The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961

Act 58 of 1961

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

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[1][TAMIL NADU] ACT NO. 58 OF 1961.[2]

THE [1][TAMIL NADU] LANDREFORMS (FIXATION OF CEILING ON LAND) ACT, 1961.

[Received the assent of the President on the 13th April 1962, first published in the *Fort St. George Gazette* on the 2nd May 1962 (Vaisakha 12, 1884).]

An Act to provide for the fixation of ceiling on agricultural land holdings and for certain other matters connected therewith in the [3][State of Tamil Nadu].

WHEREAS under clauses (*b*) and (*c*) of Article 39 of the Constitution of India, the State should, in particular, direct its policy towards securing that the ownership and control of the material resources of the community are so distributed as best to subserve the common good and that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment ;

AND WHEREAS the area of agricultural land available for cultivation in the State is limited ;

AND WHEREAS there is great disparity in the ownership of agricultural land leading to the concentration of such land in the hands of certain persons ;

AND WHEREAS it is necessary to reduce such disparity in the ownership of agricultural land in the State.

AND WHEREAS it is necessary to fix a ceiling on the agricultural land holdings ;

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[1] These words are substituted for the word "Madras" by the Tamil Nadu Adaptation of Laws Order, 1969 as amended by the Tamil Nadu Adaptation of Laws (Second Amendment) Order, 1969.

[2] For Statement of Objects and Reasons, *see Fort St George Gazette* Extraordinary, dated the 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 conversion into Ryotwari) Act, 1963 (Tamil Nadu Act 26 of 1963).

By virtue of section 4 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972, the amendments made by the said Act to the principal Act shall have effect notwithstanding anything inconsistant therewith contained in the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Land) Act, 1961 (Tamil Nadu Act 57 of 1961).

[3] 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).

AND WHEREAS it is necessary to acquire the agricultural land in excess of the ceiling area and to distribute such land to the landless and other persons among the rural population ;

AND WHEREAS such distribution will best subserve the common good, increase agricultural production and promote justice, social and economic ;

AND WHEREAS it is expedient to provide for all these and other matters connected therewith ;

BE it enacted in the Twelfth Year of the Republic of India as follows :—

CHAPTER I.

PRELIMINARY.

Short title and extent.

1. (1) This Act may be called the [1][Tamil Nadu] Land Reforms (Fixation of Ceiling on Land) Act, 1961.

(2) It extends to the whole of the [2][State of Tamil Nadu].

Act not to apply to lands held by existing religious institution or religious trust of public nature.

[3][2. (1) Subject to the provisions of sub-sections (2) and (3) and of section 6, nothing contained in this Act shall apply to lands held,—

(i) by any religious institution, or

(ii) by any religious trust of a public nature, which is in existence on the date of the commencement of this Act.

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[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 "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.

[3] 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."

(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 thereof, 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 the company from agricultural land and "non-agricultural company" means any other company ;

(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 ;

(6) "Bhoodan Yagna" and "Gramdan land" shall have the same meaning as in clauses (*a*) and (*d*) respectively of section 2 of the [1][Tamil Nadu] Bhoodan Yagna Act, 1958 ([1][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) "creditor" means a secured creditor and includes any decree-holder who has obtained an attachment of land in execution of a decree or order ;

(10) "cultivating tenant"—

(i) means a person who contributes his own physical labour or that of any member of his family in the cultivation of any land belonging to another, under a tenancy agreement, express or implied ; and

(ii) includes—

(*a*) any such person who continues in possession of the land after the determination of the tenancy agreement; or

[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.

(*b*) the heir of such person, if the heir contributes his own physical labour or that of any member of his family in the cultivation of such land, or

(*c*) a sub-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 ;

[1][(11) "date of the commencement of this Act" means the 15th day of February 1970.]

[2][(12) "date of the publication of this Act" means the date of the publication of the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970, in the **Fort St. George Gazette*;]

[3][(13) * * * *]

(14) "family" in relation to a person 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 granddaughters in the male line, whose father and mother are dead.

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[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 15th February 1970:—

"(11) "date of the commencement of this Act" means the date on which the Madras Land Reforms (Fixation of Ceiling on Land) Bill, 1960 was published in the *Fort St. George Gazette*, namely, the 6th day of April 1960"

[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 this Act in 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*.

Explanation [1][I]—For the purpose of this clause, in the case of persons governed by Hindu Law, "minor sons" and "minor grand sons" shall not include sons or grand sons—

(i) between whom and the other members of the family, a partition by means of a registered instrument has taken place; or

(ii) in respect of whose family properties a preliminary decree for partition has been passed :

before the [2][notified date].

[3][*Explanation II.*—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 voluntarily 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 ;

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[1] The explanation to clause (14) was numbered as Explanation I of that clause 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.

[2] These words were substituted for the words "date of the commencement 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 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*) in the case of persons governed by any law other than Hindu Law, "minor sons", "unmarried daughters", "minor grand-sons", and "unmarried grand-daughters", shall not include "minor sons", "un-married daughters," "minor grand-sons" and "unmarried grand-daughters",—

(i) in whose favour any land has been voluntarily 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];

15) "forest land" includes any waste land containing trees or shrubs;

(16) "full owner" means a person entitled to the absolute proprietorship of land;

(17) "Government" means the State Government;

[1][(18) * * *]

(19) "to hold land" with its grammatical variations and cognate expressions means to own land as owner or to possess or enjoy land as possessory mortgagee or as tenant or as intermediary or in one or more of those capacities;

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[1] 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 ;"

(20) "inam land" in any area in the State except the transferred territory—

(*a*) means any land the grant 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 exempt either in whole or in part, from payment of land revenue ;

(iii) any land of which the land revenue alone or portion thereof has been granted in inam to any person, provided that such grant has been made, confirmed or recognized by the Government ; and

(iv) any inam constituting an estate under the [1][Tamil Nadu] Estates Land Act, 1908 ([1][Tamil Nadu] Act I of 1908);but does not include any inam land on which full assessment of revenue has been levied under the [1][Tamil Nadu] Inams (Assessment) Act, 1956 ([1][Tamil Nadu] Act XL of 1956);

(21) "intermediary" means any person who, not being an owner or a possessory mortgagee, 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 or purposes subservient thereto and includes forest land, pasture land, plantation and tope, but does not include house-site or land used exclusively for non-agricultural purposes ;

(23) "Land Board" means the [2][Tamil Nadu Land Board] constituted under section 24;

(24) "Land Commissioner" means the Land Commissioner appointed under section 97;

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[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.

(25) "land owner' 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 II and such other village or 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;

[1][*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 ;

[2][(30) * * *]

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[1]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.

[2]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):—

"(30) "new sugar factory" means any sugar factory which has come or comes into existance on or after the date of the commencement of this Act ;

[1][(31) '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 Act;]

(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 ;

[2][*Explanation.*—The expression "fruit or nut-bearing trees" shall not include plantain trees];

(33) "owner"—

(*a*) means—

(i) any preson holding land in severalty or jointly or in common under a ryotwari settlement or in any way subject to the payment of revenue direct to the Government, or

(ii) a landholder as defined in the [3][Tamil Nadu] Estates Land Act, 1908 ([3][Tamil Nadu] Act I 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 persons deriving rights through him ;

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[1] This clause was substituted for the following clause by section 2(1) (d) 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 :—

"(31) 'notified date' means the date specified in the notification issued by the Government under sub-section (1) of section 8;".

[2] 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.

[3] 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

(34) "person," includes any [1][* * *], company, family, firm, society or association of individuals, whether incorporated or not [2][or 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 of 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;]

[4][(36-A) "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 Act, for the purposes of this clause, where the income 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 of the trust.]

[5][4][(36-AA)] 'Proclamation on Emergency' means the proclamation issued under clause (1) of Article 352 of the Constitution of the 26th day on October 1962 ;]

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[1] 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 1 st March 1972.

[2] These words were added by section 3 (2) (a), *ibid*.

[3] These words were added by section 2 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.

[4] Clause (36-A) was renumbered as clause (36-AA) and this clause was inserted by section 3(2)(b) 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.

[5] This clause was inserted by section 6(i) of the Tamil Nadu Tenancy (Amendment), Act, 1965 (Tamil Nadu Act 9 of 1965),

[1][(36-AAA) "public trust" means a trust for a public purpose of a religious, charitable or of an educational nature;

(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 of a 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 (1) 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 above but below Rs. 8 per acre; or

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[1] These clauses were inserted by section 3(2)(*c*) 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.

(*e*) 1.75 acres of wet land assessed to land reven u at the 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 at 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 district—

(*a*) 1 acre of registered wet land irrigated by any source forming part of, or benefited by, any project; or

(*b*) 1.2 acres of registered dry land irrigated by any source mentioned in item (*a*) ; or

[1][bb] 1.6 acres of wet land irrigated by any Government source other than a source mentioned in item (a); or

(*c*) 1.6 acres of dry land irrigated by any Government source other than a source mentioned in item (a); or

(*d*) 4 acres of dry land unirrigated by any source mentioned in item (*a*) or by any other Goverment source 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 river or stream ; or

(*b*) 1.6 acres of wet land irrigated by any Government source other than a source mentioned in item (*a*) ;

[1] This item was inserted 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.

(*c*) 2 acres of dry land irrigated by any Government source ; or

(*d*) 4 acres of dry land unirrigated by any source mentioned in item (*a*) or by any other Government source of irrigation ;

Explanation I*.—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 [1][Tamil Nadu] Inams (Assessment) Act, 1956 ([1][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 ryotwari assessment payable under such settlement after it is brought into force;

(iv) in the case of any land in respect of which a ryotwari settlement effected in pursuance of section 22 of the [1][Tamil Nadu] Estates (Abolition and Conversion into Ryotwari) Act, 1948 ([1][Tamil Nadu] Act XXVI of 1948) has not been brought into force before the date of publication of the draft statement under sub-section (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:

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[1] These words were substituted for the word " Madras " by the Tamil Nadu Adaptation of Laws Order, 1969, as amendmed 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.

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 furthet 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 [1][Tamil Nadu] Inams (Assessment) Act, 1956 ([1][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*) Valliar system ;

(*c*) Thiruparappu Right Bank Channel and Left Bank Channel system;

(*d*) Champakulam system;

(iii) Alathuraiyar system.

[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.

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 area 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 futher 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 reduceed to standard acres calculated according to the proportions specified in clause (40);

(41) " State " means the [1][State of Tamil Nadu];

(42) " stridhana land" means any land held on the date of the commencement of this Act by any female member of a family in her own name.

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[1] 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 Amdement) Order, 1969.

[1][(43) * * * *

(44) * * * *]

(45) "surplus land" means the land held by a perso in excess of the ceiling area and declared to be surplu land under section 12, 13 or 14;

(46) "tenant" means any person who has paid or ha agreed to pay rent or other consideration for his being 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 o 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) " tope " 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 does not include trees on such bunds as are not within or adjunct to such groups of trees;

[2][*Explanation.*—The expression " fruit or nut-bearing trees " shall not include plantain trees.]

(48) "transferred territory" means the Kanyakumari district and the Shencottah taluk of the Tirunelveli district;

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[1] The following clauses were omitted by section 3 (1) of the Tamil Nadu Land Reforms (Fixation of Celling 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; "

[2] This explanation was added by section 3 (1) of the Tamil Nadu Land Reforms (Fixation of Celling 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.

[1][(49) "trust" means a private trust or a public trust] ;

[2][3-A. Notwithstanding anything contained in this Act, if, by virtue of the operation of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amedment 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,— Certain special definitions.

(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.]

[3][3-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,— Certain special definitions

(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

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[1]This clause was substituted for the following clause by section 3 (2) (*d*) 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:—

"(49) " 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."

[2]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).

[3]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.

Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972, in the *Tamil Nadu Government Gazette*.]

Certain special definitions.

[1][3-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 ;

(ii) '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*.]

Certain special definitions.

[2][3-D. Notwithstanding anything contained in this 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 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) Fourth Amendment Act, 1972, in the *Tamil Nadu Government Gazette*.]

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[1] This section was inserted by section 3 (3) 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] This section was inserted by section 3(1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which came into force on the 1st March 1972.

[1][3-E. Notwithstanding anything contained in this Act, if, by virtue of the operation of section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) 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 context otherwise requires,— Certain special definitions.

(i) " date of the commencement of this Act " means

(*a*) for the period before the 15th day of February 1970, 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, which shall be a date subsequent to the date of the publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972, in the *Tamil Nadu Government Gazette*.]

4. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or any custom, usage or contract or decree or order of a court or other authority. Act to override other laws, contracts, etc.

[1] This section was inserted by section 3(2) 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.

CHAPTER II.

FIXATION OF CEILING ON LAND HOLDINGS.

Ceiling area.

5. (1) [1][(*a*) Subject to the provisions of sub-sections (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 provisions of sub-sections (3-A), (3-B), (3-C), (4) and (5) and of 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.

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[1]This clause was substituted for the following clause (*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 1972:—

"(*a*) Subject to the provisions of Chapter VIII, the ceiling area 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 case of every family consisting of not more than five members, shall be 30 standard acres.

[In the said clause, for the figures and words "30 standard acres", the figures and words "15 standard acres" were earlier substituted by section 2 (2) (*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.]"

[2]This expression was substituted for the expression "subject to the provisions of sub-sections (4) and (5)" by section 3(4) (*a*) (ii) 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.

[3]These figures and words were substituted for the figures and words "30 standard acres" by section 2 (2)(*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.

[1][(*c*) (i) The ceiling area in the case of the institutions mentioned 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 institution on the date of the commencement of this Act.

The Table.

(1)	(2)
(1) Any College affiliated to or recognised by any University under any law or rule relating to education.	40 (Forty) standard acres.
(2) Any High School or equivalent school recognised by the Government or University under any law or rule relating to education.	20 (Twenty) standard acres.
(3) Any Elementary School or Higher Elementary School or other equivalent institution recognised by the Government under any law or rule relating to education.	10 (Ten) standard acres.
(4) Any Students' Hostel ..	25 (Twenty-five) standard acres.
(5) Any Polytechnic Institution.	25 (Twenty-five) standard 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 (Tamil Nadu Act 37 of 1972), which was deemed to have come into force on the 1st March 1972.

(1)	(2)
(6) Any Agricultural School ..	25 (Twenty-five) standard acres.
(7) Any Orphanage	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 Table 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 held on the date of the commencement of this Act, by any of the institutions mentioned above, the extent of 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 the commencement of this Act (other than such trusts under 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 as 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, 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.]

(2) For the purposes of this section, all the lands held individually by the members of a family or jointly by some or all of the members of such family shall be deemed to be held by the family.

(3) (*a*) In calculating the extent of land held by a member of a family or by an individual person, the share of the member of the family or of the individual person in the land held by an undivided Hindu family, a Marumakkattayam tarward, an Aliyasanthana family or a Nambudiri Illom shall be taken into account.

(*b*) In calculating the extent of land held by a family or by an individual person, the share of the family or of the 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 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 tarward, an Aliyasanthana family or a Nambudiri Illom, 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.

[1][(3-A) (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.

Explanation.—For 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.

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[1]Sub-sections (3-A), (3-B) and (3-C) were inserted by section 3 (4) (b) 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.

(*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 equal 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

(ii) 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.

[(3-C) Notwithstanding anything contained in this Act, no land shall be held by any public trust which is created after the date of the commencement of this Act.]

(4) (*a*) Subject to the provisions of sub-section (5), 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 [1][15 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.

extent of land which the family is entitled to hold under sub-section (1), stridhana land not exceeding 10 standard acres :

Provided that where any extent of stridhana land held by a female member is included in the extent of land which the family is entitled to hold under sub-section (1) and in case where the extent so included is—

(i) 10 or more than 10 standard acres, she shall not be entitled to hold any stridhana land in addition to the extent so included ; or

(ii) less than 10 standard acres, she may hold in addition to the extent so included an extent of stridhana land, which together with the extent so included, shall not exceed 10 standard acres.

(*b*) where the extent of stridhana land held under clause (*a*) by any female member of a family consisting of more than five members—

(i) is 5 or more than 5 standard acres, she shall not be deemed to be a member of that family for the purposes of clause (*b*) of sub-section (1) ; or

(ii) is less 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 so held.

Illustrations.

(*a*) An undivided 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 [1][40 standard acres], that is to say, A's share and the share of his sons in the land held by the undivided Hindu family is [1][10 standard acres] each. A's wife has [1][15 standard acres] of stridhana land and B's wife has [1][10 standard acres] of stridhana land.

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[1] These figures and words were substituted for the figures and word "80 standard acres", "20 standard acres", "30 standard acres" and "20 standard acres" respectively by section 2 (2) (*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.

For the purpose of ceiling, A's family and B's family will each constitute a 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, [1][10 standard acres] is included within the [1][15 standard acres] allowed under sub-section (1) of section 5, the wife's stridhana land to the extent of [1][5 standard acres] may be included to make up [1][15 standard acres] [section 5 (4)]. [2][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 25 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, [3][10 standard acres] is included within the [3][15 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 [3][5 standard acres] may be included to make up [3][15 standard acres] [section 5 (4)]. All the members of B's family will therefore be together entitled to hold [3][15 standard acres] and the remaining [3][5 standard acres] will be treated as surplus land.

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[1]These figures and words were substituted for the figures and words "20 standard acres","30 standard acres","10 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.

[2]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 family will 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 ", " 30 standard acres " and " 10 standard acres " respectively by section 2 (2) (*c*) (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.

(*b*) A family consists of husband and his 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 (1) of section 5, then, an extent of [1][5 standard acres] of the share of the husband in the undivided Hindu family may be included to make up [1][15 standard acres]. [1][5 standard acres] will be treated as surplus land and the wife is not entitled to hold any additional extent of stridhana land [section 5 (4)].

But if the [2][10 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 (1) of section 5, then an extent of [2][5 standard acres] of stridhana land of the wife could also be included to make up [2][15 standard acres]. The wife may retain additional [2][5 standard acres] of stridhana land [section 5 (4)]. [3][There will be no surplus land.]

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[1] These figures and words were substituted for the figures and words "25 standard acres", "20 standard acres", "20 standard acres", "30 standard acres", "10 standard acres" and "30 standard acres" and for the words "Fifteen standard acres" respectively by section 2 (2) (*d*) (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.

[2] These figures and words were substituted for the figures and words "25 standard acres", "30 standard acres", "5 standard acres", "30 standard acres" and "5 standard acres" respectively by section 2 (2) (*d*) (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.

[3] This sentence was susbstituted for the following sentence by section 2 (2) (*d*) (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 :—

"Ten standard acres will be treated as surplus 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 [1][25 standard acres]. If the entire extent of land which the family is entitled to hold under sub-section (1) of section 5 consists of the land owned by the husband only, then, the wife can hold additional [1][10 standard acres] [section 5 (4)]. The remaining [1][15 standard acres] will be treated as surplus land.

(*d*) A Christian family consists of the husband, his wife and his two minor sons. The husband and the minor sons have no property. The wife has stridhana land of [2][20 standard acres]. The family can retain [2][15 standard acres]. The remaining [2][5 standard acres] will be treated as surplus land and the wife is not entitled to hold any additional extent of stridhana land [section 5 (4)].

(5) Notwithstanding anything contained in sub-section (1) and in sub-section (4) and in Chapter VIII the total extent of the land held or deemed to be held by any family [3][shall in no case exceed 30 standard acres].

(6) In calculating the extent of land held or deemed to be held by any person, the extent of land which may revert to such person immediately after the death of any limited owner shall, during the lifetime of the limited owner, be excluded.

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[1]These figures and words were substituted for the figures and words " 30 standard acres ", " 50 standard acres ", " 10 standard acres " and "40 standard acres " respectively by section 2 (2) (*e*) 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 15h February 1970.

[2]These figures and words were substituted for the figures and words " 40 standard acres ", " 30 standard acres " and " 10 standard acres" respectively 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.

[3] 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 " 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.)

Basis of calculation of the extent of land held by the founder of a [1][public trust].

6. Where under the terms of a [1][public trust] any interest either in the land in respect of which the [1][public trust] is created or in the income from such land is reserved in favour of the founder of such [1][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 which the [1][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 person and shall be taken into account in calculating the extent of land held by him. The extent so declared shall cease to be the [1][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 proportion to the entire liability as the extent so declared bears to the total extent.

Ceiling on holding land.

7. On and from the date of the commencement of this 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.

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[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 into force on the 1st March 1972.

Furnishing of return by person holding in land excess of [2][15 standard acres].

8. (1) [2][[3](Within thirty days) from the notified date], every person, who, on the date of the commencement of this Act, held or is deemed to have held, land [4][in excess of the ceiling area] shall, in respect of all land held or deemed to have been held by such person on such date, furnish to the authorized officer within whose jurisdiction the holding of such person 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 female member of the family ;

(iii) 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 ;

[5][(iv) * * *]

(v) particulars of land—

(*a*) interspersed among plantations, or

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[1]These figures and words were substituted for the figures and words "30 standard acres" by section 2 (3) (*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.

[2]These words were substituted for the words "within ninety days from such date as may be specified in the notification issued by the Government in this behalf" by section 2 (3) (*b*)(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]These words were substituted for the words "Within ninety days" by section 3 (3) (*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]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. (These figures and words "15 standard acres" were earlier substituted for the figures and words "30 standard acres" by section 2 (3) (*b*) (ii) 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).

[5]The following clause was omitted by section 3 (3)(*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 :—

"(iv) particulars of the land which such person desires to hold for dairy farming or livestock breeding ;".

(*b*) contiguous to any plantation,

in existence [1][on the date of the commencement of this Act] in any area [2][* * *] and which land such person desires to hold for extension, or ancillary purposes, 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; [3][and]

[4][(x) * * * * * * *]

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[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 (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 in to force on the 1st March 1972.

[3] 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).

[4] The following clause (x) was omitted by section 3 (3) (a) (ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971) :—

"(x) in the case of an existing sugar factory, also particulars of the land which sugar factory—

(*a*) holds as owner, and

(*b*) holds otherewise 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"

(xi) such other particulars as may be prescribed

[1][*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 II.—Where 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, the 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.

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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 (Amemdment) 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."

[1][(2) * * * *]

Collection of information.

9. (1) If any person who has held or is deemed to have held land [2][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.

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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 contai such particulars and shall be published in such manner as may b prescribed.".

2 These words were substituted for the expression "in exce of 15 standard acres" by section 3 (6) of the Tamil Nadu Lar Reforms (Fixation of Ceiling on Land) Third Amendment Ac 1972 (Tamil Nadu Act 37 of 1972), which was deemed to have con into force on the 1st March 1972. The figures and words " standard acres" were earlier substituted for the figures and wor " 30 standard acres" by section 2 (4) of the Tamil Nadu Lar Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Na Act 17 of 1970), which was deemed to have come into force on t 15th February 1970.

(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 informations 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

[2][* x * *], [3][*]

[4][(*b*) * * *]

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[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 Celing 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 ".

[1](4) * * *].

Preparation and publication of draft statement as regards land in excess of the ceiling area.

10. (1) On the basis of the return furnished under sub-section (1) of section 8 and the basis of the representation and evidence under the proviso to Explanation III to sub-section (1) of section 8 or on the basis of the return furnished under sub-section (1) of section 9 and the additional particulars, if any, furnished under that sub-section, or on the basis of the information obtained by the authorized officer under clause (*a*) of sub-section (2) of section 9 and the orders passed on the representation and the evidence, if any, under clause (*b*) of sub-section (2) of section 9, as the 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 and of the stridhana land held by each female member of the 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

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[1] The following sub-section (4) was omitted by section 3 (4) 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, forward a copy of the return, the additional particulars, or the information obtained, as the case may be, to the Sugar Factory Board.".

[1][(v) * * * *]

(vi) particulars of land—

(*a*) interspersed among plantations, or

(*b*) contiguous to any plantation,

in existence [2][on the date of the commencement of this Act] in any area [3][* *] and which land such 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 ;

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[1] 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) of the Tamil Nadu Land Reforms (Fixationof 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.

[3] The words "other than a hill area" were 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.

(xii) particulars of the land proposed to be declared as surplus land ; [1][and]

[2][(xiii) * * *]

(xiv) such other particulars as may be prescribed.

(2) (*a*) For the purpose of calculating for the first time [3][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 [4][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 [5][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 under sub-section (1).

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[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).

[2] The following clause was omitted by section 3 (5) (ii) 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 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 sugarcane for use in the sugar factory ; and"

[3] 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.

[4] These figures and words were substituted for the figures and words "30 standard acres" by section 2 (5)(*a*)(ii) 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.

[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.

(3) If any person has failed to specify the particulars of the land which he desires to retain within this ceiling area, the authorized officer shall, as far as practicable, specify in the draft statement, the land which is capable of easy and convenient enjoyment as the land to be retained by such person within his ceiling area.

(4) If any person has specified the particulars of the land which he desires to retain within his ceiling area, the authorized officer shall, as far as practicable [1][but subject to the provisions of sub-sections (4-A) and (4-B)], declare the same land as comprised within his ceiling area :

Provided that where in the opinion of the authorized officer, the utility of any land or part thereof held by any person has been diminished by any wilful act of such person, after the date of the commencement of this Act, the authorized officer shall declare such land or any part thereof as comprised within his ceiling area :

Provided further that the authorized officer shall, subject to such conditions as may be prescribed, declare 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 officer proposes to declare as surplus land under clause (xii) of sub-section (1) shall, as far as practicable, be such as is capable of easy and convenient enjoyment.

[2][(4-A) 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 or partition had taken place :

[1] This expression was inserted by section 3 (1)(i) 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.

[2] These sub-sections were inserted by section 3 (1) (ii) 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.

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 area of 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) secondly, 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 of his family ; and

(iv) land transferred to others.

Explanation.—In this sub-section "landless person" 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 concerned the tenants, creditors and all other persons who in the opinion of the authorized officer are interested in the land to which such draft statement relates, together with a notice stating that any objection to the draft statement shall be preferred [1][within thirty days] from the service of such notice. The authorized officer shall duly consider any objection received within the time specified in said notice from the persons on whom a copy of the draft statement has been served or any objection received

[1]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 1 of 1972), which was deemed to have come into force on the 1st May 1972.

[1][within thirty days] from the date of the publication of the draft statement from any other person. The authorized officer shall, after giving the objector a reasonable opportunity of being heard and of adducing evidence, if any, and subject to such rules as may be made, pass such orders as he deems fit :

[2][* * *]

Authorized officer to decide question of title in certain cases.

11. (1) If while considering the objections received under sub-section (5) of section 10 or otherwise, the authorized officer finds that any question has arisen regarding the title of a person to any land and such question has not already been finally determined by, or is 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 authorized officer the decision of a question under sub-section (1) involves a substantial question of law or of 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 any 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 authorized officer shall be final.

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[1]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.

[2]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 authorized officer may, in his discretion, allow such further time not exceeding thirty days for the receipt of the objections under this sub-section."

Publication of final statement.

12. 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 rules 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 authorized officer shall thereafter publish a final statement specifying therein the entire land held by the person, the land to be retained by him within the ceiling area and 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.

Exclusion of certain land from calculation of ceiling area.

13. (1) Notwithstanding anything contained in sections 11 and 12, the authorized officer shall, in calculating the 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 ; [1][and]

[2][(ii) * * *]

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[1] This word was added by section 3 (6) (a) of the Tamil Nad Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Ac 1972 (Tamil Nadu Act 39 of 1972), which was deemed to have con into force on the 1st March 1972.

[2] The following clause and the word "and" at the end we omitted by section 3 (6) (b) of the Tamil Nadu Land Refor (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tar Nadu Act 39 of 1972), which was deemed to have come into fo on the 1st March 1972:—

"(ii) the land in respect of which the question whether su land could be permitted to be used for dairy farming or livest breeding is pending before the Land Board ; and".

(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 [1][on the date of the commencement of this Act] in any area [2][* * *] is pending before the Land 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.

[3][(2) * * *]

Amendment of final statement in certain cases.

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 authorized officer shall—

(i) amend the final statement published under section 12, or

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[1] This expression was substituted by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceilling 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 (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.

[3] 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, be 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 "

(ii) where there is no such final statement, p
a final statement, if necessary, under section 12,

in accordance with the decision of the court or th
Tribunal, or other authority, as the case may be.

(2) As soon as may be, after the Land Bo
decided—

[1][(*a*) * * *

(*b*) under section 31 whether any land
under clause (iii) of sub-section (1) of section
be permitted to be used for extension, or for
purposes, of any plantation, the authorized offic

(i) amend the final statement publis
section 12, or

(ii) where there is no such final statem
a final statement, if necessary, under section

in accordance with the decision of the Land

[2][(3) * * * *

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[1] The following clause and the word "or" omitted by section 3 (7) of the Tamil Nadu Land Re Ceiling on Land) Fourth Amendment Act, 1972 (T of 1972), which was deemed to have come into March 1972:—

"(*a*) under section 27 whether any land exclu of sub-section (1) of section 13 could be permitted farming or livestock breeding; or"

[2] The following sub-section (3) was omitted b the Tamil Nadu Land Reforms (Fixation of Amendment Act, 1971 (Tamil Nadu Act 41 of 19

"(3) As soon as may be, after the Sug decided under section 40 whether any land exclu (2) of section 13 could be continued to be us of sugarcane for use in the existing sugar fa officer shall—

(i) amend the final statement publish

(ii) where there is no such final sta statement, if necessary, under section 12,

in accordance with the decision of the Sugar

(4) The final statement amended or prepared under sub-section [1][(1) or (2)] 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.

Power to rectify *bona fide* mistakes and clerical errors.

15. Notwithstanding anything contained in sections 12 and 14, the authorized officer may, either of his own motion or on the application of any of the parties,—

(*a*) if he is satisfied that a *bona fide* mistake has been made in regard to any entry in the final statement published under section 12 or 14, make the necessary corrections therein ;

(*b*) at any time, correct any clerical or arithmetical mistake in regard to any entry in such final statement.

Possession of land held by possessory mortgagee to revert to the possessory mortgagor in certain cases.

16. (1) Where any land held by any person as possessory 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 possessory mortgagor is not in excess of the ceiling area, revert to the possessory mortgagor ;

(*b*) in any case where the total holding of the possessory mortgagor 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 possessory mortgagee or any part thereof does not revert to the possessory mortgagor under sub-section (1), the Government may acquire such land under section 18.

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[1] 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).

(3) (*a*) (i) The possessory mortgagor to possession of the land mortgaged reverts under sub-(1), shall pay the mortgage money due to the pos mortgagee in respect of that land.

(ii) Where possession of a part only and mortgaged reverts to the possessory mortgago sub-section (1), the possessory mortgagor shall the possessory mortgagee such amount of the m money as bears to the entire amount of the m money, the same proportion as the value of tl aforesaid on the date of such reversion bears to th of the entire extent of the land mortgaged on t date.

(iii) Where no agreement can be rea respect of the mortgage money payable under su (i) or (ii), the authorized officer shall, subject to visions of sub-clause (iv) and after making such as he deems fit, decide the amount so payable.

(iv) Where in the opinion of the a officer the decision of a question under sub-cl involves a substantial question of law or of fact for reasons to be recorded in writing refer the to the Land Tribunal.

(*b*) The land or any part thereof, the p of which reverts to the possessory mortgagor u section (1), shall be the security for the payme 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 deeme become due with effect from the date of rever sub-section (1), and shall carry interest at the r and a half per centum per annum from the sa

Explanation.—In this sub-section "mortga means the money payable in accordance wit visions of the [1][Tamil Nadu] Agriculturists 1938 ([1][Tamil Nadu] Act IV of 1938).

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[1] These words were substituted for the wo by the Tamil Nadu Adaptation of Laws Order, 1969 by the Tamil Nadu Adaptation of Laws (Second Order, 1969.

(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 mortgagee.

Possession of land held by tenant to revert to the land owner in certain cases.

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 where and to the extent to which the land of the land owner himself is not liable to be declared as 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 land-owner shall pay [1][* * *] 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 of [3][such 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 [4][* * *] 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

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[1] The words "as compensation" were omitted by section 5(i) (*a*)(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.

[2] This expression was substituted for the expression "the fair rent calculated in the manner specified in paragraph 4 of Part I of Schedule III" by section 7 (1) 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.

[3] 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.

[4] 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.

situated, for deciding such dispute. The authorized officer shall decide such dispute in accordance with such procedure as may be prescribed.

Acquisition of surplus land.

18. (1) After the publication of the final statement under section 12 or 14, the Government shall, subject to 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 notification 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, [1][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 vested in the Government free from all encumbrances[2][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 :

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[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 such 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.

Provided that where there is any crop standing on such land [1][on the date of such publication], the authorized officer may, subject to such conditions as may be prescribed, permit the harvest of such crop by the person who had raised such crop.

[2][(3-A) * * *]

(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,

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[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.

[2] 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 authorised 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".

(*b*) permitting any co-operative society 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, 1951 (Travancore-Cochin Act X of 1952) or any land mortgage bank to which the [1][Tamil Nadu] Co-operative Land Mortgage Banks Act, 1934 *([1][Tamil Nadu] Act X of 1934) applies or any agricultural company to continue in possession of the land notwithstanding anything 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 person referred to in clauses (*a*) and (*b*) may continue in possession of the land.

Direction by Land Commissioner.

[2][18-A. Where for any reason, the extent of any land 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 the 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 section and the other provisions of this Act shall, as far as may, apply as if the extent of the land so included were mentioned in the return required to be furnished under section 8].

Power of Government to modify notification under section 18(1) consequent on correction under section 15.

[3][18-B. Where the authorised officer has made any correction under section 15 in the final statement published under section 12 or 14, the Government may by notification make the necessary consequential or incidental modification in the notification published under sub-section (1) of section 18].

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[1] These words were substituted for the word "Madras" by Tamil Nadu Adaptation of Laws Order, 1969, as amended by Tamil Nadu Adaptation of Laws (Second Amendment) Order, 19

[2] This section was inserted by section 3 (8) of the Tamil Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972 (Tamil Nadu Act 39 of 1972), which was deemed to come into force on the 1st March 1972.

[3] These sections were inserted by section 2 of the Tamil Land Reforms (Fixation of Ceiling on Land) Amendment Act (Tamil Nadu Act 15 of 1974).

*[illegible] Tamil Nadu Co-operative Land Development [illegible] Tamil Nadu Act 2 of 1934.

Power of Government to cancel or modify notification under section 18(1) in certain cases.

18-C. Where, as a result of any decision in any appeal or revision or other proceeding or in pursuance of a direction under section 18-A, the notification published under sub-section (1) of section 18 requires cancellation or modification, the Government may, by notification, cancel or modify such notification to give effect to such 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 this Act.

Land not to have vested in certain cases.

18-D. (1) Where any notification,—

(*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 [1][the assessment roll] concerned. Any amount paid [2][under section 50] in respect of such land shall be recovered by the Government as if it were an arrear of 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

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[1] 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 (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 words "by way of compensation" by section 5 (ii) (*b*), *ibid*.

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.

Vesting of land newly included.

18-E. Where any notification is modified under section 18-B or 18-C by way of inclusion, the land to which such inclusion relates shall be deemed to have vested in the government as if such land were included in a notification issued under sub-section (1) of section 1[ ] and accordingly, the provisions of this Act shall apply to the land so vested].

[2][Amount payable by] persons in possession of the property vested in the Government.

1[18-F. (1) Every person who, after the date of vesting of the property in the Government under sub-section (3) of section 18, is in possession of, or derives any benefit from, such property, shall be liable to pay to the Government for the period for which he is in such possession or deriving such benefit after such vesting an amount [3][* * *] for the use, occupation or enjoyment of that property as the authorized officer may, in the prescribed manner. Such officer shall 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 land revenue.]

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1 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.

2 These words were substituted for the words "Compensation from" by section 5 (iii)(*a*) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 2 of 1979), which was deemed to have come into force on the 1st April 1972.

3 The words "as compensation" were omitted by section 5 (iii) (*b*), *ibid*.

Verified by FindLaw

CHAPTER III.

CEILING ON FUTURE ACQUISITION AND RESTRICTION ON CERTAIN TRANSFERS.

Declaration to be made before the registering authority in certain cases.

19. (1) On and after the notified date, no document relating to any transfer of land either by sale, gift, exchange, lease, [1][possessory mortgage], surrender, agreement, settlement, or otherwise, shall be registered unless a declaration in writing is made in duplicate in such form as may be prescribed and filed by the transferee before the registering authority under the Indian Registration Act, 1908 (Central Act XVI of 1908), as to the total extent of land held by him.

(2) The registering authority referred to in sub-section (1) shall forward within such time and in such manner as may be prescribed, one copy of the declaration referred to in sub-section (1) to the authorized officer, within whose jurisdiction the land which is the subject matter of the transfer or the major part thereof is situated.

(3) On receipt of the copy of the 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.

Penalty for future acquisition in contravention of section 7.

20. (1) If, as a result of any transfer of land either by sale, gift (other than gift made in contemplation of death), 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

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[1] 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.

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.

Vesting of land newly included.

18-E. Where any notification is modified under section 18-B or 18-C by way of inclusion, the land to which such inclusion relates shall be deemed to have vested in the government as if such land were included in a notification issued under sub-section (1) of section 1[and accordingly, the provisions of this Act shall apply to the land so vested].

[2][Amount payable by] persons in possession of the property vested in the Government.

[1][18-F. (1) Every person who, after the date of vesting of the property in the Government under sub-section (3) of section 18, is in possession of, or deriving any benefit from, such property, shall be liable to pay to the Government for the period for which he is in such possession or deriving such benefit after such vesting an amount [3][* * *] for the use, occupation or enjoyment of that property as the authorized officer may in the prescribed manner. Such officer shall 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 land revenue.]

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[1] 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.

[2] These words were substituted for the words "Compensation from" by section 5 (iii)(*a*) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979 (Tamil Nadu Act 25 of 1979), which was deemed to have come into force on the 1st April 1972.

[3] The words "as compensation" were omitted by section 5 (iii) (*b*), *ibid*.

Provided 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 the refund 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.]

Ceiling on future acquisition by inheritance bequest or by sale in execution of decree, etc.

21. (1) If, on or after the date of the commencement of this Act—

(*a*) any person acquires by inheritance or bequest from any person ;

(*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 within whose jurisdiction his holding or the major part thereof is situated, a return containing 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.

Explanation.—[1][1] In this sub-section " bequest " shall include gift made in contemplation of death.

[1][* * * *]

(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

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[1] The explanation to sub-section (1) was numbered as explanation I of that sub-section. The following Explanation II which 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 Armed 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 ".

(iii) such other particulars as may be prescribed.

[1][.. .. .. ..]

(3) If he furnishes the return or fails to furnish 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.

Certain partitions and transfers to be valid.

[2][21-A. Notwithstanding anything contained in section 22 or in any other provision of this Act and in any other law for the time being in force, where, [3][after the 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

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[1] 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:—

"*Explanation.*—In 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".

[2]This section was inserted by section 2 (7), *ibid.*

[3] 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.

(*c*) any person has voluntarily transferred any land—

(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.]

[1][Transfer or partition] made on or after the date of the commencement of this Act, but before the notified date.

22. Where, on or after the date of the commencement of this Act, but before the notified date, any person has transferred any land held by him by sale, gift (other than gift made in contemplation of death), exchange, surrender settlement or in any other manner whatsoever except by bequest [2][or has effected a partition of his holding or 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

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[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.

affected by such transfer [1][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.

Transfers or sub-divisions made or effected before the publication of notication under sub-section (1) of section 18.

[3][23. (1) Subject to the provisions of section 20, for the purpose of fixing, for the first time after the date of the

[1] The words "or partition" 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 of the 15th February 1970, were again inserted by section 4(*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 2nd October 1970.

[2] These words were substituted for the words "declare the transfer to be void if he finds that the transfer" by section 4(*d*) 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. (The words "or partition" and "or the partition, as the case may be" were earlier 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.

[3] This section was substituted for the 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 officer not to take into consideration certain transfers or sub-divisions before publication of final statement.*— Subject to the provisions of section 20, for the purpose of fixing, for the first time, the ceiling area of any person holding land on the date of the commencement of this Act, in excess of 30 standard acres, the authorized officer shall not take into consideration—

(*a*) any transfer, whether by sale (including sale in execution of a decree or order of a civil court or of an award or 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 subdivision (including subdivision 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 date and before the date of the publication of the final statement under section 12 or 14".

[Earlier, after the words "for the first time", the words "after the date of the commencement of this Act" were inserted, and for the figures and words "30 standard acres", the figures and words "15 standard acres" were substituted in section 23 by section 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. 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 Amendment Act, 1974 (Tamil Nadu Act 32 of 1974).

commencement of this Act, the ceiling area of any person holding land on the date of the commencement of this Act in excess of 30 standard acres—

(*a*) any transfer, whether by sale (including sale in execution of a decree or order of a civil court or of an award or 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 date and before the publication 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 officer 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 figures and words " 30 standard acres ", the figures and words " 15 standard acres " had been substituted;

(2) It shall be the duty of the authorized officer to include the land so transferred or sub-divided, within the ceiling area of the transferor or the person who held the land immediately 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 of the Land Board.

24. **(1) The Government may constitute for the State a Board called the [1][Tamil Nadu Land Board].

(2) The Land Board shall consist of—

(*a*) one judicial officer who is, or is qualified for appointment as, or a person who has been, a Judge of a High Court, nominated by the Government ;

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[1] This expresssion was substituted for the expression " Madras Land Board " by paragrapn 3 (1) of and the Schedule to, the Tamil Nadu Adaptation of Laws Order, 1970.

** By virtue of section 6 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act 1972, (Tamil Nadu Act 39 of 1972) on and from the date of publication of the said Act the Land Board existing on that date stood abolished, the members thereof ceased to hold office as such and the consequences specified in the said section followed.

(*b*) the Land Commissioner, *ex-officio* ;

[1][(*c*) one *member of the Board of Revenue (other than the Land Commissioner) nominated by the Government ;

(*d*) two non-official 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 or such shorter period as the Government may fix and such member shall be eligible for re-nomination.

(*b*) Any member referred to in clause (*a*) or (*d*) of sub-section (2) shall be deemed to have vacated his seat if he absents himself without excuse, sufficient 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 office 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 held after the said date :

Provided that no meeting from which a member absents himself shall be counted against him under this clause if due notice of that meeting was not given to him.

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[1] These clauses were substituted for the following clauses (*c*) and (*d*) by section 3 (9) 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 :—

"(*c*) the Director of Animal Husbandry, *ex-officio*,

(*d*) two members nominated by the Government."

* By virtue of section 10 (1) of the Tamil Nadu Board of Revenue Abolition 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.

(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 (*d*) 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 (*a*) or (*d*) 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 and he shall be eligible for re-nomination.

Functions of the Land Board.

25. The Land Board shall perform such functions as are assigned to it by or under this Act.

[1][**26.** * * * *

[1] **27.** * * * [

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[1]The 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 deemed to have come into force on the 1st March 1972 :—

"26. *Application 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 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*) 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 for dairy farming or livestock breeding.*—On receipt of a copy of the return, additional particulars, or information, as the case may be, forwarded by the authorized officer 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 inspection of the land or livestock, as it deems fit and after satisfying itself that the land in respect of which permission is required could with advantage be used for dairy farming or livestock breeding, 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."

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[1][28. * * * * *

[1] 29. * * *]

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[1]The 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 deemed to have come into force on the 1st March 1982 :—

28. *Matters to be considered by the Land Board when granting or refusing permission under section* 27.—The Land Board shall, in deciding whether to grant 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, of 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 person 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 used or allowed 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."

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Application to the Land Board for future acquisition of land interspersed among or contiguous to any plantation.

30. Any owner of plantation in existence [1][on the date of the commencement of this Act] in any area [2][* * * * *] desiring to acquire in excess of the ceiling area land which is interspersed among plantations or is contiguous to any plantation and which may be required for the extension, or for ancillary purposes, of the plantation shall 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.

Decision of the Land Board in respect of land interspersed among or contiguous to any plantation.

31. On receipt of a copy of the return, additional particulars or information, as the case may be, forwarded by the authorized officer under clause (*a*) of sub-section (3) of section 9 or on receipt of the application under section 30, the Land Board shall, after making such enquiry and inspection of the land and the plantation specified in the application as it deems fit and after satisfying itself that the land in respect of which permission is required is necessary for the extension, or for ancillary purposes, of the plantation, 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 :

Provided that the extent of land which is contiguous to any plantation and in respect of which land permission is granted under this section shall in no case exceed twenty per centum of the total extent of such plantation.

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[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(8) 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.

Matters to be considered by the Land Board in granting or refusing permission under section 31.

32. The Land Board shall, in deciding whether to grant or refuse permission under section 31, take into consideration the following matters, namely :—

(i) area under plantation and area required for ancillary purposes of the plantation ;

(ii) programme for extension of the plantation ;

(iii) lands necessary for factories, labour quarters, playgrounds, hospitals, schools and other ancillary buildings ; and

(iv) such other matters as may be prescribed.

Cancellation of permission granted under section 31

33. The Land Board may cancel the permission granted under section 31—

(*a*) on the breach of any condition specified by the 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.

Decision of the Land Board to be final.

34. The decision of the Land Board granting or refusing permission under [1][section 31] or cancelling permission under [1][section 33] shall be final and shall not be called in question in any court.

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[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.

Meetings of the Land Board.

35. (1) The Land Board shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed.

(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.

Power of Land Board to rectify bona-fide mistakes and clerical errors.

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 *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.

Act of Land Board not to be invalidated by informality.

37. No act of the Land 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 Land Board.

[1]CHAPTER IV-A.

PERMISSION BY GOVERNMENT TO HOLD EXCESS LAND BY INDUSTRIAL OR COMMERCIAL UNDERTAKINGS.

Industrial or commercial undertaking to apply to Government for permission to hold excess land.

37-A. (1) If any industrial or commerical undertaking desires to hold or acquire any land in excess of the ceiling area, 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 prescribed.

Explanation.—In this section, "industrial or commercial undertaking" means any industrial or commerical undertaking (other than a co-operative society) which *bona fide* 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 to 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.

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[1] This Chapter was inserted by section 3 (9) 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.

(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.]

[1][* * * *]

[1][38 to 49 * * * * * *]

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[1] The following Chapter V and sections 38 to 49 were omitted by section 3 (9) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971):—

"CHAPTER V.

CONSTITUTION AND FUNCTIONS OF THE SUGAR FACTORY BOARD.

38. *Constitution of the Sugar Factory Board.*—(1) The Government may constitute for the State a Board called the Tamil Nadu Sugar Factory Board.

(2) The Sugar Factory Board shall consist of—

(*a*) one judicial officer who is or is qualified for appointment as, or a person who has been, a Judge of a High Court, nominated by the Government;

(*b*) two officers who in the opinion of the Government have knowledge in the financial matters relating to sugar factory or experience in 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*.

(3) 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 sub-section 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 himself without excuse, 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 office 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 held after the said date :

(*cont*).

Provided that no meeting from which a member absents himself shall be counted against him under this clause if 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 (*a*) 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 and he shall be eligible for re-nomination.

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. *Decision of the Sugar Factory Board in respect of land to be used for cultivation of sugarcane.*—(1) On receipt of a copy of the return, additional particulars or information, as the case may be, forwarded by the authorized officer under 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 which is 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 sugercane for use in the existing 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.

(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 possessory 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 section 94. (*cont.*)

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 requirements 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

(*cont.*)

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(*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 by the sugar factory concerned,

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.*—(1) 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.

47. *Meetings of the Sugar Factory Board.*—(1) 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 its meetings as may be prescribed.

(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 Sugar Factory Board.

(3) 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.

(*cont.*)

(4) 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.

(5) 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 application of any of the parties,—

(*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 informality.*—No 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)].

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CHAPTER VI.*

[1][AMOUNT PAYABLE FOR LAND ACQUIRED]

Determination of [2][amount] for land acquired by the Government.

50. (1) Every person whose right, title or interest in any land is acquired by the Government under Chapter II shall be paid [3][an amount] according to the rate specified in Schedule III [4][as in force on the date of acquisition of such right, title or interest in any such land].

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[1] This heading was substituted for the heading "COMPENSATION" by section 5 (iv) 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 word was substituted for the word "compensation" by section 5(v) (*a*), *ibid*.

[3] These words were substituted for the word "compensation" by section 5(v) (*b*), *ibid*.

[4] 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 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 the amount payable 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.

[1][*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 II, 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) of section 18 [4][* * * *], prefer the claim before the authorized officer in such form and containing such particulars as may be prescribed.

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[1] 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.

[3] 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 the 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 (12)(i)(b), *ibid*.

*Any proceeding taken or order passed under Tamil Nadu Act 58 of 1961 and disposed of between 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 October 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.

(3) (*a*) The authorized officer shall determine the amount [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 [1][***] specified therein is the entire amount [1][****] payable for all interests in the land and that subject to the other provisions of this Act, the persons 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 person in such manner as may be prescribed [3][within thirty days] from the date of the publication:

[4][****]

(*b*) The authorized officer shall cause to be served 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.

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[1] The words " or compensation" were omitted by section 5 (v) (*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.

[2] These words were substituted for the words "a draft compensation assessment roll" by section 5 (v) (*d*) (B), *ibid*.

[3] 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.

[4] The following proviso was omitted by section 3 (12) (ii) (*b*), *ibid*:—

"Provided that the authorized officer may, in his discretion, allow such further time not exceeding thrity days."

(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 therefor.

(5) When such objection, if any, in regard thereto has been finally disposed of, the authorized officer shall make such alteration in [1][the draft assessment roll] as may be necessary to give effect 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 specified in the notice published under sub-section (3) [2][****] the authorized officer shall cause [1][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; and

(*c*) the apportionment of the [4][amount] among the persons claiming interest in the [4][amount].

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[1] These words were substituted for the words "the draft compensation 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, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 27th October 1978.

[3] The word "compensation" was omitted by section 5 (v) (f) (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.

[4] This word was substituted for the word "compensation" by section 5 (v) (f) (B), *ibid*.

(8) When the [1][*] assessment roll has been published finally under sub-section (5) or sub-section (6), the authorized officer shall, within such time as may be prescribed, endorse a certificate thereon stating the date of the final publication thereof and shall date and subscribe the same with his name and official designation and such certificate shall be conclusive proof of such publication and the date of such publication.

(9) The authorized officer may, if he is satisfied either of his own motion or on the application of any of the parties that a *bona fide* mistake has been made in regard to any entry in the [2][draft assessment roll or in the] [1][*] assessment roll as published finally, make necessary correction therein and on such correction being made, the provisions 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][draft assessment roll or in the] [1][*] assessment roll as published finally.

Claims of mortgagee or charge holder on surplus land.

51. (1) Where any surplus land acquired under the provisions of this Act is subject to a mortgage or charge subsisting on the date of the acquisition, the mortgagee or the charge holder shall, where the amount due to him or part thereof can be fixed by agreement, be paid such amount or part. Where no such agreement can be reached, the mortgagee or the charge holder shall [3][within sixty days] from the

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[1] The word "compensation" was omitted by section 5 (v) (g) 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] These words were inserted by section 7 (2) (ii) 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.

[3] These words were substituted for the words "within ninety days" by section 3 (13) of the Tamil Nadu Land Reforms (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.

date of the acquisition, prefer a claim in such manner as may be prescribed before the authorized officer who shall, subject to the provisions of sub-section (3), decide the claim in such manner as may be prescribed and record the reasons for the decision.

(2) Where there are more claimants than one, the authorized officer shall settle the order in which each claimant 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 Property Act, 1882 (Central Act IV of 1882).

(3) Where in the opinion of the authorized officer the decision of a claim under sub-section (1) or sub-section (2) involves a substantial 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 mortgagee or the charge holder by the authorized officer exceeds [1][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, as 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.

Claims of limited owner on surplus land.

52. (1) Where any surplus land acquired under the provisions of this Act is held by a limited owner on the date of the acquisition, the amount [2][* *] payable in respect of such surplus land under section 50 shall, subject to such conditions as may be prescribed, be kept in deposit before such authority as may be prescribed. The authorized officer shall direct payment of the interest accruing from the amount [2][* * *] so deposited to the person or persons who would, for the time being, have been entitled to the possession of the said land :

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[1] 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 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 "of compensation" were omitted by section 5(vii), *ibid.*

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 encumbrancer 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.

(2) The amount [1][* * * *] referred to in sub-section (1) shall remain so deposited until the same is paid to any person or persons becoming absolutely entitled thereto.

Claims of maintenance holder on surplus land.

53. Where any surplus land acquired under the provisions of this Act is on the date of the acquisition subject to a charge for payment of maintenance to another, the amount [1][* *] payable in respect of such surplus land under section 50 shall, subject to such conditions as may be prescribed, be kept in deposit before such authority as may be prescribed. Such amount [1][* *] 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 maintenance ceases to exist or till the liability to pay maintenance is discharged.

[2][Amount payable] to certain tenants.

54. (1) Where the contract of tenancy provides for the continuance of the tenancy in respect of any surplus land that vests in the Government under section 18, after the expiry of the agricultural year immediately succeeding the date of such vesting, the tenant shall be entitled to [3][an amount] as specified in Schedule IV:

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[1] The words " 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 in to force on 20th April 1972.

[2] These words were substituted for the word " compensation " by section 5(viii) (a), *ibid*.

[3] These words were substituted for the words " compensation " by section 5(viii) (b) (A), *ibid*.

Provided that such tenant shall not be entitled to any [1][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 IV.

Mode of payment of [3][amount].

55. (1) [4][The amount payable under section 50] as finally determined under this Act shall, within such period 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 under sub-section (1) of section 18; and

(ii) in any other case, with effect from the date of taking possession of the land under sub-section (4) of section 18.

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[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 in to force on the 20th April 1972.

[2] 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 "The amount of compensation" by section 5(ix) (b), *ibid*.

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CHAPTER VII.

SURVEY AND SETTLEMENT OF LANDS IN THE TRANSFERRED TERRITORY.

Survey of lands in the transferred territorry.

56. (1) Every land in the transferred territory or part thereof shall, if such land or part thereof has not been surveyed in accordance with the provisions contained in the [1][Tamil Nadu] Survey and Boundaries Act, 1923 ([1][Tamil Nadu] Act VIII of 1923), be surveyed in accordance with the provisions of that Act [2][* * *].

(2) The cost of the survey, except so much as is payable under the provisions of section 8 of the [1][Tamil Nadu] Survey and Boundaries Act, 1923 ([1][Tamil Nadu] Act VIII of 1923), shall be borne by the Government.

Manner of effecting ryotwari settlement.

57. (1) The Settlement Officer shall effect [2][* **] ryotwari settlement of every land in the transferred territory 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 liable to be questioned in any court of law.

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[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] The words "within a period of three years from the date of the publication of this Act" were omitted by section 5 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965).

(4) For the removal of doubts, it is hereby declared that nothing in this section shall be construed to be in derogation of any law relating to the levy of tax on land in force in the transferred territory.

Appointment and functions of Settlement Officers.

58. (1) As soon as may be, after the date of the publication of this Act, the Government shall appoint one or more Settlement Officers to carry out the functions and duties assigned to them by or under this Chapter.

(2) Every Settlement Officer shall be subordinate to the Land Commissioner and shall be guided by such lawful 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, acts or proceedings of the Settlement Officer.

Ryotwari settlement to be effected under [2][Tamil Nadu Act] 30 of 1964 in certain cases.

[1][58-A. (1) Notwithstanding anything contained in this Chapter, the provisions of sections 56 to 58 shall cease to apply to every land in the transferred territory (other than the Sreepadam land belonging to the Sreepadam Palace) and in respect of such land survey shall be made and ryotwari settlement shall be effected in accordance with the provisions of the [3][Tamil Nadu] (Transferred Territory) Ryotwari Settlement Act, 1964 ([3][Tamil Nadu] Act 30 of 1964) and for the purposes of this 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 continue to apply to the Sreepadam land belonging to the Sreepadam Palace.]

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[1] This section was inserted by section 6 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965.)

[2] This expression was substituted for the expression "Madras Act" by paragraph 3 (2) of the Tamil Nadu Adaptation of Laws Order, 1970.

[3] 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.

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CHAPTER VIII.

CULTIVATING TENANT'S CEILING AREA.

[1][59 * * * * *]

60. In this Chapter, 'cultivating tenant's ceiling area' means 5 standard acres held by any person partly as cultivating tenant and partly as owner or wholly as cultivating tenant. Definition of cultivating tenant's ceiling area.

Explanation.—For the purposes of this Chapter, "cultivating tenant" includes any tenant who is in actual possession of land but does not contribute his own physical labour or that of any member of his family in the cultivation of such land.

[2][60-A. In the Chapter, "date of the publication of this Act" and "notified date" shall respectively mean "the 2nd May 1962" and "the 2nd October 1962."] Certain definitions for the purpose of this Chapter.

61. (1) Every cultivating tenant who holds on the notified date land in excess of the cultivating tenant's ceiling area shall, within ninety days from the said date, furnish to the authorized officer a return containing the following particulars, namely:— Person holding land as cultivating tenant to furnish return in certain cases.

(i) particulars of the land, if any, which he holds as owner ;

(ii) particulars of the land which he holds as cultivating tenant ;

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[1]The following section was omitted by section 3 of the Tamil Nadu Land Reforms (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 period of three years.—The provisions of this Chapter shall remain in force for a period of three years from the date of the publication of this Act.

[Earlier the words "ten years", "eight years" and "six years" were substituted for the words "eigh years", "six years" and "three years" respectively by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1970 (Tamil Nadu Act 9 of 1970) by section 2 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1967 (Tamil Nadu Act, 22 of 1967) and by section 7 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1965 (Tamil Nadu Act 10 of 1965).

[2] This section was inserted by section 2 (10) 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.

(iii) particulars of the name and address of the land owner concerned ; and

(iv) such other particulars as may be prescribed.

[1][*Explanation.*—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.

(2) If any cultivating tenant who has held land in excess of the cultivating tenant's ceiling area, fails to furnish the return under sub-section (1) or furnishes an incorrect or incomplete return under that sub-section, the authorized officer may, by notice, require such cultivating tenant 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 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 particulars, as the 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 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.

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

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Authorized officer to take possession of land in excess of the cultivating tenant's ceiling area.

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 on 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 that 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.

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[1] This proviso was inserted by section 3 (10) 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

Liability of the Government to pay rent.

63. (1) With effect on and from the date on whic authorized officer takes possession of the land section 62, the Government shall be deemed to b tenant of the owner of the land.

(2) In respect of the land referred to in sub-s (1), the Government shall be liable to pay annually owner of such land fair rent as calculated in the n specified in paragraph 4 of Part I of Schedule III. rent shall be paid in cash or in kind in accordanc such rules as may be made by the Government.

(3) If any dispute arises in regard to the rent p under sub-section (2), either party may make an a tion to the Land Tribunal within whose jurisdicti land referred to in sub-section (1) or the major part is situated for deciding such dispute.

Authorized officer to distribute possession of land.

64. (1) The authorized officer shall distribute po of the land, the possession of which he has taken section 62, to the landless persons or to persons l land below the cultivating tenant's ceiling area.

(2) The distribution under sub-section (1) sh accordance with such rules and subject to such co as may be prescribed. Such rules may also pro the manner of recovery of any amount due to the ment from, and the manner of evicting, the pe whom such distribution is made.

Authorized officer empowered to summarily dispossess persons in certain cases.

65. The authorized officer may summarily dispo

(i) any person to whom any land has been di under section 64, if such person fails to comply conditions subject to which the distribution was contravenes any rule made under this Chapter ;

(ii) any other person occupying such land accordance with the provisions of this Chapter or made thereunder.

[1][Amount payable] to tenants in certain cases.

66. (1) 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 continuance 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).

(2) The [3][amount] payable to any tenant under sub-section (1) shall be one-eighth of [4][the annual value of the land calculated in the manner specified in Part I of Schedule III]. Out of such [3][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 [5][* * *] payable under sub-section (2) either party may make an application to the Land Tribunal within whose jurisdiction the land or the major part thereof is situated for deciding such dispute.

Certain claims for arrears of rent not to be enforced against Government.

67. No claim of any person to any arrear of rent or any other amount accrued or due in respect of any land for the period prior to the date of taking possession of such land under section 62 shall be enforced by any court

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[1] These words were substituted for the word "compensation" by section 5 (x) (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.

[2] These words were substituted for the word "compensation" by section 5 (x) (b) of the Tamil Nadu Land Reforms (Fixation of Celing on Land) Amendment Act, 1979 (Tamil Nadu Act 11 of 1979), which was deemed to have come into force on the 20th April 1972.

[3] This word was substituted for the word "compensation" by section 5(x) (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 forceon the 20th April 1972.

[4] This expression was substituted for the expression "the fair rent for the land calculated in the manner specified in paragraph 4 of Part I of Schedule III" by section 7 (3) 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.

[5] The words "of compensation" were omitted by section 5(x) (d) 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.

whether in execution of a decree or otherwise against the Government or against any person holding the land under the Government.

Land owner's right to resume under [1][Tamil Nadu Act] XXV of 1955 not affected.

68. Nothing contained in this Chapter shall be deemed to affect the right of any land owner under the [2][Tamil Nadu] Cultivating Tenants Protection Act, 1955 ([2][Tamil Nadu] Act XXV of 1955) to resume possession for purposes of personal cultivation of the land the possession of which has been taken by the authorized officer under this Chapter and for the purposes of such resumption the Government shall be deemed to be the cultivating tenant in respect of the land aforesaid.

Furnishing of return on acquisition by lease of any land in excess of cultivating tenant's ceiling area.

69. (1) If, on or after the notified date, any person acquires by lease any land which together with the land, if any, already held by him, exceeds in the aggregate the cultivating tenant's ceiling area, he shall, within ninety days of such acquisition, furnish to the authorized officer within whose jurisdiction the land or the major part thereof is situated, a return containing such particulars as may be prescribed.

(2) If he furnishes the return or fails to furnish the return or furnishes an incorrect or incomplete return, within the period specified in sub-section (1), the provisions of sub-sections (2) and (3) of section 61 and other provisions of this Chapter shall, as far as may be, apply as if it were a return required to be furnished under sub-section (1) of section 61.

Removal of doubts

70. For the removal of doubts, it is hereby declared that nothing in this Chapter shall apply to any land held by any sugar factory as tenant.

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[1] This expression was substituted for the expression "Madras Act" by paragraph 3 (2) of the Tamil Nadu Adaptation of Laws Order, 1970.

[2] 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.

Effect of certain Acts.

71. The provisions of the [1][Tamil Nadu] Cultivating Tenants Protection Act, 1955([1][Tamil Nadu] Act XXV of 1955), the [1][Tamil Nadu] Cultivating Tenants (Payment of Fair Rent) Act, 1956([1][Tamil Nadu] Act XXIV of 1956), the Tiruchirappalli *Kaiaeruvaram* and *Mattuvaram* Act, 1958 ([1][Tamil Nadu] Act XXXVI of 1958) and any other law relating to tenancy shall, except in so far as they are inconsistent with any of the provisions of this Chapter, continue in force.

Provisions of this Chapter to override other provisions.

72. The provisions of this Chapter shall, subject to the provisions of section 17, have effect notwithstanding anything inconsistent therewith contained in any other provision of this Act.

CHAPTER IX.

EXEMPTIONS.

Exemptions.

73. Except as otherwise provided in sub-sections (2) and (3) of section 5 and in section 6, nothing contained in this Act shall apply to—

(i) any land held by the Central Government or any State Government or any local authority ;

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[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.

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[1][(ii) any land held by any University constituted by any law;]

[2][(iii) any land assigned by the Government to, and held by, any Land Colonisation Co-operative Society ;]

[3][(iv) 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 ;]

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[1] This clause was substituted for the following clause by section 3 (9) 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:–

" (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 1960:

" (iii) any land owned by such co-operative societies [other 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, 1951 (Travancore-Cochin Act X of 1952)] as are approved by the Government ;"

[3] This clause was substituted for the following clause by section 3 (11) (a) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1972 (Tamil Nadu Act 28 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 conditions as may be prescribed :

Provided further that such land shall be exempt only so long as the said conditions are complied with;"

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[1][(v) * * * * *]

(vi) all plantations in existence [2][on the date of the commencement of this Act :]

[3][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 ;

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1 The following clause (v) was omitted by section 3 (11) (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.

3 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.

4 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.

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[1][(x) * * * * *]

(xi) any land—

(*a*) interspersed among plantations, or

(*b*) contiguous to any plantation,

in existence [2][on the date of the commencement of this Act] in any area [3][* * *] 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 ;

[4][(xiii) * * * *]

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[1]The 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 permiss on continues in force ;"

[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.

[3]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.

[4]The following clause was omitted by section 3(10) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971) :—

"(xiii) any land used for the cultivation of sugarcane and in respect of which the Sugar Factory Board has granted permission under section 40 or 43 and such permission continues in force.".

[1][74. * * * * *

[1]75. * * * *]

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[1]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, on the date of the commencement of this Act, held land used exclusively for grazing and assessed to land revenue at Rs. 1.25 and 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.*—Notwithstanding anything contained in section 74, 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 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 hold such land only so long as such land is used exclusively for grazing".]

(2) The High Court, after giving the partiesa 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 Act to apply to appeal under section 78 or 79.

80. The provisions of section 4 and of sub-sections (1) and (2) of section 12 of the Indian Limitation Act, 1908 (Central Act IX of 1908) shall, as far as may be, apply to any appeal under section 78 or 79.

[1][**81.** * * * *]

[1]The following section was omitted by section 3 (16) 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 :—

" 81. *Revision by the Land Tribunal.*—The Land Tribunal may 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 sub-section (1) of section 54;

to satisfy itself as to the regularity of such proceeding or the correctness, legality, or propriety of any decision or order passed theron; and if, in any case, it appears to the Land Tribunal that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration, it may pass orders accordingly :

Provided that the Land Tribunal shall not pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard. "

[The brackets and figure " (3)" in clause (i) were earlier omitted by section 3 (12) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 38 of 1971).]

CHAPTER XI.

APPEALS AND REVISION.

An appeal to Land Tribunal.

78. (1) Against any decision of the authorized officer under section 9 (2) (*b*), 10 (3), (4), (5), 16 (3) (*a*) (iii), 20, 22, 50 (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 [1][within thirty days] from the date of such decision, appeal 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.

(3) On receipt of an appeal under sub-section (1), the Land Tribunal, 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 authorized officer.

Appeal to the High Court.

79. (1) Against a decision of the Land Tribunal under section 11 (3) or 77 (2) the Government may, within sixty days from the date of the decision and any person aggrieved by such decision may within thirty days from the date of the decision, appeal to the High Court :

Provided 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 sufficient cause for not presenting it within the said period.

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1 These words were substituted for the words "with in sixty days" 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.

2 This expression was inserted by 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 deemed to have come into force on the 1st March 1972.

(2) The High Court, after giving the partiesa 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 Act to apply to appeal under section 78 or 79.

80. The provisions of section 4 and of sub-sections (1) and (2) of section 12 of the Indian Limitation Act, 1908 (Central Act IX of 1908) shall, as far as may be, apply to any appeal under section 78 or 79.

[1][**81.** * * * *]

[1]The following section was omitted by section 3 (16) 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 :—

" 81. *Revision by the Land Tribunal.*—The Land Tribunal may 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 sub-section of section 54;

to satisfy itself as to the regularity of such proceeding or the correctness, legality, or propriety of any decision or order passed theron; and if, in any case, it appears to the Land Tribunal that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration, it may pass orders accordingly :

Provided that the Land Tribunal shall not pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard. "

[The brackets and figure " (3)" in clause (i) were earlier omitted by section 3 (12) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 35 of 1971).]

Revision by the Land Commissioner.

82. The Land Commissioner may call for and examine the record of any authorized officer in respect of any proceeding [1][under section 9 (3), 12, 13, 14 (1), 14 (2), 17 (3), 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 being a proceeding in respect of which a suit or an appeal [2][* * *] to the Land Tribunal is provided by this Act to satisfy himself as to the regularity of such proceeding or the correctness, legality or propriety of any decision or order passed thereon; and if, in any case, it appears to the Land Commissioner that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration, he may pass orders accordingly :

Provided that the Land Commissioner shall not pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard.

Revision by High Court.

83. 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 115 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.

Power to stay.

84. The High Court, the Land Tribunal or the Land Commissioner may stay the execution of any decision or order pending the exercise of its or his powers under this Chapter.

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[1] 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 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 brackets "9 (3)" having been earlier substituted for the figures and brackets " 9 (3), (4) " by section 3 (13) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971).

[2] The words " or revision" were omitted by section 3 (17) (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.

(2) The High Court, after giving the partiesa 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 Act to apply to appeal under section 78 or 79.

80. The provisions of section 4 and of sub-sections (1) and (2) of section 12 of the Indian Limitation Act, 1908 (Central Act IX of 1908) shall, as far as may be, apply to any appeal under section 78 or 79.

[1][**81.** * * * *]

---

[1]The following section was omitted by section 3 (16) 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 :—

" 81. *Revision by the Land Tribunal.*—The Land Tribunal may 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), 50 (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 proceeding or the correctness, legality, or propriety of any decision or order passed theron; and if, in any case, it appears to the Land Tribunal that any such proceeding, decision or order should be modified, annulled, reversed or remitted for reconsideration, it may pass orders accordingly :

Provided that the Land Tribunal shall not pass any order prejudicial to any party unless he has been given a reasonable opportunity of being heard. "

[The brackets and figure " (3)" in clause (i) were earlier omitted by section 3 (12) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971 (Tamil Nadu Act 25 of 1971).]

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[1][88.A. Where the transfer or portion of any land has been declared to be void under section 22, and if any person has in the return furnished by him under this Act specified such land to be declared as surplus land of the transferor or of the person effecting the partition, the person so furnishing the return shall be punishable with imprisonment which may extend to six months or with fine which may extend to two thousand rupees or with both.] **Penalty for furnishing return showing land subject to void transfers or partitions under section 22 as surplus land.**

89. If any person, on or after the notified date, voluntarily acquires by lease or possessory mortgage any land which together with the land, if any, already held by him exceeds in the aggregate the ceiling area, he shall be punishable with fine not exceeding one thousand rupees. **Penalty for acquisition by lease or possessory mortgage in excess of the ceiling area.**

90. If any person wilfully contravenes any lawful order passed under this Act or obstructs any person from lawfully taking possession of any land under any of the provisions of this Act, he shall be punishable with fine which may extend to five hundred rupees. **Penalty for contravention of any lawful order.**

91. If any person, after the date of vesting in the Government of any land acquired under this Act and before the disposal of such land under this Act, cuts or causes to be cut, trees on the land, or removes or causes to be removed, any building, [2][machinery, plant, apparatus, wells, filter 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 which may extend to one year, or with fine not exceeding one thousand rupees, or with both. **Penalty for cutting trees or for removing any machinery, etc.**

92. (1) If the person committing an offence under this Act is a company, the company as well as every person in charge of, and responsible to, the company for the **Offences by companies.**

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[1] This section was inserted by section 5 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974).

[2] 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).

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 proceeded 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 officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—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.

Cognizance of offences.

93. (1) No court shall take cognizance of any offence punishable under this Act except on complaint in writing made by the authorized officer 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.

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* According to clauses (a) and (c) of sub-section (3) of section 3 of the Code of Criminal Procedure, 1973 (Central Act 2 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.

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CHAPTER XIII.

DISPOSAL OF LAND ACQUIRED BY THE GOVERNMENT UNDER THIS ACT.

Disposal of land acquired by the Government

94. (1) Subject to the provisions of sub-section (2) [1][and section 94-A] the Government may, after taking into 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.

[2][* * * * *]

(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.

[4][(b) * * * *]

[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.]

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[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."

[3] 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 possessory 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."

[5] This explanation was added by section 3 (ii) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1979 (Tamil Nadu Act 8 of 1980).

Rules in respect of surplus land held by sugar factory and acquired by Government.

[1][94-A. (1) Where any surplus land acquired by the Government under this Act was held by any sugar factory immediately before the date of the acquisition, the Government shall make arrangement for the cultivation of such land with sugarcane for supply to the sugar factory 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.

Certain lands to be held as tenant by the Corporation.

94-B. (1) Notwithstanding anything contained in section 17 or any other provision of this Act or in any other law for the time being in force, where immediately before 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 factory under a contract of tenancy which is subsisting and where such 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

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[1]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).

the contract [1][and for a period of [2][seven years] after the 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 been a party thereto [3][and the amount of rent payable under the contract of tenancy shall be continued to be paid to the land owner 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).

Exemption in respect of land held by sugar factory for research purposes.

94-C. (1) Except as otherwise provided in sub-sections (2) and (3) of section 5 and in section 6, nothing contained in this Act shall apply to any extent of land not exceeding 100 standard acres held by a sugar factory solely for research and seed farm purposes.

(2) The question whether any land is held solely for research and seed farm purposes shall be decided by the Government].

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[1] 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.

[2] 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 the15th January 1972.

[3]These words were added by section 2 (ii) 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.

CHAPTER XIV.

MISCELLANEOUS.

Conversion of one kind of land into another not to affect ceiling area in certain cases.

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 takes place as a result of any irrigation project constructed at the cost of the Government, the land so converted shall be reduced to standard acres 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.

Decrease in number of members of family not to affect ceiling area.

96. Notwithstanding anything contained in this Act, the extent of ceiling area which a family 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.]

Appointment of land Commissioner.

97. The Government may appoint any *member of the Board of Revenue as Land Commissioner for the State to exercise such powers and discharge such duties as are assigned to him by or under this Act.

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[1]This 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 Abolition 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.

Power of Government to issue orders and directions to the authorized officer, etc.

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 duties of the authorized officer, the Land Board [1] [* *] and the Land Commissioner. The authorized officer, the Land Board, [1] [* *] and the Land Commissioner shall give effect to all such orders and directions.

Transfer of proceedings from one authorized officer to another.

99. (1) On the application of any of the parties or of his own motion—

(*a*) the Collector of the district may at any stage after giving the parties a reasonable opportunity of being heard, transfer any application or other proceeding under this Act pending before any authorized officer in the district for disposal to any other authorized officer 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 before any authorized officer in any district for disposal to any other authorized officer in any other district.

(2) Where any application or proceeding has been transferred under sub-section (1), the authorized officer to whom such transfer 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 proceeding stood when it was transferred.

Returns and reports.

100. The authorized officer, [2] [the Land Cammissioner 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.

Authorized officer empowered to obtain information from court, etc.

101. The authorized officer may obtain from any Court, Land Board, [3] [* *] Land Tribunal or other authority any information relating to any proceeding

[1] 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).

[2] 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).

[3] The words "Sugar Factory Board" were omitted by section 3(18), *ibid.*

pending before the authorized officer, and such Court, Land Board, [1][* * *] Land Tribunal or authority, as the case may be, shall, if such information be available with it, furnish him with such information within a reasonable period.

Authorized officer empowered to obtain information from persons.

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 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.

Costs.

103. The costs of, and incidental to, all proceedings before the authorized officer, Land Commissioner, Land Board, [2][* *] Land Tribunal or other authority shall be in his or its discretion.

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[1] The words "Sugar Factory Board" were omitted by section 3 (18) of the Tamil Nadu Land Reforms (Fixation of Celing on Land) Amendment Act, 1971 (Tamil Nadu Act 41 of 1971).

[2] The words "Sugar Factory Board" were omitted by section 3 (19), *ibid.*

Power to enter upon 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 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.

Indemnity.

105. (1) No suit, prosecution or other legal proceeding shall lie against the authorized officer, Land Board, [1][* *] 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.

Preparation of record of rights.

106. The Government may, for the purposes of this Act, cause to be prepared and published a record of rights in accordance with such rules as may be made by them.

Bar of jurisdiction of Civil Courts.

107. 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 authorized officer, the Land Board, [2][* *] the Land Commissioner, the Land Tribunal or other authority.

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[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) Amandment Act, 1971 (Tamil Nadu Act 41 of 1971).

Court-fees.

108. The court-fee payable in respect of—

(*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, hall 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.

Delegation of powers.

109. 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.

Power to make rules.

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 ;

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(*b*) the manner of service of notice under this Act ;

(*c*) the manner of giving reasonable opportunity or of adducing evidence under this Act.

[1][(*d*) * * *]

(*e*) the place at which and the manner in which the draft statement under sub-section (5) of section 10 and the final statement under section 12 or 14 may be published ;

(*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 [2][*] 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 [3][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 [4][* * *] ;

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[1] The following clause was omitted by section 3(18) 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;"

[2] 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.

[3] 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 TamilNadu Land Reforms (Fixation of Ceiling on Land) Amendment Act 1971 (Tamil Nadu Act 41 of 1971).

(*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 whom any amount [1][* * * *] payable under this Act may be kept in deposit ;

(*o*) the manner of payment of the amount [1][* * * *] 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 appeal or revision is provided for by this Act.

[2][(*q*) the period within which an application for revision under section 82 may be presented.]

[3][111 . * * * *]

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[1] The words "of compensation" were 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.

[2] 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 1974).

[3] The following section was omitted by section 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 giving effect to the provisions of this Act, the Government may, as occasion may require, by order do anything which appears to them necessary for the purpose of removing the difficulty."

Rules [1][**] to be placed before the Legislature.

112. (1) All rules made under this Act [2][* * *] [3][* *] shall be published in the **Fort St. George Gazette* and, unless they are expressed to come into force on a particular day, shall come into force on the day on which they are so published.

(2) Every rule made under this Act [4][* * *] [5][* *] 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 [6][* * *] or both Houses agree that the rule [6][* *] should not be made, the rule [6][* * *] 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 [* [6]].

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[1] The words, " and orders " were omitted by section 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.

[3] The words and figures " and all orders made under section 111"were omitted by section 3 (13) (*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.

[4] The expression " other than that made under section 94 " was omitted by section 7(7) (ii) of the Tamil Nadu Land 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.

[5] 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,

*Now the *Tamil Nadu Government Gazette.*

[1][* * * *]

[1] The following Schedule I was omitted by section 3 (14) 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:—

"SCHEDULE I."

[*See* section 3 (18)].

District.	*Taluk.*	*Revenue number and name of village.*
(1)	(2)	(3)
North Arcot	Vellore	115. Paiamathi.
		139. Alleri.
		140. Elluparai.
		141. Pudukuppam.
		142. Peenjamancai.
		143. Jarthankollai.
		144. Pelambattu.
		145. Periapanaparai.
		146. Mulluvadi.
		147. Naickaneri.
	Chengam	1. Padapenjamarthur.
		2. Puliyur.
		3. Melthathiapet.
		4. Kilthathiapet.
		5. Nellivoy.
		6. Erukkambattu.
		7. Athipet.
		8. Perumutham.
		9. Kilpettu.
		10. Chennakilpettu.
		11. Melpettu.
		12. Vannankuttai.
		13. Palamarathur.
		14. Melsilambadi.
		49. Melmalachi.
		50. Akkarapattu.
	Polur.	66. Kuttakaraj.
		67. Pattiraikadu.
		68. Melsippili.
		69. Erumaianur.
		70. Kilthatiapattur.
		162. Odamangalam.
		163. Kanamalai.
		164. Amirthi.
		165. Nammiampattu.
		166. Eriyur.
		167. Kilkanavayur.
		168. Puliankuppam.
		169. Seenagadu.

District.	*Taluk.*	*Revenue number and name of village.*
(1)	(2)	(3)
North Arcot—*cont.*	Polur—*cont.*	170. Mandaparai. 171. Veerappanur 172. Pudupattu 173. Kovilur.
	Tirupathur. ..	45. Pungambat Nad. 46. Pudur Nad. 47. Nellivasal Nad. 48. Elagiri Hills. 49. Veladigamanbanda Naikkanur.
Salem	Krishnagiri	155. Maravadi. 157. Murukkalnatham.
	Salem	133. Jarugumalai. 181. Pelappadi. 182. Arunuttumalai. 183. Sirumalai. 184. Puliikkadu. 185. Aladipatti. 186. Periyavelampatti. 187. Siruvelampatti. All Villages in Yercaud sub-taluk.
	Namakkal	46. Valappurnadu. 48. Ariyarnadu. 49. Valavandinadu. 50. Selurnadu. 51. Thinnanurnadu. 52. Devanurnadu.
	Rasipuram	31. Kilur. 36. Melur. 38. Gidamalai. 50. Perikarainadu. 51. Bailnadu. 52. Edappulinadu. 53. Sitturnadu. 68. Thiruppulinadu. 69. Periappadinadu. 70. Alathurnadu. 71. Kunduninadu. 72. Adakkampudukkombai.
	Attur	87. Pachamalai. Chinnakalrayan Hills. Periakalrayan Hills.

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District.	*Taluk.*	*Revenue number and name of village.*
(1)	(2)	(3)
Coimbatore	Pollachi	87A. Anamalai Hills.
	Bhavani	63. Barugur.
	Gobichettipalayam ..	131. Guthialathur. 132. Gundri. 133. Koothampalayam. 135. Hasanur. 136. Thingalur. 137. Gettavadi. 138. Marur. 139. Talavadi. 140. Chikkagazanur. 141. Thiganarai. 142. Mallanguli. 143. Arulavadi. 144. Doddagazanur. 145. Byyannapuram. 146. Karalavadi 147. Talamalai. 148. Eraganahalli. 149. Naithalapuram. 150. Iggalur. 151. Panakahalli. 152. Kongahalli. 153. Thoddamuduggara 154. Madahalli.
Tiruchirappalli ..	Musiri	112. Tenparanadu. 113. Vannadu. 114. Kombai.
Madurai	Periakulam	Narasingapuram. Ahamalai. Kottagudi
	Palani	8. Vadakavunji. 69. Vadagadu.
	Dindigul	Adalur. Panrimalai. Tonimalai. Manalur. Sirumalai.
	Kodaikanal	All villages.
The Nilgiris ..	All taluks	All villages.
South Arcot	Kallakurichi ..	The following villages in Sadayakounder Jagir— Aliyam. Arampoondi. Devanur.

District.	*Taluk.*	*Revenue number and name of village*
(1)	(2)	(3)
South Arcot—*cont.*	Kallakurichi—*cont.*	Eluthur.
		Alanur.
		Erukkampatti.
		Gangapadi.
		Kariyalur.
		Karnelli.
		Karuvelampadi.
		Kariyam.
		Kindikal
		Kidar.
		Kinathur.
		Kodamathi.
		Koduthorai.
		Kundianatham.
		Madhar.
		Mavadipattu.
		Melmuruvam.
		Molipatti.
		Mondiyur.
		Naraiyampatti.
		Nochimedu.
		Pacheri.
		Pudur.
		Sathanur.
		Sundarapadi.
		Tharangur.
		Thirupathi.
		Thoradipattu
		Uppur.
		*Varapadi.
		Vandapadi.
		Vanniyur.
		Vellampadi.
		Vellimalai.
		Vellar.
		Varam.
		The following villages in Kurumbakounder Jagir :—
		Arasampattu.
		Athikuli.
		Athipattu.
		Avalur.
		Chinnapalapoondi.
		Erikarai.
		Erukkampattu
		Idapattu.
		Innadu.
		Keeripuli.

*For the entry "Varapadi" against the entries "South Arcot" and "Kallakurichi" in columns (1) and (2) respectively, under the heading "The following villages in Sadayakounder Jagir :—" in column (3), the entry "Valapadi" was substituted by section 9 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.

District.	*Taluk.*	*Revenue number and name of village.*
(1)	(2)	(3)
South Arcot—*cont.*	Kallakurichi—*cont.*	Kurumbalur. Mankombu. Mottayanur. Pakkanam. Panapadi. Pelapundi. Perukkancheri. Perumbaravu. Porasapattu Poruppam. Sirukalur. Serapatti. Thaduthalpalayam. Thakkampattu. Thumbarampattu. Valakuli. Vanjikuli. Vedur. Velanalli. Venkadu. The following villages in Ariyakounder Jagir :— Aravankadu. Eachankadu. Gudaram. Kalliparai. Kannur. Karavampattu. Kilkadu. Kilthukkadi. Kotampundi. Melthukkadi. Naduvalathu. Nakkavalathu. Panipalayam. Perumanatham. Pudur. Undakalvalathu. Vellithi. Vengamur."

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SCHEDULE II.

[*See* section 3 (27).]

Serial number.	*District.*	*Taluk.*	*Revenue number and name of village.*	*Extent of the leasehold.*
(1)	(2)	(3)	(4)	(5)
1	Chingleput	Saidapet	13. Grant Lyon	Whole village.
2	Do.	Ponneri	146. Karadiputhur	Do.
3	Do.	Do.	147. Kannankottai	Do.
4	Do.	Do.	150. Thervoy	Do.
5	Do.	Do.	151. Kandigai	Do.
6	Do.	Do.	180. Pappankuppam *alias* Alamelu-mangapuram.	Do.
7	Madras	[illegible]	121. Ikkattuthangal	Do.
8	Salem	[illegible]ssur	317. Hunisanahalli	Do.
9	Do.	Do.	318. Sillarahalli	Do.
10	Do.	Do.	321. Regadahalli	Do.
11	Do.	Do.	322. Mottankurichi	Do.

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SCHEDULE III.

(*See* Section 50.)

[1][Part I].

(Land other than the land specified in Part II.)

1. The amount payable to any person under section 50 in respect of any land (other than the land specified in Part II) 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.

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[1] The original Part I stood as follows :—

"PART I

Land other than the land specified in Part II.

1. The compensation payable to any person under section 50 in respect of any land (other than the land specified in Part II) acquired by the Government under this Act shall be determined in the manner hereinafter in this Part specified.

2. A sum equivalent to the net annual income from the land shall be determined in the first instance.

3. The net 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.	*Amount per acre.* (2) RS. NP.
(1)	
Kanyakumari 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	11 37
(2) Registered dry land irrigated by the source specified in item (1) ..	8 37

(*cont.*)

3. The annual value of the land shall be,—

(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 ; and

(B) rupees nine per acre ;

(*b*) by lift for one or more crops or receiving supply for only one crop by direct flow of water, twenty times, the aggregate of,—

(A) the land revenue on the land ; and

(B) rupees five per acre ;

Class of land (1)	Amount per acre. (2) RS.	NP.
Kanyakumari district.		
(3) Dry land irrigated by other Government source	6	25
(4) Dry land unirrigated by the source specified in item (1) or by other Government source	1	25
Shencottah taluk of the Tirunelveli district.		
(1) Wet land irrigated by any river or stream or by tank fed by any river or stream	8	50
(2) Wet land irrigated by other Government source	6	62
(3) Dry land irrigated by any Government source	6	25
(4) Dry land unirrigated by the source specified in item (1) or by other Government source	1	25

4. The fair rent shall be the aggregate of—

(*a*) (i) in the case of wet land, 40 per cent of the normal gross produce or its value in money ;

(*cont.*)..

(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

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(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 I.—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 gross produce for one year if the land were cultivated with paddy ; (*cont.*)

(*n*) shall not include any waste land containing trees or shrubs :

Provided that the annual value determined under items (i) to (v) of this paragraph shall in no case exceed Rs. 350 per acre.

Explanation.—In this paragraph and in paragraph 6, land revenue 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. 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 :—

(i) for the first sum of Rs. 3,000 or any portion thereof of the annual value of the land, 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, nine times such sum or portion ;

(*b*) in respect of a land cultivated with any other crop means the produce which would be obtained for one year from a land of the same class as the land in question similarly situated and possessing similar advantages if the rainfall and the seasons were normal.

Explanation II.— In the case of land on which different crops are cultivated at different times on different portions of the land, the fair rent shall be calculated with reference to the actual crops ordinarily cultivated according to the ordinary rotation of crops in the area in which such land is situated ; and

(*b*) the value of one-fifth of the straw or stalk of all the crops cultivated on the land in an agricultural year.

5. In the case of land cultivated by the owner, the fair rent shall be the fair rent as calculated in the manner specified in paragraph 4 in respect of a land of the same class as the land in question, similarly situated and possessing similar advantages.

6. The amount of compensation for the 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. 5,000 or any portion thereof of the net annual income from the land, 12 times such sum or portion ; (*cont.*)

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(iii) for the next sum of Rs. 3,000 or any portion thereof of the annual value of the land, eight 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, seven 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, 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 trees on land 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 ; or

(*c*) fruit bearing trees,

grown by human effort, Rs. 3,500 per acre ;

(iii) in the case of stray trees of spontaneous growth Rs. 250 per acre :

Provided that the total amount payable for trees under clauses (i) to (iii) shall not exceed Rs. 3,500 per acre.

(ii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 11 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, 10 times such sum or portion ;

(iv) for the balance of the net annual income from the land, nine 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, nine 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, eight 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, seven 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, six times such sum or portion ;

(vi) for the balance of the annual value of the land together with the annual value of the trees, five times such balance.

Explanation.—In this paragraph, the annual value of the trees shall mean forty times the land revenue on forest land:

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7. The compensation payable for any tree, building, machinery, plant or apparatus acquired under this Act shall be the value on the date of the publication of the notification under sub-section (1) of section 18 of such tree, building, machinery, plant or apparatus.

8. The compensation payable under this Part shall be the aggregate of the amounts as calculated under paragraphs 6 and 7 less the amount payable as compensation under section 54 to the tenant, in respect of the land concerned.

9. (*a*) In respect of any land in the transferred territory, 75 per cent of the amount of compensation calculated under this Part shall be payable in advance of the completion of the survey and ryotwari settlement of the land under Chapter VII. (CONT.)

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 the 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.*)

In the said Part, in paragraph 1, the word " amount " 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 16 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 ;

(vi) 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. 5,000 or any portion thereof of the net annual income from the land, 6 times such sum or portion ;

(viii) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 5 times such sum or portion ;

(ix) for the next sum of Rs. 5,000 or any portion thereof of the net annual income from the land, 4 times such sum or portion ; (*cont.*)

(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 7, the words "machinery, plant, apparatus, wells, filter points or power lines" 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). For the said paragraph 7 as so amended, the following paragraph 7 was substituted by section 4 (*c*) of the Tamil Nadu Land Reforms (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 occured the word "amount" was substituted during the period from 20th 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 words "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 October 1978.

PART II.

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 [1][xxx] twelve times the difference between such amount of land revenue or portion thereof and the proportionate quit-rent, jodi, kattubadi or other amount of like nature, if any, payable by such persons to the Government.

SCHEDULE IV

(*See* section 54.)

1. The [2][amount] payable to any tenant under section 54 shall be one-eighth of [3][the annual value for the land calculated in the manner specified in Part I of Schedule III]

2. Out of the [4][amount referred to in paragraph 1], three fourth shall be paid to the cultivating tenant and one-fourth to the intermediary, if any.

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[1] 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 11 of 1979), which was deemed to have come into force on the 20th April 1972.

[2] 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 11 of 1979) which was deemed to have come into force on the April 20th 1972.

[3] This expression was substituted for the expression "the fair rent calculated in the manner specified in paragraph 4 of Part I of Schedule III" by section 7(9) 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.

[4] This expression was substituted for the word "compensation" by section 5 (xiii)(*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.

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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* 27*th December* 1971 (*Pausa* 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:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971.

(2) It shall come into force on such date as the State Government may, by notification, specify.

Definition.

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 modified by the Tamil Nadu Land Reforms (Reduction of Ceiling on Land) Act, 1970 (Tamil Nadu Act 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* 17 *of* 1970).]

Abolition of the Sugar Factory Board and the Sugar Factory Tribunal.

4. On and from the date of the commencement of this Act,—

(*a*) the Sugar Factory Board and the Sugar Factory Tribunal, constituted under the principal Act shall stand 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 Statement of Objects and Reasons, *see Tamil Nadu Government Gazette* Extraordinary, dated the 24th July 1981, Part IV—Section 3, page 581.

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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 :—

Short title.

1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1972.

Chapter VIII of Tamil Nadu Act 58 of 1961 to be made permanent.

2. The provisions of Chapter VIII of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961) (hereinafter referred to as the 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 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.

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:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1972.

(2) It shall be deemed to have come into force on the 1st day of March 1972.

Definition.

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. [*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* 1961).]

Act to override Tamil Nadu Act 57 of 1961.

4. The provisions ot this Act shall have effect notwithstanding anything inconsistent therewith contained in the Tamil Nadu Public Trusts (Regulation of Administration of Agricultural Lands) Act, 1961 (Tamil Nadu Act 57 of 1961).

* For Statement of Objects and Reasons, *see Tamil Nadu Government Gazette Extraordinary*, dated the 3rd April 1972 Part IV—Section 3, Pages 103—104.

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 December 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 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 :—

Short title.

1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fourth Amendment Act, 1972.

Definition.

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.

3-5. [*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).*]

Abolition of existing Land Board.

6. Notwithstanding anything contained in this Act, on and from the date of the publication of this Act in 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 August 1972, Part IV—Section 3, Pages 261—264.

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 decision given by the Land Board before the date of such publication in respect of any land which is interspersed among plantations 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.

Validation.

7. Notwithstanding anything contained in any judgment, 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 date of the publication 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.

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TAMIL NADU ACT NO. 10 of 1974.*

THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) FIFTH AMENDMENT ACT, 1972.

[*Received the assent of the President on the* 15*th February* 1974, *first published in the* Tamil Nadu Government Gazette *Extraordinary on the* 28*th February* 1974 (*Masi* 16, *Piramathisa* (2005-*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 :—

Short title.

1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Fifth Amendment Act, 1972.

Definition.

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. [*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* 1961).]

Validation.

4. Notwithstanding anything contained in any judgment, 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 date of the publication of this Act in the *Tamil Nadu Government Gazette*, on the basis that plantain trees did not fall within "orchard" or "tope" as defined in clause (32) or (47) 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 Government Gazette* Extraordinary, dated the 22nd August 1972, Part IV—Section 3, Pages 435—436.

TAMIL 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—*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-fifth Year of the Republic of India as follows :—

Short title.

1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1974.

Definition.

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. [*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* 58 *of* 1961).]

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).]

Validation.

5. Notwithstanding anything contained in any judgment, 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 date of the publication of this Act in the *Tamil Nadu Government Gazette* on the basis that any transfer or sub-division of land effected after the notified date and before the date of the publication 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.

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* For Statement of Objects and Reasons, *see Tamil Nadu Government Gazette* Extraordinary, dated the 3rd April 1974, Part IV—Section 1, Pages 77—78.

TAMIL NADU ACT NO. 25 OF 1978.*

THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1978.

[*Received the assent of the President on the* 15*th May* 1978, *first published in the* Tamil Nadu Government Gazette *Extraordinary on the* 18*th May* 1978 (*Vaikasi* 4, *Kalayukti* (2009–*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-ninth Year of the Republic of India as follows:—

Short title. **1.** This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1978.

Declaration. **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 Part IV, 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 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* 1961).]

Certain provisions of Tamil Nadu Act 7 of 1974 not to have effect. **5.** (1) Notwithstanding anything contained in the Tamil Nadu Land Reforms(Fixation of Ceiling on Land) Sixth Amendment Act, 1972 (Tamil Nadu Act 7 of 1974) (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 IV—Section 1, Page 238.

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 re-opened and determined in accordance with the provisions of the principal Act, as modified by this Act.

Vesting of certain surplus lands and validation.

6. Notwithstanding anything contained in any judgment, decree, or order of any court or other authority,—

(*a*) where before the date of publication of this Act 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

to in clause (*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.

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TAMIL NADU ACT NO. 11 OF 1979.*

THE TAMIL NADU LAND REFORMS (FIXATION OF CEILING ON LAND) AMENDMENT ACT, 1979.

[*Received the assent of the President on the* 21*st March* 1979, *first published in the* Tamil Nadu Government Gazette *Extraordinary on the* 22*nd March* 1979 (*Panguni* 8, *Kalayukti* (2010—*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 Thirtieth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1979.

(2) It shall be deemed to have come into force on the 27th October 1978.

Declaration.

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 Part IV, 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.

4-7. [*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).]

Validation.

8. Notwithstanding anything contained in any judgment, 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.

(*b*) that the amount payable under 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 members 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.

Saving. 9. Any proceeding taken or order passed under the 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 reopened and disposed of in accordance with the provisions of the principal Act as so amended :

Provided that no such proceeding or order, shall be reopened under this section after the expiry of a period of five years from the 27th October 1978.

Repeal and saving. 10. (1) The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Ordinance, 1978 (Tamil Nadu Ordinance 14 of 1978), 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.

TAMIL NADU ACT NO. 59 OF 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 (*Purattasi 7, Thunmathi—2012—Tiruvalluvar Aandu*).]

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 Thirty-second Year of the Republic of India as follows :—

Short title and commencement.

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 Act, except clause (*a*) of section 2, shall be deemed to have come into force on the 30th June 1981.

(*b*) Clause (*a*) of section 2 shall be deemed to have come into force on the 15th January 1972.

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

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.".

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*For Statement of Objects and Reasons, see *Tamil Nadu Government Gazette* Extraordinary, dated 21st August 1981, Part IV-Section 1, pages 621–622.

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3. (1) The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Ordinance, 1981 (Tamil Nadu Ordinance 8 of 1981), is hereby repealed. Repeal and saving.

(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.

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The following Act of the Tamil Nadu Legislature received the assent of the President on the 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.

BE it enacted by the Legislature of the State of Tamil Nadu in the 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. *Declaration.*—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 as if, —

(1) in sub-section (3-C) of section 5, after the expression "anything contained in this Act", the expression "but subject to the provisions of section 37-B and section 73" had been inserted;

(2) after section 37-A, the following section had been inserted, namely :—

"37-B. *Public trust or educational institution to apply to Government for permission to hold or acquire land for educational*

or hospital purposes.—(1) 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 hospital; or

(ii) expanding any existing educational institution or hospital by way of addition to, alteration of, or improvement to, any 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 purpose of expanding the educational institution or hospital by way of addition to, alteration of, or improvement to, the educational institution 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 prescribed.

Explanation.—In this section and in clause (iv-A) of section 73, 'educational institution' means any college (including engineering or medical or agricultural or veterinary college) or any school or other equivalent institution or any polytechnic institution.

(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 permission shall contain the particulars of the land in respect of which such permission is granted.

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(3) The Government shall, in deciding whether to grant or refuse the permission under sub-section (2), take into consideration the following factors, namely :—

(*a*) the purposes and objectives of the public trust or educational institution 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 permission in respect of any land granted under this section on the breach of any condition 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 conditions, if any, specified by the Government are complied with ;".

(By order of the Governor)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 18th December 1987 and is hereby published for general information :—

ACT No. 55 OF 1987.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) 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 as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1987.

(2) It shall be deemed to have come into force on the 15th July 1987.

2. *Declaration.*—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 as if,—

(1) in section 37-B,—

(*a*) in the marginal heading, the words "or educational institution" had been omitted ;

(*b*) in sub-section (1),—

(i) in clause (*a*), in sub-clause (ii), the word "or" occurring at the end had been omitted ;

(ii) clause (*b*) had been omitted ;

(iii) for the *Explanation*, the following *Explanation* had been substituted, namely :—

"*Explanation*.—In this section,—

(*A*) "educational institution" means any college (including engineering or medical or agricultural or veterinary college) or any school or other equivalent institution or any polytechnic institution;

(*B*) "hospital" means any place for the reception and treatment of persons suffering from illness or injury and includes any maternity home, asylum, infirmary, lying-in-hospital or any place for the reception and treatment of persons during convalescence, but does not include a dispensary.";

(*c*) in sub-section (2), for the words "whether prospectively or retrospectively", the word "prospectively" had been substituted;

(*d*) in sub-section (3), in clause (*a*), the words "or educational institution or hospital, as the case may be" had been omitted;

(2) in section 73, in clause (iv-A), the words "or educational 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 Nadu Ordinance 4 of 1987), 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 principal Act as amended by this Act.

(By order of the Governor.)

S. VADIVELU,
Commissioner and Secretary to Government,
Law Department.

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ASI 7, VIBHAVA, THIRUVALLUVAR AANDU—2019

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 13th May 1988 and is hereby published for general information :—

ACT No. 4 OF 1988.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) 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 as follows :—

1. *Short title.*—This Act may be called the Tamil Nadu Land Reforms (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 (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), as subsequently modified, shall have effect as if,—

(*a*) in section 85, in sub-section (1), for the words "two hundred rupees", the words "two thousand rupees" had been substituted ;

(*b*) in section 86, for the words "two hundred rupees", the words "two thousand rupees" had been substituted ;

(*c*) in section 87, for the words "one thousand rupees", the words "two thousand rupees" had been substituted ;

(*d*) in section 88, for the words "one thousand rupees", the words "two thousand rupees" had been substituted;

(*e*) in section 89, for the words "one thousand 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. JEYASINGH PETER,
Secretary to Government, Law Department.

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 12th August 1994 and is hereby published for general information:—

ACT No. 47 OF 1994.

An Act further to amend the Tamil Nadu Land 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 :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1994.

(2) Clause (1) of section 3 shall be deemed to have come into force on the 24th day of July 1991.

Definition.

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

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

3. The principal Act shall have effect as if,—

(1) in section 77-C, after sub-section (5), the following sub-section had been inserted, namely :—

"(6) (*a*) In the event of the occurrence of any vacancy in the office of the Chairman by reason of his death, resignation or otherwise, the Vice-Chairman 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 office.

(*b*) When the Chairman is unable to discharge his functions owing to absence, illness or any other cause, the Vice-Chairman shall discharge the functions of the Chairman until the date on which the Chairman resumes his duties.";

(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 office :

Provided that the Chairman, Vice-Chairman or other Member shall, unless he is permitted by the Governor of the State to relinquish his office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.".

Validation.

4. Anything done or any action or proceeding taken or any order made by the Vice-Chairman of the Tamil Nadu Land Reforms Special Appellate Tribunal, 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 deemed 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 of the Governor)

M. MUNIRAMAN,
Secretary to Government,
Law Department.

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Chithirai 28, Thadhu, Thiruvalluvar Aandu—2027

Part IV—Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 2nd May 1996 and is hereby published for general information :—

ACT No. 11 OF 1996.

An Act further to amend the Tamil Nadu Land 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:—

Short title. 1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1994.

Declaration. 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.

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

Tamil Nadu 58 of 1961 subsequent modified, have effect subject to modificatio 4. The principal Act shall, on and from the 6th day of April 1960, have effect, as if, section 22 had been renumbered as sub-section (1) of that section and after sub-section (1) as so renumbered, the following sub-section had been added, namely:—

"(2) For 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 ceiling area, such transfer or partition, whether *bonafide* or not, shall be construed as defeating the provisions of this Act.".

Validation.

5. Notwithstanding anything contained in any law for the time being in force 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 section 4 of this 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 22 of the principal Act as amended by section 4 of this Act had been in force at all material times when such acts or proceedings were done or taken.

Reopening of certain cases.

6. Notwithstanding anything contained in any law for the time being in force or in any judgement, decree or order of any court or other authority, but subject to 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, shall be reopened and disposed of in accordance with the provisions of section 22 of the principal Act as so amended :

Provided that no such proceeding or order shall be reopened under this section after the expiry of a period of five years from the date of the publication of this Act in the *Tamil Nadu Government Gazette*:

Provided further that no such proceeding or order shall be reopened unless the person affected has had a reasonable opportunity of being heard.

(By order of the Governor)

K. MUNIRAMAN,
Secretary to Government,
Law Department.

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Aippasi 18, Vekuthaniya, Thiruvalluvar Aandu—2029

Part IV — Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 27th October 1998 and is hereby published for general information :—

ACT No. 36 OF 1998.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 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 :—

Short title.

1. This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1998.

Declaration.

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.

Tamil Nadu Act 58 of 1961, as subsequently modified, to have effect subject to modification.

3. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, 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 contained in this Act, for the purpose of this proviso, "acre" means ordinary acre.".

(*b*) in section 62, after the fourth proviso, the following *Explanation* had been added, namely :—

"*Explanation.*— Notwithstanding anything contained in this Act, for the purpose of the third proviso "acre" means ordinary acre.".

(By order of the Governor.)

A. K. RAJAN,
Secretary to Government,
Law Department.

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Part IV — Section 2

Tamil Nadu Acts and Ordinances.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 18th March 1999 and is hereby published for general information :—

ACT No. 7 OF 1999.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 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 :—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Third Amendment Act, 1998.

(2) It shall come into force at once.

Tamil Nadu Act 58 of 1961.

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

2. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961, as subsequently modified, shall have effect, as if in section 108,—

(*a*) in clause (*a*), for the words "twenty-five rupees", the words "one hundred rupees" had been substituted ;

(*b*) in clause (*b*), for the words "five rupees", the words "one hundred rupees" had been substituted ;

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(*c*) in clause (c), for the words "twenty-five rupees", the words "one hundred rupees" had been substituted ;

(*d*) for clause (*d*), the following clause had been substituted, namely :—

"(*d*) any application for revision by the Land Commissioner under section 82, shall be one hundred rupees" ;

(*e*) in clause (*e*), for the words "ten rupees", the words "one hundred rupees" had been substituted.

(By order of the Governor)

K. PARTHASARATHY,
Secretary to Government, Law Department.

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The following Act of the Tamil Nadu Legislative Assembly received 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 Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-fourth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment and Special Provisions Act, 2003.

(2) It shall come into force at once.

Tamil Nadu Act 58 of 1961.

Amendment to sections 3, 13, 14 and 34.

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 (1), the words "or the 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.

Omission of Chapter X-A.

3. Chapter X-A of the principal Act shall be omitted.

Amendment of section 79.

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.

Substitution of section 83.

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 115 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.".

Amendment of section 84.

6. In section 84 of the principal Act, for the words "Special Appellate Tribunal" the words "High Court" shall be substituted.

Amendment of section 105.

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

Insertion of new section 107.

8. After section 106 of the principal Act, the following section 107 shall be inserted, namely :—

"107. *Bar of Jurisdiction 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.".

Amendment of section 108.

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.

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Transfer of pending proceedings in the Special Appellate Tribunal to the High Court.

10.(1) All cases connected with the land reforms dealt with under the principal Act and pending in the Special Appellate Tribunal immediately before the date of commencement 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 date of commencement, shall stand transferred to the High Court with effect from the date of the commencement of this Act.

(2) *All cases,*—

(*a*) connected with the validity of any order granting exemption under sub-section (1) of section 21 of the repealed Tamil Nadu Urban Land (Ceiling and Regulation) Act, 1978 (hereafter referred to as 1978 Act) and any action taken thereunder, as referred to in clause (*b*) of sub-section (1) of section 3 of the Tamil Nadu Urban Land (Ceiling and Regulation) Repeal Act, 1999 (hereafter referred to as 1999 Act); and

Tamil Nadu Act 24 of 1978.

(*b*) relating to sections 12, 13, 14, 15, 15-B and 16 of the 1978 Act in so far as such proceedings are relatable to the land, possession of which has been taken over by the State Government or any person duly authorised by the State Government in this behalf or by the Competent Authority, as referred to in the proviso to section 4 of the 1999 Act, and pending in the Special Appellate Tribunal immediately before the date of commencement 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 date of commencement, shall stand transferred to the High Court with effect from the date of the commencement of this Act.

Tamil Nadu Act 20 of 1999.

(By order of the Governor)

A. KRISHNANKUTTY NAIR,
Secretary to Government,
Law Department.

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Act of the Tamil Nadu Legislative Assembly received the assent of the President on the 6th June 2010 and is hereby published for general information:—

ACT No. 23 OF 2010.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2008.

(2) (*a*) Section 3 shall be deemed to have come into force on the 1st day of March 1972.

(*b*) Section 4 shall be deemed to have come into force on the 15th day of July 1987.

Declaration.

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.

Amendment of section 37-A.

Tamil Nadu Act 58 of 1961.

3. In section 37-A of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (hereinafter referred to as the principal Act), for sub-section (1) excluding the Explanation thereunder, the following sub-section shall be substituted, namely:—

"(1) If any industrial or commercial undertaking desires to acquire any land in excess of the ceiling area or desires to hold land acquired in excess of the ceiling area, it shall make an application to the Government for permission to acquire such land or for permission to hold such acquired land as the case may be. Every such application shall be in writing and contain such particulars as may be prescribed:

Provided that an application for permission to hold such acquired land shall be made within such period as may be prescribed.".

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Amendment of section 37-B.

4. In section 37-B of the principal Act, for sub-section (1) excluding the Explanation thereunder, the following sub-section shall be substituted, namely:—

"(1) 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 acquire any land in excess of the ceiling area or desires to hold land acquired in excess of the ceiling area; and

(*b*) if any public trust created after the 1st March 1972 desires to acquire any land or desires to hold land acquired, for the purpose of,—

(*i*) establishing any educational institution or hospital; or

(*ii*) expanding any existing educational institution or hospital by way of addition to, alteration of, or improvement to, any educational institution or hospital,

it shall make an application to the Government, for permission to acquire such land or for permission to hold such acquired land, as the case may be. Every such application shall be in writing and shall contain such particulars as may be prescribed:

Provided that an application for permission to hold such acquired land shall be made within such period as may be prescribed.".

Validation

5. Notwithstanding anything contained in the principal Act, or in any judgment, decree or order of any court or other authority, every application made by any industrial or commercial undertaking or public trust and every permission granted by the Government under section 37-A or 37-B of the principal Act, before the date of publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2008 in the *Tamil Nadu Government Gazette* shall be as valid and effective as if the said sections 37-A and 37-B as amended by the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2008 had been in force at all material times and the said application and permission had been made and granted thereunder.

(By order of the Governor)

S. DHEENADHAYALAN,
Secretary to Government,
Law Department.

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 12th July 2018 and is hereby published for general information:—

ACT No. 24 OF 2018.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Sixty-ninth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2018.

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

Amendment of section 3.

Tamil Nadu Act 58 of 1961.

2. In section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (hereinafter referred to as the principal Act), after clause 21, the following clause shall be inserted, namely:—

"(21-A) "investment" means the investment as defined in the Tamil Nadu Industrial Policy, from time to time;".

Amendment of section 5.

3. In section 5 of the principal Act, in sub-section (1),—

(1) in clause (a), for the expression "sub-sections (3-A), (3-B), (3-C), (4) and (5)", the expression "clause (e), sub-sections (3-A), (3-B), (3-C), (4) and (5)" shall be substituted;

(2) after clause (d), the following clause shall be added, namely:—

"(e) the ceiling area in the case of every industrial or commercial undertaking, which invests more than twenty crores of rupees, shall be thirty standard acres:

Provided that such land shall be dry land and the industrial or commercial undertaking shall utilise the land for industrial or commercial purposes within such period as may be prescribed and shall continue to use the said land for industrial or commercial purpose.".

(By Order of the Governor)

S.S. POOVALINGAM,
Secretary to Government,
Law Department.

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 11th July 2024 and is hereby published for general information:—

ACT No. 34 OF 2024.

An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-fifth Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2024.

(2) It shall come into force at once.

Amendment to section 3(14).

2. In section 3 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (hereinafter referred to as 'the principal Act'), in clause (14),— Tamil Nadu Act 58 of 1961.

(1) in sub-clause (i), for the expression "minor sons and unmarried daughters,", the expression "minor children", shall be substituted;

(2) in sub-clause (ii), for the expression "minor grandsons and unmarried grand-daughters", the expression "minor grand-children" shall be substituted.

(By order of the Governor)

S. GEORGE ALEXANDER,
Secretary to Government,
Law Department.

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