



C1/18144/03

010061



ABSTRACT

Land Reforms - Tamil Nadu Land Reforms [Fixation of Ceiling on Land] Act, 1961 (Tamil Nadu Act 58 of 1961) - Amendment to rules 56 and 66 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Rules, 1962 - Orders - Issued.

REVENUE & DISASTER MANAGEMENT DEPARTMENT,
LAND REFORMS WING, LR.1(2) SECTION

G.O. (Ms) No.277.

Dated 31.07.2018.

விளம்பி வருடம்,
ஆடி
திருவள்ளூர் ஆண்டு 2049

Read:-

From the Principal Secretary/Commissioner of Land Reforms, letter R.C.No.C1/18144/2003 (L.Ref), dated 17.06.2016, 30.05.2017 and 10.11.2017.

ORDER:-

In the reference read above, the Principal Secretary / Commissioner of Land Reforms has stated that the Government grant permission to the industrial or commercial undertakings to acquire land in excess of the ceiling area or to hold land acquired in excess of the ceiling area under section 37-A of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (as amended) for industrial or commercial activities and also grant permission to the public trust to acquire any land or to hold land acquired under section 37-B of the said Act for educational or hospital purposes.

2. The Principal Secretary / Commissioner of Land Reforms has further stated that, it is experienced that there are cases, where, after getting permission from Government to hold lands under sections 37-A and 37-B of the said Act, transferring of lands partly to the group company / subsidiary company or other company by the industrial or commercial undertaking for the same industrial or commercial activities and by the public trust for the same educational or hospital purposes taken place. In some cases, prior to such transfer, the transferor and transferee companies / public trusts seek permission of the Government. However, there is no provision in the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Rules, 1962 for transfer of lands partly for the lands for which permission granted by Government under sections 37-A and 37-B of the said Act. The object of the said Act is not deviated and there is no loss to Government in transferring the lands partly to other company / public trust for the same purpose covered under sections 37-A and 37-B of the said Act, with same conditions.

3. The Principal Secretary / Commissioner of Land Reforms has, therefore, requested the Government to issue an amendments to rules 56(3)(ix) and 66(2)(vi) of the said Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Rules, 1962 for the cases where permission under sections 37-A or 37-B of the said Act granted by Government, is necessary and inevitable, to permit such part transfer of lands from one company to another company and from one public trust to another public trust for the same industrial or commercial activities and for the same educational and hospital purposes respectively.

4. The Government, after careful examination, have decided to accept the recommendation of the Principal Secretary / Commissioner of Land Reforms and to amend rules 56 (3) (ix) and 66 (2) (vi) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Rules, 1962 providing for transfer of Industrial or Commercial undertaking with another Industrial or Commercial undertaking and from one public trust with another public trust fully or partly or part transfer of lands from Industrial or Commercial undertaking to another Industrial or Commercial undertaking and from one public trust to another public trust for the same industrial or commercial activities and for the same educational and hospital purposes respectively for the cases where Government have permitted to hold land covered under sections 37-A and 37-B of the said Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

5. Accordingly, the Government issue notification for the publication of the amendments to the said Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Rules, 1962, as annexed to this order.

6. The Works Manager, Government Central Press, Chennai is requested to publish the notification annexed to this order in the Tamil Nadu Government Gazette.

7. The Works Manager, Government Central Press, Chennai is also requested to send 500 copies of the above notification to the Government in Revenue & Disaster Management Department and to the Additional Chief Secretary / Commissioner of Land Administration and Commissioner of Land Reforms (i/c.), Chepauk, Chennai-600 005.

8. The Additional Chief Secretary / Commissioner of Land Administration and Commissioner of Land Reforms (i/c.) is also requested to give suitable instructions to all the Sub-Collector's / Revenue Divisional Officer's for wide publicity.

(BY ORDER OF THE GOVERNOR)

**ATULYA MISRA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Works Manager, Government Central Press, Chennai-79 (w.e)

The Additional Chief Secretary / Commissioner of Land Administration

and Commissioner of Land Reforms (i/c.), Chepauk, Chennai-5. (w.e)

✓ The Director of Land Reforms, Chepauk, Chennai-5. (w.e)

All District Collectors.

The Principal Secretary to Chief Minister, Chennai-9.
The Senior Personal Assistant to Minister for
Revenue & Disaster Management Department, Chennai-9.
The Private Secretary to the Principal Secretary to Government,
Revenue & Disaster Management Department, Chennai-9.
The Law Department, Chennai-9.
The Industries Department, Chennai-9.
The Micro Small and Medium Enterprises Department, Chennai-9.
The Public (SC) Department, Chennai-9.
SF/SC.

//FORWARDED BY ORDER //

SECTION OFFICER

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ANNEXURE.

NOTIFICATION.

In exercise of the powers conferred by section 110 of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961), the Governor of Tamil Nadu hereby makes the following amendments to the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Rules, 1962.

AMENDMENTS.

In the said Rules,-

1. in rule 56, in sub-rule (3), in clause (ix),-

(i) after the expression "the industrial or commercial undertaking is transferred", the expression "fully or partly or the industrial or commercial undertaking transfers lands partly" shall be inserted.;

(ii) in sub-clause (a), the word "or" shall be omitted.

(iii) after sub-clause (a), the following provisos shall be inserted, namely:-

"Provided that in the case of part transfer, the transferor should have carried on bonafide industrial or commercial operation for a minimum period of three years, or for a justifiable reason, been unable to carry on the industrial or commercial operation for which permission was sought for.

Provided further that the transferee bonafide carries on industrial or commercial operations.

Provided also that the transferee is barred from claiming the extent of surplus area purchased as within ceiling area; or";

2. in rule 66, in sub-rule (2), in clause (vi),-

(i) after the expression, "the public trust is transferred", the expression "fully or partly or the public trust transfer lands partly" shall be inserted.

(ii) in sub-clause (a), the word "or" shall be omitted.

(iii) after sub-clause (a), the following provisos shall be inserted, namely:-

"Provided that in the case of part transfer, the transferor should have carried on bonafide educational or hospital activities for a minimum period of three years, or for a justifiable reason, been unable to carry on the educational or hospital activities for which permission was sought for.

Provided further that the transferee bonafide carries on educational or hospital activities, or".

ATULYA MISRA
PRINCIPAL SECRETARY TO GOVERNMENT

//TURE COPY//

Dr. Arun @brh
31.07.2018
SECTION OFFICER

Dr. Arun
31/7/18