The Telangana Bhoodan and Gramdan (Amendment) Act, 2017
Act 17 of 2017
THE TELANGANA GAZETTE
PART IV-B EXTRAORDINARY
PUBLISHED BY AUTHORITY


TELANGANA ACTS, ORDINANCES AND REGULATIONS Etc.,

The following Act of the Telangana Legislature received the assent of the Governor on the 30th March, 2017 and the said assent is hereby first published on the 30th March, 2017 in the Telangana Gazette for general information:–

ACT No. 17 OF 2017.

AN ACT FURTHER TO AMEND THE TELANGANA BHOODAN AND GRAMDAN ACT, 1965.

Be it enacted by the Legislature of the State of Telangana in the Sixty-eighth Year of the Republic of India, as follows:–

1. (1) This Act may be called the Telangana Bhoodan and Gramdan (Amendment) Act, 2017.

[1]

A.437 (DA)
(2) It shall come into force on such date as the Government may, by notification, in the Telangana Gazette appoint.

2. In the Telangana Bhoodan and Gramdan Act, 1965 (hereinafter referred to as the principal Act), in section 2,-

(a) after clause (i), the following clause shall be inserted, namely,--

“(i a) “notification” means notification published in the Telangana Gazette and the word notified shall be construed accordingly;

(b) after clause (l), the following clauses shall be inserted, namely,--

“(l a) “Secretary” means the Secretary appointed to the Board under the Act;"

(l b) “State” means the State of Telangana;"

(c) in clause (n), for the expression “the State Reorganization Act, 1956,” the following expression shall be substituted, namely,--


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, a Vice-Chairman and such number of other members as may be considered necessary, to be appointed, by notification, by the Government.”

4. In the principal Act, after section 4, the following new section shall be inserted, namely,--
4 A. There shall be appointed,--

(i) Secretary; and

(ii) other members of staff to assist the Secretary and the Board, on such terms and conditions as may be prescribed."

5. In section 9 of the principal Act, in sub-section (1), in clause (c), for the words “or within six months from the date of dissolution.”, the following shall be substituted, namely,--

“or within one year from the date of dissolution, and the Government may, extend the time for such period not exceeding three years.”.

6. In section 14 of the principal Act, in sub-section (1), after the words “community purpose”, the following shall be inserted, namely,--

“and also to poor persons and weaker sections for the purpose of house sites”.

7. In section 17 of the principal Act, in sub-section (2), for the expression “the A.P. Gram Panchayats Act, 1964”, the following expression shall be substituted, namely,--

“The Telangana Panchayat Raj Act, 1994”.

8. In section 24 of the principal Act, for the opening paragraph, the following shall be substituted, namely,--

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

(a) any allottee from the land, if the individual fails, without sufficient cause, to cultivate the land personally or the land is in possession of a person other than the allottee, during a period of two consecutive agricultural years; or...
(b) any person, other than the allottee, from the house site/constructed building on the Bhoodan Land, if such house site/house is in his possession, for a period of two years”.

9. After section 24 of the principal Act, the following sections shall be inserted, namely,--

24-A. (1) Whenever the Secretary of the Board, on receipt of any complaint or suo-motu, considers that there has been an encroachment on any land, building, space or other property belonging to the Board and registered as such under this Act, he shall cause to be served upon the encroacher a notice in the manner prescribed specifying the particulars of the encroachment, calling upon him to show cause as to why an order requiring him to remove the encroachment before a date specified in such notice, should not be made.

(2) If, after considering the objections received during the period specified in the notice, and after conducting an inquiry in such manner as may be prescribed, the Secretary is satisfied that the property in question is Bhoodan land/property, he may by an order, require the encroacher to remove such encroachment and deliver possession of the land, building, space or other property encroached to the Board.

24-B. Where the person, ordered under sub-section (2) of section 24-A or covered under rule 9 (vii) of the Bhoodan and Gramdan Rules, 1965, omits or fails to remove such encroachment within the time specified in the order or, as the case may be, fails to vacate the land, building, space or other property to which the order relates, the Secretary of the Board may apply to the Tahsildar within the local
limits of whose jurisdiction the land, building, space or other property is situated, for evicting the encroacher, and, thereupon, the Tahsildar shall make an order directing the encroacher to remove the encroachment or as the case may be vacate the land, building, space or other property. The Tahsildar shall evict the encroachment from the land, building, space or other property, by taking such police assistance as may be necessary for the purpose and deliver the possession thereof to the Secretary of the Board.

24-C. Notwithstanding anything contained in the Act, the Board may, examine, review, reconsider and enquire into any illegal allotments made in favour of any person or institution or otherwise, after giving notice to the person or institution concerned, pass appropriate orders.

24-D. Whenever the land allotted under this Act comes within the 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 purposes, as deemed fit.”.

A. SANTHOSH REDDY,
Secretary to Government,
Legal Affairs, Legislative Affairs & Justice,
Law Department.