

**THE ASSAM (TEMPORARILY SETTLED AREAS)**

**TENANCY RULES, 1972**

**(ASSAM RULES 1 OF 1972)**

**CHAPTER-I**

**General**

**1. Short title and commencement :-** These Rules may be called *the Assam (Temporarily Settled Areas) Tenancy Rules, 1972*.

**2. Definitions :-** In these rules, unless there is anything repugnant in the subject or context—

- a) The “Act” means the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971);
- b) “Board” means the Assam Board of Revenue constituted under the Assam Board of Revenue Act, 1959;
- c) “Code” means the Civil Procedure Code, 1908;
- d) “Form” means a form appended to these Rules;
- e) “Regulation” means the Assam Land and Revenue Regulation, 1886;
- f) “Section” means a section of the Act;

9) The words “Settlement Officer” and “Assistant Settlement Officer” and “Survey Officer” and “Assistant Survey Officer” shall have the same meaning as assigned to them in the Regulation or the Rules framed thereunder and all other words and expressions used

in these rules and not defined in the Act or in the Regulation shall respectively have the same meaning as assigned to them in the Act or in the Regulation as the case may be.

**3. Publication of Notice inviting objection against extension of the Act:-**

1) A notice in Form 1 about the intended extension of the Act in any area shall be published in one Official *Gazette*, at least in one issue of a local newspaper having circulation in the area, and by affixing a copy thereof in the notice board of the Deputy Commissioner of the District in which the area concerned is included. Ordinarily 30 days time should be given for filing objections.

2) **Disposal of objections:-** Any objection received within the time limit shall be duly considered and disposed of on merit.

3) **Final publication of notification extending the Act:-** After disposal of all the objection petition received within the time limit, Government shall finally publish a Notification in Form 2 in the Official *Gazette*, extending the whole or part of the Act to such area as the case may be.

## CHAPTER II

### Procedure for Transfer by the

#### Occupancy Tenants

**4. Meaning of transfer:-** In the rules under this Chapter the expression “transfer” shall have the same meaning as is defined under Section 5 of the Transfer of Property Act, 1882 subject to the explanation below-

**Explanation:-** The words “transfer” is used here in the most generic legal sense comprehending all the specific contract which pass real right in the land from one person to another. The term is applicable to any interest whether whole or carved out either directly or indirectly of the aggregate known as ownership. A mortgage by and occupancy tenant for the purpose of obtaining agricultural loan from the recognized financial institutions or partition amongst the family members should not be considered as transfer.



**5. Form of application :-** As far as practicable an application by an occupancy tenant seeking the permission for transfer under Section 8 of the Act shall be in Form 3.

The application shall be presented in the Court of any Revenue Officer not below the rank of Sub-Deputy Collector having jurisdiction over the area with copy to his immediate landlord. The said application shall be signed and verified as a plaint under the Code and it shall contain sufficient description of the land intended to be transferred.

**6. Disposal of application for transfer :-** On receipt of an application under Section 8 of the Act, the Revenue Officer shall ordinarily grant the permission within 30 days from the date of filing the application unless the proposed transfer is likely to contravene any of the provisions of the Act. When, however, a permission is refused, the grounds for such refusal shall be recorded in writing and communicated to the applicant within a fortnight from the date of disposal of the application.

**7. Service of notice :-** A notice of transfer shall always be served on the landlord by the tenant under registered post with acknowledgement due. Such notice shall contain the full details of transfer along with the complete postal address of the transferee as well as transferor :

Provided that where the delivery of the notice under registered post does not take place due to no fault of the tenant, then the tenant may apply with the postal receipt before the Court of the Revenue Officer at the time of filing the application under Rule 5, for causing the service of such notice upon the landlord by depositing necessary process fees together with the requisite number of the said notice. The Revenue Officer shall cause the service upon the landlord on behalf of the tenant.

## CHAPTER –III

### Procedure for acquisition

**8. Acquisition by Government :-** When Government decide to acquire ownership rights and intermediary rights under Section 22, it shall publish in a notification in Form 4 in the Official *Gazette* and the Deputy Commissioner shall cause public notice of the substance

of such notification to be given at convenient places in the said locality and such publication shall be conclusive evidence of the notice of acquisition to the persons having interests over the land.

**9. Application for acquisition by tenants:-**An application for acquisition under Section 23 (1) and 23 (II) shall be in form 5 and it must be signed and verified by the applicant.

**10. Disposal of application for acquisition filed by tenants:-**The Deputy Commissioner on receipt of an application under rule 9, shall cause an enquiry to satisfy himself about the eligibility of the applicant to acquire the intermediary rights and the ownership rights before ordering further proceedings. If the Deputy Commissioner is satisfied that there is a *prima facie* case for acquisition under Section 23, he shall serve notices in Form 6 to all persons mentioned in the application at applicant's cost and to any other person or persons who, in opinion of the Deputy Commissioner are interested in it.

**11. Proceeding for acquisition:-**The Deputy Commissioner shall hear all objections presented within one month of the service of notice under Rule 10 and make a memorandum of the evidences, if any, adduced by the parties and shall, for the purposes of the enquiry, have all the powers of a Civil Court.

**12. Allowing acquisition and deposit of compensation:-**(1) When the Deputy Commissioner allows the acquisition of a parcel or parcels of land by the applicant, he shall record a formal order in the proceeding to that effect an call upon the applicant to deposit the cost of acquisition as may be estimated under Rule 14.

2) If the application fails to deposit the amount of compensation money within a period of one month the proceedings shall be terminated with a reasonable cost to be realized from the applicant as arrears of land revenue.

3) In all cases, the unexpended amount of deposit of compensation shall be refunded to the applicant on the completion of the proceedings.

**13. Publication of declaration for acquisition :-** As soon as the compensation amount is deposited by a tenant as per order of the Deputy Commissioner under Rule 12, the Deputy Commissioner shall publish a declaration in Form 7 in the official *Gazette*



within 30 days from the date of deposit. The publication of such declaration in the official *Gazette* shall be conclusive evidence of the notice of acquisition to all persons having interests in the land.

**14. Procedure for assessing compensation :-** (1) Wherever the Deputy Commissioner shall be required to assess compensation under Section 26 of the Act, he shall serve a notice in Form 8 asking the persons having interests to file their claims in Form 9 within 30 days from the date of service.

2) Where no return in Form 9 is filed by the outgoing landlord or owners within the fixed time, the Deputy Commissioner shall obtain the information required to be shown in Form 9 through Sub-Deputy Collector or any other officer as he may deem fit.

**15. Disposal of compensation claims :-** On receipt of return in Form 9 under Rule 14, the Deputy Commissioner shall verify through such agency as may be necessary as to the admissibility of the claims and pass orders awarding the compensation where admissible to the claimants.

**16. Payment of compensation :-** (1) On determination of compensation in respect of acquisition under Section 22 of the Act, the Deputy Commissioner shall pay the entire amount of compensation to the landlord entitled to receive the payment within 3 months from the date of his final order assessing such compensation under Rule 15.

2) The Deputy Commissioner shall pay the amount that will be deposited under Rule 12 for acquisition under Section 23 of the Act to the person entitled to receive the payment within 3 months from the date of such deposit on obtaining receipt from the person concerned.

Where necessary the Deputy Commissioner may insist on execution of an indemnity bond in Form 10.

**17. Realisation of cost of acquisition from the person for whom acquisition has been made :-** The Deputy Commissioner shall recover the entire amount of compensation paid under rule 16 (1) from the tenant or under-tenant for whom the

acquisition under Section 22 of the Act has been made. The Deputy Commissioner shall issue a notice in Form 11 directing the person/persons concerned to deposit the money in 5 equated annual instalments. If the person concerned fails to deposit any instalment within the time specified in the notice, the Deputy Commissioner then shall order recovery of the defaulted instalment through Bakijai proceeding under Bengal Public Demands Recovery Act, 1913.

**18. Forms for certificate :-** The certificate mentioned in Section 26 (4) (a) and Section 26 (4) (b) of the Act, shall be in Forms 12 and 13 respectively.

## CHAPTER -IV

### Rent

**19. Notice for depositing crop rent :-** The notice to the landlord intimating tenants intention to deposit cash rent in lieu of crop-rent under Section 28 of the Act shall be in Form 14.

**20. Form of receipt :-** The receipt to be given to a tenant under Section 37 of the Act by a landlord shall be in Form 15 and such receipt shall be signed and dated by the landlord or his authorised agent.

**21. Procedure for deposit of rent :-** (1) An application under Section 38 (I) of the Act for permission to deposit the rent shall be filed before a Revenue Officer having jurisdiction in the area and the application shall be signed and verified as a plaint under Code. It shall contain a statement of the ground or grounds on which it is made.

2) The Revenue Officer shall fix a date for admitting the application that will be filed under sub-rule (1) above and both the applicant and his landlord or any other person having interest in the holding shall be intimated by service of notices in Form 16. If the landlord fails to turn up or refuses to accept the rent tendered, or if the Revenue Officer is satisfied about the *prima facie* validity of the grounds adduced in the application, then he shall admit the application and accept the amount that may be tendered as rent and keep it in deposit and issue a receipt in Form 17.

3) When an application under sub-rule (2) above is admitted and the amount offered



as rent accepted, the Revenue Officer shall publish a notice in Form 18 in the notice board of his office and cause a copy thereof to be served upon such person whom he believes to be entitled to receive the payment of rent. The Revenue Office shall then fix a date for hearing the case and try to settle up the dispute or the claims of the claimants by conciliation and where the disputes are settled mutually, he shall order the payment of the amount in terms of settlement.

But where the conciliation fails the Revenue officer shall refer the dispute to a Civil Court having jurisdiction over the area for a decision. The amount of rent shall be payable in terms of the final decision of the Court.

## CHAPTER –V

### Ejectment

**22. Enquiry for ejecting and settling landless agriculturist :-** (1) Where any enquiry is to be conducted under Section 50 (b) of the Act to evict a non-agriculturist on the ground of transferor being void, the Deputy Commissioner shall serve notice to both transferor and the transferee and any other person interested asking them to appear before his Court on such date and time as may be fixed for the purpose of hearing. After giving the parties an opportunity of being heard, the Deputy Commissioner if satisfied that circumstances warrant such eviction shall order the eviction of the non-agriculturist transferee from the holding.

2) An appeal against decision or order of the Deputy Commissioner arising out of enquiry under Section 50 (h) of the Act shall lie before the Board if preferred within sixty days from the date of order appealed against.

**[“22-A. Certificate in respect of restoration of Possession:-** When a Revenue Officer himself will take possession and deliver it to a tenant under sub-section (2) of Section 54-A of the Act, he shall issue a certificate in Form 21 to the tenant concerned”.]<sup>1</sup>

## CHAPTER -VI

### **General powers of officers making surveys and preparing record-of-rights**

**23. Powers of Deputy Commissioner :-** The Deputy Commissioner shall have all the powers conferred by the Regulation on a Settlement Officer and Survey Officer for the purposes of Chapter X of the Act.

**24. Powers of Revenue Officer :-** As soon as the notification under sub-section (2) of Section 55 of the Act is published, a Settlement Officer shall be appointed with additional designation of Revenue Officer to be in-charge of making a survey and preparing record-of-rights under Chapter X of the Act for any local area and he shall have such powers of a Settlement Officer and Survey Officer under the Regulation as may be notified.

Where necessary; Assistant Settlement Officer with additional designation of Assistant Revenue Officer shall also be appointed for any local area and he shall have such powers of an Assistant Settlement Officer and Assistant Survey Officer under Regulation as may be notified and all Assistant Settlement Officers so appointed shall be subordinate to the Settlement Officer.

**25. Publication of Notification :-** Every local area or a part thereof shall be held to be under the operation chapter X of the Act from the date of publication of the notification under sub-section (2) of section 55 of the Act until the issue of another notification in the official Gazette declaring the operation to be closed.

**26. Proclamation to be published :-** As soon as the notification under sub-section (2) of section 55 of the Act is published in the Gazette the Deputy Commissioner or the Settlement Officer shall cause a proclamation to be published about the order made under sub-section (1) of Section 55 of the Act through local bodies of the areas concerned calling upon the tenants and landlords to demarcate on the ground the boundaries of each holding within a specified time. Each landlord of the area for which order has been made under

1. After Rule 22, a new Rule 22-A inserted *vide* Notification No. RRT. 403/76/11. Dated 24th september. 1976 and published in the Assam Gazette, Part II-A, Dated 13th October,1976 at page 2242.



Section 55 of the Act, is also laible to furnish a list containing the name and address of tenant under him with full particulars direct to the Settlement Officer.

**27. Production of documents :-** When an order under Section 55 of the Act has been made for a local area, every landholder, settlement-holder and landlord or every person entitled to receive rent from the tenants of that local area shall be bound to assist the Settlement Officer or Assistant Settlement Officer as the case may be.

All such person shall on the written requisition of the Settlement Officer or Assistant Settlement Officer as the case may be, furnish personally or otherwise, as the officer concerned may direct, such information or assistance and produce such books or registers or any document as may be require by the officer for the purpose of surveyor for preparartion of record-of-rights under the Act or both purposes.

## CHAPTER –VII

### Procedure for the Preparartion of Recor-of-rights

**28. Survey how to be made :-** When an order has been made under Section 55 of the Act directing that a record-of-rights shall be prepared with survey, the survey shall be made as provided for under the Regulation.

**1[“29-A. Various stages of preparation record-of-rights:-** When an order has been made under Section 55 of the Act directing that a record-of-rights shall be prepared, it shall be prepared in the manner prescribed below and shall consist of some or all of the following processes–

- 1) Preliminary record writing and survey where necessary;
- 2) Record attestation by Settlement Officer or Assistant Settlement Officer including local explanantion;
- 3) Preliminary publication of draft records and disposal of objections;
- 4) Preparation of Final Record;
- 5) Publication of Final Record;

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1. The existing Rule 29 was re-numbered as Rule 29 (A) and thereafter Rule 29 (B) inserted vide Notification No. RRT. 403/76/11, Dated 24th September, 1976 and published in the Assam Gazette, part II-A, Dated 13th October, 1976 at page 2242.

6) Distribution of Final Record.

**29-B.** A Settlement Officer who has been appointed with additional designation of "Revenue Officer" may at any time before the publication of the final record, direct that any portion of the proceedings in respect of the lands of any local area, estate or part thereof shall be cancelled and that the proceedings shall be carried out *denovo* from such stage as he may direct."

**30. Preliminary survey and record writing :-** After the boundaries of all the holding of the tenants have been surveyed and demarcated, a draft, "Chitha or Field Index" shall be prepared by the land Records Staff under the direct supervision of the Assistant Settlement Officer. The Chitha shall be arranged according to the serial number of the plots in the map and shall show the name and residence of the tenants, the area of the plote, the length of possession of the holding of each tenant, the amount of rent in addition to any other particulars as the State Government may direct. Disputes regarding the boundary of any holding shall be decided on the basis of actual possession.

**31. Record attestation and local explanation :** (1) The Assistant Settlement Officer shall then cause draft "Khatian" to be prepared from the "Chitha". The "Khatian" shall be in Form 19. In addition to the particulars included in the "Chitha" the "Khatian" shall also contain the landlord's name, address, the number of the "Patta" held by him and revenue payable in respect of the plot. There shall ordinarily be a separate, "Khatian" for each tenant under the same landlord. Where, however, a tenant is found holding different plots under separate landlord, there shall be a separate "Khatian" in respect of every such landlord for the tenant.[\*\*\*]<sup>1</sup>

2) Before record attestation of particulars village begins, each tenant and his landlord shall be furnished with a copy of the draft "Khatian". The record attestation of each area or village shall be taken up in or near the area or the village after sufficient time have been allowed to the tenants and the landlord to study their copies of the "Khatians".

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[\*\*\*]<sup>1</sup> Deleted *vide* Notification No. RRT. 403/76/11. Dated 24th September. 1976. Published in the Assam Gazette. Part II-A. Dated 13th October. 1976 at page 2242, for the words "in case of lands not used for purposes connected with agriculture, the Khatian shall show briefly the use to which the land is put"



A proclamation shall previously be published in the village concerned notifying the landlords and the tenants to appear before the Assistant Settlement Officer with their copies of draft "Khatian". As each copy of the draft "Khatian" is produced before him, the Assistant Settlement Officer shall examine the entries therein and shall read out and explain the entries and make correction where necessary. Dispute regarding the ownership of any tenant's holding shall be decided by the Assistant Settlement Officer in a summary manner and on the basis of actual possession.

All objections and question as to the corectionness of the entries in the "Khatian" particularly those relating to th ret and the class of tenant, shall be decided in like manner. It shall be the duty to the Assistant Settlement Officer to attest the correctness of all the entries in the "Khatian" irrespective of whether any of the entries may or may not have been disputed.

**32. Publication of draft record :-** After record attestation, the Assistant Settlement Officer shall correct th records as per orders passed in the course of attestation and prepare the draft record-of-rights for an area or village. The Assistant Settlement Officer shall, thereafter, publish the records during a period of not less than a month at a covenant place as he may determine. A proclamation shall previously be published in the local area or village informing the landlords and tenants of the rea/village of the place at which and the period during which the draft records will be open to public inspection and the last date for filing objections.

Notwithstanding anything contained in the proclamation, the Settlement Officer may extend the period for inspection of the record and filing of objections.

**33. Objection how to be made :-** (1) Blank forms of objection shall be supplied free of charges unless otherwise decided by the State Government. An objection shall, as far as practicable, be in Form 20 and such objection shall be filed before an Assistant Settlement Officer having jurisdiction over the area. Along with the original objection, the objector shall also file sufficient copies of the original objection as may be required for service on the opposite party or parties and such other persons who in the opinion of the Assistent Settlement Officer are materially interested in the case. The Assistant Settlement Officer shall hear the parties and all such persons who are interested on the date and place

fixed for the hearing of the objection. Generally, the Assistant Settlement Officer shall record an abstract of the reason for decision and the record shall contain the names of the witness if examined. No objection shall be disposed of in the absence of any of the interested parties or their authorised representatives unless the Assistant Settlement Officer is satisfied for reasons to be recorded in writing that the notices were duly served on all the persons concerned.

2) An appeal shall lie to the Settlement Officer having jurisdiction over the area from the order or decision of an Assistant Settlement Officer under sub-rule (1) above, if preferred within two months from the date of the order appealed against. No appeal shall be disposed of in the absence of any of the parties materially interested for reasons to be recorded in writing that the notice were duly served on all the persons concerned.

**34. Preparation of final record :-** (1) When all objections under Rule 33 have been disposed of and orders have been passed on all appeals to the Settlement Officer from the orders of the Assistant Settlement Officer shall proceed to frame final record in strict conformity with the draft record already attested or subsequently corrected.

2) The final record as prepared under sub-rule (1) above shall be always liable to be corrected in the light of order on the appeal preferred under Section 59 of the Act.

**35. Publication of final record :-** (1) The Settlement Officer shall publish the final record-of-rights of an area or village by placing it for public inspection free of charge at a convenient place in or near the area of village. A proclamation shall previously be published informing the landlords and the tenants of the place at which and the period during which the final record of the area or the village will be open to public inspection. The period shall not be less than one month.

2) A certificate of final publication under Section 58 (1) or 58 (2) shall be furnished within a month of the last day of the final publication of the record-of-rights, unless the State Government has fixed any other date under provision of sub-section (1) of the Section 58 of the Act.

**36. Distribution of maps and copies of final record :-** When a map has been



prepared in any case in carrying out the provision of the Chapter X of the Act, it may be printed under the authority of the State Government and may be distributed to officers, landlords, tenants and where necessary to local bodies and other persons in such manner as the State Government may, from time to time, by general or special order, direct. Copies of the final record-of-rights or portions thereof shall be printed or prepared in manuscripts and shall after certification as prescribed under section 76 of the Indian Evidence Act, 1872 (Act I of 1872) be distributed to officers, landlords and tenants and to others in such manner as the State Government may, from time to time, by general or special order, direct.

The printed maps and copies of the record or portion thereof may be distributed under this rule to persons other than officers, in such manner as the State Government may decide.

**37. Correction of *bonafide* mistakes in record-of-rights :-** The Settlement Officer or if there be no Settlement Officer, the Deputy Commissioner may, on application or on his motion within two years of the date of certification of final publication, correct any entry in record-of-rights which, he is satisfied, has been made owing to a *bonafide* mistake.

Provided that no such correction shall be made without giving the parties likely to be affected by such correction an opportunity of being heard.

**38. Disposal of appeal :-** The appeal preferred under Section 59 (1) of the Act, shall be disposed of by the Director of Lands Record, Assam or by any officer authorised in this behalf, after giving the concerning parties an opportunity of being heard and taking such evidence as is considered necessary.

**39. Revision of record-of-rights :-** When the State Government decided to revise the record-of-rights under sub-section (2) of Section 59 of the Act, it shall direct the Director of Land Records, Assam to take up the revision.

The Director of Land Records, Assam shall serve notices to the person or persons who are likely to be affected by the proposed revision and he shall hear all the persons interested or likely to be affected by the process of revision of

record-of-rights. The Director of Land Records, Assam, after giving an opportunity to all the parties materially interested of being heard and taking necessary evidence, shall order the correction of any entry in the record-of-rights which, he is satisfied, is necessary due to reason to be recorded in writing.

## CHAPTER –VIII

### Miscellaneous

**40. Service of notice where mode not prescribed by the Act or by these Rules :-** Where no other mode of service of notice is provided by the Act or by these Rules, service shall be effected in the manner provided for the service of summons on a defendant under the Code of Civil Procedure, 1908, if the notice is addressed to one or more persons occupying or owning the same holding or tenure; and if it is addressed to a number of persons occupying or owning different holding or tenures in the same village the notice shall be served in the manner provided for the service of summons on a defendant under the Code of Civil Procedure, 1908, or by proclamation and beat of drum and by pasting it, in the presence of not less than two persons, on some conspicuous place in the village, and also by fixing it up in the village office if anywhere the rent is usually paid. In the case of uninhabited village the pasting of the notice shall be made in the nearest inhabited village.

Provided that where the person to be served with a notice is a minor, notice shall be served on the minor and also on his or her legal guardian or on his or her guardian and *ad-litem* appointed by the Court for purposes of service on an application by the person asking for service of notice.

**41. General power or State Government :-** Notwithstanding anything contained in any Rules, all powers under these rules shall be exercised by any or all officers subject to any general or special orders issued, from time to time, by the State Government.

**42. Power to remove difficulties :-** If any difficulty arises in giving effect to any of the provisions of these rules, the State Government may, of circumstances so demand, take any action not in consistent with the provisions of the Act, which may be necessary for the purpose of removing the difficulty.



**FORM No. 1**

**[See Rule 3]**

Whereas it is expedient to extend the application of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971) in the District of ....

Now, therefore, notice is hereby given in pursuance of sub-section (4) of Section 1 of the said Act to the local people of the ..... about the intended extension for filing objection, if any, within 30 days from the date of publication before the undersigned.

Secy. to the Govt. of Assam  
Revenue Department

**FORM No. 2**

**[See Rule 3]**

Whereas it is expedient to extend the application of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971), to the District of .....

And whereas a notice of the intended extension was published in the Assam *Gazette*, dated..... inviting objections, if any;

And whereas no objections have been filed;

And whereas the objections received have been disposed of after due consideration;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971), the Governor of Assam is pleased to extend the application of the aforesaid Act, to the ..... with immediate effect.

Secy. to the Govt. of Assam,  
Revenue Department.  
(200)

**FORM No. 3**

*[See Rule 5]*

To,

The Revenue Officer,

Whereas the negotiation to transfer the occupancy holding as detailed below has been finalized in between the undersigned and the purchaser named below, I hereby request that the permission of Government under Section 8 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 may please be accorded.

A notice of the intended transfer has also been served to the landlord Shri .....  
..... under registered post under Rule 7 of the Assam (Temporarily Settled Areas) Tenancy Rules, 1972.

(Signature of the transferor)

**Schedule of Property to be Transferred**

Patta No. of the land and village and Mauza where the holding is situated	Name of the Landlord	Name of tenant i.e., transferor and the nature of tenancy.	Khatian no.	Dag No. and area of the plots sought to be transferred.	Name of the purchaser, his address and profession.	Nature of transfer and area on thereof.	Remarks
1	2	3	4	5	6	7	8



**FORM No. 4 [See Rule 8]**  
**GOVERNMENT OF ASSAM [REVENUE DEPARTMENT]**  
**'Orders by the Governor'**  
**Notification**

Dated .....

No.....In exercise of the powers conferred by of Section sub-section (1) sub-section (2) 22 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971, (Assam Act XXIII of 1971), the Governor of Assam is pleased to declare that the rights, titles and interests/rights, titles and interests held by the landlord as specified in respect of the holding mentioned in the schedule below shall stand transferred to and vest in the tenant, personally cultivating the area as shown in column..... of the schedule free from all encumbrances from.....(date)

**SCHEDULE**

District..... Village.....  
 Circle.....  
 Mauza.....

Name of the tenant	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Land Revenue Payable	Remarks
		Patta . No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Secretary to the Govt. of Assam,  
 Revenue Department

**FORM No. 5** [See Rule 9]

Before,

The Deputy Commissioner :

Whereas the undersigned is desirous to acquire the ownership rights/intermediary rights of his landlords in respect of the holding specified in the schedule below under sub-section (1)/under sub-section (2) of Section 23 of Assam (Temporarily Settled Areas) Tenancy Act, 1971(Assam Act XXIII of 1971;)

And whereas the undersigned is agreeable to pay the compensation as may be determined under Section 24 of the aforesaid Act for the acquisition.

The undersigned hereby applies to declare him to have acquired the ownership rights/intermediary rights of the holding mentioned in column.....free from all encumbrances from.....(date).

**SCHEDULE**

District.....

Village.....

Circle.....

Mauza.....

Name of the tenant (Applicant)	Name of the Landlord and his address	Description of land			Area under Occupation of the tenant (Applicant)	Land Revenue Payable	Remarks
		Patta . No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Signature of the applicant.



**Form No.6 [See Rule 10]**

To,

Shri,

Take notice that Shri/Sarvashree.....stated to be tenant/tenants in respect of the holding as specified in the schedule below has/have applied under Section 23 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971), to acquire the ownership right/rights of his/their landlord of the holding specified in column.....of the schedule below.

Any objection against the proposed acquisition may be filed before the undersigned within one month from the date of service of this notice.

Take notice that the application will be taken up for disposal on ..... (date).

**SCHEDULE**

District .....  
Circle .....  
Mauza .....

Village .....

Name of the tenant (Applicant)	Name of the Landlord and his address	Description of land			Area under Occupation of the tenant (Applicant)	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Deputy Commissioner

**FORM No. 7 [See Rule 13]**

No..... Whereas the tenant named below has been found entitled to acquire ownership rights/intermediary rights of his landlords under Section 21 of the Assam (Temporarily Settled Areas) Tenancy' Act, 1971 (Assam Act XXIII of 1971);

And whereas the said tenants have/tenant has applied and deposited the compensation under sub-section (1) of Section 23 /(2) of Section 23 of the aforesaid Act;

Now, therefore, in exercise of the powers conferred by sub-section (1)/ sub-section (2) of Section 23 of the said Act, it is hereby declared that the tenant/tenants named in column (1) of the schedule below have/has acquired the ownership rights/intermediary rights. ....of the landlord's mentioned in column (2) of the schedule free from all encumbrance with effect from .....(date).

**SCHEDULE**

District .....

Village.....

Circle .....

Mauza .....

Name of the tenant (Applicant)	Name of the Landlord and his address	Description of land			Area under occupation of the tenant (Applicant)	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Deputy Commissioner



**FORM No. 8 [See Rule 14 (1)]**

To,

Shri.....

Take notice that the assessment of Compensation for acquisition of holding specified in the Schedule below will be taken up by the undersigned.

You are hereby requested to file your claims within 50 days from the date of service of this notice in the prescribed Form No. 9 of the Rules under the Assam (Temporarily Settled Areas) Tenancy Rules, 1971 (copy enclosed).

**SCHEDULE**

District .....

Village.....

Circle .....

Mauza .....

Name of the tenant (Applicant)	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Deputy Commissioner

**FORM No. 9 [See Rule 14 (2)]**

To,

The Deputy Commissioner,

The undersigned hereby submits his claim for assessment and payment of compensation for acquisition of his ownership rights/intermediary right in respect of the holding shown in the prescribed Proforma below as desired in your Notice No..... dated.....

**PROFORMA**

Name and Address of the claimants and his status over the land involved in acquisition	Details of the rights titles and interest over the land involved in	Description of the land involved in acquisition				Land Revenue payable for the area involved in acquisition	The amount claimed as per provisions of Sections 24 & 25 of the Act.	Remarks
		Patta No.	Khatian No.	Dag No.	Area involved in acquisition			
1	2	3	4	5	6	7	8	

(Signature of the claimant)



**FORM No. 10 [See Rule 16 (1)]**

**Indemnity Bond**

The DEED of Indemnity is made on the .....daye of  
20..... between (1).....(2).....  
S/O..... Vill..... P.O.....  
..... P.S..... Dist.....  
..... Promisor/s of the one part.

And the Governor of Assam (hereinafter called the Promisee ) of other part covered in the letter No.....dated..... to sanction for payment to (1)..... S/O..... (2)..... S/O..... vill..... P.O..... P.S..... Dist..... compensation of Rs. (Rupees.....) only ..... payable for acquisition of their share of interests as specified in Notification No.....dated..... under the provisions of the Assam (Temporarily Settled Areas) Tenancy Act, 1971, and (1) agreeing to indemnify the said State of Assam in respect thereof.

Now the DEED witnesses that in consideration of the said Government of Assam agreeing to pay the aforementioned compensation of Rs..... (Rupees .....) only to the said Shri..... (Promisor/s) hereby covenant with the Promisee, the Governor of Assam that the Promisor will repay on demand for reasons hereinafter appearing to the Promisee all such compensation paid to the promisor/s or he shall by due process of law or otherwise be compelled to pay the entire amount paid to him as compensation.

The promisee wil have full right to realise the aforesid sum of Rs..... (Rupees.....) will or any portion thereof from Shri..... (Promisor) with cost and compensation in case the said Government of Assam suffers any loss for the payment of the above sum of Rs..... (Rupees.....) only to the Promisor.

In witness whereof the above said Promisor Shri..... has executed this Indemnity Bond on the .....day of.....  
.....aforementioned.

Witnesses—

(208)

Signature

**FORM No. 11 [See Rule 17]**

To,

Shri .....

You are hereby requested to deposit the sum of Rs.....  
being the total amount of Compensation assessed and paid for acquisition of ownership  
rights/intermediary rights for you under Notification No.....  
dated.....

The amount should be deposited by a Treasury Chalan against the receipt Head  
No. ....

Deputy Commissioner

**FORM No. 12 [See Rule 18]**

Certified that the tenant/tenants named against column (1) below has/have ac-  
quired the ownership rights/intermediary rights of his/their landlord in respect of the  
holding as shown in the schedule below on publication of Notification No.....  
..... dated.....issued under Section 22 of  
the Assam (Temporarily Settled Aears) Tenancy Act, 1971 (Assam Act XXIII of 1971),  
in the Assam *Gazette* dated.....



## SCHEDULE

District ..... Mauza .....

Village.....

Circle .....

Name of the tenant	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Deputy Commissioner

Dated.....

Memo No.

1. S.D.C.....  
for correction of records
2. Shri.....  
.....

Deputy Commissioner

FORM No. 13 [See Rule 18]

Certified that the tenant/tenants named against. Column (1) below has/have acquired the ownership rights/intermediary rights of his/their landlords in respect of the holding as shown in the schedule below on publication of declaration under notification No..... dated..... issued under Section 23 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971), in the Gazette, dated.....

**SCHEDULE**

District.....  
Village.....  
Circle.....

Mauza.....

Name of the tenant	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Deputy Commissioner

Memo No.

Dated.....

1. S.D.C.....  
for correction of records
2. Shri.....  
.....

Deputy Commissioner

**FORM NO.14 [See Rule 19]**

To,

shri.....

Notice is hereby given to you under Section 28 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971) that the money value of the crop rent deliverable in respect of the holding specified in the schedule below will be paid to you or your duly authorised agent by the undersigned.

(211)



**SCHEDULE**

District.....

Mauza.....

Village.....

Circle.....

Name of the tenant	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

(Signature of the tenant)

**FORM No. 15 [See Rule 20]**

Form of receipt under sub-section (1) of Section 37 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971)

Counter foil

(To be retained by the landlord)

1. Name of the tenant, his father's name and address
2. Area of holding
3. Patta No., Dag No. and Khatian No.
4. (1) Village  
(2) Muza  
(3) Revenue Circle.

Receipt

(to be given to the tenant)

1. Name of the tenant, his father's name and address
2. Area of holding
3. Patta No., Dag No. and Khatian No.
4. (1) Village  
(2) Muza  
(3) Revenue Circle.

5. The annual rent payable in cash or the share of crop rent (*i.e.*, 1/5 or less) deliverable for the holding.
  6. The amount paid or the total quantity of crop delivered and of crop delivered and the year or years in respect of which such payment made or crop share delivered.
  7. Balance due if any.
  8. Signature or thumb impression of the tenant or the person accepting the receipt of the payment from the landlord.
  9. Remarks :
- Date :

5. The annual rent payable in cash or the share of crop rent (*i.e.*, 1/5 or less) deliverable for the holding.
  6. The amount paid or the total quantity of crop delivered and the year or years in respect of which such payment made or crop share delivered.
  7. Balance due if any.
  8. Signature or thumb impression of the landlord or his authorised agent.
  9. Remarks :
- Date :

**FORM No. 16 [See Rule 21 (2)]**

District .....

In the Court of ..... at .....

To,

Shri.....

Notice is given to you that Shri.....son of .....  
 .....resident of .....  
 .....has applied to deposit the rent payable in respect of the holding mentioned in the schedule below on the ground that he entertains a *bonafide* doubt as to who is the landlord entitled to receive the rent or you have refused to accept the rents when tendered by him.

*Note : The first para of form No. 16 was substituted vide Notification No. RRT. 403/76/11, Dated 24th September, 1976 and published in the Assam Gazette, Part II-A, Dated 13th October, 1976 at page 2242.*



Take notice that the application will be taken up for disposal on .....  
 and you are hereby summoned to appear in Court in person or by a Pleader duly  
 authorised and instructed to answer all materials questions. In default, the case will be  
 determined in your absence.

Given under my hand and the seal of the Court, this..... day of  
 .....20.

**SCHEDULE**

District..... Mauza.....  
 Village.....  
 Circle.....

Name of the tenant who applied to deposit the rent	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Rent payable or deliver-able	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

**Form No. 17 [See Rule 21 (2)]**

District.....

in the Court of .....at .....

Whereas an application has been presented to the Court under sub-section (1) of Section 38 of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 (Assam Act XXIII of 1971), by Shri.....for deposit of rent alleged to be due in respect of the holding as specified in the schedule below :

And whereas it appears to the Court that the applicant is entitled to deposit the said rent under Section 38 of the Act, this receipt is hereby granted for acceptance of deposit of Rs.....made in this Court by Shri.....

**SCHEDULE**

District.....

Mauza.....

Village.....

Circle.....

Name of the tenant	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Land Revenue Payable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Date :

Revenue Officer

Seal of the Court



**FORM No. 18 [See Rule 21 (3)]**

District.....

In the Court of .....at.....

To,

Notice is hereby given to you that Shri.....  
s/o.....resident of .....  
has deposited an amount of Rs.....as rent  
due for the holding specified in the Schedule below on the ground that he entertains  
*bonafide* as to who is entitled to receive the rent/you have refused to accept the  
rent when tendered by him.

Notice is also hereby given to you and all other persons interested in the  
claims to appear before the undersigned on.....  
(date) to establish their claims.

**SCHEDULE**

District.....

Mauza.....

Village.....

Circle.....

Name of the tenant who applied to deposit the rent	Name of the Landlord and his address	Description of land			Area under occupation of the tenant	Rent Payable or deliverable	Remarks
		Patta No.	Khatian No.	Dag No.			
1	2	3	4	5	6	7	8

Revenue Officer

**FORM No. 19 [See Rule 31 (1)]**

Khatian No.....

Mouza.....

Khatian No.....

Pargana.....

Village .....

Lands in possession of tenant		Particulars of Pattadar													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
Name, Father's name & residence of tenant		Old Dag.	New Dag.	Area	Class of land	Revenue payable	Length of possession	Paid cash/kind	Payable cash/kind	Status of tenants	Special conditions and incidence right of way easements, etc.	Name, father's name & residence, status of land	Patta No. and nature	Remarks	



**FORM No. 20 [See Rule 33 (1)]**

**Objection No.**..... **C. Fee**.....

Patta No. and character of holding (annual, Periodic, etc.).....

1. Name, father's name and address of the objector.....
2. Name, father's name and address of the opposite party concerned.....
3. Number of Khatian under objection.....
4. Number of Plots under objection.....
5. Nature of objection, status of tenant or rent or possession etc.,.....
6. Detail of objection and relief.....
7. Signature of objector and date.....

Objection duly received  
and entered

Revenue Officer.

Present on behalf of objector.....

Present on behalf of opposite party.....

Grounds of decision and order.....

Order.....

Correction in the Khatian according to order.....

With signature and date.....

**FORM NO.-21 [See Rule 22-A]**

I.....do hereby declare that the land shown in the Schedule below has been put into possession of Shri ..... son of .....resident of..... on the day of .....20.....in the presence of the two witnesses described below :

Witnesses : Address: .....

1.....

2.....

**SCHEDULE**

District.....

Circle.....

Mauza.....

Village.....

Description of land

.....

And Area Patta No. Khatian

**Name of the Landlord**  
**and his address.**  
**No. Dag No.**

Revenue Officer

Note :- After Form No. 20, a new Form No. 21 was inserted *vide* Notification No. RRT.403/76/11, Dated 24th September, 1976 and published in the Assam *Gazette*, Part-II-A, Dated 13th October, 1976 at page 2243.