

## **Revenue Department - Estates Abolition**

### **DESCRIPTION:**

[Lands wherein ryot is entitled to ryotwari patta](#)

[Lands in zamindari estate wherein landholder is entitled to Ryotwari patta](#)

[Lands in inam estate wherein landholder is entitled to Ryotwari Patta](#)

[Lands in an under-tenure estate wherein landholder is entitled to Ryotwari Patta](#)

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Under Section 5(1) of the Act, the Settlement Officer was authorised to carry out the functions and duties assigned to him under this Act.

The Government have disbanded the post of Settlement Officer with effect from 30-9-1990 and authorised the respective Joint Collectors to discharge the functions of the Settlement officer in the District vide G.O.Ms.No.881 Rev. (JA) Dept. dt.25-9-1990.

Generally at present cases u/s 11(a), 15 (1) and 56(1) are being filed before the Joint Collector and Settlement Officer for obtaining ryotwari pattas.

### **Grant of Ryotwari Pattas**

#### **Sec.11 Lands in which ryot is entitled to ryotwari patta :**

Every ryot in an estate shall, with effect on and from the notified date, be entitled to a ryotwari patta in respect of

1. all ryoti lands which, immediately before the notified date were properly included or ought to have been properly included in his holding and which are not either lanka lands or lands in respect of which a landholder or some other person is entitled to a ryotwari patta under any other provision of this Act; and
2. all lanka lands in his occupation immediately before the notified date, such lands having been in his occupation or in that of his predecessors in title continuously from the 1st day of July, 1939:

Provided that no person who has been admitted into possession of any land by a landholder on or after the first day of July, 1945 shall, except where the Government, after an examination of all the circumstances otherwise direct, be entitled to a ryotwari patta in respect of such land.

**Explanation :** No lessee of any lanka land and no person to whom a right to collect the rent of any land has been leased before the notified date, including an ijaradar or a farmer on rent, shall be entitled to ryotwari patta in respect of such land under this section.

**Sec.12 Lands in zamindari estate in which landholder is entitled to Ryotwari patta :**



In the case of the zamindari estate, the landholder shall with effect on and from the notified date, be entitled to a ryotwari patta in respect of :-

(a) all lands (including lanka lands) which, immediately before the notified date,

(i) belonged to him as private land within the meaning of Section 3, clause (10) (a), of the Estates Land Act, or

(ii) stood recorded as his private land a record prepared under the provisions of Chapter XI or Chapter XII of the said Act, not having been subsequently converted into ryoti land;

(b) (i) all lands which were properly included, or which ought to have properly included, in the holding of a ryot and which have been acquired by the landholder, by inheritance or succession under a will, provided that the landholder has cultivated such lands himself, by his own servants or by hired labour, with his own or hired stock, in the ordinary course of husbandry from the date of such acquisition or the 1st day of July 1939, whichever is later and has been in direct and continuous possession of such lands from such later date.

(ii) all lands which were properly included, or which ought to have been properly included, in the holding of a ryot and which have been acquired by the landholder by purchase, exchange or gift, but not including purchase at a sale for arrears of rent, provided that the landholder has cultivated such lands himself, by his own servants or by hired labour, with his own or hired stock, in the ordinary course of husbandry from the 1st day of July 1945 and has been in direct and continuous possession of such lands from that date;

(iii) all lands [not being (i) lanka lands, (ii) lands of the description specified in Section 3, clause (16), sub-clauses (a), (b) and (c) of the Estates Land Act, or (iii) forest lands which have been abandoned or relinquished by a ryot, or which have never been in the occupation of a ryot, provided that the land holder has cultivated such lands himself, by his own servants or by hired labour, with his own or hired stock in the ordinary course of husbandry from the 1st day of July 1939, and has been in direct and continuous possession of such lands from that date.

### **Explanation :**

"Cultivate" in this clause includes the planting and rearing of topes, gardens and orchards, but does not include the rearing of topes of spontaneous growth.

### **Sec.13 Lands in inam estate in which landholder is entitled to Ryotwari Patta :**



In the case of an inam estate, the landholder shall, with effect on and from the notified date, be entitled to ryotwari patta in respect of:-

(a) all lands (including lanka lands) which immediately before the notified date, (i) belonged to him as private land within the meaning of Section 3, clause (10) (b) of the Estates Land Act, or (ii) stood recorded as private land in a record prepared under the provisions of Chapter XI or Chapter XII of the said Act, not having been subsequently converted into ryoti land ; and

(b) (i) all lands which were properly included, or which ought to have been properly included, in the holding of a ryot and which have been acquired by the landholder, by inheritance or succession under a will provided that the landholder has cultivated such lands himself, by his own servants or by hired labour with his own or hired stock, in the ordinary course of husbandry, from the date of such acquisition or the 1st day of July, 1945 whichever is later and has been in direct and continuous possession of such lands from such later date;

(ii) all lands which were properly included, or which ought to have been properly included in the holding of the ryot and which have been acquired by the landholder by purchase, exchange or gift, including purchase at a sale for arrears of rent :

Provided that the landholder has cultivated such lands himself, by his own servants or by hired labour, with his own or hired stock, in the ordinary course of husbandry from the 1st day of July 1945 and has been in direct and continuous possession of such lands from that date;

(iii) all lands [not being (i) lanka lands, (ii) lands of the description specified in Section 3, clause (16), sub-clauses (a), (b) and (c) of the Estates Land Act, or (iii) forest lands which have been abandoned or relinquished by a ryot, or which have been in the occupation of a ryot, provided that the landholder has

cultivated such lands himself, or by his own servants or hired labour, with his own or hired stock, in the ordinary course of husbandry, from the 1st day of July, 1945 and has been in direct and continuous possession of such lands from the date.

**Explanation :**


"Cultivate" in this clause includes the planting and rearing of topes, gardens and orchards, but does not include the rearing of topes of spontaneous growth.

**Sec.14 Lands in an under-tenure estate in which landholder is entitled to Ryotwari Patta :** 

The grant of a ryotwari patta to landholder in respect of lands in an under-tenure estate shall be regulated in accordance with the provisions of :-

(a) Section 13, if it has been decided under Section 10 that such estate was created before the date of the permanent or temporary settlement of the principal estate or the 13th day of July 1802, as the case may be; and

(b) Section 12, in other cases.

**Sec.15 Determination of lands in which the landholder is entitled to Ryotwari Patta under foregoing provisions :-** 

(1) The Settlement Officer shall examine the nature and history of all lands in respect of which the landholder claims a ryotwari patta under Section 12, 13 or 14, as the case may be, and decide in respect of which lands the claim should be allowed.

(2) (a) Against a decision of the Settlement Officer under sub-section (1), the Government may, within one year from the date of the decision or if such decision was given before the commencement of the Madras Estates (Abolition and Conversion into ryotwari) (Andhra Pradesh Amendment) Act, 1957, within one year from such commencement, and any person aggrieved by such decision or such further time as the Tribunal may in its discretion allow, appeal to the Tribunal; and its decision shall be final and not be liable to be questioned in any Court of Law.

(b) If, before the commencement of the Madras Estates (Abolition and Conversion into Ryotwari) (Andhra Pradesh Amendment) Act, 1957, any order has been passed by the Tribunal dismissing an appeal filed by the Government against a decision of the Settlement Officer on the ground that the Government were not competent to file an appeal under this sub-section or that such appeal was time-barred, the Tribunal shall, on an application filed by the Government within one year from the commencement of the Amendment Act aforesaid, vacate such order, and pass a fresh order on merits.

**Sec. 56 Decision of certain disputes arising after an estate is notified:** 

(1) Where after an estate is notified, a dispute arises as to whether after an estate is notified, a dispute arises as to (a) whether any rent is due from a ryot for any fasli year is in arrear or (b) what amount of rent is in arrear or (c) who the lawful ryot in respect of any holding is, the dispute shall be decided by the Settlement Officer.

(2) Any person deeming himself aggrieved by any decision of the Settlement Officer under sub-section (1) may, within two months from the date of the decision or such further time as the Tribunal may in its discretion allow, appeal to the Tribunal; and its decision shall be final and not be liable to be questioned in any Court of Law.

The cases falling U/s.17 Ryotwari Patta in service tenure lands, Sec.18 Buildings in Estates, Sec.19 Sales and leases of certain lands and Sec.20 saving of rights of certain lessees and others, cases not governed by Section 18 and 19 of E.A. Act shall be referred to Government whose decision shall be final and not liable to be questioned in any Court of Law.

**Appellate Authorities :** 

**1) Under Section 11(a)**

Against the orders of the Settlement Officer passed u/s 11(a), a revision petition can be filed before the Director of Survey, Settlement and Land Records Hyderabad with in 30 days.

Against the orders of the Director of Survey, Settlements and Land Records a further revision

petition can be filed before the commissioner Survey, Settlements and Land Records Hyderabad. (Now commissioner of appeals)

**2) Under Section 15 (1) and 56 (1) :**

Against the orders of the Settlement Officer, appeal can be filed before the Estate Abolition Tribunal i.e. Dist. Judge with in 60 days. Orders of the Estate Abolition Tribunal are final u/s 15(2) of the Act. However under Art. 226 of Indian constitution a writ petition can be filed before the High Court by the aggrieved party.

**ACTS** 

[Estates \(Abolition and conversion into Ryotwari\) Act 1948](#)

**FORMS** 