party concerned every decision or order in any proceeding against which' an or revision is provided for by this Act, the period within which an application for revision under section 82 may be presented.] 1 The words " of compensation " omitted by section 5 (xi) (c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979) which was deemed to have come into force on the 20th April 1972, This clause was added by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1973 (Tamil Nadu Act 8 of 1979. 8 The following section was omitted by 3(12) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972) which was deemed to have come into force on the 1st March 1972 "111. Power to remove difficulties—If any difficulty arises in effect to the provisions of this Act, the Government on any occasion may require, by do anything which appears to be necessary for the purpose of removing the 1961 : T.N. "t 581 10750 Land Reforms (Fixation of Ceiling on Land) 112..(1) All rules made under this Act * * *] Rules * * I shall be published in the Fort St. George Gazette to be placed before the 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. (2) Every rule made under this Act 41 * * * *] shall, as soon as possible after it is made, 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 * * I or both Houses agree that the rule *] should not be made, the rule * * *] shall thereafter have effect only in such modified form or be of no effect; as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that

rule L * 8 1 The words, " and orders " were omitted by swtion 3 (13) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972, 2 The expression " other than those made under section 94 " was omitted by section 7(7) (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment, Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 27th October 1978. 8 The words and figures " and all orders made ander section III"were omitted by section 3 (13) (b) of the Tamil Nadu Laud Reforms (Fixation of Ceiling on Land) Second Amendment Ace, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into Force on the 1st March 1972. 4 The expression other than that made under section 94 was omitted by section 7(7) (ii) of the Tamil Nadu Lana Reforms (Fixation of Ceilling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 27th October 1978. The words and figures " and every order made under section 111 " were omitted by section 3 (13) (c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972. 6 The words " or order " were omitted by section 3 (13) (c) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972, 'Nov Tamil Nadu Government gazette. Land Reform,' (Fixation of Ceiling on Land) [1961 : TON, Act 58 1 The following Schedule was omitted by section 3 (14) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second A mendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972:— Distrtecv, North Arcot SCEDULE 1." [See section 3 (18)], Revenue number and name of village. Taluk. (E) Vellore Chengam Polur. (3) Paia mathi

115. Alleri.139

140. Ellupara'.Pudukuppam

141. Peenjamancai

142. Jarthankollai

143. Pelambattu.

144. Periapanaparai, 145.Mulluvadi

146. Naickaneri

147. Padapenjaminarthur.1, 2. Puhyur Melthaihiapet, 3. Kilthathiapet. 4

5. Nellivoy, Erukkambattu.6, 7. 8, Perumutham. Kilpettu. 9, ChennaK1pettu. 10, Melpattu

11. Vannankuttai

12. Palamarathur

13. Melsilambadi.14, Melmalachi, 49. Akkarapattu

50. Kuttakaraj

66. Pattiraikadu, 67.Melsippil{

68. Erumaiaour, 69.70

162. Odaman m i, 163.Kana Amirthi

164. NammÄmpattu, 165.Eriyur

166. Kilkanavayur

167. Pulianhzppam

168. Seenagadu.169, 1961 : T.N. Act 58] District. Land Reforms (Fixation of Ceiling on .Land) Polur Taluk. (2) —co nt. North Arcot—cont, Sarem —69 lu5-6 Tirupathur. Krishnagir.i Salem Namakkal Rasipuram At tur Revc' number and name of pillage, (3) . Mandaparai. i 70 Veerappanur Pudupattu 172

173. Pungambat Nade 45

46. Pudur Nad.Nellivasal Nada 47

48. Elagiri Hills.Veladigaman banda 49. Naikkanur' 155. Maravadi, Murukkalmatham. 157

133. Jarugumalai, 181.Pelappadl

182. Arunuttumalai

183. Siru malai, Puliikkadu

184. Aladipatti. 185. 186, Peiyavelampatti. Si rovelampatti. 187, All Villages in Yercaud sub.taluk

46. Valappurnadu. Ariyarnadu. 48

49. Valavandinadu Selurnadu. 50

51. Thinnanurnadu, 52. Devanurnadu. 31. 36, Melur. 38, Gidamalai

50. Perikarainaau, 51. Bailnadu

52. Edappulinadu, 53, Sitturnadu

68. Thiruppulinadu, 69. Peiappadlnacn, Nathurnadu, Kunduninadu. Adakkamp Jd.:lkEombai, 87, Pachamalai, Chinaakattrayan Hills. Paimka(rayan Hills. ion District. (1) Coimbatore Tiruchirappalli Ma durai The Nilgiris south Arcot , • Land Reforms (Fixafion of Ceiling on Land) Taluk. (2) Pollachi Bha vani Gobichettipalayam , . Musiri Periakulam Palani Dind igul Kcdaikanal . All taluks , Ka'dakurichi 87A. 63, 131. 132. 133. I .35. 136. 137. 138. 139. 142. 143, 144. 145. 146. 147. 148. 149. 150. 151. 152. 153, 154. 112. 113. 114. [1961 : Act 58 Revenue nu±r and name of Yillcege, (3) Anamalai Hills. Barugur, Guthialathur, Gundri. Koothampz•.layam. Hasanur. 'fhingalur. Getlavadl. Marur. Talavadi. Chik.kagazanur. Thiganarai, Mallanguli, Arulavadi. Doddagazanur. Byyannapuram, Karalavadi Talamalai. Eraganaha Ili. Naithalapuram, Iggalur. Panakahalli, Kongahalli. Thoddamuduggara Madahalli. Tenparanadu. Vannadu. Kombai. Narasingapuram. Ahamalai. Kottagudj 8, Vadakavunji, 69. Vadagadu. Adalur. Panrimalai. Tonima la i. Manalur. Sirumalai. All villa ges, All villa ges. The following villages in sadaya• kounder Jagir— Aliya m. Arampoondi, Deva nur, 1961 : * District, South Arcot=cont. Land Reforms (Fixation of Ceiling oh Cand) 1079 Taluk- (2) Kallakurichi—cont. 2 Revenue number 'nd of pillage Eluthur. Aianul. Erukkampa tti. Ganga pad i. Kariyelur. Karnelli. KaruVela mpadi. Kariyam. Kindikal Kidar. Kinathur. Kodamathi. Koduthorai. Kundianatham. Madhar, Mavadipattu. Melmuruva(m. Molipatti. Mondlyur. Nochlmedu. Pacheri, Pudu c. Sathanur, Sundarapadi. Tharangur. Thirupathi. Thoradipattu Uppur. *Verapadi. Vandapadi. Vanniyur , Vellampad i. Vellimalai. Vellar. Varam. The following villages in Kurumbakounder Jagie Arasampattu. Athikuli. Athipattu. Avalur. Chinnapalapoon di. Erikarai. Erukkampattu IdQattu, Innadu, Keeripuli, "Varapadl" against;the entries "South Arcot" and "Kalla- kui± (1) and (2) the heading "The following in Sadayâkounder Jagir column (3), the entry "Valapadi" was by 9 of the Tamil Nadu Land RefOrms (Fixation of Ceiling on Land) Amend- me 1965 (Tamil Nadu Act 10 of 1.965), which was to have •into 'the 2nd . May 1962. Districts (1) Land Reforms (Fixation of Ceiling on Land) Taluk. (2) South Arcot—cont. Kailakurichi—cont. [1961 : T.N. Act 58 Revenue number nare of village. (3) Kurumbaiur. Mankombu , Mottayanur. Yakkanam. Panapadi. Pelapundi. Perukkancheri. Perumbaravu. Porasapattu Poruppam. Sirukalur. Serapatti. Thaduthalpalayam. Thakkampattu. Thumbarampattu, Valakuli. Vaniikuii. Vedur. Velanalli. Venkadu. and in The following villages Ariyakounder Jagir Aravankadu. Eachankadu. Gudaram. Kalliparai. Kannur. Karavampattu. Kilkadu. Kilthukkadi. Kotampundi. Melthukkadi. Naduvalathu. Nakkavalathu. Panipatayam. Peru- enanatham. Pudur. Undaka\valathu. Vellithi. Vengamur." 1961 : T,N, Act 58] F and Reforms (Fixation OJ' Ceiling on Lend) SCHEDULE 11. [See section 3 (27),] Revenue nun:ber and OJ 1'111« e. 6 eriGl 3 Districf. (2) Chingleput Do. Do. (3) qaidapet P Dnneri Do. 13. i46. .47. 150. 02 (4) Grant Lyon Karadiputhur Kannankottai Thervcy Kandigai •Pappa nkupparn alias Alame!v- N.' ottankurichi 1081 Extent of leayeâold, Whole village. Do. Do. Doa Do 1082 Land Reforms (Fixat ion of C 'iling on Lmd) SCHEDULE 111. (See Section 50.) 1[Part 11. [1961 : T.N. Act 58 (Land other than the land specified in Part 11.) 1. The emount payable to any person under section 50 in respect of any land (other than the land specified in Part 11) acquired by the Government under this Act shall be determined in the manner hereinafter in this Part specified. Explanation.—For the removal of doubts, it is hereby declared that for the purpose of determining the amount under this Part, all lands acquired from a person by the Government under this Act shall be treated as a unit. 2, The annual value of the land shall be determined in the first instance. The original Part i stood as follows s PART Land other than the land specified in Part 11. The compensation payable to any person under section 50 in respect of any land (Othel than the land specified in Part 11) acquireQ by the Government under this Act shall be determiusd in the inanner hereinafter in this Part specified. Z. A sum equivalent to the net annual income from the land shall be determined in the first instance.

3. The normal annual income from the land shall be the amount of fair rent less the and revenue.

Explanation,—In this paragraph, "land revenue" shall,— (a) in respect of any land in any area in the State other than the transferred territory, have the same meaning as in Explanation I to section 3 (40) and shall include cess, additional surcharge and charge for water ; (b) in respect of any land in the transferred territory and specified in column (1) Of the Table below, mean the amount mentioned in the corresponding entry in column (2) thereof TABLE. Class of land. (1) Kanakur district. (1) Registered wet land irrigated by a source



forming part of, or benefited by, a project as defined in Explanation III to clause (40) of section 3 (2) Registered dry land irrigated by the source specified in item (1) Amount acre. (2) RS. NP, (1961 : T.N. Act 58 of Ceiling on Land) 3, The annual value of the land shall (i) in the case of registered wet, dry or manavari land (other than dry or manavari land irrigated by direct flow or lift from any Government or private source of irrigation), twenty times the land revenue on the land ; (ii) in the case of dry or manavari land irrigated from any Government source of irrigation, — (a) receiving supply by direct flow of water for two or more crops, twenty times the aggregate of— (A) the land revenue on the land (B) rupees five per acre supply for only peela Aan vat l. nuvi (list of). (3) Dry land irrigated by other (Government source (4) Dry land unirrigated by the source specified in item (1) Government source of the Tirunelveli (2) 682550 (i) wet land irrigated or stream, (2) Wet land irrigated by Government source (3) Dry land irrigated by private source (4) Dry land unirrigated by private source

Government 4. The fair rent (a) (i) in the case of land in unimproved state its 1084 Land Reforms (Fixation [1961 : T.N. Act 58 of Ceiling on Land) (iii) in the case of dry or manavari land irrigated from private source of irrigation owned by any person in his own land. twenty times the aggregate of,— (A) the land revenue on the land ; and (B) rupees five per acre ; (iv) in the case of waste land, five times the land revenue on the land.. Explanation,—In this Part, waste land shall mean the land remaining uncultivated for a period of five years immediately preceding the date of the publication of the notification under sub-section (1) of section 18 ; (v) in the case of forest land, five times the land revenue on the land. Explanation.—Forest land for purposes of this Part,— (i) shall include any land containing predominantly trees or shrubs or any vegetation of natural growth and such land shall be treated as forest land only, notwithstanding the existence of stray trees, if any, grown therein by human effort ; and (ii) in the case of wet land, the irrigation of which is supplemented by lifting water, 35 per cent of the normal gross produce or its value in money ; (iii) in the case of land on which crops, which do not give any yield within a period of one year from the time of cultivation, are cultivated, 40 per cent of the normal gross produce or its value in money ; (iv) in the case of any other class of land, 33-1/3 per cent of the normal gross produce or its value in money : Provided that in the case of lands referred to in items (ii) and (iv) for the cultivation of which water is lifted by pump-set installed at the cost of the landowner, the fair rent shall be increased to 40 Per cent. Explanation Z.—In this paragraph, "normal gross produce"— (a) in respect of a land cultivated with any crop which does not give any yield within a period of one year from the time of cultivation, means the produce for one year if the land were sown with paddy (cont.) 1961 : T.N. Act 58 of Ceiling on Land) (n) shall not include any 'waste land containing 1085 trees shrubs . Provided that the annual value determined under items (i) (v) of this paragraph shall in no case exceed Rs. 350 acre. -In (1) this paragraph and in paragraph 6, Explanation.— land shall in respect of any land have the same meaning as in Explanation I to section 3 (40) and shall not include cess, surcharge, additional and special assessment charge for water, or any other levy on land. 4. -if the amount payable for the land other than forest land acquired by the Government under this Act shall be determined in accordance with the following scale, namely Rs. 3,000 or of the sum or of Rs. 3,000 annual value of 'the land, nine times such sum or portion of the land cultivated with any other crop which would be obtained for one year if on a land the Government similarly situated and possessing some class of the land in and the seasons were normal. 2. similar cases if the case land on which crops are sown at different times on different portions of the land, the fair rent shall be calculated with reference to the actual crops ordinarily according to the ordinary rotation of crops in the land is situated ; and area in or of the straw or stalk of all the crops in an average year. the fair rent shall be calculated with reference to the actual crops ordinarily according to the ordinary rotation of crops in the land is situated ; and area in or of the straw or stalk of all the crops in an average year.

the fair rent shall be calculated with reference to the actual crops ordinarily according to the ordinary rotation of crops in the land is situated ; and area in or of the straw or stalk of all the crops in an average year.

Government 4. In 1086 Land Reforms (Fixation T.N. Act 58 of Ceiling on Land) (iii) for the next sum of, Rs. any portion thereof of the annual value of the land, eight times such sum or portion ; (IV) for the next Sum of Rs. 4000. Or. any portion thereof of the annual value of the land, seven times such sum or portion ; (v) for the next sum of Rs. 33000 any portion thereof of the annual value of six times such sum or portion ; (vi) for the balance of the annual value of the land, five times such balance

5. The amount payable for other than forest land shall be the value of such trees on the date of the publication of the notification under sub-section (1) of section 18 subject to the maximum specified below :

(i) in the case of trees grown by human effort other than fruit bearing trees, Rs. 1,000 per acre ; (ii) in the case of,—(a) orchards ; (b) plantation crops, (c) fruit bearing trees; grown by human effort, Rs. 3,500 per acre (iii) in the case of natural growth Rs. 250 per acre : Provided that the total

and the amount payable for trees under clauses (i) to (iii) per acre. (ii) for the next sum of Rs. 3,000 or any portion thereof of the net annual income from the land, 1-10 times such sum or portion; (iii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 11-20 times such sum or portion; (iv) for the balance of the net annual income from the land, times such balance. (cont.)

6. The amount payable for the forest land including the trees on such land acquired by the Government under this Act shall be determined in accordance with the following scale, namely:— (i) for the first sum of Rs. 3,000 or any portion thereof of the annual value of the land together with the annual value of the trees, ten times such sum or portion; (ii) for the next sum of Rs. 3,000 or any portion thereof of the annual value of the land together with the annual value of the trees, eight times such sum or portion; (iii) for the next sum of Rs. 3,000 or any portion thereof of the annual value of the land together with the annual value of the trees, six times such sum or portion; (iv) for the next sum of Rs. 3,000 or any portion thereof of the annual value of the land together with the annual value of the trees, four times such sum or portion; (v) for the next sum of Rs. 3,000 or any portion thereof of the annual value of the land together with the annual value of the trees, three times such sum or portion; (vi) for the balance of the annual value of the land together with the annual value of the trees, the balance. In this paragraph, the annual value of the land shall include the annual value of the trees on such land.

7. The amount payable for plant or apparatus used under this Act shall be the value (date of the publication of the notification under section 18 of such The rate of the amounts aspect of the {and c, 9. (a) In respect of the notification under section 18 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961: T — N. Ad SS Ceiling on Land) Provided that notwithstanding anything contained in paragraph 4, where the lands acquired from a person by the Government under this Act include forest land and other land, the annual value of all such lands and the annual value of the trees on forest land shall be added together and the amount payable for such lands including the trees on such forest land, shall be determined in accordance with the scales specified in clauses (i) to (vi) of this paragraph subject to the modification that the expression "the annual value of the land together with the annual value of the trees" shall be construed as "the annual value of forest land and other land together with the annual value of the trees" on forest land.

7. The amount payable for any building, machinery, plant, apparatus, wells, filter points or power lines acquired under this Act shall be the written down value [determined in accordance with the provisions of the Income Tax Act, 1961 (Central Act 43 of 1961)] of such building, machinery, plant, apparatus, wells, filter points or power lines, on the date of the publication of the notification under sub-section (1) of section 18

8. The amount payable under this Part shall be the aggregate of the amount as calculated under,—

— (i) paragraphs 4, 5 and 7, in the case where land acquired is the land other than the forest land; (ii) paragraphs 6 and 7, in the case where land acquired is forest land; (iii) paragraphs 5, 6 and 7, in the case where lands acquired include forest land and other land as is referred to in the proviso to paragraph 6; less the amount payable under section 54 to a tenant, in respect of the land concerned. (b) On such completion of survey and ryotwari settlement, the compensation shall be revised on the basis of the assessment specified at the ryotwari settlement and of water rate, if any. If on such revision it is found that the amount of compensation paid under sub-paragraph (a) is in excess of the amount of compensation payable as a result of the revision aforesaid, such excess amount shall be recovered from the person concerned as an arrear of land revenue. But where the amount of compensation paid under sub-paragraph (a) is less than the amount of compensation payable as a result of the revision aforesaid, the deficiency shall be made good to the person concerned, (cont.) 1961 CT.N. Act 58] Land Reforms (Fixation of Ceiling on Land) In the said Part, in paragraph 1, the word amount 1089 : was substituted for the word "compensation" during the period from 20th April 1972 to 26th October 1978 by section 6 (i) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979). In the Table under the Explanation to paragraph 3 of the said Part, under the heading "Kanyakumari district", after item (2) and the entries relating thereto, the following item and the entries were inserted by section 3 (15) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 20 of 1972), which was deemed to have come into force on the 1st March 1972 "2. A) Wet land irrigated by other Government source 6.62". Paragraph 4 of the said Part was renumbered as sub-paragraph (1) of that paragraph and the following sub-paragraph (2) was added by section 4 (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972): "2) In determining the normal gross produce of any land for purposes of sub-paragraph (1), the return made under section 160 of the Tamil Nadu Agricultural Income-tax Act, 1955 (Tamil Nadu Act

V of 1955) in respect of that land shall be taken into account". In paragraph 6, in the opening portion, the words "of compensation" were omitted during the period from 20th April 1972 to 26th October 1978 by section 6 (ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979). In the said paragraph, for item (iv), the following items were substituted by section 4 (b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972) : '(iv) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 9 times such sum or portion" , (v) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 8 times such sum or portion ; for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 7 times such sum or portion , (vii) for the next sum of Rs. or any portion thereof of the net annual income from the land, 6 times such sum or portion thereof of the net annual (viii) for the next sum of Rs. 5,000 or any portion income from the land, 5 times such sum or portion (ix) for the next sum of Rs. 5,000 or any portion of the net annual income from the land, 4 times such sum or portion (cont.) 1090 Land Reforms (Fixation of Ceiling on Land) [1961 : T.N. Act 58 (x) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 3 times such sum or portion ; (xi) for the balance of the net annual income from the land, 2 times such balance. In paragraph 1, the words "machinery, plant, apparatus, wells, filter points or lines" were substituted for the words "machinery; plant or apparatus" by section 8 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971). For the said paragraph 7 as so amended, the following paragraph 7 was substituted by section 4 (c) of the Tamil Nadu Land (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972):— "7 (a) The compensation payable for any building, machinery, plant, apparatus, wells, filter points or power lines acquired under this Act shall be the written down value [determined in accordance with the provisions of the Income-tax Act, 1961 Central Act 43 of 1961]] of such building, machinery, plant, apparatus, wells, filter points or power lines, on the date of the publication of the notification under sub-section (1) of section 18 , (b) The compensation payable for any tree shall be the value of such tree on the date of the publication of the notification under sub-section (1) of section 18". In the said paragraph 7 as so amended, for the word "compensation" in both places where it occurred the word "amount" was substituted during the period from 10th April 1972 to 26th October 1978 by section 6 (iii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979). In paragraph 8, the words "The amount" were substituted for the words "The compensation" and the words "as compensation" occurring in the same paragraph were omitted during the period from 20th April 1972 to 26th October 1978 by section 6 (iv) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979). In paragraph 9, in sub-paragraph (a), the words "of compensation" were omitted during the period from 20th April 1972 to 26th October 1978 by section 6 (v) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979) and the words and figures "made and effected, or deemed to be made and effected, under Chapter VII" were substituted for the words and figures "under Chapter VII" by section 10 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965, (Tamil Nadu Act 10 of 1965). In sub-paragraph (b) Of paragraph 9, the words "the amount" were substituted for the words "the compensation" and the word "of compensation" wherever they occurred, were omitted, during the period from 20th April 1972 to 26th October 1978 by section 6(v)(b) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979). The present Part I was substituted by section 7 (8) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 27th April 1961. T.N. Act 58 Land Reforms (Fixation of Ceiling on Land) PART 11. Land the revenue of which or portion thereof has been assigned, Where the amount of land revenue or portion thereof in respect of any land acquired by the Government under this Act has been assigned in favour of any person, the Government shall pay such person [xxx] twelve times the difference between such amount of land revenue or portion thereof and the proportionate quit-rent, jodi, kattu— badi or other amount of like nature, if any, payable by such persons to the Government. SCHEDULE IV (See section 54.) The amount payable to any tenant under section 54 shall be one-eighth of 3 [the annual value for the calculated in the in Part Schedule III] 2. Out of the 4 amount referred to in 11, three fourth shall be paid to the cultivating tenant and one-fourth to the intermediary, if any. The words "as compensation" were omitted by section 5(xii) of the Tamil Nadu Land

Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act No. 11 of 1979), which was deemed to have come into force on the 20th April 1972. This word was substituted for the word "compensation" by section 5 (xiii) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act No. 11 of 1979) which was deemed to have come into force on the April 20th 1972. This expression substituted the in the specified in paragraph 4 of Part I of rent calculation Schedule III " by section 7(9) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment 1979 (Tamil Nadu Act No. 11 of 1979), which was deemed to have, come into force on 27th October 1978. This expression for the word compensation by section 5 Tamil Nadu Land Reforms, 1979 (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act No. 11 of 1979), which was deemed to have come into force on the April 20th 1972. 12(9) of 1991 : N, Act 411 Land Reforms (Fixation of Ceiling on Land) Amendment TAMIL NADU ACT No. 41 OF 1971 THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1971 [Received the assent of the President on the 22nd December 1971, first published in the Tamil Nadu Government Gazette Extraordinary on the 27th December 1971 (Pusa 6, 1893).] An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-second Year of the Republic of India as follows : 1. (1) This Act may be called the Tamil Nadu Land Short title and Reforms (Fixation of Ceiling on Land) Amendment commencement. Act, 1971. (2) It shall come into force on such date as the, State Government may, by notification, specify

2. In this Act, " principal Act " means the Tamil Definition. Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act No. 58 of 1961), as modified by the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act No. 17 of 1970). 3. [The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act No. 17 of 1970).] 4. On and from the date of the commencement of this Abolition of the sugar Factory Board and (a) the Sugar Factory Board and the Sugar Factory the sugar Factory Tribunal, constituted under the principal Act shall stand terminated. Tribunal. abolished and any member of such Board or Tribunal shall, with effect from the said date, cease to hold office as such member (b) any application, reference or any proceeding, pending before the said Board or Tribunal on the said date shall abate ; (c) any permission granted, or order passed, or decision given by the said Board or Tribunal in respect of any land shall be deemed to be of no effect and accordingly, the provisions of the principal Act, as modified by this Act, shall apply to such land. *For of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 24th July 1951, part IV—Section 3, page 581. Short title. [1972 : T.N. Act No. 10 34 Land Reforms (Fixation of Ceiling on Land) Amendment TAMIL NADU ACT NO. 10 OF 1972.* THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1972. [Received the assent of the President on the 27th April 1972, first published in the Tamil Nadu Government Gazette Extraordinary on the 29th April 1972 (Vaisakha 9, 1894)]. An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-third Year of the Republic of India as follows : 1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1972. Chapter 2. The provisions of Chapter VIII of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act No. 58 of 1961) (hereinafter referred to as the 1961 Act to be principal Act), as amended by this Act, are hereby made permanent. 3 [The amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act No. 58 of 1961).] * For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 28th March 1972, Part IV—Section 3, Pages 55—56. 4 Land Reforms (Fixation of Ceiling on Land) Third Amendment TAMIL NADU ACT NO. 37 OF 1972.* THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) THIRD AMENDMENT ACT, 1972. [Received the assent of the President on the 8th December 1972, first published in the Tamil Nadu Government Gazette Extraordinary on the 14th December 1972 [Karthigai 30, Parithapi (2003—Tiruvalluvar Andu)]. An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-third Year of the Republic of India as follows 1. (1) This Act may be called the Tamil Nadu Land Short title and com-

Reforms (Fixation of Ceiling on Land) Third Amendment mendment. Act, 1972. (2) It shall be deemed to have co e into force on the 1st day of March 1972

2. In this Act, " principal Act " means the Tamil Nadu Definition.Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified. 3. [The amendments made by this ction have already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961).] 4. The provisions ot this Act shall have effect notwith- Act to override Tamil Nadu Act standing anything inconsistent therewith contained in the 1961' Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Tamil Nadu Act 57 of 1961). * For *atement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 3rd April 1972 Part IV—Section 3, Pages 103—104, 1912: T.N. Act39] Land Reforms (Fixation of Ceiling 193 on Land) Fourth Amendment TAMIL NADU ACT NO. 39 OF 1972*. THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) FOURTH AMENDMENT ACT, 1972. [Received the assent of the President on the 17th Decem- ber 1972, first published in the Tamil Nadu Government Gazette Extraordinary on the 21st December 1972 (Margazhi 7, Parithapi (2003—Tiruvalluvar Andu)).] An Act further to amend the Tamil Nadu Land Reiotms (Fixation of Ceiling on Land) Act, 1961. BE it enacted by the Legislature of the State of Tamil Nadu in the Twenty-third Year of the Republic of India as follows :— 1. This Act may be called the Tamil Nadu Land Short title, Reforms (Fixation of Ceiling on Land) Fourth Amend- ment Act, 1972

2. In this Act, "principal Act" means the Tamil Nadu Definition.Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified. 3-5. [The amendments made by these sections have already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation Qf Ceiling on Land) Act, 1961 (Tamil Madu Act 58 of 1961).] 6. Notwithstanding anything contained in this Act, Abolition ot on and from the date of the publication of this Act in existing Lam Board. the Tamil Nadu Government Gazette,— (a) the Land Board existing on that date shall stand abolished and any member of such Board shall cease to hold office as such member ; (b) any application and any proceeding in respect of any land used exclusively for dairy farming or livestock breeding and pending before such Board on the said date shall abate ; (c) any application and any proceeding in respect of any land which is interspersed among plantations or is contiguous to any plantation and pending before such Board on the said date shall stand transferred to the * For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 12th Augu st 1972 , Part IV—Section 3, Pages 261—264. -10—13 Validation. 194 Land Reforms (Fixation of [1972 : T.N. Act 39 Ceiling on Land) Fourth Amendment Land Board constituted after the date of: the publication of this Act in the Tamil Nadu Government Gazette ; (d) any permission granted, or order passed, or decision given by the Land Board before the date of such publication in respect of any land used exclusively for dairy farming or livestock breeding shall be deemed to be of no effect and accordingly the provisions of the principal Act, as modified by this Act, shall apply to such land ; (e) any permission granted, or order passed, or deci- Sion given by the Land Board before the date of such publi- cation in respect of any land which is interspersed among plantai ions or is contiguous to any plantation shall be deemed to have been granted, passed or given by the Land Board constituted after the date of such publication

7. Notwithstanding anything contain ed in any judg- ment, decree or order of any court or other authority , all acts done and proceedings taken by any omcer or autho- rity under the principal Act before the date of the publi- cation of this Act in the Tamil Nadu Government Gazette, on the basis that a person who had a right to enjoy the land during his lifetime but had no power to alienate the land was a limited owner under the principal Act shall, for all purposes be deemed to be and to have always been validly done or taken in accordance with law as if section 5 of this Act had been in force at all material times when such acts or proceedings were done or taken, 1974 : T.N. Act LandRefoms(Fixationof Ceiling on Land) Fifth Amendment TAMIL NADU ACT NO. 10 of 1974.* 337 THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) FIFTH AMENDMENT ACT , 1972. [Received the assent of the President on the 15th February 1974, first published in the Tamil Nadu Government Gazette Extraordinary on the 28th February 1974 (Masi 16, Piramathisa (2005- Tiruvalluvar Andu))]J An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BB it enacted by the Legislature of the State of Tamil Nadu in the Twenty-third Year of

the Republic of India as follows :— 1. This Act may be called the Tamil Nadu Land Short title. Reforms (Fixation of Ceiling on Land) Fifth Amend- ment Act, 1972

2. In this Act, "principal Act" means the Tamil Definition• Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modi- fied.3. [The amendments made by this section have already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 4. Notwithstanding anything contained in any judg- Validation. ment, decree or order of any court or other authority, all acts done and proceedings taken by any omcer or authority under the principal Act, before the date of the publication of this Act in the Tamil Nadu Government Gazette, on the basis that plantain trees did not fall within "tope" as defined in clause (32) or (47) "orchard" or respectively of section 3 of the principal Act, shall for all purposes be deemed to be and to have always been validly done or taken in accordance with law as if section 3 (1) of this Act had been in force at all material times when such acts or proceedings were done or taken. * For Statement of Objects and Reasons, see Tamil Nadu Gopernment Gazette Extraordinary, dated the 22nd August 1972, Part IV—Section 3, Pages 435—436. 125-10—22 1974: T.N. Act 321 zand Reforms (Fixation of Ceiling on Land) Second Amendment NADU ACT NO. 32 OF 1974* THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) SECOND AMENDMENT ACT, 1974. (Received the assent of the President on the 25th July 1974, first published in the Tamil Nadu Government Gazette Extraordinary on the 1st August 1974 (Adi 16, Anantha (2005—Tiruyalluvar Andu)).] An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BB it enacted by the Legislature of the State of Tamil Nadu in the Twenty-fifth Year of the Republic of India as follows 1. This Act may be called the Tamil Nadu Land Short title. Reforms (Fixation of Ceiling on Land) Second Amend- ment Act, 1974

2. In this Act, " principal Act " means the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified.3. [Th- amendment made by this section has already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961).1 4, [The amendment made by this section has already been incorporated in the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 17 of 1970).] 5. Notwithstanding anything contained in any judg- Validation. ment, decree or order of any court or other authority, all acts done and proceedings taken by any offcer or authority under the principal Act before the date of the publica- tion of this Act in the Tamil Nadu Government Gazette on the basis that any transfer or sub-division of land effect- ed after the notified date and before the date of the publi- cation of the notification under sub-section (1) of section 18 was void shall, for all purposes be deemed to be and to have always been validly done or taken in accordance with law as if section 3 of this Act had been in force at all material times when such acts or proceedings were done or taken. • For Statement of Objects and Reasons, see Tamil Vadu Government Gazette Extraordinary, dated the 3rd April 1974, Part IV—Section 1, Pages 77—78. 7% Land Reforms (Fixation of [1978: T.N. Act 2S Ceiling on Land) Amendment NADU ACT No, 25 OF 19780* THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1978. {Received the assent of the President on the 15th May 1978, first published in the Tamil Nadu Government Gazette Extraordinary on the 18th May 1978 (Vaikasi 4, Kalayukti (2009—Tiruvalluvar An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BB it enacted by the Legislature of the State of Tamil Nadu in the Twenty-ninth Year of the Republic of India as follows:— 1. This Act may be called the Tamil Nadu Land Short title. Reforms (Fixation of Ceiling on Land) Amendment Act, 1978

2. It is hereby declared that this Act is for giving effect Declaration.to the policy of the State towards securing the principles laid down in Part I V, and in particular clauses (b) and (c) of article 39, and article 46 of the Constitution. Definition

3. In this Act, " principal Act " means the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified.4. [The amendments made by this s ction have already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961).] 5. (1) Notwithstanding anything contained in the Certain provi- sions of Tamil Tamil Nadu Land Reforms(Fixation of Ceiling on Land) NadU Act 7

of Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974) 1974 not to have effect. (hereinafter in this section referred to as the 1972 Act) or in any judgment, decree or order of any court or other * For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 28th March 1978, Part IM— 1, Page 238. 1918 T.N. Land Reforms (Fixation of Ceiling on Land) Amendment authority, sub-section (2) of section 3 of the 1972 Act shall be omitted and shall be deemed always to have been omitted and accordingly the modifications made to section 18 of the principal Act by the said sub-section (2),— (a) shall be deemed never to have been made and the provisions of the said section 18 of the principal Act as they stood prior to the said modifications shall continue in force and shall be deemed always to have continued in force ; and (b) shall be deemed never to have had the effect of vesting in the State Government, the surplus lands specified in any notification published under sub-section (1) of the said section 18 of the principal Act on or after the 2nd May 1962 and before the date of publication of this Act in the Tamil Nadu Government Gazette, from a date earlier to the date of the publication of the notification under the said sub-section (1) and shall be deemed always to have had the effect of vesting in the State Government such surplus lands, only with effect from the date of the publication of such notification. (2) Anything done or any action taken under the principal Act in pursuance of the provisions of sub-section (2) of section 3 of the 1972 Act, shall be reopened and determined in accordance with the provisions of the principal Act, as modified by this Act

6. Notwithstanding anything contained in any judgment, decree, or order of any court or other authority,—certain surplus lands and (a) where before the date of publication of this Act validation. in the Tamil Nadu Government Gazette, a notification under sub-section (1) of section 18 of the principal Act has been published, the surplus land specified in such notification shall be deemed to have vested in the State Government, with effect from the date of such publication only, and accordingly the provisions of the principal Act, as modified by section 4 of this Act, shall for all purposes apply and be deemed always to have been applied in respect of such surplus lands so vested ; and (b) all acts done and proceedings taken by any Officer or authority under the principal Act, on the basis that compensation in respect of surplus lands referred 798 Laid (Fixation of Ceiling on Land) Amendment to in case (a) shall be payable only according to the rates specified in Schedule III of the principal Act, as in force on the date of publication of the said notification, shall, for all purposes be deemed to be and to have always been validly done or taken in accordance with law, as if section 4 of this Act had been in force at all material times when such acts or proceedings were done or taken. 1979 T.N. 11] Land Reforms (Fixation of Ceiling on Land) Amendment NADU ACT NO. 11 OF 1979.* 977 THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1979. [Received the assent of the President on the 21st March 1979, first published in the Tamil Nadu Government Gazette Extraordinary on the 22nd March 1979 (Panguni 8, Kalayukti (2010—Tiruvalluvar An Act farther to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. BE it enacted by the Legislature of the State of Tamil Nadu in the Thirtieth Year of the Republic of India as follows 1. (1) This Act may be called the Tamil Nadu Land short title Reforms (Fixation of Ceiling on Land) Amendment Act, and commenced. 1979. (2) It shall be deemed to have come into force on the 27th October 1978

2. It is hereby declared that this Act is for giving effect Declaration.to the policy of the State towards securing the principles laid down in Part I V, and in particular clauses (b) and (c) of Article 39 and Article 46 of the Constitution

3. In this Act " principal Act" means the Tamil Nadu Definition.Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified. 4-7. [The amendments made by these sections have already been incorporated in the principal Act, namely, the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 Of 1961).1 8. Notwithstanding anything contained in any judgment, validation. decree or order of any court or other authority, all acts done and proceedings taken by any officer or authority under the principal Act before the 27th October 1978, on the basis,— (a) that " person " referred to in sub-section (1) Of section 50 of the principal Act shall include family ; or For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated the 16th February 1979, Part IV-Section 1, Pages 25-26. 125-10 62 978 Zana* Reforms (Fixation of Ceiling on Land) Amendment (b) that the amount sub-section (1) of the said section 50 in respect of any right, title or interest in any land held by a family or deemed to be held by a family under sub-section (2) of section 5 of the principal Act, shall be determined in respect of the whole of such right,

title or interest of the family in such land as a unit, whether such right, title or interest was held individually or jointly by some or all of the of that family, shall, for all purposes be deemed to be, and to have always been, validly done or taken in accordance with law, as if section 4 of this Act had been in force at all material times when such acts or proceedings were done or taken

9. Any proceeding taken or order passed under the Saving, principal Act which has been disposed of between the 2nd May 1962 and the 27th October 1978, contrary to the provisions of the principal Act, as amended by section 4 of this Act, shall be re-opened and disposed of in accordance with the provisions of the principal Act as so amended : Provided that no such order, shall be reopened under this section after the expiry of a period of five years from the 27th October 1978. Repeal and

(1) The Tamil Nadu Land Reforms (Fixation of saving. Ceiling on Land) Second Amendment 1978 (Tamil Nadu Ordinance 14 of 1978), is hereby repealed. (2) Notwithstanding such repeal, anything or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the Act as amended by this Act. Short title and comment, Tamil Nadu Act 58 of 1972, subsequently modified to have effect subject to modifications, Land (Fixation of Ceiling on Land) Amendment Act, 1981, THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1981, [Received the assent of the President on the 19th September 1981, first published in the Tamil Nadu Government Gazette Extraordinary on the 23rd September 1981 (Part 7, An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, as enacted by the Legislature of the State of Tamil Nadu in the Thirty-second Year of the Republic of India) as follows 1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1981, (2) (a) The provisions of this clause (a) of section 2, shall be deemed to have come into force on the 30th September 1981. (b) Clause (a) of section 2 shall come into force on the 15th January 1972

2. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified, shall have effect as if, in section 94-B,—(a) in sub-section (1), for the words " seven years " the words " eight years " had been substituted ; (b) to sub-section (1), the following proviso had been added, namely : — " Provided that where the said corporation is of opinion that any land held by it under any such contract of tenancy, is no longer required for the purposes of that corporation, then the said corporation may terminate such contract of tenancy in respect of such land, and release such land to the landowner concerned," , For Statement of Objects and Reasons, see Tamil Nadu Government Gazette Extraordinary, dated 21st Part IV-Section 621-622. 3. (1) Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Ordinance, 1981 (Tamil Nadu Ordinance 8 of 1981), is hereby repealed. (2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of the principal Act, as amended by this Act, Repeal and NADU GOVERNMENT GAZETTE EXTRAORDINARY. The following Act of the Tamil Nadu Legislature received President's assent on 10th July 1987 and is hereby published for general information ACT No. 29 OF 1987. An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. As enacted by the Legislature of the State of Tamil Nadu in Thirty-sixth year of the Republic of India, as follows 1. Short title.—This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1985. 2. It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles laid down in clauses (b) and (c) of Article 39 of the Constitution

3. Definition,—In this Act, " principal Act " means the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified

4. Tamil Nadu Act 58 of 1961, as subsequently modified, to have effect subject to modifications.—The principal Act shall have effect (1) in sub-section (3-C) of section 5, after the anything contained in this Act, the expression " but subject to the provisions of section 37B and section 73 " had been inserted ; (2) after section 37-A, namely ' 37-B Public trust Government for permission the following section had been inserted, or educational institution to apply to to hold or acquire land for education. hereby notified in the TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY or. Notwithstanding anything contained in this Act, but subject to the provisions of section 73,— (a) if any public trust created before the 1st March 1972 desires to hold or acquire any land in excess of the ceiling

area for the purpose of, and in the case of any public trust created *after: the 1st March 1972, if such public trust desires to hold or acquire any land for the purpose of— (i) establishing any educational institution ; or (ii) expanding any existing educational institution • , or hospital by way of addition to, alteration Of, or •improvement to,' educational institution or hospital, or (b) if any educational institution or hospital desires to hold or acquire any land in excess of the . ceiling area for the pur- pose of expanding the educational institution or hospital by way of addition to, altegation of, or improvement to , the educational institu- tion or hospital, it shall make an application to the Government for permission to hold or acquire such land. Every such application shall be in writing and shall contain such particulars as may be prescrüed. Explanation.—In this section and in clause (iv-A) of section 73, educational institution 'means any college (including engineering or rmedical or agricultural Or veterinary collegel or any school Or other equivalent institution or any' polytechnic institutü)n. (2) The Government may grant the permission whether prospectively or retrospectively for the whole or part of the land specified in the application subject to such conditions as they deem fit or refuse to grant such permission. The order granting such perniission shall contain the particulars of the land in respect of which such permission is granted , IGOVERNMENT OAZErpE, EXTRAORDINARY Government, sh@ll•, in deciding whether to grant or refuse the permission under. sub-section (2), take into consideration the following factors, namely (Qi ;the purposes and objectives of the public trust or, edu- cationgVClnstitylion or .hospital, as the case may be ; (b) whether the land is required for immediate use or use in future; and (C) such other particulars as may be prescribed. - (4) The Government may cancel the in respect Of. any-land •granted under this section on the. breach of any condi- tion specified by the •Government. " ; (3) in section 73, after clause (iv), the following clause had been Inserted, namely (iv-A), any land •in respect of which the Government have granted permission to any public trust or educational institution or hospital under section 37-B and such permission continues in force : Provided that such land shall be exempt only so long as the conditiob•, if any, specified by the Government' are complied with ;". (By order of the Governor) S. VADIVELU, Commissioner and Secretary to Government, Law Department. rece is h BE Nad Coll, 2 the f rAMIL0 NADU GOVERNMENT GAZETTE EXTRAORDINARY -The following Act of the Tamil Nadu Legislative Assembly . J! Vthe assent •of •the ' President •on-the 18th •December •1987 is hereby published for general information :--- ACT No. 55 OF 1987. 'Act :further to amend the Tamil Nadu Land Refonns (Fixation of -Ceiling on Land) Act, 1961. enacted by the Legislative Assembly of the State of Tamil •eNādu in the Thirty-eighth Year of the' Republic of India as follows I. Short title and commencement.—(1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1987, (i) It shall be deemed to have come into force on the 15th July 1987. .2.' Declaration.—Y.t is hereby declared that this Act is for frying. effect to the policy of the State towards securing the principles laid down in clauses (b) and (c) of Article 39 of the Constitution

3. Definition.—IR• this Act, " principal Act " means' the Tamil t{adu Land Reforms (Fixation of Ceiling on Land) Act, (Tamil Nadu Act 58 of 1961), as subsequently modified

4. Tamil Nadu Acq 58 of 1961, as subsequentl\ modified to have effect subject to modifications.—

The principal Act shall have effect l had I (inch colleg techn and t any n for th substit educa omitte educa Nadu as if,— (1) in section 37-B,—• (a) in 'the marginal heading, the words institution" had been omitted ; (b) in sub-section (1 (i) in clause (a), in sub-clause (ii), occurring at the end had been omitted ; (ii) clause (b) had been omitted ; ' or educational the word or ' 11 as ution. Tamil or TAMIL NADU GOVERNMENT GAZETTE EXTkaORDINARYl 347 (iii) for the Explanation, the ; following Explanation ad been substitUted, namely :— ' Explanation.—In this section,— (A) " edu.cational institution " means any college (including engineering or medical or agricultural ror veterinary ollege) or any school or other equivalent institution or any poly- chnic institution ; (B) " hospital " means any place for the reception nd treatment of persons suffering from illness or injury and includes ny maternity home, asylum, infirmary, lying-in-hospital. or any place or the reception and treatment of persons during convalescence, but oes not include a dispensary. ' (c) in sub-section (2), for the wogs " whether prospec- prospectively " had been the word lively or retrospectively ubstituted ; (d) in sub-section (3), in clause (a), the words or ducational institution ot hospital, as the, case may be " had been mitted ; (2) in section 73, in clause (iv-A), words ' or ducationa! institution or hospital had been *omitted

5. Repeal and saving.—(1) The Tamil Nadu Land Reforms Fixation of Ceiling on Land) Amendment Ordinance, 1987 (Tamil adu Ordinance 4 of 1987), is hereby repealed, (2) Notwithstanding such repeal,

anything done or any the principal Act, as amended by the said ction taken under dinance, shall be deemed to have been done or taken under the rincipal Act as amended by this Act. (By order of the Governor.) S. VADIVELU, Convnissioner and Secretary to Government, Law Departnment. TAMIL NADU GOVERNMENT EXT RAO R DIN ARY PUBLISHED BY AUTHORIf{Y ADRAS, FRIDA€ÖMAY 20, 1988 6 Vi, VIBHAVA, THIRiNÄL'iUVAR AANDU—20/' Pan. Nada The following Act of the , Tamã.Nadu Legislative Assembly reC&ed •the 'assen@ of the Praiden&.ön- -the May 1988 and •is hereby- published for. general ACT No. 4tpR 1988. An Aet further to amend the Tamu Nadu r...md Reforms (Fixation 01 Ceiling on Act, 1961. BE it enacted by,the Legislative Assembly of the State of, Tamil Nadu in the Thirty-eighth Year of the Republic of India. u follows ld Short titte.—.Thig Act may be •Zaned the Tamil Nadu Lana (Fixation of Ceiling on Land) Second Amendment Act, 1987

2. Tamil Nadu Act 58 of 1961, as subsequently modified, to have effect subject to modifications.—

The Tamil Nadu Land Reforms of on Ag 1961 (Tamil Nadu Act 58 of 1961), ag subsequently modified, 'hall have effect, as if,— (a) in section 85, iA sub-secdon (1), for the words hundred rupees ", words "two thousand tupeø " had (b) in section 86, for words "two hundred the words " two thousand had been subsdtuted ; (c) in section 87, for the 'tone thousand words "two thousand rup•" had bee substituted ; "two been , the up) ry-2 nx. 16 TAML NADU GOVERNMENT GAZETTE EXTRAORDINARY (d) in section 88, for the words " one thousand rupees the words " two thousand rupees" had been substituted; (e) in secüon 89, for the words "one t»usand rupees", the words "two thousand rupees" had been substituted ; (f) in section 90, for the words "five hundred rupees", the words "two thousand rupees" had been substituted; (g) in section 91, for the words " one thousand rupees the words "two thousand rupees " had been substituted. (By •order of the Governor) P, JEYASNGH PETER, Secretary to Government, Law Department. PRINTED AND PUBLISHED BY THE DIRECTOR OF STATIONERY AND MADRAS, ON BEHALF OF THE GOVERNMER•a OF TAMIL NADU »....MJ 334 Short and commence. ment. Definition. Tamil Nadu Aot 58 of 1961 is subsequent- tly modified TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY T hp ing Act of the Tanlil Nadu Legislative Assem bly received the assent of the Pres;dent on the 12th August 1994 is hereby published for genctrai information:— ACT No. 47 OF 1994. An Act jurther to t me id the Taenil Nadu Land ReJonns (Fixalion of C'ciling 011 Land) Act, 1961. BE it enacted by the L.egislative Assen-Lly of the State of Tamil Nadu in the Forty-fifth Year of the Republic of India as follows 1. (1) This Act may be called the Tamil Nadu Land r 3Cornls (Fixation of Ceiling on Land) ADI Act, 19.94. (2) Clause (I) of section 3 shall be deenn,ed to have into force on the 24th day of JuiY 1991

2. In this Act, "principal Act " Ineans the 'Talnil Nadu Land Refornß (Fixation Tamil Nadc of Ceiling on Land) Act, 196), as subsequently modified.Act .58 of 3. The principal Act shall have effect

as if.— (I) in section 77-C., after sub-section (5), tnc "ollowing sub-section had been to have effect inserted, namely su bject to modifications. "(6) (a) In the of the occurreiice of any Vacancy in the omce of the resignation or otherwise, the Vice-Chairman Chairman by reason of his death, shall act as the Chairman until the date on which a new Chairman, appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his omce. (b) When the Chairman is unable to discharge his functions owing to absence, illness or any other. cause, the Vice-Chairman shill discharge the func- tions of the Chairman until the date on which the Chairman resumes his duties e"; (2) in section 77-D, after sub-section (2), the following sub-section had been inserted, namely :— "(2-A) The Chairman, Vice-Chairman or other Member may, by notice in writing under his hand addressed to the Governor of the State, resign his ofte : Provided that the Chairman, Vice-Chairman or other Member shall, unless he is permitted by the Governor of the State to relinquish his omce sooner, con- tinue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appoir,ted as his successor enters upon his office or until the expiry of his terin of office, whichever is the earliest."

4. Anything done or any action or proceeding taken or any order made by the Validation.Vice-Chairman of the Tami] Nadu Land Reforms Special Appellate Tribur.al, under the principal Act, at any time on or after the 24th day of July 1991 and before the date of the publication of this Act in the Tamil Nadu Government Gazette, shall, for all purposes, be deen-.ed to be, and to have always been, validly done or taken or made in accordance with law, as if section '77-C of the principal Act as amended by this Act, had been in force at all material times when such thing or action or order was done or taken or made and shall not be liable to be questioned in any court of law. (By order ot the Governor) M. MUNIRAMAN,

Secretary to Government* Lay.' RNMENT OF TAMIL NADU TAMIL NADU GOVERNMENT Registered No (Price GAZETTE r No. 224] "mil Nadu Act 58 of 1961. EXTRAORDINARY PUAISHED BY AUTHOmT* MADRAS, FRIDAY, MAY 10, 1996 Chithirai 28, Thadhu, Thiruvalluvar Aandu— 2027 Part Tamil Nadu Acw and Ordiaa—. The following Act of tho Tamil Legislative Assembly received the assent of the President on the 2nd May 1996 and is hereby published for 9neral information ACT No. 11 OF 1996. An Act further to amend the Tamil Naau'Løtd Reforms (Fixation of Ceiling on Land) Act, 1961. BE it enacted by the Legislative Assembly of the State of] Tamil Nadu in the Forty-fifth Year of the Republic of India as follows:— 1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1994

2. It is hereby declared that this Act is for giving effect to the policy of the State towards- securing the principles laid down in clauses (b) and..(c) of Article 39 of the Constitution

3. In this Act, "principal Act" means the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, as subsequently modified

4. The principal Act shall, on and from the (th day of April 1960, have effect, as if, section 22 had been renumbered as sub-section (1) of that and afta added, nameây:—"(2) the purpose of sub-section (1), if any transfer or partition has the effect of reducing the extent of surplus land in excess of the ceiJing area, such transfer or partition, whether bonafde or not, shall be consl.ræd as defeating the provBions Short title. Declaration, Definition, Tamil Nad D 58 01 baw ecb abject to modificatio A Grc,cp IV-A- 68 Validation... R ening Of certain cases. TA NADU GOVERNMENT GAZETTE EXTRAORDINARY nu in force 5. Notwithstanding anything contained in any law for the time or in any judgement, decree or order of any court or other authority, all acts done or proceedings taken in respect of cases falling under section 22 of the principal Act by the authorized officer before the date of the publication of this Act in the Tamil Nadu Government Gazette, which are in conformity with the provisions of section 22 of the principal Act, as amended by secti(n 4 of this Act, shall, for all purposes be deemed to be, and to have always been, valid, y done or taken in accordance with law, as if secticr. 22 of the principal Act as amended. by section '1 of this Act had been in force at all material times such acts proceedings gere dne or 6. Notwithstanding anything contained in any law Xor th time being In torce or in any judgement, decree or order of any court or other authority, but subject f.o the provisions of section 21-A of the principal Act, any proceeding taken or order passed under the principal Act which has been disposed of before the date of the publication of this Act in the Tamil Nadu Government Gazette, contrary to the provisions of section 22 of the principal Act, as amended by section 4 of this Act, snail be reopened and disposed ot in accordance with the provisions ot section 22 of the principal Act as so amended : Provided that no such proceeding or orur shall be reopened u •.de,r clus section after the expiry of a period of five years from the date of the publication of this Au' in the Tamil Nadu Government Gazette: %Provided further that no such proceeding or order shall be reopened unfess the person affected has had a reasonable opportunity of being heard. (By order oi the Governof) Secretary to Government, Law Department. No BUSHED rt1E OF s I BEHALF OF THE GOVERNMENT OF TAMIL NADb. G. MADRAS. NT*OF TAMIL NADU Registexeg 3 (Price'- 0.15 TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY PuBoSHäd BY AUTHORITY CHENNAI, TUESDAY, NOVEMBER Aippasi 18, Vekuthaoiva, alluvar Part Section 2 Tamil NaduActs and Ordinances. Nadu The l'ollowing Act of' the Ta.mil Nodu 'Legislative Assembly re •eive(.l the assent 27th October 1998 and is hereby publis lcd ror genera(ot the President on the information ACT No. 36 OF '998. An Act furth.er to am'nd the Tamil Naci" Reforms (Fixation oj Ceiling on Land) Act, 1961. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-ninth year ot the Republic of India as follows : 1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1998

2. It is hereby declared that this Act is for giving effect to the policy or the State towards securing the principles laid down in clauses (b) and (c) of Article 39 of the Constitution

3. The Tamil Nadu Land Reforrns (Fixation of Ceiling on Land) Act, 1.961. as subsequently modified, shall have effect, as if, (a) in section 7, after the proviso, the following Explanation had been added, namely :— " Explanation.—Notwithstanding anything contain ed i n this Act, for the purpose ' acre " means ordinary acre. of this proviso, (b) in section 62, after the fourth proviso, the following Explonation had been added, namely " Explanation.— Nmwithstanding anything contained in this Act, j•o;• the pur

pose Short title. Declaration. Tamil Nadu Act 58 of 1961, as subsequently modified, to have effect subject to modification. of the third PUBLISHED proviso " acre" means ordinary acre. ' (By order of the Governor.) A. K. RAJ XN, Secretary to Law Departnzeai. TAE DIRECTOR OF STATIONERY AND PRN'NNG, CHENNAI ON BEHALF OF THE GOVERNMENT OF TAMIL NADU VERNMENT OF TAMIL NADU TAMIL NADU [Registered No. M-1 Price : Rs. 0.15 No, 269] Tamil Nadu Act 58 of 1961. GOVERNMENT GAZETTE EXTRAORDINARY PUBLISHED BY AUTHORITY CHENNAI, THURSDAY, APRIL 1, 1999 Panguni 1 8, Vekuthaniya, Thiruvalluvar Aandu-2030 Part IV — Section 2 'T Ng.du Acts and Ordinance. The following Act of the Tamil Nadu Legislative Assembly recel,ed the assent of the President on the 18th March 1999 and is hereby published for general information . ACT No. 7 OF 1999. to amend the Tamil Nadu Land Reforms (Fixation of Ceiling An Act further on Land) Adt, 1961. BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty- ninth Year of the Republic of India as follows 1. (I) This Act may be called the Tamil Nadu Land Reforms (Fixation of Short title and commmcement, Ceiling on Land) Third Amendment Act

1998. It shall come into force at once.(2) 2. The Tamil Nadu Land Reforms (Fixation of ceiling on Land) Act, 1961, Tamil Radu Act 58 1961, as subsequently modified, shall have effect, as if in section 108,— as subsequently (a) in clause (a), for the words "twenty-five repec s", tlc words "one hundred modüfed, to have effect rupees" had been substituted ; subject to (b) in clause (b), for the words "five rupees", the words "one hundred rupees" modifications had been substituted ; (A Group) IV-2 Ex. 26 PRD.rrED AND TAMIL NADU GOVERNMENT GAZE"ITE EXTRAORDINARI (c) in clause (c), for the words "twenty-five rupees", the vcords "one hundred rupees" had been substituted (d) for clause (d), the followil g clause had been substituted, namely "(d) any applicad icn for revision DY I-rend Commissioner under section 82, shall be one rupees" ; (e) in clause for tae words "ten rupees", the words "one hundred rupees" had been substituted. (By order of the Governor) PUBLISHED BY DIRECrOR OF STATIONERY AND OF THE GOVERNMENT OF TAML NADU. K. PARTHASARATHY, Secretary to Government, Law Departmeii. N a-ENNAI ON 1 Nadu Act 58 of TAMIL NADU GOVERNMENT GAZETTE EXTRAORDINARY The following Act of the Tamil :Nadu Legislative Assembly recei ved the assent of the President on the 1st July 2003 and is hereby published for general information:— ACT No. 26 OF 2003. An Act further to amend the Tantil Nadu Land Reforms (Fixation QI Ceiling on Land) Act, 1961. BF. it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fourth Year of the Republic of India as follows:-- 1. (I) This Act may be called the Tamil Nadu Land Reforms (Fixation ofCeiling on Land) Amendment and Special Provisions Act, 2003. (2) It shall come into force at once

2. In the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (hereinafter referred to as the principal Act),—(a) in section 3, clause (39-A) shall be omitted; (b) in section 13, in sub-section (1), in clause (i) the words "or the Special Appellate Tribunal" shall be omitted; (c) in section 14, in sub-section(i), the words "orthe Special Appellate Tribunal" shall be omitted; (d) in section 34, for the expression "Subject to the provisions of section 83, the decision" the expression "The decision" shall be substituted. 3.. Chapter X-A of the mincipal Act shall be omitted

4. In section 79 of the principal Act, including marginal heading, for the words "Special Appellate Tribunal", wherever they occur the words "High Court" shall be substituted

5. For section 83 of the principal Act, the following section shall be substituted, namely:—"83. Revision by High Court. —Subject to the provisions of section 79, every Land Tribunal shall be deemed to be a Court subordinate to the High Court for the purposes of section 1 15 of the Code of Civil Procedure, 1908 (Central Act V of 1908) and its orders shall be liable to revision by the High Court under the provisions of that section.'

6. In section 84 of the principal Act.ror the words "Special Appella:te 'bunal" the words "High (l.'ourt" shall be substituted

7. In section 105 of the principal Act, the words "Special Appellate Tribunal" shall be omitted

8. After section 106 of the principal Act, the following section 107 shall be inserted, namely :—" 107. Bar qfJurisdiction of Civil Courts. •--Except as otherwise provided in this Act, no civil court shall have jurisdiction to decide or deal with any question which is by or under this Act required to be decided or dealt with by the authorised officer, Land Board, the Land Commissioner, the Land Tribunal or other authority. "

9. In section 108 of the principal Act, in clauses (c) and (e), for the words "Special Appellate Tribunal", the words "High Court" shall be substituted.

119 Shott title and commence. ment. Amendment to sections 3, •13, - 14 and 34. Omission of Chapter X-A. Aniendment of section 79. Substitution of section 83. A nw•ndtnent ot' section 84. Amendnwnt of section 105. Insertion of new section Amcndment of section 108. 120 pending : proceedings in Ahe Special Appellale rribunal to Court. NA GOVERNMENT' GAZETTE EXTRAORDINARY IO. (1) All cases •onected with the land reforlll.s dealt with under the principal Act and pending in the 'Special Appellate -ISribunal ixnmediately before the date of commencement of this Act as would have been within the jurisdiction of the High Court, if the causes of adion on which such proceedings are based had arisen after the said date of commence!nent, shall stand transferred to the High Court with effect from the date of • the commnencernent ot' this Act. (2) All cases, connected xvith the validity of any order granting exemption under sub-section (i) of s:ction 21 of the repealed Tamil Nadu Urban Land (Ceiling and Regulation) Act, i 978 (herea fier referred to as 1 978 Act) and any action taken thereunder. as ieferred io in ciause (b) of sub-section (1) of section 3 of the Tamil Nadu Urban Land (Ceiling and Regula:ion) Repeal Act, 1999 (hereafter referred to as 1999 Act); and 12, 14. 15, I-s-B and the 1978 Acl in so far as such proceedings ate te}atable to the land. possession of which has been taken over by the State Government or any person duly authorised by the State (Govenunent in this behalf or by the Competent Authority, as retz•rred to in the proviso to section 4 ot-the 1999 Act, and pending in the Spec ial Appellale Tribunal inunediatly befOre the date ofcommencement of this Act as •would have been within the jurisdiction of the High Court, if the causes of action on which such proceedings are based had arisen after the said (late ofcommencement, shall stand transferred to the High Court with effect from the date of the commencement of this Act. (By order of the Governor) A. KRISHNANKUITY NAIR, Secretary to Government. Law Department. PRINTED AND PUBLISHED BY THE DIREC"TOR OF s f AND PRINTING, CHENNAI ON BEHALF OF GOVERNMENT OF 1 AMIL. NADU. Tamil Nadu Act "Tarni(Nadu Act 20 or 999.