

**ANDHRA PRADESH (TELANGANA AREA) ASSUMPTION OF  
MANAGEMENT OR ACQUISITION OF SURPLUS LANDS  
RULES, 1955**

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In exercise of the powers conferred by Section 97 of the A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950 (XXI of 1950), read with Section 53-C and 53-G of the said Act, the Rajpramukh makes the following rules, namely

**1. . :-**

(a) These rules may be called the A.P. (Telangana Area) Assumption of Management or Acquisition of Surplus Lands Rules, 1955.

(b) They shall come into force from the date of their publication in the Official Gazette.

## **2. . :-**

(1) In these rules unless there is anything repugnant in the subject or context-

(a) "the Act" means the A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950 (XXI of 1950):

(b) "Form" means a form appended to these rules;

(c) "New holder" means a person to whom any surplus land is given on lease under Section 56-E or is distributed under sub-section (3) of Section 53-G;

(d) "surplus land" means the land which is or which can be assumed management under Section 56-C or acquired under Section 53-G;

(e) "surplus landholder" means a part of whose holding is surplus and;

(f) "section" means a section of the Act.

(2) Words and expressions used in these rules but not defined shall have the meaning assigned to them in the Act.

(3) The Government shall by notification in the Official Gazette declare its intention to-

(1) assume management of, under Section 53-C, or

(2) acquire, under Section 53-G. any surplus or any category of surplus lands in any area for a public purpose specifying therein the date which the surplus land is so proposed to be assumed under management or acquired.

## **3. . :-**

(1) The Deputy Collector within whose jurisdiction the surplus land or the category of surplus lands specified in the notification issued under Rule 3 is situated, shall be the officer authorised to take action under Section 53-C and 53-G.

(2) It shall be lawful for the Deputy Collector and his subordinates and workmen to enter upon any land, inspect or survey it or to make such other enquiries as may be necessary to ascertain whether the land is held by a surplus landholder and also to mark out the measurements taken and the boundaries fixed.

**4. . :-**

As soon as may be, after the publication of a notification under Rule 3 the Deputy Collector shall cause wide publicity to be given to the said notification in the area specified therein by beat of drum, by explaining to the ryots the contents thereof or in such other manner as he deems fit.

**5. . :-**

The Deputy Collector shall cause summary inquiries to be made in respect of the extent of lands held by surplus landholders to ascertain the extent of surplus lands and the compensation or the reasonable price payable in the event of their assumption of management or acquisition.

**6. . :-**

The Deputy Collector shall then give a notice in Form I to each surplus landholder informing him of the intention of the Government to assume management of or to acquire the surplus land and directing him to file within three months from the date of receipt of the notice.

(a) a statement in Form II furnishing full information regarding the entire land held by him and by the members of his family jointly or severally, together with full particulars of debts and liabilities thereon, if any;

(b) a statement in Form III selecting and specifying the lands which he wants to retain for himself within the extent allowed under the Act; and

(c) a representation, if any, in respect of the intended assumption of management or acquisition of the surplus land.

**7. . :-**

The Deputy Collector shall consider the statements filed and the representation made by the surplus landholder under Rule 7, and after making such other inquiries, as he deems fit, make an order for the assumption of management of or acquisition of surplus land

specifying therein-

- (i) the extent and location of the surplus land;
- (ii) the date from which the assumption of management or acquisition shall take effect; and
- (iii) the recurring payment and other sum if any-
  - (a) payable as compensation under sub-section (7) or Section 53-C for the assumption of management; or
  - (b) the reasonable price payable for acquisition under Section 53-G and other mode of its payment.

Provided however, that where the Deputy Collector has made an order for assumption of management of any surplus land, he shall not make an order for acquisition without giving not less than a month's notice to the surplus landholder and hearing his objections, if any.

**8. . :-**

The lands selected and specified for retention by the surplus landholder under Rule 7 shall, as far as possible be allowed to be so retained unless the Deputy Collector, for reasons to be recorded in writing, is of the opinion that the selection and specification have been made to defeat any provisions of the Act or to make the assumption, acquisition, leasing, distribution or utilisation of the surplus land difficult.

**9. . :-**

Where a surplus landholder fails to file a statement selecting and specifying the lands for retention within the time stipulated in Rule 7, or where the selection and specification made by the surplus landholder are not accepted under Rule 9, the Deputy Collector shall, while making an order under Rule 8, select and specify the lands to be retained by the surplus landholder.

**10. . :-**

- (a) While making an order under Rule 8, the Deputy Collector shall as far as possible select for assumption of management or acquisition of such lands as are not subject to any debts or liabilities,
- (b) Where a surplus land assumed under management or acquired is subject to any debt or liability, the amount of compensation

payable for assumption of management or acquisition of the said land shall be paid in discharge of the said debt or liability and the balance, if any, shall be paid to the surplus landholder.

**11. . :-**

The order made by the Deputy Collector under Rule 8 shall be communicated in writing to the surplus landholder and shall be published in the village by beat of drum and by affixing a copy thereof in the Chavadi or any other conspicuous place in the village.

**12. . :-**

The Tahsildar within whose jurisdiction the surplus land is situated shall, from the date specified in the order made under Rule 8, be the officer appointed as manager to be in charge of the said surplus land and shall continue as such so long as the management continues or any other person is appointed by the Deputy Collector as a manager thereof.

**13. . :-**

From the date specified in the order made under Rule 8, the surplus land acquired thereunder shall vest in the Government and the Tahsildar within whose jurisdiction the said surplus land is situated shall be in charge thereof till such time as it is distributed or any other person is appointed to be in charge of the said land.

**14. . :-**

As soon as may be, after an order is made under Rule 8, the Deputy Collector shall cause a summary inquiry to be made in respect of persons who could be selected as new holders, the extent of land held and cultivated by them, their agricultural resources and the number of their dependents.

**15. . :-**

(1) Subject to the provisions of Section 53-E the selection of a new holder for any surplus land shall be made on the following grounds of preference:-

- (a) residence in the village;
- (b) previous experience of work as an agriculturist or an agricultural worker;
- (c) having a large number of dependents; and
- (d) being a member of Scheduled Caste or a Scheduled Tribe.

(2) The Deputy Collector may constitute a Committee in any village to advise him for selection of new holders.

**16. . :-**

(1) On the basis of inquiries made under Rule 15 and considering the advice rendered by the Village Committee, if any, the Deputy Collector shall make an order for leasing out of any surplus land under Section 53-E or for its distribution under sub-section (3) of Section 53-G to the selected new holder and payment by him of rent or the price of the land and the land revenue thereon.

(2) No new holder shall be given any surplus land which together with any other land held by him exceeds one family holding.

(3) Subject to the provisions hereinafter contained every new holder, to whom any surplus land is leased out under Section 53- E, shall be entitled to all the rights and privileges conferred by the Act upon protected tenants.

**17. . :-**

The Deputy Collector may, before making an order under Rule 17, explore the possibilities of exchanging any surplus land with equivalent land owned by any landholder in the village and with the consent of the said landholder, effect such exchange if in his opinion it consolidates the holding of the landholder as well as the surplus lands in the village without, however, reducing the value of the prospects of utilisation of the said lands.

**18. . :-**

The Deputy Collector may, before making an order under Rule 17, set apart any portion of the surplus land for any public requirement such as extension of village site, Gairan land, etc.

**19. . :-**

(1) Every new holder shall cultivate the surplus land personally and shall not be entitled to sublet or alienate the same or to create any liability thereon other than the Taccavi or Co-operative Society's Loan without prior permission of the Deputy Collector.

(2) While making an order under Rule 17, the Deputy Collector may impose such restrictions on any new holder as are in his opinion necessary to ensure quick reclamation, improvement or better utilisation of the surplus land.

(3) In case of failure to comply with the conditions and restrictions imposed under sub-rules (1) and (2), defaulting new holder shall lose all title to the surplus land and shall be liable to summary eviction therefrom.

**20. . :-**

Any unauthorised possession or cultivation of any surplus land by any person other than a new holder shall be deemed to be an encroachment on Government land and such persons shall be liable to summary eviction therefrom and to the payment of the penal assessment imposed under Section 57 of the A.P. (Telangana Area) Land Revenue Act, 1317 Fasli.

**21. . :-**

The Deputy Collector shall, as soon as may be, after making an order under Rule 17:-

- (i) put the new holder in possession of the surplus land;
- (ii) issue a certificate in Form IV or V, as the case may be, to each new holder, declaring his title thereto and specifying the conditions/restrictions imposed upon him; and
- (iii) cause mutation entries to be made in the village records.

**22. . :-**

The Deputy Collector shall, as far as possible, take steps to promote reclamation improvement or better utilisation of the surplus land and for rehabilitating the new holders.

**23. . :-**

The Government may remit the land revenue payable for any surplus land for any year, if it is satisfied that the needs of rehabilitation of the new holder or of improvement of the said land require such remission.

**24. . :-**

The Tahsildar or the person appointed as manager for any surplus land shall keep regular accounts of all expenses incurred, loans raised, proceeds received and payments made, in respect of the said land. Such accounts shall be maintained in the manner required, from time to time, by the Board Revenue.

**25. . :-**

Any person who fails to give any information required under these rules or who is found to have given incomplete incorrect or false

information or who is found to be obstructing in the assumption of management or acquisition of any surplus land or in its leasing out or distribution, to, or its utilisation by any new holder shall without prejudice to any other punishment provided in any other law for the time being in force, be punishable with fine not exceeding Rs.500.

**26. . :-**

All questions relating to the assumption of management; acquisition, leasing out, distribution and better utilisation of any surplus land for which no provision is laid down in these rules shall be referred to the Collector whose decision thereon shall be final.