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GOVERNMENT OF TAMIL NADU
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GOVERNMENT OF TAMIL NADU
LAW DEPARTMENT.

TAMIL NADU ACT No. 41 OF 1971.

[Received the assent of the President on 22nd December 1971,
first published in the Tamil Nadu Government Gazette
Extraordinary on the 27th December 1971 (Pausa 6, 1983).]

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

BE it enacted by the Legislature of the State of Tamil Nadu in
the Twenty-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(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.

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

3. *Tamil Nadu Act 58 of 1961 to have effect subject to
modifications.*—The principal Act shall, on and from the date
specified in the notification issued under sub-section (2) of
section I have effect as is,—

(1) in section 3 of the principal Act, clause (13), (30), (43)
and (44) had been omitted;

(2) after section 3 of the principal Act, the following section had been inserted, namely:—

“3-A. *Certain special definitions.*—Notwithstanding anything contained in this Act, if, by virtue of the operation of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971, the total extent of land held by any person exceeds the ceiling area, then, in relation to such person and in this Act unless the context otherwise requires,—

(i) ‘date of the commencement of this Act’ means the date specified by the Government under sub-section (2) of section 1 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971;

(ii) ‘notified date’ means the date specified by the Government in a notification which shall be a date subsequent to the date specified under sub-section (2) of section 1 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1971.”;

(3) in section 8 of the principal Act—

(a) in sub-section (1),—

(i) in clause (ix), the word “and” had been added at the end;

(ii) clause (x) had been omitted;

(b) sub-section (2) had been omitted;

(4) in section 9 of the principal Act, sub-section (4) had been omitted;

(5) in section 10 of the principal Act, in sub-section (1),—

(i) in clause (xii), the word “and” had been added at the end;

(ii) clause (xiii) had been omitted;

(6) in section 13 of the principal Act, sub-section (2) had been omitted;

(7) in section 14 of the principal Act,—

(i) sub-section (3) had been omitted;

(ii) in sub-section (4), for the brackets, figures and word “(1), (2) or (3)”, the brackets, figures and word “(1) or (2)” had been substituted;

(8) in sub-section (3) of section 18, in section 91 and in paragraph 7 of Part I of Schedule III of the principal Act, for the words “machinery, plant or apparatus”, the words “machinery, plant, apparatus, wells, filter points or power lines” had been substituted;

(9) Chapter V and sections 38 to 49 of the principal Act had been omitted;

(10) in section 73 of the principal Act, clause (xiii) had been omitted;

(11) sections 74 and 75 of the principal Act had been omitted;

(12) in section 81 of the principal Act, in clause (i) the brackets and figure “(3)” had been omitted;

(13) in section 82 of the principal Act, for the figures and brackets “9 (3), (4)”, the figures and brackets “9 (3)” had been substituted;

(14) in section 94 of the principal Act,—

(a) in sub-section (1), after the words, brackets and figure “sub-section (2)”, the words, figures and letter “and section 94-A” had been inserted;

(b) clause (b) of sub-section (2) had been omitted;

(15) after section 94 of the principal Act, the following sections had been inserted, namely:—

“94-A. *Rules in respect of surplus land held by sugar factory and acquired by Government.*—(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) on the issue of such notification the land concerned may be cultivated either with sugarcane or with any other crop.

(4) Nothing in this section shall be construed as preventing the Government from making rules under section 94 providing for the manner of disposal of any surplus land acquired under this Act and held by any sugar factory immediately before the date of acquisition and accordingly the Government may make rules under section 94 providing for the disposal of such land.

94-B. *Certain lands to be held as tenant by the Corporation.*—(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 landowner 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 the 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.

(2) Nothing in this Act shall apply to any land referred to in sub-section (1) only so long as such land is deemed to be held as tenant by the corporation (including a company) under sub-section (1).

94-C. *Exemption in respect of land held by sugar factory for research purposes.*—(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.”;

(16) in section 98 of the principal Act, the words “the Sugar Factory Board” in the two places where they occur had been omitted;

(17) in section 100 of the principal Act, for the words “the Land Commissioner, the Land Board or the Sugar Factory Board”, the words “the Land Commissioner or the Land Board” had been substituted;

(18) in section 101 of the principal Act, the words “Sugar Factory Board” in the two places where they occur had been omitted;

(19) in section 103 of the principal Act, the words “Sugar Factory Board” had been omitted;

(20) in section 105 of the principal Act, in sub-section (1), the words “Sugar Factory Board” had been omitted;

(21) in section 107 of the principal Act, the words “the Sugar Factory Board” had been omitted;

(22) in clause (1) of sub-section (2) of section 110 of the principal Act, the words “and of the Sugar Factory Board” had been omitted.

4. *Abolition of the Sugar Factory Board and the Sugar Factory Tribunal.*—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.

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