

# \*THE KERALA LAND RELINQUISHMENT RULES, 1958

In exercise of the powers conferred by Section 6 of the Kerala Land Relinquishment Act, 1958, (Act 38 of 1958) the Government of Kerala hereby make the following Rules, namely:—

## RULES

1. (a) These Rules may be called the Kerala Land Relinquishment Rules, 1958.  
(b) They shall extend to the whole of the State of Kerala.  
(c) They shall come into force at once.
2. **Definitions.**— In these rules unless the context otherwise requires,—
  - (a) "The Act" means the Kerala Land Relinquishment Act, 1958 (Act 38 of 1958).
  - (b) "Village Officer" includes Village Assistant also.
  - <sup>1</sup>[(c) "Bhoodan Movement" means the movement initiated by Shri. Acharya Vinobha Bhava for encouraging voluntary gifts of land with a view to distribute the land to deserving persons.
  - (d) "Bhoodan Yajna Committee" means a committee appointed by the Akhila Bharatha Sarva Seva Sangh and recognised by the Government.
  - (e) "Danapatrom" means a document written on unstamped paper evidencing voluntary gift of land to the Bhoodan Movement].

3. Every application for relinquishment of registered land should be in writing in Form A appended to these rules and should specify clearly the name of the registered holder, the name of the Village, the particulars regarding the survey number (if any) the total extend of the land, the area to be relinquished, the tax on such area and the purpose for which the land is relinquished. <sup>2</sup>[In the case of lands relinquished to Government for purposes of Bhoodan Movement, the application shall be accompanied by a Danapatrom duly attested by a member of the Bhoodan Yajna Committee].

**Note.**— The application need not be stamped under the Court Fees Act.

4. Applications for relinquishment may be presented either in person or through registered post to the <sup>2</sup>[Revenue Divisional Officer of the Division] in which the land is situated.

5. The <sup>3</sup>[Revenue Divisional Officer] may reject any application for relinquishment on any of the following grounds:—

- (a) Where any condition, express or implied, is embodied in the application;
- (b) When the land relinquished is one which has been rendered unfit for utilisation by excavation or other action done by the holder of the land.

6. The applications shall be filed in a register of application for relinquishments of land.

7. The <sup>3</sup>[Revenue Divisional Officer] shall forward the application to the Tahsildar. The Tahsildar shall direct the Village Officer to inspect the land and prepare a measurement sketch of the land. The Village Officer shall also prepare a mahazar of the land to be relinquished with details of improvements, if any, thereon and of the boundaries of the land. A declaration in Form B appended to these rules should be recorded in the mahazar and should be attested by the applicant or his duly authorised agent and the Village Officer and two respectable persons of the locality. The Village Officer shall report whether the land relinquished is free from encumbrances and submit the records to the Tahsildar who shall forward it to the Collector of the District.

8. On receipt of the report of the Village Officer the <sup>3</sup>[Revenue Divisional Officer] shall issue a notice in Form C appended to these rules calling upon all persons who may have any objections to the relinquishment of the land or who may have any claim to the land to appear

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1. Inserted by Notification No. 6710/F3/62/RD dt. 23/12/1962, published in K. G. No. 2 dt. 08/01/1963, P.I.

2. Added by Notification No. 6710/F3/62/RD dt. 23/12/1962, published in K. G. No. 2 dt. 08/01/1963, P.I.

3. Substituted by Notification No. 45356/BI/67/RD dt. 28/09/1967, published in K. G. No. 40 dt. 10/10/1967.

before him before a date to be specified in the notice to prefer their objections or claims, if any. The notice shall be published by affixing copies of the same in a prominent place in his office and in the Taluk and Village Offices concerned and on the land relinquished.

9. The objections or claims received shall be duly enquired into by the <sup>4</sup>[Revenue Divisional Officer] and disposed of. If it is found that the relinquishment is valid, he shall pass an order of acceptance of the relinquishment and shall communicate the decision to the Tahsildar and the applicant.

<sup>5</sup>[10. The Tahsildar of the taluk shall, after the order of acceptance of the relinquishment is passed by the <sup>4</sup>[Revenue Divisional Officer] take possession of the land relinquished if the same has not been previously taken possession of. He shall be competent to write off the land tax charged on the land accepted in relinquishment and shall also cause the entries to be made in the Revenue records.]

11. <sup>4</sup>[Appeals from the decisions or orders passed by the Revenue Divisional Officer shall lie to the District Collector and a revision from the order of the District Collector shall lie to the Board of Revenue]. The appeals shall be presented within 30 days from the date of decision or order appealed against or from the date of service of notice thereof as the case may be. No appeal shall be decided without giving notice to all interested parties.

#### FORM A

[Rule 3]

#### APPLICATION FOR RELINQUISHMENT OF LAND

1. Date of application.
2. Name and address of the applicant.
3. Particulars of lands relinquished.
  - (a) Village.
  - (b) Survey number and sub-division number.
  - (c) Total Extent
  - (d) Extent relinquished.
4. Purpose for which relinquished or reason for relinquishment.
5. If the land has already been taken possession of by the Government the year and month of taking possession.
6. Signature of applicant.

#### FORM B

[Rule 7]

#### DECLARATION

I..... Son/daughter of ..... residing at ..... Village  
 .....Taluk do hereby relinquish and surrender unconditionally to the Government all my  
 rights over the property mentioned in the above mahazar.

Date:

Place:

Signature.

Signed in our presence

- (i) Village Officer..... (Signature)
- (ii) Thadasthar..... (Signature)
- (iii) Thadasthar..... (Signature)

#### FORM C

[Rule 8]

Whereas an application has been received from ..... Village .....Taluk agreeing to  
 the relinquishment of an extent of..... acres .....cents, comprised in Survey number..... of.....  
 Village notice is hereby given that all persons who may have any objection to the relinquishment of the  
 land or who may have any claims to the land should appear before the undersigned before (Here enter  
 the date). Objections or claims preferred on or after the date specified shall not be counteranced.

Station:

Date:

<sup>4</sup>[Revenue Divisional Officer]