

Estates Partition Act, 1897

Section 25 - Powers of Compensation Officer to disregard certain trusts - Notwithstanding anything contained in clause

2) of section 28, the Compensation Officer in preparing the Compensation Assessment roll shall, where a trust has been created on or after the 1st day of January, 1946 in respect of an estate and where compensation shall be assessed as perpetual annuity, obtain the previous sanction of the State Government: Provided that it shall be competent for the State Government to refuse such sanction. 26. Previous Agricultural year and gross asset defined.- For the purpose of this Chapter - previous agricultural year means the agricultural year immediately preceding that in which the date of vesting falls; (1) gross asset when used with reference to an estate means the aggregate of the rents, including all cesses, which were payable in respect of the estate for the previous agricultural year- (a) by the immediately subordinate intermediary in case such immediately subordinate intermediary is an intermediary of a permanent or resumable tenure; (b) by the raiyats or any other persons cultivating the land other than the land settled with the intermediary or intermediaries under sub-section (1) of section 7 and includes (i) the aggregate of the rents determined in accordance with the provisions of sections 6 and 7 in respect of the lands in the possession of the intermediary or intermediaries referred to in the said sections. In cases in which the rent is payable in kind it shall be valued in the prescribed manner; (ii) rents of lands acquired by intermediary or intermediaries of an estate either in execution of decrees for arrears of rent or otherwise (such lands not being in Khas possession of such intermediary or intermediaries or settled with any raiyat) at the rate payable before such acquisition; (iii) annual rent, determined in the prescribed manner of buildings used primarily as offices or kutcheries for the collection of rents, or rest houses for estate servants on duty, or golas used primarily for storing rent in kind; (iv) gross income of the previous agricultural year from fisheries, trees, jalkars, ferries, hats and bazaars; (v) gross income from forests calculated on the basis of the appraisal made of annual yield of the forests on the date of vesting by a Forest Officer subject to the approval of the 2 [Chief Conservator of Forests], such Forest Officer being not below the rank of a Divisional Forest Officer to be appointed in this behalf by the State Government.