

Andhra Pradesh Transfer of Rights To Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008

ANDHRA PRADESH

India

Andhra Pradesh Transfer of Rights To Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008

Rule

ANDHRA-PRADESH-TRANSFER-OF-RIGHTS-TO-CERTAIN-SPECIFIED of 2008

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Andhra Pradesh Transfer of Rights To Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008 Published vide G.O.Ms.No. 166, Revenue (ASSN.POT) Department, dated 16-2-2008

1. Government lands - Transfer of Rights on certain occupations/encroachments of specified, categories of Unassigned Government lands situated in the State by-way of structures or otherwise, on payment basis - Framing of certain Policy guidelines - Orders Issued.

Read the following:(1)G.O.Ms.No. 508 Revenue (Assignments-I) Department, dated 20-10-1995(2)G.O.Ms.No. 972 Revenue (Assignments-I) Department dated 4-12-1998.(3)GO.Ms.No. 515 Revenue (Assignments-I) Department; dated 19.4.2003.(4)G.O.Ms.No. 138 Revenue (Assignments-I) Department; dated 9.2.2004.(5)G.O.Ms.No. 631 Revenue (Assignments-I) Department; dated 23.8.2004.(6)GO.Ms.No. 2 Revenue (Assignments-I) Department; dated 1.1.2005.(7)G.O.Ms.No. 1601 Revenue (Assignments-I) Department; dated 29.8.2005.(8)GO.Ms.No. 674 Revenue (Assignments-I) Department; dated 8-6-2006.(9)From the Chief Commissioner of Land Administration, A.P., Hyderabad. Lr. No. B1/583/2007, dated 31-3-2007.(10)From the Chief Commissioner of Land Administration, A.P., Hyderabad. Lr. No. B1/2020/2007, dated 31-8-2007.(11)From the Chief Commissioner of Land

Administration, A.P., Hyderabad. Lr. No. B1/583/2007, dated 9-10-2007. Order In the G.Os first to sixth read above, Government have issued orders from time to time, for regularisation of encroachments by way of dwelling houses on Government lands situated in areas notified as Urban in 1991 census and in Industrial Township, stipulating certain conditions on payment of market value, provided the encroacher submits his application within the prescribed time, with a cut of date of encroachment on or before 31.3.1990.

2. Government, in the G.O. seventh read above have issued orders, formulating a Comprehensive scheme for regularization of encroachments by way of dwelling houses in Government lands, in supersession of the earlier orders issued in the G.Os. first to sixth read above, extending the time limit for regularization of residential and commercial purposes for a period of one year from 1-4-2005 to 31-3-2006, extending the date for receipt of fresh applications up to 31-12-2005.

3. The Government in the G.O, 8th read above have extended the time limit for regularization of the pending applications for a further period of one year from 1-4-2006 to 31-3-2007, with a permission to receive the new eligible applications till 30-9-2006.

4. During the process of regularization of unauthorized occupation of Government lands, it is noticed that the Government lands have had a chequered history. Policies governing the transfer of rights of Government lands are often found to be disjointed and do not appear to adequately address the variety of problems encountered in this regard. It appears expedient to set out a Policy containing the comprehensive guidelines in order to have uniformity in dealing with occupations in respect of these lands. The Policy viz., "The Andhra Pradesh Transfer of Rights to certain specified categories of occupants of Unassigned Government Lands Policy, 2008" is intended to provide a comprehensive set of guidelines regarding Transfer of Rights to certain specified categories of unauthorized occupants of Government lands, particularly in the context of long-standing occupation of smaller extents by members of the weaker sections, slum dwellers, low and middle income group people etc.

5. Accordingly, the Chief Commissioner of Land Administration, A.P., Hyderabad in his letters ninth to eleventh read above has submitted draft Policy for Transfer of Rights to certain specified categories of occupants of

Unassigned Government Lands, for orders of Government.

6. The Government, after careful examination hereby approve the Policy viz., "The Andhra Pradesh Transfer of Rights to Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008" and issue the following comprehensive set of guidelines for Transfer of Rights to certain specified categories of occupants of unassigned Government lands in the context of long-standing occupation of smaller extents by members of the weaker sections, slum dwellers, low and middle income group people etc., by way of structures or otherwise.

1. Short Title.

- This policy is called "The Andhra Pradesh Transfer of Rights to Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008."

2. Scope and Extent.

- This policy will govern Transfer of Rights to certain specified categories of occupants of unassigned Government lands. This policy shall supersede all existing G.Os and instructions pertaining to regularization of occupation of Government lands.

3. Types of Lands Covered.

- This policy shall cover Transfer of Rights to certain specified categories of occupants of Unassigned Government lands.

4. Definitions.

(a)Occupation:- The term "occupation" shall mean occupation on or before 31-12-2003 by way of a structure or otherwise.(b)Below Poverty Line (BPL) Persons:- A person shall be treated to be Below Poverty Line category, if he has a "White Ration Card".(c)Above Poverty Line (APL) Persons:- A person shall be treated to be from Above Poverty Line category, if he does not have a "White Ration Card" or a person who seek Transfer of Rights, in excess of 200 sq.yards.

5. Manner of establishing occupation.

- The manner of establishing occupation shall be by production of any of the following documents:(a)Registered document of purchase(b)Electricity connection(c)Construction permission from a Local Body/Competent Authority.(d)Receipt of payment of Property Tax.(e)Water Supply Connection Document.(f)Household Supply Card(g)Telephone Connection Document(Note : The

above mentioned documents must be in the name of the applicant.)

6. Date of occupation.

- Date of occupation shall be taken to be the earliest of the dates mentioned in the documents furnished under clause (5) above, in the name of the applicant.

7. Transfer of Rights.

- will be considered only for cases where applications in the prescribed format are filed before the District Collector concerned before the last date prescribed for receipt of such applications. (Format of application is appended to this order)

8. Last Date.

- prescribed for submission of applications is 30-6-2008.

9. Competent Authority for Transfer of Rights.

- [Tahsildars, R.D.Os/Sub-Collectors besides the District Collectors concerned are authorised to receive the applications for Transfer of Rights in respect of Unassigned Government Lands are conduct a detailed inspection through the Mandal/Divisional Authorities.] [Substituted by G.O.Ms.No. 997, Revision (Asn. Pot) Department , dated 8-8-2008.](i)applications for Transfer of Rights up to an extent of 250 Square Yards be scrutinized by the Committee at District level under the Chairmanship of District Collector and final orders of Transfer of Rights will be issued by the District Collector concerned duly following procedure as per the policy.(ii)applications for Transfer of Rights above 250 Square yards shall be sent to the Chief Commissioner of Land Administration, A.P., Hyderabad by the Collector. These proposals shall be scrutinized by the Committee constituted under the Chairmanship of Chief Commissioner of Land Administration, A.P., Hyderabad. The Chief Commissioner of Land Administration, A.P., Hyderabad shall issue orders for Transfer of Rights up to an extent of 500 Square Yards and the proposals above 500 Square Yards shall be sent to the Government.(iii)all the applications for Transfer of Rights above 500 Square Yards shall be sanctioned by the Government and orders will be communicated to Chief Commissioner of Land Administration, A.P., Hyderabad and Collector concerned for implementation.

10. General Disqualifications for Transfer of Rights.

- (i) All Transfer of Rights will have to be in conformity with applicable Acts & Rules.(ii)No Transfer of Rights shall be done in violation of A.P. Land Reforms (COAH) Act, 1973 and Urban Land (Ceiling & Regulation) Act, 1976.(iii)No Transfer of Rights shall be effected in respect of the following cases:(a)Sites affected under the alignment of Master Plan/Zonal Development Plan/Road Development Plan.(b)Constructions which have come up in "open spaces" of approved layouts.(c)Constructions made on alignment of Nalas, Sikhams, Water bodies, Grave yards,

Foreshore or FTL areas of drinking water tanks and treatment areas.(d)Constructions on sites earmarked for Townships.(e)Areas earmarked for treatment plants, Green belts, buffer zone etc.(f)Sites located in vicinity of heritage buildings.(g)Sites falling under the alignment of MRTS(h)Sites falling under MFL of rivers.(i)Constructions not in conformity with the provisions of the Master Plan.(j)Sites required for public purpose.(k)Lands, which in the opinion of the Committee are highly valuable and cannot be considered for Transfer of Rights.(l)Public foot paths.(iv)There shall be a Surcharge of 25% on the amount payable for Transfer of Rights of occupations in certain prime areas to be notified by Government.

11. General Norms regarding Transfer of Rights.

- (A) Calculation of Amount Payable: - The Transfer of Rights shall be effected on payment of the amount prescribed in the Matrix shown below:Matrix for determination of amount payable for Transfer of Rights for unauthorized occupation."B" = Basic Value. Basic Value shall be taken as on 31-12-2003.

Area (in Sq.Yards)		Above Poverty Line (APL)	Below Poverty Line (BPL)
			Alienable Non-alienable
1 to 80	B	0.25 B	Free of Cost
81 to 200	B	0.50 B	-
201 to 500	1.25 B	1.25 B	-
501 to 1000	1.5 B	1.5 B	-
1001 to 1500	2 B	2 B	-
1501 to 2000	3 B	3 B	-

Note: (i) the amount will be calculated on telescopic principle.(ii)Time Factor: Depreciation at 3% per annum, subject to a maximum depreciation of 75%. (No depreciation will be admissible for more than 25 years).(iii)The maximum area in respect of which Transfer of Rights can be effected is 2000 Sq.Yards. Lands in excess of this area shall be resumed to Government in accordance with law.(iv)Wherever the maximum area in respect of Transfer of Rights effected under this provision exceeds the ceiling limit prescribed for the respective Urban Agglomeration, such excess extent over and above the ceiling limit shall be exempted as a matter of policy under Section 20 (1) (a) of the Urban Land (Ceiling and Regulations) Act, 1976, simultaneously, While issuing orders of Transfer of Rights.(v)Government may exclude certain highly valuable lands from the operation of this policy by notification.(vi)In cases where there is a dispute between Government and private party/parties over the title/ownership of a piece of land or structure which is pending in either Land Grabbing Court or High Court or in other Courts and if the party comes forward with a request for Transfer of Rights, the same shall be considered subject to condition that the case in the Court shall be withdrawn and the party/parties gives an undertaking to pay the amount as fixed by the Government for Transfer of Rights of such lands.(B)Transfer of Rights in respect of Below Poverty Line (BPL) families shall be done in the following manner: -(i)Issuance of assignment patta (with prohibition of alienation) for the land, on free of cost.orAllotment order (with right to alienate the land) on payment of an amount equal to that shown in the matrix above.(ii)In case of Transfer of

Rights by an allotment order, the Collector concerned shall execute a Deed of Conveyance in favour of the allottee. Registration and Stamp Duty shall be paid by the allottee.(iii)Transfer of Rights in case of encroachment shall be done only in the name of one member of the family (with reference to the name in the document produced).(iv)A person who seeks Transfer of Rights for an extent in excess of 200 Sq.Yards shall be deemed to be from the Above Poverty Line (APL) Category.(C)Transfer of Rights in respect of Above Poverty Line (APL) families shall be done in the following manner:(i)Allotment Orders (with right to alienate the land) on payment of an amount equal to what is given in the Matrix above.(ii)The Collector concerned shall execute a Deed of conveyance in favour of the allottee. Registration and Stamp Duty shall be paid by the allottee.(iii)Transfer of Rights in case of encroachment shall be done only in the name of one member of the family (with reference to the name in the document produced.)(iv)Pro-rata charges as applicable towards layout fees, building approval and betterment shall have to be paid unless already paid.

12.

All other unassigned Govt. lands shall be resumed to Government for public purpose:

13. [[Substituted by G.O.Ms.No. 1174, Revenue (Asn.Pot) Department , dated 6-10-2008.]

The payment of amount as determined by the Competent Authority will be made in four monthly instalments from the date of issue of Transfer of Rights order.]

14.

In the case of a Co-operative Society, the application for Transfer of Rights can be done by Society or by an individual member.

15.

The Basic Values shall be taken as on 31-12-2003 for calculating as per the Matrix above.

7. The Chief Commissioner of Land Administration, A.P., Hyderabad is requested to issue suitable instructions to all the District Collectors in the State for implementation of the Policy Guidelines viz., "The Andhra Pradesh Transfer of Rights to Certain Specified Categories of Occupants of Unassigned Government Lands Policy, 2008", immediately.

8. This order issues with the concurrence of Finance (Exp. Revenue) Department vide their U.O No.002/Fin.Exp.Rev./2008 dated 18-1-2008.

Format(Appendix to G.O.Ms.No. 166 Revenue (Assignments.POT) Department dated 6-02-2008)Application for Transfer of Rights to Certain Specified Categories of Unassigned Government Lands Occupied Unauthorisedly in Terms of G.O.Ms.No. 166 Revenue (Assignments. Pot) Department, dated: 16-02-2008.

1. Name of the occupant :
2. Father's/Husband's Name :
3. Present Residential Address :
4. Details of the Unassigned Govt. land occupied by Encroachment :
 - (a) Survey No., Village/ Ward No. :
 - (b)Extent of land occupied. :
 - (c)Date from which occupied. (Proof to be produced) :
 - (d)Nature of occupation :
 - (i) Area covered by Residential &Structure. :
 - (ii) Open Area. :

(Note: Enclose any one of the documents mentioned at para 5 of the GO in support of : above Encroachment.)

5. Particulars of Notices, if any received by the occupant from the Competent Authorities :
6. Details of Proceedings pending against the applicant under the Land Encroachment Act or under Land Grabbing (Prohibition) Act :
7. Details of Civil dispute pending if any, in any Court of Law. :
8. In case of Below Poverty Line (BPL) People, shall produce a Xerox Copy of the White Ration Card for claiming benefit under this scheme. :

Declaration IS/o./H/o. Sri/Smt. declare that the information furnished above is correct. I am willing to get transfer of Rights to my possession on free of cost/by paying the basic value as per the Matrix as on 31-12-2003 as fixed by the Competent Authority under G.O.Ms.No. 166 Revenue (Assn. POT) Department, dated 16-02-2008. Place: Date: Signature (Name in Block Letters)

2. Government lands - Transfer of Rights on certain occupations/encroachments of specified categories of Unassigned Govt. lands situated in the State by way of structures or otherwise, on payment

basis - Policy Guidelines framed - Notification of some more Prime value areas in Ranga Reddy District under the provisions of Para 6 (10) (iv) of GO. Ms. No. 166 Revenue (Asn. POT) Department dated 16-2-08 - Orders - Issued.

[G.O.Ms.No. 1252, Revenue (ASSN.POT) Department, dated 30-10-2008]Read the following:(1)G.O. Ms. No. 166 Revenue (Asn. POT) Department. dated 16.2.08.(2)G.O. Ms. No. 1229 Revenue (Asn. POT) Department dated 23.10.2008.(3)G.O. Ms. No. 1230 Revenue (Asn. POT) Department dated 23.10.2008.(4)From the Collector, Ranga Reddy District Lr. No. E5/1400 dated 25.10.2008.Order:In continuation of the orders issued in the G.O. 2nd read above, Govt. under the provisions of Para 6 (10) (iv) of G.O. 1st read above, hereby notify the following areas of the Ranga Reddy District as Prime Value areas.

Sl. No.	Name of the Mandal	Name of the Village (Area)
1.	Rajendranagar	1. Manikonda
2.	Puppalaguda	
2.	Balanagar	1. Kukatpally
2.	Hydernagar	
3.	Serilingampally	1. Raidurg Panmaqta
2.	Raidurg Paigah	
3.	Miyapur	
4.	Gachibowli	
5.	Kancha Gachibowli	
6.	Kondapur	
7.	Madhapur	
8.	Guttala Begumpet	
9.	Khanammet	

2. Regarding 100 Feet Roads, it is clarified that the orders issued in GO. 3rd read above are applicable to all the areas / villages in all the Districts of the State, irrespective of the value of the area / village.

3. The Spl. C.S & Chief Commissioner of Land Administration, A.R, Hyderabad / Collector, Ranga Reddy District shall take necessary further action in the matter.

3. Unassigned Government lands - Transfer of Rights on certain occupations / encroachments of specified categories of Unassigned Govt. lands situated in the State by way of structures or otherwise, on payment basis - Policy Guidelines framed - Notification of High value areas in terms of (Note-v) of Para 6 (11) (A) of GO. Ms. No. 166 Revenue (Asn. POT) Department dated

16-2-08 - Further Orders - Issued.

[G.O.Ms.No. 1230, Revenue (ASSN.POT) Department, dated 23-10-2008]Read the following:G.O. Ms. No. 166 Revenue (Asn. POT) Department. dated 16.2.08.Order:In the G.O. read above, orders have been issued framing certain guidelines for Transfer of Rights on certain occupations / encroachments of specified categories of Unassigned Government lands situated in the State by way of structures or otherwise, on payment basis.

2. Govt. after careful consideration of the provision made under (Note-v) of Para 6 (11) (A) of G.O. Ms. No. 166 Revenue (Asn. POT) Department dated 16-2-08 regarding High Value areas, hereby order that:

(a)if the Unassigned Govt. land abutting the 100 Feet Roads in all the Districts of the State is encroached or under occupation prior to 31.12.2003 and the District Collector is of the view that such lands are required for public purpose, those lands shall be notified as High Value Areas. Regularisation, if any, in respect of such identified lands for transfer of rights need not be considered as per guidelines.(b)if the occupied area is covered by buildings or structures on Unassigned Govt. land abutting 100 Feet Road, such lands shall be regularized subject to payment of double the rates.

3. All other conditions laid down in the G.O. read above shall hold good.

4. The Spl. C.S & Chief Commissioner of Land Administration, A.P., Hyderabad/all District Collectors in the State shall take necessary further action in the matter.

4. Unassigned Government lands - Transfer of Rights on certain occupations/encroachments of specified categories of Unassigned Govt. lands situated in the State by way of structures or otherwise, on payment basis - Policy Guidelines framed - Notification of Prime value areas in Ranga Reddy District under the provisions of Para 6 (10) (iv) of G.O. Ms. No. 166 Revenue (Asn. POT) Department dated 16-2-08 - Orders - Issued.

[G.O.Ms.No. 1229, Revenue (ASSN.POT) Department, dated 23-10-2008]Read the following:(1)G.O. Ms. No. 166 Revenue (Asn. POT) Department. dated 16.2.08.(2)From the Collector, Ranga Reddy District Lr. No. E5/1400 dated 25.10.2008.(3)From the Collector, Ranga Reddy District Lr. No. E5/1400 dated 25.10.2008.Order:In the G.O. 1st read above, orders have been issued framing certain guidelines for Transfer of Rights on certain occupations / encroachments of specified categories of Unassigned Government lands situated in the State by way of structures or otherwise, on payment basis.In the circumstances reported by the Collector, Ranga Reddy District in his letters 2nd and 3rd read above, after careful consideration of his proposals,

Govt. under the provisions of Para 6 (10) (iv) of G.O. Ms. No. 166 Revenue (Asn. POT) Department. dated 16-2-08, hereby notify the following areas of the Ranga Reddy District as Prime Value areas.

Sl. No.	Name of the Mandal	Name of the Village (Area)
1.	Rajendranagar	1. Narsingi
2.Kokapet		
3.Bandlaguda		
4.Hydershakote		
5.Peeramcheruvu		
6.Neknampur		
7.Budvel		
8.Upperpally		
9.Attapur		
2.	Balanagar	1. Bagh Ameer
2. Hasmathpet		
3. Moosapet		
4.Allapur		
5.Begumpet		
3.	Uppal	1. Kothapet
2. Nagole		
3. Uppal Khalsa		
4. Uppal Bagath		
5. Habsiguda		
6. Nacharam		
4.	Qutubullapur	1. Nizampet
2. Bachupally		
3. Bowrampet		
4. Dundigal		
5. D.P. Pally		
6. Doolapally		
7. Bahadurpally		
(GHMC LIMITS)		
1.Jeedimetla		
2.Suraram		
3.Gajularamaram		
4.Qutubullapur		
5.	Malkajgiri1.	1. Malkajgiri
2. Alwal		

3. Kowkur

6. Serilingampally 1.Gopannapally

2.Izzatnagar

3.Khajaguda

4.Chandanagar

5.Maktha Mahaboobpet

The Spl. C.S & Chief Commissioner of Land Administration, A.P., Hyderabad/Collector, Ranga Reddy District shall take necessary further action in the matter.

5. Government lands - Policy Guidelines issued for Transfer of Rights on certain occupations/encroachments of specified categories of Unassigned Government Lands situated in the State by way of structures or otherwise, on payment basis - Extension of date for submission of applications in respect of Below Poverty Line (BPL) families up to 31.12.2011

[G.O.Ms.No. 658, Revenue (ASSN. POT) Department, dated 20-06-2011]Read the following:(1)G.O.Ms.No.166, Revenue (Assn.POT) Department, dated: 16.02.2008.(2)G.O.Ms.No.810, Revenue (Assn.POT) Department, dated: 28.06.2008.(3)G.O.Ms.No.1070, Revenue (Assn.POT) Department, dated: 30.08.2008.(4)G.O.Ms.No.257, Revenue (Assn.POT) Department, dated: 29.03.2010.(5)G.O.Ms.No.258, Revenue (Assn.POT) Department, dated: 29.03.2010.(6)G.O.Ms.No.1348, Revenue (Assn.POT) Department, dated: 09.11.2010.(7)From the Special Chief Secretary & Chief Commissioner of Land Administration, AP, Hyderabad, Ref No.B1/2020/2007, dated: 05.03.2011.Order:In the G.O. first read above, orders were issued for Transfer of Rights to certain specified categories of occupants of Unassigned Government Lands, in the context of longstanding occupation of smaller extents by members of the weaker sections, slum dwellers, low and middle income group people etc., by way of structures or otherwise, on or before 31.12.2003. The last date prescribed for submission of applications was 30.06.2008.

2. Further, Government in the reference 2thl read above, extended the last date for submission of applications, for a period of (2) months beyond 30.06.2008 i.e. up to 31.08.2008.

3. Again Government in the reference 3rd read above, extended the last date for submission of applications for a further period of (1) one month beyond i.e. up to 30.09.2008.

4. Government in the reference 4th read above, extended the last date for submission of applications in respect of Below Poverty line (BPL) families (i.e. who are in occupation & possession up to 80 Square yards only) beyond

30.09.2008, i.e. from 01.10.2008 up to a period of three (3) months from the date of issue of the orders.

5. Again, Government in the reference 6th read above, extended the last date for submission of applications for regularization, as per guidelines laid down in G.O.Ms.No.166, Revenue (Assn.POT) Department, dated: 16.02.2008 in respect of Below Poverty line (BPL) families only viz., those who are in occupation of not more than 80 Sq. Yards and are in possession of White Ration Cards issued in the year 2006, up to 31.12.2010.

6. Now, it has come to the notice of the Government that most of the poor people could not apply for regularization of the house sites as per guidelines laid down in G.O.Ms.No. 166 due to lack of knowledge and information.

7. In the reference 7th read above, the Special Chief Secretary & Chief Commissioner of Land Administration, AP, Hyderabad has requested the Government to take a decision for extension of time for submission of applications as per guidelines laid down in G.O.Ms.No.166 for another period of 4 months i.e., from 01.01.2011 to 30.04.2011 for BPL families i.e., up to 80 Square Yards for regularization.

8. Government examined the matter in detail and decided to extend the time up to 31.12.2011 (December 31th 2011) for submission of applications for regularization as per guidelines laid down in G.O.Ms.No.166, Revenue (Assn. POT) Department, dated: 16-02-2008 in respect of the BPL families only viz. those who are in occupation of not more than 80 Sq. yards and are in possession of White Ration Cards issued in the year 2006, for the benefit of those who have not applied so far due to lack of knowledge or information.

9. The Special Chief Secretary & Chief Commissioner of land Administration, AP, Hyderabad/all District Collectors are requested to take necessary steps for giving wide publicity of the policy and extension of the date of submission of applications to the category mentioned in the above paragraph, through Print and Electronic media, in consultation with the Commissioner, Information & Public Relations to enable the public to utilize the facility to the largest extent possible.

10. The Special Chief Secretary & Chief Commissioner of land Administration, AP, Hyderabad/all the District Collectors shall take necessary action in the matter.