

ANDHRA PRADESH SPLITTING UP OF JOINT PATTAS RULES, 1965

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ANDHRA PRADESH SPLITTING UP OF JOINT PATTAS RULES, 1965

30th June, 1965

1. Short title :-

These rules may be called the Andhra Pradesh Splitting up of Joint Pattas Rules, 1965.

2. Definitions :-

In these rules, unless the context otherwise requires:

- (a) Act means the Andhra Pradesh Splitting up of Joint Pattas Act, 1965.
- (b) Section means a section of the Act.
- (c) form means a form contained in the Annexure to these rules.
- (d) Omitted.

3. Service of notices to Joint Pattadars :-

The Karanam of the village shall prepare individual notices in Form I in respect of all the Joint Pattadars in the village recorded as such in the village accounts and other persons known or believed to be interested in the grant of separate pattas and submit them to the Tahsildar along with a list of joint pattadars in the village for all the Survey Numbers or sub divisions which are jointly held. On receipt of the notices and the list, the Tahsildar shall cause service of the notices on the joint pattadars or other persons aforesaid, calling upon them to attend before him on such date, not later than ten days from the date of receipt of the notice and at such place as mentioned in the notice with all the relevant documents in support of their claims.

3A. Transfer or grant of pattas service of notice to owners, etc. :-

The Karanam of the village shall prepare individual notices in Form 1-A in respect of all the persons acquiring ownership of any land by succession, testate or intestate, or by sale, gift, exchange, partition or by any other means and in respect of all other persons known or believed to be interested in the transfer of patta or the grant of patta for such land and submit them along with the list of such persons to the Tahsildar. On receipt of the notices and the list, the Tahsildar shall cause service of the notices on the said persons calling upon them to attend before him on such date, not later than ten days from the date of receipt of the notice, and at such place, as mentioned in the notice with all the relevant documents in support of their claims.

4. Enquiry by Tahsildar :-

On the day fixed for the attendance of the parties the Tahsildar shall enquire summarily into the various claims raised by the joint pattadars and other interested persons.

5. Communication of orders :-

On the completion of the enquiry under Rule 4, the Tahsildar shall determine the individual share of each pattadar in each survey number of survey numbers as the case may be, and pass an order in Form III, granting him a separate patta for that share. A copy of such order together with a sketch showing therein as nearly as possible the location of each share or shares of the joint pattadars shall be communicated to the concerned joint pattadars. It shall not be necessary to prepare any such sketch in respect of any survey number, unless there is dispute or there is no enjoyment. Where

whole survey number or survey numbers fall to the share of any one or all of the joint pattadars, they need not be shown in a sketch. But a list of such whole Survey Number or Survey Numbers shall be mentioned in the order passed by the Tahsildar".

6. Appeal :-

Every appeal under Section 5 shall be stamped with a Court fee label of Rs.2.

7. Communication of orders to village officers and surveyor :-

After the expiry of the period of ninety days for preferring an appeal from the date of communication of the order or the Tahsildar passed under Rule 5 or if an appeal is preferred, soon after the order on the said appeal is received, the Tahsildar shall communicate such order, to xxx the village Karanam or Patwari, and the surveyor employed for the purpose of checking of the sub division work or for measurement in disputed cases.

8. Fees for sub division :-

Simultaneously with the communication of orders under Rule 7, the Tahsildar shall cause a demand notice served on each of the Joint Pattadars whose Joint holdings have to be sub divided under the rules, showing the amount of fees for each sub division to be paid by each of the Joint Pattadars. "The fees payable for such sub division shall be Rupees ten.

9. Recovery of sub division fees :-

On receipt of a demand notice under Rule 8, each of the Joint Pattadars shall pay or cause to be paid the sub division fees apportioned to him the sub division within fifteen days from the date of service of the notice failing which such fees and cost, shall be recovered as arrear of land revenue. As soon as the orders of the Tahsildar under Rule 5 and the demand notice are received, the village Munsiff Patel shall take action to serve the demand notices and to collect the sub division fees and credit it in the treasury to the relevant head of account."

10. Sub division of lands :-

As soon as the sub division fees recovered from the concerned joint pattadars, the village Karanam or the Deputy Surveyor shall take necessary steps to sub divide the lands and submit the sub division record to the Tahsildar along with the sub division statement and a statement showing the fees recovered from each pattadar and

credited into the treasury.

11. Checking of sub division records :-

The Tahsildar shall, after satisfying himself that the fees for sub division has been collected from the concerned pattadars, get the sub divisions, as measured by the village Karnam or the Deputy Surveyor checked by a Surveyor employed for the purpose, who shall certify as to the correctness of the records prepared by the village Karnam or the Deputy Surveyor.

12. Preparation of pattas by village Officers :-

After action under the foregoing rules is completed, the Tahsildar shall direct the village Karanam or the Patwari, as the case may be, to prepare a patta in triplicate in Form II within fifteen days from the date of receipt of such direction and submit it to the Tahsildar.

13. Issue of separate pattas :-

The Tahsildar shall sign the patta, affix his seal and cause the delivery of one copy to the Pattadar and one copy to the Karnam or Patwari of the village. The Tahsildar shall obtain an acknowledgment from the Pattadar and Karnam or Patwari and file it along with the connected revenue records.

14. Incorporation of changes :-

The sub division record shall be scrutinised by the District Surveyor and action taken by the competent Officers to incorporate the necessary changes in the connected revenue records in the taluk office and with the village officer, within thirty days after the separate patta are issued under Rule 13 and the fact of the incorporation of the changes shall be reported by the competent officers to the Tahsildar, who shall file the report along with the connected papers.

15. Method of Service of Notices :-

All notices, or demands, or orders issued under these rules shall be served by any one of the following methods namely:-

(a) by delivering or tendering it to the person concerned or his agent or to any adult member of his family after obtaining the acknowledgment on the duplicate, or

(b) by affixing a copy of the notice or order or demand at his last known place of residence or place of business; or

(c) by sending it by registered post, acknowledgment due.

16. Grant of certified copies :-

The Tahsildar may, on application, grant a certified copy of the patta, according to B.S.O.173 paras 5 to 19.