

## **TRANSFER OF PROFESSION AND EVICTION RULES, 1957**

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## **TRANSFER OF PROFESSION AND EVICTION RULES, 1957**

In exercise of the powers conferred by Section 97 read with Sections 32, 94 and 98 of the A.P. (Telangana) Tenancy Act and Agricultural Lands Act, 1950 (Hyderabad Act, 21 of 1950), the Governor of Andhra Pradesh hereby makes the following rules, namely :-

### **1. . :-**

(1) These rules may be called "The Transfer of Possession and Eviction Rules, 1957".

(2) These rules shall come into force in the territories specified in Section 3 of the States Reorganisation Act, 1956 (Central Act, 37 of 1956), from the date of their publication.

### **2. . :-**

(1) In these Rules,

(a) 'Act' means the A.P. (Telangana Area) Tenancy and Agricultural Lands Act, 1950 (Hyderabad Act, 21 of 1950).

(b) 'section' means a section of the Act.

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

### **3. . :-**

(1) The Collector, Deputy Collector or the Tahsildar, as the case may be, shall on his own motion or on receipt of an application made by a person for being put in possession of land, issue a notice to the person whose occupation of the land is alleged or considered

to be unauthorised or wrongful, to show cause within two weeks from the date of service of the notice as to why he should not be evicted from such land and the applicant or any other person be put in possession thereof.

(2) The Collector, Deputy Collector or the Tahsildar, shall also issue a notice to the applicant or any other person to adduce within two weeks, evidence, if any, in support of his claim for possession of the land.

(3) After expiry of the period of notice under sub-rules (1) and (2), the Collector, Deputy Collector or the Tahsildar shall after hearing such objections and representations as are made before him, determine.

(i) whether or not the occupation is unauthorised or wrongful, and

(ii) Whether the claim for being put in possession by the applicant or any other person is valid and shall pass an order accordingly.

(4) In case the present occupation is held to be unauthorised or wrongful the order shall specify the time within which the unauthorised wrongful occupant shall vacate the land and handover possession to person in whose favour an order has been passed. Every such order to vacate shall be complied with within the time specified therein.

#### **4. . :-**

If the person who is required to vacate the land under Rule 3 does not comply with such order within the period specified he shall be removed from the said land by force, and shall also be liable to a fine up to Rs.200. Specified Officer.