

The District Judge will be the judge of the Land Survey Appellate Tribunal for settlement of land disputes. Apart from this, if necessary, the government can appoint senior assistant judges or assistant judges to settle cases of land survey tribunal. The State Acquisition and Tenancy (Amendment) Act, 2023 brought these changes on Tuesday (July 11), 2023. Details of the Act are going to be elaborated hereinafter.

Changes brought by State Acquisition and Tenancy (Amendment) Act, 2023:

Formerly, as per section 145A of the SAT Act judges of Land Survey Tribunals were to be appointed by the government in consultation with the Supreme Court. Now, new sub-sections 3A, 3B & 3C have been added to section 145A. Accordingly, the government can give judicial powers to the Joint District Judges of the Land Survey Tribunal until such judges are appointed (Sub-section 3B). Again, the Joint District Judge empowered under sub-section (3A) shall be deemed to be the judge of the Land Survey Tribunal appointed under sub-section (3) (Sub-section 3B). That means the government can now appoint judges to the Land Survey Tribunal without consulting with the Supreme Court. Furthermore, a new provision has been added that the government can also appoint one or more senior assistant judges or assistant judges as judges of the tribunal to dispose of the cases transferred from the land survey tribunal (Sub-section 3C). In addition to these, Sub-section 7A has also been added to section 145A to specify the time limit for the disposal of suits pending before the Land Survey Tribunal. As per the provision, a Land Survey Tribunal shall conclude the trial of a suit within 180

(one hundred and eighty) days from the date fixed for its final hearing.

Again, the Judge of the Land Survey Appellate Tribunal had been a Justice or former Justice of the High Court Division of the Supreme Court. But, due to difficulties in appointment of judges in the Appellate Tribunals as well as the slow trial procedure, people seeking justice through these tribunals have not realized the desired results. Thus, it had been hampering people's access to justice. But, sub-section 3 of section 145B has been amended that the District Judge will be appointed by the Government as the judge of the Land Survey Appellate Tribunal. Additionally, sub-sections (3A), (3B) and (3C) have been added after sub-section 3 of section 145B. Sub-sections (3A), (3B) and (3C) reads with thus:

“(3A) Until such judge is appointed under sub-section (3), the Government may empower the District Judge as the judge of the Land Survey Appellate Tribunal of the district.

(3B) The District Judge, empowered under sub-section (3A), shall be deemed to be the judge of the Land Survey Appellate Tribunal appointed under sub-section (3).

(3C) The Government may, if necessary, appoint one or more Additional District Judges as a judge of the Land Survey Appellate Tribunal to hear appeals transferred by the judge of the Land Survey Appellate Tribunal appointed or empowered under this section.”

However, in order to eliminate the long process in settling the cases pending before Land Survey Tribunal and Land Survey Appellate Tribunal and to ensure access to justice for the people, the initiative has been rightly taken to amend the law and executed thus successfully.