

# **TRANSFER AND ALIENATION OF LAND**

**By**

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# TRANSFER OF LAND

- **As per BSO 22- PARA 8.**
- **Land held by one depart to another – Transfer of Land**
- **District Collector is competent .**
- **Consent of the Head of the department under whose control the land is .**
- **Collector can transfer land of Revenue Dept. only 1.00 Acre without obtaining permission of CCLA.**
- **Be ensured that Requests for the same land are not there from other departments .**
- **The land shall not be transferred to a commercial purpose.**
- **If land not utilized in reasonable time- resumed**

# ALIENATION OF LAND

- As per **BSO 24** -Land Allotment Policy issued in **G.O. Ms. No. 571 Rev(Assin. I) Dept , dt 14.09.2012.**
- Alienation to persons, local bodies and institutions- **Public purpose** -Religious, educational and other purposes.
- Norms fixed for assessing the extent of land required for a particular Purpose.
- Guidelines have been issued for uniform fixation of rate
- Scientific and Judicious Allotment of Land.
- CCLA issued guidelines to be followed by District Administration-CCLA's Ref **No.B1/457/2011 dt 08.02.2013**

# PROCEDURE

- Applications are received by respective departments .
- Secretary of Administrative dept certifies the genuineness of purpose , extent required-issues Annexure –XI appended to GO 571.
- Administrative Department forwards the Application with **Annexure-XI** to the District Collector .
- Applications received otherwise-- to be referred to the Govt.

**-- Contd**

## **PROCEDURE - Contd**

- ❖ **After verification and satisfaction as regards to the purpose, extent etc Collector forwards to the Tahsildar.**
- ❖ **Tahsildar inspects the land- verifies status and availability - Verifies A –Register / Diglot , Village Account No . 3 , Village Account number -4C.**
- ❖ **Whether it is covered by Prohibitions such as 2KM from Mandal Head Quarters etc , whether required for other purposes .**
- ❖ **collects data – Basic Value of surrounding / similar patta land - Assesses Market Value**

**-- Contd**

# PROCEDURE - Contd

- ❖ Sub Division record is prepared.
- ❖ Combined Sketch – Topography be shown
- ❖ A1 -Notice is published
- ❖ objections received are disposed .
- ❖ resolution of G .P. is obtained
- ❖ If it is Assigned Land – permission of the Collector is obtained- Process of Alienation ie publication of A1 Notice etc be after it is duly resumed

**-- Contd**

# PROCEDURE - Contd

- ❖ **Resumption of Assigned Land -- be as per GO 259 ,Rev (Assn-I) Dept. dt.21.06.2016.**
- Issued in supersession of the orders issued in the G.O.Ms.No.1307, Revenue (Assn.I) Department, dt: 23.12.1993.
- When required for Public Purpose , the lands shall be resumed as per conditions of Patta .
- The compensation be paid on par with Patta lands as per the provisions of the LA RR Act ,2013.

**-- Contd**

# PROCEDURE - Contd

## Fixing Cost of Land

- ❖ As per BSO-24.
- ❖ Ascertained by conducting local enquiry. However the land value shall **not be less than** the basic value of the land.
- ❖ RDO is competent to fix MV in cases total land value up to Rs.1.00 crore and Collector if above Rs.1.00 crore.
- ❖ Exgratia to Assignees be paid as per rules in force and on par with private patta lands / as on date as per GO 259.
- ❖ Sivai jamedars- cultivating the land 5-10 years - 50% exgratia equivalent to market value; -Occupation 10 years and above - 100% exgratia equivalent to market value. – occupation be confirmed from records.

**-- Contd**



# PROCEDURE - Contd

- Tahsildar forwards the proposals to RDO.
- RDO scrutinises , conducts field Inspection fixes MV / recommends MV –forwards to the Collector.
- Proposals are scrutinised in Collectorate .
- Joint Collector conducts Field Inspection –fixes MV.
- If the Collector is competent – issues Alienation Orders.
- Otherwise Proposals are sent to CCLA –all the documents are enclosed .
- APLMA considers the proposals – issues Orders if competent or recommends to Government
- Government issues the Orders.

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# PROCEDURE - Contd

Category	Category	Collector		APLMA		Minister Revenue	
		Extent	Value	Extent	Value	Extent	Value
I. State Govt. Departments	Schools , Colleges, Hospitals , Office Buildings etc	10 Acs	Rs.50 Lakh	10-25 Acs	Rs.5 Crore	25-50 Acs.	Rs.10 Crore
II. Central/,State PSUs,, Statutory Bodies ,Govt Undertakings	To pursue their core and-primary activities by themselves	DO	DO	DO	DO	DO	DO
III. Public Undertakings ( Central / State) etc.	If they want Government land for Private Agencies it will come to the Cabinet through A.P. L.M.A. for approval						
IV. Private Entities ,Companies , Trusts ,Societies , Private Individuals etc.	The proposal shall come through A.P.L.M.A. As per the Cabinet decision the lands will be alienated.						

## OTHER ASPECTS

- ❖ Govt. land located within the Nagar Panchayats, Municipalities, Municipal Corporations- not alienated for private purpose- exclusively used for public purpose
- ❖ The govt. lands owned by various departments-not being utilized to the full extent - be proposed .
- ❖ Wherever exceeding 100 acres in urban areas- 500 acres in the rural areas -to set apart 10% of the land that is proposed to be allotted to such major project, to meet the future needs of the Govt. and public purposes like educational and welfare institutions, police stations and related Government Offices as ancillary to the project and also housing facility to the EWS / LIG, except in the case of polluting industries- it is over and above the land to be set part for public amenities.

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## OTHER ASPECTS --contd

- ❖ lease mode is more preferable- ensures that title continues to vest in Government - periodic continuous return to the Government in the form of rent.
- ❖ Leases up to a maximum period of (33) years .
- ❖ Conditional sale should be approved only in the exceptional cases when
  - the investment is exceeding Rs.100 Crores;
  - the gestation period of the project is more than 5 years;
    - the industry is located in backward areas to be notified by the Government for this purpose;
  - Departments, PSUs and agencies of the Central Government;

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## OTHER ASPECTS - -- Contd

- Financial closure of the project requires a sale;
- Projects identified by the Government as critical and prestigious;
- Other categories to be notified by the Government from time to time;
- ❖ The lease rental will be **10%** of the prevailing market value - be enhanced in every block of 5 years by increasing upto 10% on the lease rental of the **previous block of 5 years**.
- ❖ **Comprehensive Rehabilitation & Resettlement policy be followed.**
- ❖ **-Green Belt Area** - G.O.Ms.No.86, MA & UD Dept. Dt:03.03.06, “minimum of 10% of site shall be earmarked for organized open space and be utilized as greenery or soft landscaping etc., and shall be provided over and above the mandatory open spaces. This space may be in one or more pockets.

# CONDITIONS

- All conditions specified in BSO 24.
- must be used for the specific public purpose.
- not to be alienated
- Certain rights reserved to Govt.
- Similar conditions even when land is acquired at the cost of person/ institution.
- Resumed if conditions are violated .- Collector is empowered for resumption in all cases - **G.O.MS.No.57**

REVENUE (ASSN.I) DEPARTMENT, Dated 16-02-2015

***Thank You***