

Provided further that allotment of house sites in any layout made after a draw of lots shall in the first instance be based on the result of another draw of lots to be held in a similar manner from among those eligible poor applicants who have not been able to secure allotment of land at any earlier draw of lots before any new applicant is included in the draw.

(5) The provisions of sub-rule (4), shall apply mutatis mutandis to allotment of house sites to the non-poor, after meeting the needs of the poor.

(6) Notwithstanding anything contained in this rule, persons who unauthorisedly take or remain in possession of any unoccupied land or abadi shall not be eligible to be considered for allotment of house sites in the unoccupied land reserved for abadi unless they vacate their unauthorised possession.

173. In colonisation areas the entire available land may, in the first instance, be utilised for allotting it to the settlers who have holdings of less than 10 hectares each:

Provided that additional area together with the land already held by a settler shall not ordinarily exceed 10 hectares.

Note: "Settler" will have the same meaning as given in rule 170.

174. If any land is not disposed of in accordance with the provision of Rules 170 or 173 above, the Deputy Commissioner may with the approval of the Chief Commissioner allot such land to such persons as he may deem fit.

175. The following procedure shall be followed in respect of allotment of land under these rules:—

- (i) The Patwari shall prepare a statement of unoccupied land available in each village from the record prepared under Section 194 and submit the same to the Tahsildar by the 30th September each year. The Tahsildar shall inspect the lands and verify whether the lands are suitable for allotment.
- (ii) The Tahsildar shall then with the approval of the Sub-Divisional Officer issue a proclamation in Form "AI" inviting applications within 15 days from the date of issue of proclamation.
- (iii) Applications for allotment of land under Rule 170 in the areas other than colonisation areas and in the colonisation areas under Rule 173 shall be made in Form "AJ" and "AK" respectively.
- (iii) (a) Applications for allotment of land under Rule 172 shall be made in Form "AKK".

Provided that a person who has applied in response to an earlier proclamation issued after the commencement of the A&N Islands Land Revenue and Land Reforms (Amendment) Rules, 1986 and has been unsuccessful in a draw of lots held under rule 172, after being found eligible under the said rule shall be deemed to have applied in response to any proclamation issued later on.

- (iv) After the date fixed for the receipt of applications the Tahsildar shall prepare a list of all applicants stating in brief the particulars of land applied for by each and forward it to the Gram Panchayat with a notice in Form 'AL' asking it to furnish within 15 days of the receipt of the list, its report on the suitability or otherwise of the applicants for the allotment of land. The Gram Panchayat shall send its recommendations to the Tahsildar within such period.

Sub-clause (iii a) and (iv) of Rule 175 inserted vide Notification No. 127, F. No. 51-21/81-M&R. Dated 8.5.87.