

**ANDHRA PRADESH (TELANGANA AREA) IJARA AND KOWLI
LAND CANCELLATION OF IRREGULAR PATTAS AND
ABOLITION OF CONCESSIONAL ASSESSMENT ACT, 1961**

36 of 1961

[8th November, 1961]

CONTENTS

1. Short title, extent and commencement
2. Definitions
3. Cancellation of irregular pattas of certain ijara or kowli land
4. Abolition of concessions in the land revenue assessment of ijara or kowli land and certain other patta land
- 4A. Revision
5. Overriding effect of this Act
6. Bar of suits
7. Power to make rules
8. Power to remove difficulties

**ANDHRA PRADESH (TELANGANA AREA) IJARA AND KOWLI
LAND CANCELLATION OF IRREGULAR PATTAS AND
ABOLITION OF CONCESSIONAL ASSESSMENT ACT, 1961**

36 of 1961

[8th November, 1961]

An Act to provide for the cancellation of certain irregular pattas of ijara and kowli land and for the abolition of concessions in the land revenue assessment of ijara and kowli land and certain other patta land, in the Telangana area of the State of Andhra Pradesh. Be it enacted by the Legislature of the State of Andhra Pradesh in the Twelfth Year of the Republic of India, as follows:

1. Short title, extent and commencement :-

(1) This Act may be called the Andhra Pradesh (Telangana Area) Ijara and Kowli Land Cancellation of Irregular Pattas and Abolition of Concessional Assessment Act, 1961.

(2) It extends to the whole of the Telangana area of the State of Andhra Pradesh.

(3) It shall come into force on such date as the Government may, by notification in the Andhra Pradesh Gazette, appoint.

2. Definitions :-

In this Act, unless the context otherwise requires,

- (a) "Government" means the State Government;
- (b) "Ijara or kowli land" means land which was granted on ijara or kowli under the relevant law relating to ijara and kowli land;
- (c) "law relating to ijara and kowli land" means the Deserted Villages (Ijara) Dastur ul amal of 1292 Hijri and the Dastur ul amals of Uftada and Banjar lands of 1284 Hijri, 1288 Hijri, 1291 Hijri, and 1305 Fasli, and the circular orders supplementing them;
- (d) "prescribed" means prescribed by rules made under Section 7;
- (e) "Telangana area", means the territories specified in sub section (1) of Section 3 of the States Reorganisation Act, 1956 (Central Act 37 of 1956);
- (f) the expressions "bilmakta", "in excess of bilmakta" "ijara" , "kowl" , "ijaradar", "kowlidar", "patta", "pattadar", and "concessions in land revenue assessment" shall, in relation to ijara or kowli land, be construed in the same sense in which they are used in the relevant law relating to ijara and kowli land.

3. Cancellation of irregular pattas of certain ijara or kowli land :-

(1) If before the date of commencement of this Act, patta of any ijara or kowli land has been granted

(a) whether as bilmakta or in excess of bilmakta, in settlement of any ijara or kowl under the relevant law relating to ijara and kowli land.

(b) on full land revenue assessment contrary to the provision of the said law in spite of the ijaradar or kowlidar having failed to fulfil the terms and conditions of the ijara or kowl during the term of the ijara or kowl, but the pattadar has not been put in actual possession of such land for the reason that it is situated within, or is proposed to be included in, a reserved forest, such patta shall stand cancelled on the said date and the person to whom such patta was granted or his successor in interest shall be deemed never to have acquired any rights whatsoever in respect of such

land or of any forest produce thereon, except the right to receive compensation as provided in sub section (2), and such land shall continue to vest in the Government free from all encumbrances.

(2)

(a) The person whose patta stands cancelled by virtue of sub section (1), shall be entitled to receive as compensation from the Government

(i) an amount equal to ten times the annual land revenue assessment of such land if its patta was granted as bilmakta area.

(ii) an amount equal to four times the annual land revenue assessment of such land if its patta was granted in excess of the bilmakta area.

(iii) an amount equal to four times the annual land revenue assessment of such land in cases falling under clause (b) of sub section (1).

(b) Such compensation shall be paid in the prescribed manner.

(3) If any person whose patta stands cancelled by virtue of sub section (1) had, after the grant of the patta, paid to the Government any sum by way of land revenue assessment of such land or towards the valuation amount of the forest produce thereon, such sum shall, on such payment being proved in the manner prescribed, be refunded to him by the Government.

(4) After the commencement of this Act, no patta of any ijara or kowli land which is situated within, or is proposed to be included in a reserved forest, shall be granted in settlement of any ijara or kowli under the relevant law relating to ijara and kowli land.

4. Abolition of concessions in the land revenue assessment of ijara or kowli land and certain other patta land :-

(1) All concessions granted under the law relating to ijara and kowli land in the land revenue assessment of any ijara or kowli land, whether held as bilmakta or in excess of bilmakta, shall stand abolished on the date of commencement of this Act and as from that date the full land revenue assessment fixed by the Settlement Department shall be charged on such land as if it had been granted on ryotwari tenure and the law applicable to ryotwari land shall apply to such land in all respects.

(2) If before the commencement of this Act, any concession was granted in the land revenue assessment of any land held on ryotwari tenure, with or without the condition of the holder of such tenure maintaining any government source of irrigation or rendering any service in that regard, such concession shall stand abolished on the commencement of this Act and as from such commencement, the full land revenue assessment due on such land shall be charged thereon, and thereupon such holder shall no longer be liable to maintain such Government source of irrigation or to render any such service.;

(3) No person shall be entitled to any compensation by reason of the abolition of any concession in the land revenue assessment by virtue of sub section (1) or sub section (2).

(4) Nothing in this Section shall apply to

(a) inam lands so long as they continue to be inam lands;

(b) any concession in land revenue assessment granted by the Government for the conversion of dry lands into wet lands under such irrigation projects as may be notified by the Government in the Andhra Pradesh Gazette.

4A. Revision :-

(1) The Government may either suo motu at any time or on an application made to them within the prescribed period by any person inserted, call for and examine the record relating to any decision or order passed or proceeding taken by any authority or officer subordinate to them under this Act for the purpose of satisfying themselves as to the legality or propriety of such decision or order or as to the regularity of such proceeding; and if, in any case, it appears to them that any such decision, order or proceeding should be modified, annulled, reversed or remitted for reconsideration, they may pass orders accordingly : Provided that no order adversely affecting any party shall be passed under this sub section unless such party has been given an opportunity of making a representation.

(2) The Government may stay the execution of any such decision, order or proceeding pending the exercise of their powers under Sub section (1) in respect thereof.

(3) Powers of the nature referred to in sub sections (1) and (2)

may also be exercised by the Board of Revenue in the case of any decision or order passed or proceeding taken by any officer subordinate to it.]

5. Overriding effect of this Act :-

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith in the relevant law relating to ijara and kowli land or in any other law or contract or decree or order of any Civil or Revenue Court or other authority.

6. Bar of suits :-

No court shall entertain any suit or other legal proceedings for any relief against the Government or any officer of the Government for any action taken or anything done under the provisions of this Act.

7. Power to make rules :-

(1) The Government may, by notification in the Andhra Pradesh Gazette, make rules to carry out all or any of the purposes of this Act.

(2) Every rule made under this Act shall, immediately after it is made, be laid before each House of the State Legislature if it is in session and if it is not in session in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified in the Andhra Pradesh Gazette, have effect only in such modified form or shall stand annulled, 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.

8. Power to remove difficulties :-

If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make such provisions not inconsistent with the purposes of this Act, as appear to them to be necessary or expedient for removing the doubt or difficulty.