

**Andhra Absorbed Enclaves (Hyderabad Jagirdars
Commutation Sum And Allowance) Act, 1955**

16 of 1955

[11 November 1955]

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SCHEDULE 1 :- SCHEDULE

**Andhra Absorbed Enclaves (Hyderabad Jagirdars
Commutation Sum And Allowance) Act, 1955**

16 of 1955

[11 November 1955]

PREAMBLE

An Act to provide for the payment of Interim Allowance and commutation sum to the Jagirdars of 1[former State of Hyderabad]. Whereas it is expedient to provide for the payment of interim allowance and commutation sum to certain jagirdars of the 1[former State of Hyderabad] whose villages have been absorbed in the 2[Andhra area of the State of Andhra Pradesh] as a consequence of the India and Hyderabad (Exchange of Enclaves) Order, 1950;

Be it enacted in the Sixth Year of the Republic of India as follows:

1. For Statement of Objects and Reasons, See Andhra Pradesh Gazette, dated 21-7-1955. Pt. IV-A Page 29.

2. Substituted for the words "Hyderabad State" by the A.P.A.O. 1957.

1. Short title, extent and commencement :-

(1) this Act may be called the Andhra Absorbed Enclaves (Hyderabad Jagirdars Commutation Sum and Allowance) Act. 1955.

(2) It extends to the areas specified in the Schedule.

(3) It shall be deemed to have, come into force on the 26th January, 1950.

2. Application of laws to Jagirs in transferred enclaves :-

(1) Save as otherwise provided in this Act, the provisions of the Andhra Pradesh (Telangana Area) Abolition of Jagirs Regulation, 1358-F (Regulation LXIX of 1358-F)].¹[the Andhra Pradesh (Telangana Area) Jagirs (Commutation) Regulation, 1359-F (Regulation XXV of 1359-F)], and the rules made under those Regulations, as in force on the 25th January, 1950, shall continue to apply to the areas to which this Act extends on and after 26th January, 1950.

(2) All terms and expressions in the regulations and rules aforesaid shall have the same meanings that they had, immediately before the 1st day of November, 1956 unless otherwise stated in this Act or in and rules made thereunder:

Provided that the Tribunal constituted under Section 8 of the Andhra Pradesh (Andhra Area) Estates(Abolition and Conversion into Ryotwari) Act, 1948 (Act XXVI of 1948) and having jurisdiction over the Krishna district, shall also have jurisdiction over jagir villages specified in Schedule, for the purposes of apportionment among the persons entitled, and payment to them of the interim allowance and the commutation sum payable under this Act.

1. Substituted for the words "Hyderabad State" by the A.P.A.O. 1957.

3. Deposit of interim allowance by the State Government etc :-

(1) The State Government shall deposit in cash in the office of Tribunal referred to in Section 2 the interim allowance payable for the period from the 26th January, 1950 to the 31st March 1950 (both days inclusive) under ¹[the Andhra Pradesh (Telangana Area) (Abolition of Jagirs) Regulation, 1358-F (Regulation LXIX of 1358-F)], and the commutation sum payable under 1[the Andhra Pradesh (Telangana Area) Jagirs (Commutation) Regulation, 1359-F (Regulation XXV of 1359-F):

Provided that in the case of interim allowance, the deposit of the full amount determined shall be made in one lumpsum and in the case of commutation sum, the deposit shall be made in two instalments, the first instalment being one-half of the commutation sum calculated on a rough basis.

(2) The interim allowances which are determined in accordance with the provisions of The A.P. (Telangana Area) (Abolition of Jagirs) Regulation, 1358-F (Regulation LXIX of 1358-F), and the first instalment of the commutation sum shall be deposited within one year from the date of the publication of this Action in the Andhra Pradesh Gazette and the balance of the commutation sum shall be deposited as soon as may be after that sum is finally determined in accordance with the provisions of the Andhra Pradesh (Telangana Area) Jagirs (Commutation) Regulation, 1359-F (Regulation XXV of 1359-F).

(3) On the making of such deposit the State Government shall be deemed to have been completely discharged in respect of all claims to or enforceable against the interim allowance and commutation sum aforesaid.

1. Substituted for the original short title by A.P. Act IX of 1961.

4. Advance payment of interim allowance by State Government :-

Pending the final determination of the interim allowances and commutation sums payable to the Jagirs, the State Government may at their discretion, make advance payments of interim allowance and commutation sum; and such payments shall be recovered in full from the first instalment of the commutation sum and if the instalment does not admit of the recovery of the full sum, the balance, if any, from the second and final instalments.

5. Right of State Government to recover moneys due to Hyderabad Government :-

¹[The State Government shall be entitled to recover from the first instalment of the commutation sum one-half of all the moneys due to them including the moneys due to the Hyderabad Government prior to the 26th January, 1950 from Jagirdars and to recover the other half from the second and final instalments of the said sum.

1. The expression "Hyderabad Government" shall stand unmodified by the b A.P.A.O. 1957.

6. Power to make rules :-

(1) The State Government may, by notification in the Andhra Pradesh Gazette, 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) the authority or authorities competent to exercise the powers and perform the duties under the Regulations and Rules mentioned in Section 2;

(b) the procedure for the payment of interim allowance and the commutation sum, including their apportionment among the persons entitled to receive them.

7. Jurisdiction of Civil Courts Barred :-

No act done or purporting to have been done under this Act, in good faith, and no order passed or rule made under this Act shall be questioned in a Court of Law.

8. Power to remove difficulties :-

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, as occasion may require, by order, do anything which appears to them necessary for the purpose of removing the difficulty.

9. Provisions of Act XXVI of 1948 applicable to matters arising under this Act :-

Save as expressly provided in this Act, the provisions of the Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act XXVI of 1948), which are not inconsistent with the provisions of this Act shall, subject to such modifications not affecting the substance as the State Government may, by notification in the Andhra Pradesh Gazette specify, apply to any matter arising under this Act.

SCHEDULE 1

SCHEDULE

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(See Section 2)

1.	Boravancha.
2.	Paratala.
3.	Gani Atkur.
4.	Maguloor.
5.	Kodavatikallu.
6.	Vusthepalli.
7.	Bathinipadu.
8.	Mallavalli.
9.	Pullapadu.

