

Andhra Pradesh (Secunderabad Area) Land Administration Rules, 1976

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-SECUNDERABAD-AREA-LAND-ADMINISTRATION of 1976

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Andhra Pradesh (Secunderabad Area) Land Administration Rules, 1976Last Updated 26th October, 2019In exercise of the powers conferred by Section 172 of the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317 Fasli (Act VIII of 1317 Fasli) and in supersession of the Secunderabad Land Administration Rules of 1355 Fasli, the Governor of Andhra Pradesh hereby makes the following rules.

1. Short title, extent and commencement.

(1)These rules may be called the Andhra Pradesh (Secunderabad Area) Land Administration Rules, 1976.(2)They shall apply to the lands specified in Schedule A .(3)[They shall be deemed to have come into force on and from the date on which they are published in the Andhra Pradesh Gazette. All leases granted under Secunderabad and Aurangabad Cantonment Land Administration Rules, 1930 and Secunderabad Land Administration Rules, 1355 Fasli, or under any other rules, Regulations or, orders of Government, shall be deemed to have been granted under these rules subject, however, to the covenants and conditions subject to which they were granted.

2. Definitions.

- In these rules, unless the context otherwise requires,(a)Estates Officer means an Officer appointed by the Government under these rules to administer the lands mentioned in Schedule "A".(b)market value means the price which the land would fetch if sold in the open market and arrived at on the basis of registered sale deeds of similar land in the vicinity or by conducting local

enquiry.(c)municipal corporation means the Hyderabad Municipal Corporation constituted under the Hyderabad Municipal Corporation Act, 1955; (Hyderabad Act II of 1956);(d)Schedule means the Schedule appended to these rules.

3. Preparation of general land register.

- The Estate Officer shall prepare and maintain a general land register for the lands in the manner as prescribed in Schedule "B".

4. Register of Mutations.

- The Estates Officer shall maintain a Register of mutations in the manner as prescribed in Schedule "C" and shall record.(i)Every grant of right or interest in the lands mentioned in Schedule "A" made by the competent authority under these rules.(ii)every transfer of such right or interest sanctioned by the competent authority, on application, report an information, after conducting due enquiry under these rules; and(iii)every alteration in the plan or elevation of the structures thereon and every sub division, sanctioned by the competent authority under these rules.

5. Classification of lands.

- The lands mentioned in Schedule "A" situate in the Secunderabad Division of the Municipal Corporation of Hyderabad shall be classified as follows for the purpose of general land register.

6. Transfer of land from one class to another.

- No change in the classifications of land under Rule 5 shall be made except under the orders of the Government.

7. Management of lands.

(1)Lands under the occupation of Government Departments shall be managed by the concerned Departments.(2)All vacant lands in Class "A" reserved for the occupation of the Departments of the State or Central government or for the use of Institutions or Corporations owned or controlled by these Governments and lands in Class "B" shall be managed by the Estates Officer.(3)All lands in Class "C" shall be managed by the Municipal Corporation.

8. Reservation of lands for occupation of Government Departments etc.

- Lands in Class "A" shall be used only for occupation of Department of the State or the Central Government or for Institutions or Corporations owned or controlled by these Governments.

9. Disposal of lands in Class "B".

- All vacant lands in Class "B" shall be made into plots, taking into consideration the purposes, either commercial or dwelling, for which they can conveniently be put to use. The Estates Officer, after obtaining the approval of the Municipal Corporation and Hyderabad Urban Development authority and after considering the needs of other Departments, may put up for sale, in public auction, such plots which can be put to use for commercial purposes and submit proposals for assignment, on payment of market value of such plots which can be put to use for dwelling purposes only in favour of individuals or Associations, Institutions, Societies, Companies or Corporations registered under the relevant Acts or incorporated by an Act of Parliament or of any State Legislature.

10. Authority competent to confirm the auction sales or assignment.

- The Commissioner of land Revenue shall be the authority competent to confirm auction sale or to assign the land where the bid amount or the market value of the land covered by the auction sale or assignment, as the case may be, does not exceed Rs.25,000 . In all other cases orders of the Government shall be obtained. The authority competent to confirm auction sale or assign may at its discretion, confirm or cancel the auction sale, order reduction or reject the proposals for assignment.

11. Notice of auction.

- A notice of sale by public auction shall be issued by the Estates Officer in the form in Schedule "D" atleast thirty days prior to the date fixed for auction and the same shall be published in the Office of the Estates Officer, Collector s Office, Hyderabad, Divisional Officers and Taluk Offices located within the limits of the Municipal Corporation, Office of the Municipal Corporation and also in the local News Papers.

12. Submission of proposals for confirmation.

- The Estate Officer shall, on completion of the auction sale proceedings, submit proposals to the Commissioner of Land Revenue together with the connected records, for confirmation of the auction sale or for obtaining orders of the Government.

13. Applications for assignment.

- Every application for assignment of land under these rules shall be made to the Estates Officer in the form in Schedule "E" furnishing full description and extent of the land and the purpose for which the land is required together with a ground plan.

14. Processing of applications.

- The Estates Officer shall, on receipt of such applications for assignment of lands, cause verification of the particulars furnished in the applications, ascertain the requirements of other Departments of Government, fix the market value, obtain the approval of the Municipal Corporation and submit the proposals to the Commissioner of Land Revenue for assignment together with the connected records, if in his opinion, the land is available for assignment to the applicant.

15. Estates Officer to receive sale amounts or market value and to execute sale deeds.

- The Estates Officer shall be the authority competent to execute the sale deed in the form in Schedule "F" on behalf of the Governor of Andhra Pradesh in favour of the successful bidder or assignee, as the case may be, after the receipt of the confirmation of sale or assignment orders and after receiving the sale amount or market value in full.

16. Authority competent to sanction renewals and execution of lease deeds.

- The Commissioner of Land Revenue shall be the authority competent to sanction renewal of leases and the Estates Officer shall be the authority competent to execute lease deeds on behalf of the Governor of Andhra Pradesh.

17. [Applications for renewal. [Substituted by Notification No. G.O.Ms. No. 177, dated 15.2.2006.]

- Every application for renewal of lease, shall be made to the Estate Officer before two months from the date of expiry of the lease period. The authority competent to renew the lease may, however, condone the delay in making the applications for renewal of the lease on collecting late fees as fixed by the C.C.L.A. If no such application is filed within one month from the date of expiry of the lease, the lease is deemed to have been expired on the date of the expiry of the lease, and the Government shall resume the land after giving intimation to the lessee.]

18. Sanction of renewals.

- The Estates Officer shall, after causing verification of such application for renewal of lease and after satisfying himself that there is no breach of covenants or conditions under which they were granted, submit the proposals for sanction of renewal to the Commissioner of Land Revenue.

19. [Term of lease and enhancement of rent. [Substituted by Notification No. G.O.Ms. No. 578, dated 21.9.2002.]

- The renewal of lease may be granted only for a term of five years in case of leases for residential

purpose and three years for commercial purpose and at the time of every renewal the lease rent shall be 3% and 5% of the current basic value in case of leases for Residential and Commercial purposes respectively.]

20. Breach of covenants and conditions.

- The Estates Officer shall cause periodical inspection of all lands covered by the leases and shall submit proposals to the Government through the Commissioner of Land Revenue for the termination of the leases without any compensation whatsoever, if, in his opinion, there has been any breach of covenants and conditions by the lessee or by the persons claiming through or under them.

21. powers of Government to determine the leases without compensation.

- The Government reserve to themselves the right,(i)to terminate any lease for breach of covenants and conditions under which they were granted without payment of any compensation whatsoever; and(ii)to resume possession of any land granted on lease or any portion thereof at any time upon giving three calendar month s previous writing in that behalf to the lessee under the hand of the Estates Officer and upon paying to the lessee compensation for such erections and buildings construct or erected under proper authority and standing on the land. If there is any dispute as to the amount of such compensation, the same shall be referred to the District Collector, Hyderabad, whose decision shall be binding upon the lessee.

22. Powers of Commissioner of Land Revenue.

- The Commissioner of land Revenue shall be the authority competent to sanction transfer of rights and interests in and sub division of the lease hold lands, alternation in the plans or elevations of the structures thereon, and to Permit the lessees to the structures for a purpose other than for which they were originally granted.

22A. [Power to levy Penalty. [Substituted by Notification G.O.Ms. No. 1768, dated 6.10.2005.]

- Cases of letting out portions by the resident lessee without permission of the competent authority be levied a penalty of Rs. 500/- per Sq. Yard subject to minimum of Rs. 10,000/- (Rupees Ten Thousand only) for Residential Purpose and Rs. 100/- per Sq. Yard subject to minimum of Rs. 20,000/- (Rupees Twenty Thousand only) for Commercial purpose per year.]

23. Disposal of amounts realized.

- The amount realised on the disposal of lands under these rules shall be credited to the funds of the Housing Board by way of Government grants. The Housing Board is authorised to receive the rents due on lands granted on lease.

24. General powers of Government.

- Notwithstanding anything in the rules, the Government may assign any land belonging to them free of value in favour of any Association, Society, Company and corporation registered under the relevant Acts or incorporated by an Act of Parliament or of any State Legislature.