



The Andhra Pradesh Bhoodan and Gramdan Act, 1965

Act No. 13 of 1965

Keywords:

Gram Sabha

Amendment appended: 39 of 2023

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**Bhoodan and Gramdan
Acts. 1965**

Registered No. H. 194.

Price : 9 Paise



THE ANDHRA PRADESH GAZETTE
PART - IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 13] HYDERABAD, MONDAY, MAY 10,
1965.

Andhra Pradesh Acts, Regulations, etc.

The following Act of the Andhra Pradesh Legislature which was reserved by the Governor on the 15th February, 1965, for the consideration and assent of the President, received the assent of the President on the 24th April, 1965 and the said assent is hereby first published on the 10th May 1965 in the Andhra Pradesh Gazette for general information :

ACT No. 13 OF 1965.

**AN ACT TO FACILITATE THE DONATION OF
LANDS FOR BHOODAN YAGNA AND GRAMDAN,
THE DISPOSAL OF SUCH LANDS AND MATTERS
CONNECTED THEREWITH.**

Be it enacted by the Legislature of the State of Andhra Pradesh in the Sixteenth Year of the Republic of India as follows.

CHAPTER I.

PRELIMINARY.

Short title,
extent and
commence-
ment.

1. (i) This Act may be called the Andhra Pradesh Bhoodan and Gramdan Act, 1965.

(2) It extends to the whole 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.

Definitions:

2. In this Act, unless the context otherwise requires:

(a) 'Bhoodan Yagna' means the movement initiated by Sri Acharya Vinobha Bhave for the acquisition of lands by way of donation, for distribution to the landless poor persons, or for a community purpose ;

(b) 'Board' means the Andhra Pradesh Bhoodan Yagna Board constituted under section 3 :

(c) 'community purpose' means any purpose which is for the general good of the community :

(d) 'Government' means the State Government :

(e) 'Gramdan' means a voluntary donation of land in a village made in pursuance of Bhoodan Yagna :

(f) 'Gram Sabha' means a Gram Sabha constituted under section 17 :

(g) 'Gramdan Village', means a village notified under section 17 :

(h) 'land' includes the benefits arising out of land, things attached to the earth or permanently fastened to any thing attached to the earth :

(i) 'landless poor person' means a person who does not own any land or who owns land which does not exceed such limit, and whose annual income does not exceed such sum, as may be prescribed.

(j) 'owner' includes—

(1) In the case of land situate in an 'estate' not taken over by the Government under the Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948, the ryot in respect of the land in which he has a permanent right of occupancy of the land holder in respect of his private land.

(2) in the case of land situated in an estate taken over by the Government under the Andhra Pradesh (Andhra Area) Estates (Abolition and Conversion into Ryotwari) Act, 1948, the person entitled to a ryotwari patta in respect of the land :

(3) in the case of inam land not forming part of an estate the person entitled to a ryotwari patta in respect of the land :

(4) a protected tenant under the Andhra Pradesh (Telangana Area) Tenancy and Agricultural Lands Act, 1950 who has been personally cultivating the land under his protected tenancy at the time of donation, in respect of the right possessed by him in the land :

(k) 'prescribed' means prescribed by rules made under this Act :

(l) 'resident' in relation to the local area of any district means a person who is ordinarily resident in that local area :

(m) 'Tahsildar' means the Tahsildar and includes the Deputy Tahsildar in independent charge of a taluk or sub-taluk, within whose jurisdiction the land or a part thereof is situate :

(n) 'Telangana area' means the territories specified in sub-section (1) of section 3 of the States Reorganisation Act, 1956 :

(o) 'village' means a village registered as such in the revenue accounts and includes,—

(1) a hamlet for which separate revenue records are maintained :

(2) a hamlet, the residents of which own lands in a block comprising not less than five hundred acres including lands reserved for any communal purpose : or

(3) a hamlet which is declared by the Government to be a village for purposes of this Act.

CHAPTER II

Constitution, Powers, And Functions Of The Board.

3 The Government shall, by notification in the Andhra Pradesh Gazette constituted a Board by the name of the Andhra Pradesh Bhoodan Yagna Board which shall be a body corporate having perpetual succession and a common seal with power to enter into contracts and to acquire, hold and dispose of property and which may, by the said name, sue or be sued.

4. (1) The Board shall consist of a Chairman, Vice-Chairman and nine other members to be appointed by the Government and in the constitution of such Board the Government shall consult Sri Acharya Vinobha Bhave or a person nominated by him.

Constitution
and incor-
poration of
the Board.

Composi-
tion of the
Board.

(2) The appointment of the Chairman, Vice-Chairman and the other members of the Board shall take effect from the date on which it is notified in the Andhra Pradesh Gazette.

5. Every member of the Board, including the Chairman and Vice-Chairman shall hold office for a term of four years from the date of notification of his appointment, and shall be eligible for re-appointment.

Term of Office.

6. The Chairman, Vice-Chairman or any other member of the Board may resign his office by giving notice in writing to the Secretary to Government in the administrative department concerned and on the resignation being accepted by the Government, he shall be deemed to have vacated his office. The acceptance of every resignation shall be published in the Andhra Pradesh Gazette as soon as possible thereafter.

Resignation of Chairman Vice-Chairman or other member

7. (1) The Government may, by order, remove the Chairman, Vice-Chairman or any other member of the Board after giving him an opportunity to make any representation which he may wish to make, if they are satisfied that he—

Removal of Chairman or other member.

(a) has become of unsound mind :

(b) has applied to be adjudicated or has been adjudicated an insolvent :

(c) has been sentenced by a criminal court for an offence involving moral turpitude, such sentence not having been reversed :

(d) has become incapable of acting as Chairman, Vice-Chairman or member or has so abused his position or powers vested in him as Chairman, Vice-Chairman or member : or

(e) has failed, without excuse sufficient in the opinion of the Board, to attend three consecutive meetings of the Board and the Board has recommended his removal.

(2) Every order of removal under sub-section (1) shall, as soon as possible after it is made, be published in the Andhra Pradesh Gazette.

Filling of
casual
vacancies.

(8) Any casual vacancy in the office of the Chairman, Vice-Chairman or any other member of the Board shall, as soon as may be, after the occurrence of such vacancy be filled by appointment of another person and the Chairman, Vice-Chairman or other member so appointed shall enter upon office forthwith but shall hold office only for the residue of the term of his predecessor.

Dissolution
and recons-
titution of
the Board.

9. (1) Where the Government are satisfied that—

(a) the Board has failed without reasonable cause or excuse to discharge the duties, or to perform the functions, imposed on, or assigned to, it by or under this Act or has exceeded or abused powers : or

(b) circumstances have arisen in which the Board is, or may, be, unable to discharge the duties, or to perform the functions, imposed on, or assigned to it by or under this Act : or

(c) it is otherwise expedient so to do ;

they may, by notification in the Andhra Pradesh Gazette direct that the Board be dissolved with effect from a specified date and reconstitute under section 2 either immediately or within six months from the date of dissolution.

(2) Before directing the dissolution of the Board under sub-section (1), the Government shall communicate to the Board the grounds on which they propose to do so, fix a reasonable period for the Board to show cause against the proposal and consider its explanation and objections, if any.

(3) On the date fixed for the dissolution of the Board under sub-section (1), all its members including the Chairman and Vice-Chairman shall be deemed to have vacated their offices.

(4) During the interval, if any, between the dissolution and the reconstitution of the Board the Government may, by order, appoint any officer or authority to exercise the powers and discharge the duties of the Board, subject to such restrictions and limitations as may be specified in the order.

(5) Where the Board is dissolved under this section, the Government, until the date of the reconstitution thereof, and the reconstituted Board thereafter, shall be entitled to all the assets and be subject to all the liabilities of the Board.

(10) No act of the Board or of any person acting as the Chairman, Vice-Chairman or a member thereof shall be deemed to be invalid as reason only of a defect in the constitution of the Board or of such act having been done during the period of any vacancy in the office of the Chairman, Vice-Chairman or member or on the ground that the Chairman, Vice-Chairman or member of the Board was not entitled to hold or to continue in such office.

Acts of the Board, etc., not to be invalidated by informality.

11. (1) The Board may, for any district or part thereof, constitute a local Committee consisting of a Chairman, Vice-Chairman and three other members to be appointed by the Board from amongst the residents

Local Committees.

of the are a concerned. The appointment of such Chairman, Vice-Chairman and the other members shall be for a period of four years. Such appointment shall take effect from the date of notification in the Andhra Pradesh Gazette.

(2) The Board may, with the approval of the Government and subject to such restrictions and limitations as it may impose, authorise any local Committee constituted under sub-section (1) to exercise in the area for which such Local Committee is constituted all or any of the duties, powers or functions vested in the Board by or under this Act and Board may in like manner withdraw such authorisation.

(3) The provisions of sections 6, 7, 8, 9 and 10 shall apply to a Local Committee as they apply to the Board subject to the modification that the powers exercisable by, and the duties imposed on, the Government under the said sections shall, in relation to a Local Committee, be exercised and discharged by the Board :

Provided that the dissolution or reconstitution of a Local Committee shall be subject to the prior approval of the Government :

Provided further that where the Government are satisfied that the removal of the Chairman, Vice-Chairman or a member of a Local Committee or the dissolution of a Local Committee is necessary and that the Board has failed to take action in that regard, the Government may, after consulting the Board, remove such Chairman, Vice-Chairman or member or dissolve and reconstitute such Local Committee and the provisions of sections 7 and 9 shall, as far as may be, apply therefor.

12. (1) Any owner may, by declaration made in the prescribed manner, donate his land for Bhoodan Yagna or for Gramdan :

Donation of land.

Provided that—

(a) Where a land is owned jointly by two or more persons the donation of such land shall not be valid unless the declaration is signed by all such joint owners and

(b) a declaration made by, or on behalf of a person who has not completed the age of 21 years shall not be valid.

(2) Every declaration made under sub-section (1) shall be filed with the Tahsildar.

13. (1) Every declaration filed under sub-section (2) of section 12 shall as soon as possible, be published in the Andhra Pradesh Gazette and in such other manner as may be prescribed, together with a notice requiring all persons interested to submit their objections, if any, in writing to the Tahsildar within two months from the date of the publication of the declaration in the Gazette.

Declarations filed under section 12.

(2) A copy of the declaration together with the notice referred to in sub-section (1), shall also be served in the prescribed manner by the Tahsildar on each of the person known or believed to be interested in the land specified in the declaration, so far as such service may be practicable.

(3) On the expiry of the period of two months specified in sub-section (1) and after giving notice to the Board and the Local Committee concerned, and to the donor and the person, if any, who has field objec-

tions, the Tahsildar shall proceed to investigate as to the right, title and interest of the donor in respect of the land donated by him and consider all the objections filed under sub-section (1), and thereafter he may by an order either accept the declaration or reject it for any of the reasons mentioned in sub-section (6).

(4) Where the Tahsildar accepts the declaration and if it is confirmed or deemed to have been confirmed by the Board under sub-section (6), the donor shall deliver possession of the land to the Board : and thereupon, the donation of the land shall, subject to any order in an appeal under section 28 or any decision in a suit under section 29 or in a further proceeding in relation to such suit, be irrevocable and all the rights, title and interest of the donor in such land shall stand transferred to, and vest in, the Board.

(5) Every order accepting a declaration under sub-section (3) which is confirmed or deemed to have been confirmed by the Board under sub-section (6) shall be published in the Andhra Pradesh Gazette.

(6) The Board may at any time within two months from the date of the order passed by the Tahsildar under sub-section (3), by order confirm any declaration accepted by the Tahsildar, or reject it for any of the following reasons, namely :—

(i) that there are encumbrances on the land ;

(ii) that there are arrears of land revenue on rent due on the land :

(iii) that the donor is not the owner of the land or is otherwise not competent to make the donation ; or

(iv) that there is any other good or sufficient reason :

Provided that if no order is passed by the Board rejecting any declaration accepted by the Tahsildar within the said period of two months, it shall be deemed that the declaration has been confirmed by the Board.

(7) Where a declaration is rejected under this section or in an appeal under section 28 or in a suit under section 29 or in a further proceeding in relation to such suit, the donation shall stand cancelled and the donor shall be deemed to continue to have all the rights, title and interest as well as all the liabilities in respect of such land as if no such declaration was ever made.

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14. (1) The Board may, after taking into consideration the wishes of the donor as far as possible, grant any land which has vested in it to landless poor person who is able and willing to cultivate the land, or to the Government or a local authority, for a community purpose The grantee of the land shall then acquire therein such rights and be subject to such liabilities, conditions, restrictions and limitations, as may be prescribed.

(2) No permanent grant of land shall be made under sub-section (1) until three months have expired from the date of the order confirming the declaration by the Board or from the date when the Board shall be deemed to have confirmed the declaration or where an appeal is preferred under section 28 or a suit is instituted under section 29, until such appeal or the suit or any further proceeding in relation thereto is finally disposed of upholding such declaration.

(3) The Board may take such steps for the temporary management of the lands vested in it as it thinks fit in accordance with the rules made in this behalf, until they are disposed of under this Act.

(15). (1) The Board shall prepare a draft of a list of all the lands in the territories of the State of Andhra Pradesh other than those in the Telangana area which have been donated and accepted for the purposes of Bhoodan Yagna or Gramdan prior to the commencement of this Act showing therein--

Preparat
of list of
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Act.

(a) the area, description and other particulars of the land ;

(b) the name and address of the donor ;

(c) the date of the donation ;

(d) the nature of the interest of the donor in the land ;

(e) where the land was granted to any person in pursuance of Bhoodan Yagna or Gramdan, the name and address of the grantee and the date of the grant ;
and

(f) such other particulars as may be prescribed.

(2) The draft list prepared under sub-section (1) shall be published in the Andhra Pradesh Gazette and in such other manner as may be prescribed, together with a notice requiring all persons interested to submit their objections, if any, in writing to the Board within two months from the date of publication of the draft list in the Andhra Pradesh Gazette.

(3) On the expiry of the period of two months specified in sub-section (2), the Board shall after con-

sidering the objections filed under that sub-section and after holding such inquiry as it deems fit finalise the draft list with or without modifications.

(4) The list so finalised by the Board under sub-section (3) shall be published in the Andhra Pradesh Gazette, and on such publication—

(a) the rights, title and interest of the donor in such land shall with effect from the date of donation and subject to any decision in a suit under section 29 or in a further proceeding in relation to such suit, be deemed to stand transferred to, and vest in the Board as if declaration has been duly filed and confirmed in respect thereto under, and in accordance, with the provisions of sections 12 and 13 ; and

(b) where such land, in pursuance of Bhoodan Yagna or Gramdan was granted to any person, it shall, with effect from the date of the grant, and subject to any decision in a suit under section 29 or in a further proceeding in relation to such suit, be deemed to have been granted to him under, and in accordance with, the provisions of section 14.

16. (1) The Board shall have its own Fund called the Andhra Pradesh Bhoodan Yagna Board Fund ; and all moneys which may, from time to time, be paid to it by the Central Government or state Government or any local authority or any person shall be carried to the Fund and all payments by the Board shall be made therefrom.

(2) All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Government, be decided by the Board.

(4) The income derived from the Gramdan Village during the period of supersession, shall first be utilised towards the cost of management during the period of supersession and liquidation of liabilities of the Gram Sabha and the balance if any, shall be credited to the fund of the Gram Sabha.

CHAPTER IV.

MISCELLANEOUS.

28. Against an order passed by the Tahsildar under sub-section (3) of section 13 an appeal shall lie to the Revenue Divisional Officer concerned within thirty days from the date of the order.

Filing of suits.

29. Any person whose interests are affected as a result of the donation of any land for the purpose of Bhoodan Yagna or Gramdan whether before or after the commencement of this Act, may institute a suit in civil court having jurisdiction—

(a) in the case of land donated before the commencement of this Act, within three months from the date of publication of the list under sub-section (4) of section 15 ;

(b) in the case of land donated after the commencement of this Act, within three months from the date of publication of the order of the Tahsildar under section 13, or where an appeal is filed under section 28, within three months from the date of the order passed in the appeal :

Provided that a person who had not filed objection under section 13 and who was not present or represented in the proceedings before the Tahsildar or the Revenue

Divisional Officer under section 13 or section 28, may institute a suit within three months from the date of publication of the order under sub-section (5) of section 13.

30. No person to whom any land is granted by the Board or is allotted by a Gram Sabha under this Act shall be deemed to be a tenant in respect of such land for the purpose of any law relating to tenancy for the time being in force.

Grantee or allottee of land not to be a tenant.

31. Every declaration and any grant or allotment of land made or deemed to have been made under this Act shall be, and be deemed always to have been, exempt from the payment of fee for encumbrance certificate, stamp duty, registration fee and fee for the attestation of power of attorney under sub-section (2) of section 33 of the Indian Registration Act, 1908.

Exemption of stamp duty and registration fee, etc,

32. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Act to override other laws.

33. (1) The Board may, with the previous sanction of the Government, by notification in the Andhra Pradesh Gazette make regulations not inconsistent with this Act and the rules made thereunder, to provide for the conduct of its business and all other matters for which provision is necessary and expedient for the purpose of enabling it to discharge its functions under this Act.

(2) Subject to the provisions of this Act and the rules, if any, made thereunder, every Gram Sabha may make regulations to carry out the purposes of this Act and in particular for the conduct of business, election of office bearers, appointment of Committees, mainten-

ance of accounts and the audit thereof, appointment of servants and the remuneration payable to them, principles to be followed in the allotment of land and for the levy of sums for such allotment, the grounds on which the allottees may be evicted from the lands, the manner of eviction of the allottees and any other matter for which provision is necessary and expedient for the purposes of enabling it to discharge its functions under this Act.

34 (1). The Government, may, by notification in the Andhra Pradesh Gazette make rules for carrying out all or any of the purpose of this Act.

(2) In particulars and without prejudice to the generality of the foregoing power such rules may provide for—

(a) the matters to be taken into account by the Board in granting lands to landless poor persons ;

(b) the form of declaration and the manner in which it shall be filed and the documents to be filed along with the declaration ;

(c) the manner of inquiry, and hearing and disposal of objections under section 13 ;

(d) the service of notices under this Act ;

(e) the payment of travelling and other allowances to the Chairman, and members of the Board and local Committees ;

(f) the procedure to be followed by the Board and Local Committees in respect of financial matters generally, including the manner in which, and the res-

Power to
make rules

trictions, limitations and conditions subject to which expenditure may be incurred by the Board and the Local Committees :

(g) the form in which the accounts of the Board and local Committees shall be kept, the audit and publication of such accounts and the charges, if any, to be made for such audit ;

(h) the preparation of an annual budget and the reports and returns to be furnished by the Board to the Government and by the Local Committees to the Board ;

(i) the appointment of a secretary and staff for the Board and the Local Committees and the remuneration payable to them and the delegation of the powers of the Board and Local Committees to the respective Chairman, Vice-Chairman and secretary ;

(j) the summoning and holding of meetings of the Board and the Local Committees and the time and place at which such meeting shall be held, the conduct of business there at and the number of members necessary to constitute a quorum ;

(k) the sub-division of lands where any portion of land is granted or donated under this Act ;

(l) the settlement of disputes in regard to the allotment of lands by a Gram Sabha, the levy of sums for such allotment and the eviction of allottees from the lands allotted :

(m) the enforcement of the decision of a Gram Sabha.

(n) any other matter which has to be, or may be, prescribed.

(3) Every rule made under this section shall be laid immediately after it is made, 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, the session immediately following both Houses agree in making any modification in the rule or in the annulment of the rule, the rule shall thereafter have effect only in such modified form; and if it 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.

Repeal and
savin

35. The Shri Acharya Vinoba Bhave Sarvodaya Bhoo-Yagna, Hyderabad, Land Revenue Special Rules, 1951, are hereby repealed :

Provided that such repeal shall not affect the previous operation of the said rules or any right, title, obligation or liability already acquired, accrued or incurred thereunder and subject thereto, anything done or an action taken in the exercise of any power conferred by or under the said rules shall be deemed to have been done or taken in the exercise of the powers conferred by or under this Act as if this Act was in force on the date on which such thing was done or action was taken :

Provided further that all the lands donated under the said rules and vested in the Government before the commencement of this Act shall after such commencement be deemed to vest in the Board.

D. SURYANARAYANASWAMY
Secretary to Government,
Law Department.

J. VIRASWAMY,
Joint secretary to Government,
Law Department.

**Bhoodan and Gramdan
Rules 1965**

**THE ANDHRA PRADESH BHOODAN AND
GRAMDAN RULES
1965.**

[G. O. Ms. No. 1842, Revenue, 15th November 1965.]

In exercise of powers conferred by Sub-section (i) of Section 34 of the Andhra Pradesh Bhoodan and Gramdan Act, 1965 (Andhra Pradesh Act 13 of 1965) the Governor of Andhra Pradesh hereby makes the following rules :

Rules

1. (i) These rules may be called the Andhra Pradesh Bhoodan and Gramdan Rules, 1965.

(ii) These rules shall extend to the relinquishment of lands by registered holders thereof or other persons (in Andhra Pradesh) having rights therein, in response to the appeals for Bhoodan made by Sri Acharya Vinoba Bhave and to the assignment of the same to landless poor.

2. In these rules :

(a) 'Act' means the Andhra Pradesh Bhoodan and Gramdan Act, 1965.

(b) 'Form' means a form appended to these rules.

(c) 'Section' means a section of the Act.

(d) A landless poor person is one who does not own any land or who owns land not exceeding two and half acres of wet or five acres of dry and who is an agricultural labourer and whose annual income does not exceed Rs. 1800/- (as amended by GOMS No. 1499, Revenue (B) Dept Dt. 14-12- 9 6).

(e) Words and expressions used in these rules but not defined herein, shall have the same meaning as assigned to them in the Act.

3. A declaration to the Thasildar under Sub-section (i) of Section 12 of the Act shall be in form-I attested by any member of the Andhra Pradesh Bhoodan Yagna Board constituted under Section 3 or a member of the local committee formed by the Board.

4. The notification to be published under Sub-section (i) of Section 13 shall be in form II and shall besides being published in the *Andhra Pradesh Gazette* be also published in the following manner :

(i) by affixture in the village chavadi or if there is no such chavadi in some conspicuous place of the village or town in which the land referred to in the notification is situate :

(ii) by beat of tom-tom in the village or town.

(iii) by affixture to the notice board of the office of the Thasildar of the taluk concerned ; and

(iv) in the case where the land specified in the notification is situate within a panchayat or municipality by affixture of the notice Board of the office of the Panchayat or Municipality.

5. A copy of the declaration filed under rule 3 together with a copy of the notice referred to in rule 4 shall be served by delivering or tendering it to the person concerned or to his agent or to any adult member of his family, or where none of the above courses is practicable by affixing it to his last known place of residence or by registered post acknowledgement due.

6. The notice referred to in Sub-section (3) of Section 13 of the Act shall be in form III and shall be served in the same manner specified under rule 5.

7. Before passing an order accepting relinquishment the Tahsildar shall ascertain whether any amounts are due to the Government either as arrears of land revenue or otherwise and if any amount is due, he shall collect the same before he accepts the relinquishment.

8. When relinquishment of a land is accepted by the Tahsildar and confirmed or deemed to have been confirmed by the Board, all the rights, title interest of the donor over such land shall stand transferred to and vest in the Board.

9. The grant of land by the Board under Section 14 (i) shall be subject to the following conditions :

(i) The land assigned shall be heritable but not alienable except in favour of commercial Banks (added as per G. O. Ms. No. 3075, Revenue (B) Dept. Govt. of Andhra Pradesh dt 15-7-80.)

(ii) Lands assigned shall be brought under direct cultivation or put to effective and proper use for other purposes also like diary farming, Forestry, Fish culture and poultry etc., and not merely for cultivation by the assignee. (As amended by G. O. Ms No. 3075, Revenue (B) Dept. Govt of A. P. at 15-7-80.)

(iii) No land tax shall be collected from the allottee for the first three years except to the extent, if any, which has already been brought under cultivation. Water rate shall, however, be charged if the land is irrigated with Government water.

(iv) Cultivation should be by the assignee or the members of his family and the land shall not be deemed to be cultivated personally unless the person himself or any member of his family puts in such minimum labour on the lands as may be specified by the Board.

(v) The allottee should pay land revenue, cesses and other charges on the land

(vi) The allottee shall pay to the State Board the contribution in cash for the land as fixed by the Board from time to time.

(vii) The grant of the land shall be liable to cancellation if it be found that it was grossly inequitable or was made under a mistake of fact or owing to fraud or misrepresentation.

(viii) The grantee shall pay the value of the timber, if any, on the land to the Board before taking possession of the land.

Provided that the Board may direct that value the of the timber be recovered in 3 annual instalments or waive the collection of the value altogether.

(ix) The grant shall be subject to the condition that if a Co-operative Farming Society is formed in the village, the grantee shall if so required by the Board become a member of the Co-operative Farming Society and abide by its bye-laws and regulations.

(x) The assignment of the land shall be free of cost but subject to the collection of demarcation and sub-division charges, if necessary, and also subject to levy of betterment charges, if any. The Board may, however, meet the cost of demarcation and sub-division charges and waive the collection.

(xi) The maximum extent of land to be assigned to each individual shall be limited to 2½ acres of wet or 5 acres of dry land subject to the proviso that in computing the areas, lands owned elsewhere by the assignee shall be taken into account to see that the land assigned to him together with what is already owned by him, does not exceed the total extent of 2½ acres of wet or 5 acres of dry, provided that the share of each member of a joint family as also the enjoyment of the income of joint family by an applicant, shall be taken into consideration for deciding whether he is eligible or not for assignment.

(xii) In the event of the allottee dying intestate, the land shall revert to the Board.

(xiii) The grant shall be entered in the village register of conditional assignment in a separate section. Indication of such assignment shall also be made by the village officers in Village Account No. 2. When violations come to the notice of the Revenue Officers, the fact of such violations shall forthwith be reported to the Board by the Tahsildar.

10. A copy of the grant referred to in rule 9 shall be communicated to the concerned Tahsildar by the Board for issuing a patta.

11. (i) The Tahsildar shall issue a patta to the grantee in form IV. The person to whom a patta is issued shall forth-with be entitled to enter upon and take possession of the land.

(ii) A copy of the order of patta shall be communicated to the village officers of the village in which the land's situate. The village officers shall publish the said copy of the order in the village chavadi and make suitable entries in the village records.

12. After the patta of the land is made, the Tahsildar shall send the sub-division records, if any, to the District Land Records Officers concerned who shall intimate the final areas and assessments to the Tahsildar for incorporation in the village and for the correction of the entries in the pattas, when necessary.

13. (i) The lands, the possession of which has been transferred to and vested in the Board under Section 13 (4) may be leased on a temporary basis by the Board of any grant authorised by in this behalf.

(ii) The rent on lands leased under sub-rule (i) shall not exceed the maximum rent prescribed under the relevant tenancy laws in force in the area concerned.

14. (i) The draft list to be published under Sub-section (2) of Section 15, besides being published in the Andhra Pradesh Gazette be also published in the following manner.

(a) by affixture in the chavadi or if there is no such chavadi, in some conspicuous place of the village or town in which the land referred to in the notification, is situate.

(b) by beat of tom-tom in the said village or town.

(c) by affixture to the notice board of the office of the Tahsildar of the Taluk, concerned, and

(d) in a case where the land specified in the notification is situate within a panchayat or municipality by affixture to the notice Board of the office of the Panchayat or Municipality.

(2) The notice referred to in Sub-section (2) of Section 15 shall be in form 4 and shall, besides being published in the Andhra Pradesh Gazette also be published as indicated in rule 4.

15. (i) The Board shall cause to be prepared and published in the list of names of the Gram Sabha in the Andhra Pradesh Gazette, the District Gazette, if one is published, and by affixture in the village chavadi or in some conspicuous place in the village, if there is no village chavadi, and also by affixture to Notice Board of the office of the Tahsildar of the Taluk concerned. The list shall also be published on the Notice Board of the Panchayat or the Municipality, if there is one

(2) Amendments to the list mentioned in sub-rule (i) shall likewise be published.

16. The Board shall arrange for the election of the President and the Vice-President for each Gram Sabha from among the members of the Gram Sabha by a regular poll, if necessary, at which every member in the list of members of the Gram Sabha, is entitled to vote. The following instructions should be borne in the conduct of election of the President and the Vice-President.

(i) The Tahsildar of the Taluk concerned shall be the Election Officer.

(ii) The nomination of every candidate shall be in Form VI.

(iii) Every nomination paper shall be signed by an elector as proposer and the candidate shall sign a declaration on it expressing his willingness to stand for the election. No elector shall sign as proposer for more than one candidate.

(iv) Every nomination paper shall be presented by the candidate in person or by his proper agent on the date, at the place and during the hours appointed, to the Election Officer or such other person as may be authorised by him in this behalf. The Election Officer or such other authorised person shall forthwith number the nomination papers serially in the order in which they are presented and enter on each nomination paper, the time at which it is presented. He shall give a receipt for the same.

(v) At or before the time of presentation of his nomination paper, each candidate wishing to stand for election shall deposit or cause to be deposited with the Election Officer in cash a sum of ten rupees. In the case of the Scheduled Castes or Scheduled Tribes candidate, the deposit fee shall be rupees three only. No candidate shall be deemed to be duly nominated unless such deposit has been made. The deposit shall be returned to the person who made it if the nomination is rejected or if the



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 39] **AMARAVATI, FRIDAY, 27th OCTOBER, 2023.**

**ANDHRA PRADESH ACTS, ORDINANCES AND
REGULATIONS Etc.,**

The following Act of the Andhra Pradesh Legislature received the assent of the Governor on the 18th October, 2023 and the said assent is hereby first published on the 27th October, 2023 in the Andhra Pradesh Gazette for general information :

ACT No. 39 of 2023.

**AN ACT FURTHER TO AMEND THE ANDHRA PRADESH BHOODAN
AND GRAMDAN ACT, 1965.**

Be it enacted by the legislature of the State of Andhra Pradesh in the Seventy - fourth Year of Republic of India as follows,-

- | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|
| 1. | (1) This Act may be called the Andhra Pradesh Bhoodan and Gramdan (Amendment) Act, 2023. | Short Title
extent and
commencement. |
| | (2) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette appoint. | |
| 2. | In the Andhra Pradesh Bhoodan and Gramdan Act, 1965 hereinafter referred to as the Principal Act, in Section 2,- | Amendment
of Section 2. |
| | (i) in clause (j), sub-clause (4) shall be omitted. | Act 13 of
1965. |
| | (ii) clause (n) shall be omitted. | |
| | (iii) after clause (l), the following shall be inserted nameiy,- | |

"l(a). "State" means the State of Andhra Pradesh; "with areas mentioned in the Andhra Pradesh Reorganization Act, 2014."

Amendment of Section 4. 3. In the Principal Act, in Section 4, for sub-section (1), the following shall be substituted, namely, -

“(1) The Board shall consist of a Chairman, Vice- Chairman and such number of other members as may be considered necessary, to be appointed by the Government by notification.”.

Amendment of Section 9. 4. In the Principal Act, in Section 9, in sub-section (1), in clause (c), for the words “or within six months from the date of dissolution” the words “or within one year from the date of dissolution, the Government may extend the time for such period not exceeding three years” shall be substituted.

Amendment of Section 14. 5. In the Principal Act, in Section 14, in sub-section (1), after the words “community purpose” the words “or for house sites to weaker sections and poor persons” shall be inserted.

Amendment of Section 16. 6. In the Principal Act, in Section 16, in sub-section (4), after the words “Bhoodan Yagna or Gramdan”, the words “on the recommendation of the District Collector” Shall be inserted.

Substitution of Section 24. 7. In the Principal Act, for Section 24, the following shall be substituted, namely,-

“24. The Tahsildar may on application made by any person or suo-motu, after giving an opportunity of making a representation, evict,-

(a) any allottee from the land/House site, if the individual fails to comply with the condition of allotment; or

(b) any person, other than the allottee, who is in the possession of the house site/the building constructed on the House site/land.”.

Insertion of new Sections 24A, 24B. 8. In the Principal Act, after Section 24, the following sections shall be inserted, namely, -

Appeal. “24A. Any person aggrieved by the orders of the Tahsildar U/s 24 of the Act, may prefer an appeal before the Board within 90 days from the date of order.

24B. Whenever the agriculture land allotted under this Act comes within the limits of Urban Area or ceases to be agricultural land, the said land will vest with the Board and the Board may use such land for non- agricultural purpose, as deem fit."

Use of non-
agricultural
land.

G. SATYA PRABHAKARA RAO,

Secretary to Government,
Legal and Legislative Affairs & Justice,
Law Department.