

for decision.

(2) On the Complaint having been duly filed the Gram Sabha Adalats shall serve a notice on the defendant to file written statement, on the receipt of which issues shall be framed in the presence of both the parties. The parties shall thereafter be required to file documents and adduce evidence in support of their respective claims which shall be recorded by the Adalat. Thereafter the Adalat shall pronounce judgment in the open Court after giving the parties a reasonable opportunity of being heard.

(3) The Gram Sabha Adalat shall ascertain the merit of every suit or proceeding by every lawful means in its power and thereafter shall, by written order, pass such decree as may seem just, equitable and according to good conscience, stating in the decree the amount payable as fees and costs and the person by whom such amounts are payable,

(4) The Gram Sabha Adalat may direct in writing in the decree that the payment of a sum of money or the delivery of any movable property may be made by instalments.

(5) Issue, Service and execution of summons and other processes and notice – (i) every summons, notice or any other process issued by a Gram Sabha Adalat under the Act shall be in writing in duplicate signed and sealed by the Chairman of the Adalat;

(ii) such process shall be served by an employee of the Gram Sabha Adalat on the person if practicable personally by delivering or tendering him one of the duplicates of the process;

(iii) every person on whom process is so served shall be required by the Serving Officer to sign a receipt on the back of the other duplicate;

(iv) when the person against whom the process has been issued cannot by the exercise of due diligence be found, it may be served by leaving one of the duplicates with some adult male member of his

family;

(v) if the service in any of the ways above cannot be effected by exercise of due diligence, the Serving Officer shall affix one of the duplicates of the process to some conspicuous part of the house or homestead in which the person concerned ordinarily resides and thereafter the process shall be deemed to have been duly served.

**17. Fees to be levied by a Gram Sabha Adalat :** For institution of cases, for the issue of process and for obtaining copies of documents and other matters, fees shall be realised by a Gram Sabha Adalat at such rates as provided under the Court Fees Act, 1870. A Court Fees Register shall also be maintained.

**18. Procedure for execution of sentences of a Gram Sabha adalat –**(1) (a) The amount of any fine imposed or compensation awarded by Gram Sabha Adalat under this Act shall be paid to the Adalat within fifteen days of the order imposing or awarding it.

(b) If after the expiry of the said fifteen days, the amount remains unpaid the Gram Sabha Adalat shall proceed to recover it under the provisions of Section 386 of the Code of Criminal Procedure (Act V of 1898) and may if it finds any difficulty in its recovery certify the fact to the District Magistrate or the Sub-divisional Magistrate within whose jurisdiction the Adalat lies, and such Magistrate shall recover it as if the sentence of fine or the award of compensation had been passed by him, and remit the amount to the Adalat.

(2) **Decree and Orders.** - (a) Decree in Civil Suits shall be drawn up in accordance with the procedure prescribed in the Code of Civil Procedure, (Act V of 1908), and a time shall be specified in the decree for satisfaction thereof by the judgment debtor.

(b) If on the application of decree-holder or the judgment-debtor, the Gram Sabha Adalat which passed the decree or the order finds after enquiry that the decree has been satisfied wholly or partly, the Adalat shall enter the fact in the register maintained for the purpose.



(c) If the decree is not satisfied within the specified time, the decree holder may apply to the Gram sabha Adalat which passed the decree in a written application in a tabular form, as provided under Order 21, Rule 11 of the Code of Civil procedure (Act V of 1908), so far as may be applicable. Thereafter the Adalat shall proceed to execute the decree in accordance with the provisions laid down in Order 21 of the said Code so far as may be applicable.

**19. Disputes regarding allotment of land** - For the purpose of clause (iii) of sub-section (2) of Section 24, the Deputy Commissioner shall be the prescribed authority.

**20. Manner of borrowing money and their limits** - Until otherwise prescribed in this behalf the rule, relating to borrowing power of the Anchalik Panchayat constituted under the Assam Panchayat Act, 1959 (Assam Act XXIV of 1959) shall apply *mutatis mutandis* to the borrowing power of the Gram sabha.

**FORM - I**  
**(See Rule 3)**

**Declaration under Section 4 of Assam Gramdan Act, 1961**  
**(Assam Act I of 1962)**

I/We.....S/o.....  
aged..... years respectively, resident(s) of village.....  
Circle ..... District/Subdivision ..... do hereby  
make the following declaration :-

(1) that I/we have understood the provisions of the Assam Gramdan Act, 1961 (Assam Act, I of 1962)

(2) that I/we ..... am are not minor(s)

(3) that I/we ..... am are owner(s) of the land particulars of which are given below, being patta holder(s) in respect of the aforesaid land;

(4) that the aforesaid land-

(a) is not owned by two or more persons as co-owners that the land is owned jointly by who are jointly making this declaration;

(b) is not subject to mortgage or any other encumbrances whatsoever is subject to mortgage and this declaration is made jointly by the mortgagor .....  
..... (name and address) and the mortgagee  
.....(name and address)

(c) is not hypothecated as security for any Government loan or any other Government dues directly or indirectly;

(d) is not/is held under a grant, lease or assignment from the State Government without permanent rights and the previous & approval of the State Government is attached herewith;

(e) is not in arrears in respect of land revenue, local rates or other dues to the Government.



(5) that the original copy of the patta and revenue receipt for the current year in respect of the land attached thereto.

(6) that I/we hereby voluntarily donate by way of Gramdan, all my/our lands in village specified below :-

**Particulars of the land(s) :-**

1. Circle –
2. Mouza –
3. Village –
4. Patta No. –
5. Area –
6. Dag nos. –
7. Revenue/Rent –
8. Name, parentage, address and residence of the patta/estate holder –
9. Name, parentage of tenant, if any –

(7) that I/we do not own any other lands in this village.

witness –

Date of declaration –

.....

Place at which made –

Signature (s)

**Verification**

I/we solemnly affirm that the particulars given above are correct to the best of my/our knowledge and belief.

.....

Signature(s)

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**FORM - II**  
**(See Rule 5)**

**Notice under Section 4(3) of the Assam Gramdan Act, 1961**  
**(Assam Act I of 1962)**

In the Court of Shri ..... Sub-  
deputy Collector of ..... Circle,  
District/Sub-division .....

Whereas the persons whose names are given below, who claim to be the sole owners of the lands specified against their name, have filed declarations, in Form I of the Assam Gramdan Rules, 1962 made under the Assam Gramdan Act, 1961 (Assam Act I of 1962) donating by way of Gramdan, all their lands in village ..... Now, therefore, notice is hereby given, requiring all persons interested in the land, to file objections, if any, in writing to the undersigned on or before ..... 19.....

action will be taken by the undersigned in regard to the declaration as required by sub-section (4) of Section 4 of the Assam Gramdan Act, 1961 (Assam Act I of 1962) after considering all objections filed on or before the said date and no notice will be taken of any objection filed after that date.

Serial No.	Name(s) of persons(s)	Particulars of lands

Given under my hand and seal of the Court, this ..... day  
of ..... 19.....

(Seal)

Sub-deputy Collector

**Note :** In filling in the last date for filing objections sufficient margin should be given so that the people will get at least 30 days clear notice from the last date of publication of the notice in the places specified in rule 5.



**FORM - III**  
*(See Rule 9)*

**Declaration under Section 5(1) (c) of Assam Gramdan Act, 1961**  
**(Assam Act I of 1962)**

I/We.....S/o.....  
aged..... years respectively, resident(s) of village.....  
Mouza .....Thana..... District/Subdivision  
..... do hereby make the following declaration :-

(1) that I/we have understood the provisions of the Assam Gramdan Act, 1961  
(Assam Act, I of 1962)

(2) that I/we ..... am/are not minor(s)

(3) that I/we ..... am/are resident(s) in the aforesaid village

(4) that I/we desire to participate in the Gramdan Community

I/We therefore pray that the aforesaid ..... village be de-  
clared as a Gramdan Village.

Witness :-

(1)

(2) .....

Date -

Signature

Place -

**Verification**

I/we solemnly affirm that the particulars given above are correct to the best of my/our  
knowledge and belief.

.....

Signature

**FORM -IV**  
**(See Rule 12)**

**Declaration under Section 8 of the Assam Gramdan Act, 1961**  
**(Assam Act I of 1962)**

I/We.....S/o.....  
aged..... years respectively, resident(s) of village.....

do hereby make the following declaration :-

(1) that I/we have understood the provisions of the Assam Gramdan Act. 1961 (Assam Act, I of 1962)

(2) that I/we ..... am are not minor(s)

(3) that I/we ..... am are owner(s) of the land particulars of which are given below, being patta holder(s) in respect of the aforesaid land;

(4) that the aforesaid land-

(a) is not owned by two or more persons as co-owners that the land is owned jointly by .....who are jointly making this declaration;

(b) is not subject to mortgage or ay other encumbrances whatsoever is subject to mortgage and this declaration is made jointly by the mortgagor ..... (name and address) and the mortgagee .....(name and address)

(c) is not hypothecated as security for any Government loan or any other Government dues directly or indirectly;

(d) is not/is held under a grant, lease or assignment from the State Government without permanent rights and the previous approval of the State Government is attached herewith;

(e) is not in arrears in respect of land revenue, local rates or other dues to the Government.

(5) that the original copy of the patta and revenue receipt for the current year in respect of the land are attached thereto.



(6) that I/we hereby voluntarily donate by way of Gramdan, all my/our lands in village specified below :-

**Particulars of the land(s) :-**

1. Circle -
2. Mouza -
3. Village -
4. Patta No. -
5. Area -
6. Dag nos. -
7. Revenue/Rent -
8. Name, parentage, address and residence of the patta/estate holder -
9. Name, parentage of tenant, if any -

Witness -

Date of declaration - .....

Place at which made -

Signature (s)

**Verification**

I/we solemnly affirm that the particulars given above are correct to the best of my/our knowledge and belief.

.....  
Signature(s)

**FORM - V**  
*(See Rule 10)*

**Declaration under Section 5(3) of Assam Gramdan Act, 1961**  
**(Assam Act I of 1962)**

Whereas I/we ..... Deputy Commissioner ..... District/Sub-division being the prescribed authority after making the prescribed enquiries am not satisfied that the conditions under sub-section (1) of Section 5 of the Assam Gramdan Act, 1961 (Assam Act I of 1962) are satisfied. I, therefore, hereby declare that village ..... is not a Gramdan Village.

Issue under my hand and seal of the Court, this ..... of .....

.....  
Signature(s)  
Deputy Commissioner

Seal of the Court

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