

**A.P. (TELANGANA AREA)
ABOLITION OF INAMS ACT, 1955**

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**A.P. (TELANGANA AREA)
ABOLITION OF INAMS RULES, 1975**

By

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ITEMS TO BE COVERED

- **IMPORTANT DEFINITIONS**
- **'ABOLITION AND VESTING OF INAMS**
- **REGISTRATION OF APPLICANTS AS OCCUPANTS**
- **REGISTRATION OF INAMDARS AS OCCUPANTS**
- **REGISTRATION OF KABIZ-E-KADIM AS OCCUPANTS**
- **REGISTRATION OF PERMANENT TENANTS AS OCCUPANTS .**
- **REGISTRATION OF PROTECTED TENANTS AS OCCUPANTS.**
- **REGISTRATION OF NON-PROTECTED TENANTS AS OCCUPANTS**
- **VESTING OF BUILDINGS EXISTING IN INAM LANDS AND INAM LAND BEING USED FOR NON-AGRICULTURAL PURPOSES**
- **COMPENSATION FOR THE INAM LAND OVER AND ABOVE THE EXTENT FOR WHICH ONE IS ENTITLED AND TAKEN BY THE GOVERNMENT**
- **APPEALS AND REVISION**
- **PENALTIES**

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IMPORTANT DEFINITIONS

- **'Collector'** means the Collector of a district and includes any other officer, not below the rank of Deputy Collector who may be authorized by the Government by notification in the official Gazette to discharge the functions of a Collector under the Act;
- **'date of vesting'** – means the date of publication of this Act in the official Gazette: 20.07.1955
- **'inam'** means land held under a gift or a grant made - with or without the condition of service and coupled with the remission of the whole or part of the land revenue thereon and entered as such in the village records.
- **'inamdar'** means a person holding as inam or a share therein, either for his own benefit or in trust and includes the successor in interest of an inamdar, and
 - 1) Where an inamdar is a minor or of unsound mind or an idiot, his lawful guardian.
 - 2) Where in inamdar is a joint Hindu family, such joint Hindu family;
 - 3) Successor in interest.

Contd...

- **'Kabiz-e-Kadim'** means the holder of inam land other than an inamdar, who has been in possession of such land at the time of the grant of inam or has been in continuous possession of such land for not less than twelve years before the date of vesting and who pays the inamdar only the land revenue.;
- **'Permanent tenant'** means a person who, from a date prior to 10th June, 1950 has been cultivating the inam land on a permanent lease from the inamdar whether under an instrument or an oral agreement;
- **'Protected tenant'** means the protected tenant as defined in the Hyderabad Tenancy and Agricultural Lands Act, 1950 ;--possession for 6 years during 1342F-1352F/ 6 years preceding to 1-1-1948/6 years from 1353F -----**POSSESSION** on 10-6-1950 and no Inamdar made application to declare such person is not P T -----in possession as on 10-6-1950 and the holding of the inamdar /land holder is 3 family holdings excluding the land concerned
- **SECTIONS 34, 37 AND 37A of A.P. (T.A.) Tenancy & Agricultural Lands Act, 1950** state who are Protected tenants

- **‘non-protected tenant’** means a tenant other than a permanent tenant or protected tenant ;
- **‘Special Tribunal’** means a Special Tribunal’ means a Special Tribunal Constituted under Section 23 of this Act;
- **‘Jodi’ or ‘Quit rent’** means the amount fixed by and payable to government by the Inamdar out of the land revenue assessed, on inam land.

ABOLITION AND VESTING OF INAMS

- Notwithstanding any judgment, decree or order of a Civil or Revenue or Atiyat Court and with effect from the date of vesting all inams shall be deemed to have been abolished and shall **vest** in the State.

- consequences:
 - All rights, title and interest vesting in the inamdar, kabiz-e-kadim, permanent tenant; protected tenant and non protected tenant in respect of the inam land, other than the interests expressly saved by or under provisions of the Act and including those in all communal lands cultivated and uncultivated lands (Whether assessed or not) waste lands, pasture lands, forests, mines and minerals, quarries, rivers and streams tanks and irrigation works, fisheries and ferries, shall cease and be vested absolutely in the State free from all encumbrances:

 - Land revenue is liable to be paid on all such inam lands
 - All rents and land revenue including cesses and Royalties - payable to the State - not to the inamdar.

Contd...

- All arrears of revenue, whether as jodi, quit-rent or other cess remaining lawfully due on the date of vesting - recoverable from the inamdar.
 - The inamdar and any other person whose rights have vested in the State under clause shall be entitled only to compensation from the Government as provided for in the Act;
 - The relationship with regard to inam land as between the inamdar and kabiz-e-kadim, permanent tenant, protected tenant or non-protected tenant shall be extinguished ;
 - The inamdar, kabiz –ekadim, permanent tenant, and non-protected tenant of inam lands and any person holding under them and a holder of an inam, shall as against the Government, be entitled only to such rights and privileges and be subject such conditions as are provided for under this Act and any other rights and privileges which may have accrued to any of them in the inam before the date of vesting against the inamdar shall cease and shall not be enforceable against the Government or the inamdar.
 - A register of Inam lands to be prepared
- **Lands vest with Government until Regrant is made**

Rule 3

REGISTRATION OF APPLICANTS AS OCCUPANTS

➤ Sec.10

- The Competent Authority is Collector –delegated to Revenue Divisional Officer.
- Inamdars, Kabiz-e-Kadim, Permanent Tenants, Protected Tenants, Non-Protected Tenants are entitled for grant of ORCs.
- The RDO decides the following –
 - **Who is entitled** – extent for which entitled for Occupancy Rights Certificate
 - **Surplus extent held** by the applicant than the extent for which entitlement is there
 - **Premium** payable by the person in whose favour ORC is issued.
 - **Compensation** payable for the excess extent is taken by Government.
- Application to be made in **Form-I** – details of land and person applied are furnished.
- It may be initiated suo muto.
- Notice to interested parties issued in **Form-II**.
- Final orders in **Form-III.(ORC)**

REGISTRATION OF INAMDARS AS OCCUPANTS

SEC.4

- The Inamdars are entitled for issue of occupancy rights except for the following categories land.
 - The land to which Kabiz-e-Kadim, if any, is entitled.
 - The land to which Permanent Tenant, if any, is entitled.
 - The land to which Protected Tenant, if any, is entitled.
 - The land to which Non-Protected Tenant, if any, is entitled.
 - Lands set apart for the village community, grazing lands etc.

- Entitled for issue of ORC to a maximum of **four and half Family Holdings**.

- Family Holding considered is the one defined in **Sec.4 of A.P. (T.A.) Tenancy & Agricultural Lands Act, 1950**.

- Premium to be paid – **25 times the difference** between jodi or quit rent if any paid on the respect of land and the land Revenue

- Excess land if any, is taken by the Government , compensation is paid.

REGISTRATION OF KABIZ-E-KADIM AS OCCUPANTS - SEC.5

- The Kabiz-e-Kadim is entitled for issue of occupancy rights for the land under his occupation and is personal cultivation.
- Entitled for issue of ORC to a maximum of **four and half** Family Holdings.
- Premium to be paid – **25** times the **difference** between jodi or quit rent if any paid in the respect of land and the land Revenue
- Excess land if any, is taken by the Government, **compensation** to be paid.

REGISTRATION OF PERMANENT TENANTS AS OCCUPANTS -

SEC.6

- The Permanent Tenant is entitled for issue of occupancy rights for the land under his occupation in the capacity of Permanent Tenant and the land left over after rights are issued to Inamdar.
- Entitled for issue of ORC to a maximum of **four and half Family Holdings**.
- Premium to be paid – **25 times** of land revenue for dry land and **9 times** for wet land.
- Excess land if any, is taken by the Government, compensation to be paid.

REGISTRATION OF PROTECTED TENANTS AS OCCUPANTS -

- **SEC.7**
- **The Protected Tenant is entitled for issue of occupancy rights for the land under his occupation in the capacity of Permanent Tenant and the land left over after rights are issued to Inamdar.**
- **He must be continued to be in possession on the date of vesting or unlawfully dispossessed of the land by Inamdar between 10.06.1950 to the date of vesting**
- **Entitled for issue of ORC to a maximum of four and half Family Holdings.**
- **Premium to be paid – 40 times of land revenue for dry land and 13 times for wet land.**
- **Excess land if any, is taken by the Government, compensation to be paid.**

REGISTRATION OF NON-PROTECTED TENANTS AS OCCUPANTS -

- **SEC.8**
- **The Non-Protected Tenant is entitled for issue of occupancy rights for the land under his occupation in the capacity of Permanent Tenant and the land left over after rights are issued to Inamdar.**
- **He must be continued to be in possession on the date of vesting.**
- **Entitled for issue of ORC to a maximum of four and half Family Holdings.**
- **Premium to be paid – 60 times of land revenue for dry land and 20 times for wet land.**
- **Excess land if any, is taken by the Government, compensation to be paid.**
- **PAYMENT OF PREMIUM IS WAIVED CONSEQUENT TO KRC Recommendations**

VESTING OF BUILDINGS EXISTING IN INAM LANDS AND INAM LAND BEING USED FOR NON-AGRICULTURAL PURPOSES -

SEC.9

- When the land recorded as Inam land, but **not being used for agricultural purposes** – Inamdars / Kabiz-e-Kadim / Permanent Tenants / Protected Tenants / Non-Protected Tenants are not entitled for ORC.
- The buildings existing the land vest in the person **who owned** the same immediately before the date of vesting.
- The land being put for non-agricultural purposes as on the date of vesting belongs to the person **who owns** the same on the date of vesting – he shall has to take non-agricultural assessment.

COMPENSATION FOR THE INAM LAND OVER AND ABOVE THE EXTENT FOR WHICH ONE IS ENTITLED AND TAKEN BY THE GOVERNMENT -

- The Revenue Divisional Officer decides the quantum of compensation.

SECTIONS 12 TO 21

- Compensation payable

| S I. N o | Nature of the person entitled | Land under cultivation | | Land not under cultivation | |
|-----------------------------|--|--|--|------------------------------------|--|
| | | Dry Land | Wet Land | Dry Land | Wet Land |
| 1 | Inamdars | 20 times difference between Land Revenue and jodi | | 8 times of L R | 4 times of L R |
| 2 | Kabiz-e-Kadim | - do - | | | |
| 3 | Permanent Tenants | 15 times of L R | 7timesof LR | 6 times of LR | 3 times of LR |
| 4 | Protected Tenants | - do - | | | |
| 5 | Non-Protected Tenants | 10 times of land revenue | 5 times of land revenue | 4 times of land revenue | 2 times of land revenue |

- ❖ **Inamdars are also entitled for 60% of the premium charged to Permanent Tenants / Protected Tenants / Non-Protected Tenants as compensation.**
- ❖ **The compensation payable is apportioned among claimants.**
- ❖ **Claims of creditors is also decided – however total amount payable to the creditors shall not be more than the compensation payable.**
- ❖ **Notices to be issued to interested persons and opportunity be provided.**

APPEALS AND REVISION

- Appeals lie to prescribed authority (Board of Revenue - Commissioner of Appeals o/o C C L A) on the orders passed by RDO as regards to orders passed on the following: -- **Sec.24 -Rule 18**
 - Granting of ORC
 - Rejection of grant of ORC
 - Quantum of compensation
 - Quantum of premium buildings.
- The Collector either on application or suo muto refer the cases of apportionment to special tribunal. -- **Sec.25**
- Special tribunals are constituted by Government. -- **Sec.23**
- Special tribunal consists of an officer of rank not less than of District Judge.
- Appeal also lies to the Special Tribunal on orders of RDO passed as regards to apportionment of compensation / orders related to Buildings.
- Appeal lies to High Court on the orders passed by the RDO as regards to compensation and the orders of special court.
- Appeals to be preferred in **30 days**.
- Revision lies to the Hon'ble High Court on the orders of RDO (except passed under Sec.10) and special tribunal.

PENALTIES

Sec 36

- The following are liable for penalty.
 - Who willfully fails or neglects the lawful order passed under the Act.
 - Contravenes the orders
 - Obstructs the implementation of the orders.
 - Gives false evidence

- On conviction punished with imprisonment upto **three** months or fine upto **Rs.200/-** or both.

- The prosecution shall be only with the **previous sanction** of District Collector.

Thank You