

Provided that this condition may be relaxed for special reasons by the Chief Commissioner.

Sec 69. 169. (1) If no receipt of a report from Patwari or any other source it is found that any transfer of any right in land is made in contravention of the provisions of clause (ii) or sub-section (2) of Section 159, the Sub-Divisional Officer shall after hearing the transferor and the transferee and make such other inquiries as he may deem fit and if he finds that the transfer of land was in contravention of the provision referred to above, he shall pass an order forfeiting the interest in land to be specified therein to the Government. Such order shall come into force from the commencement of agricultural year next following the date of such order.

(2) The land revenue assessed on the transferred holding shall be apportioned on the basis of settlement soil classification and settlement rates.

B. DISPOSAL OF UNOCCUPIED LAND

170. The unoccupied land in a village may be allotted for agricultural purpose to landless persons in the following order of priority:

(i) Old inhabitants or settlers of such village;

Note:—"Old inhabitant" means a person who or whose ancestors had settled in the islands prior to 1942,

"Settler" means a person or his grown up dependant member who was settled in the islands under an approved scheme of the Government.

(ii) Permanent inhabitants of such village;

Note:—"Permanent inhabitants" means a person who has been living in a village for a period of more than 15 years.

(iii) Old inhabitants or settlers of the neighbouring villages. Provided that no person who unauthorisedly takes or remains in possession of any unoccupied land or abadi shall be entitled to be considered for the allotment of land under this rule unless he had vacated such unauthorised possession of unoccupied land or abadi.

171. The unit of land for allotment to such individual person shall be such a would initial a total holding by him of not more than 10 hectares.

172. (1) Allotment of unoccupied land reserved for abadi in a village shall not be made unless a layout showing the sites to be allotted within the abadi is made out duly supported by a resolution of the Gram Panchayat or the Municipal Board and approved by the Chief Commissioner.

(2) The Chief Commissioner may cause such enquiries to be made in the locality as he may deem fit before according such approval.

(3) No land in the approval layout of the abadi shall be allotted to any person in the village unless all person who are poor in the village and are eligible have been provided land for construction of their dwelling units in the abadi.

Note: A person may be said to be 'poor' if he is the head of a family whose annual money income does not exceed such limit as may be specified by the Chief Commissioner from time to time, by notification in the Official Gazette.

(4) Among the poor the same priority as is laid down under rule 170 may be followed in the allotment of house sites in the unoccupied land reserves for abadi. Provided that if the number of plots available in the layout referred to in sub-rule (1) is insufficient to cover all the eligible poor applicants or any one of the categories referred to in Rule 170 but sufficient to cover all the prior categories allotments in respect of the category of persons for which plots are in sufficient shall be based on the result of a draw of lots held in the presence of two revenue officers not below the rank of a Naib Tahsildar after prior publicity in the village regarding the date, time and revenue of the draw.