

GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
DISPUR, GUWAHATI-06

No: RRG.12/2012/pt/2

Dated Dispur the 31st October, 2017

Office Memorandum

Subject:- Declaration of Services under Revenue and DM Department as per provision of the Section 4 of the Assam Right to Public Services Act, 2012.

With a view to provide the delivery of public service to the eligible citizens within stipulated time limit the following service of Revenue and Disaster Management Department has been identified as notified service under section 4 of the Assam Right to Public Services Act, 2012.

Issuance of No Objection Certificate for Reclassification of land and Reclassification cum Transfer

An important service which is provided by the Deputy Commissioner for reclassification of land / reclassification cum transfer under The Assam Agricultural land(Regulation of Reclassification and transfer for non-agricultural purpose)Act, 2015.

Eligibility Criteria

Only patta holders can apply for reclassification and reclassification cum transfer. Applicants can be multiple co pattadars of same patta. In one application, applicants can apply for a single patta only. Multiple patta is not allowed in one application. No power of attorney holder can apply. There can be only one land schedule for same patta and multiple dags. No part dag area is allowed to reclassify. In case of part reclassification the part must be partitioned in Dharitree and only then NOC for reclassification / and reclassification cum transfer can be obtained. This is applicable for land above 1(one) bigha.

.Procedure

1. Any owner of agricultural land who intends to reclassify or reclassify-cum-transfer agricultural land for non-agricultural purpose shall make an application to the Deputy Commissioner under whose jurisdiction the agricultural land is situated giving full particulars of his land and justification of the proposed reclassification or reclassification-cum-transfer .
2. An application of this section shall be accompanied by an affidavit duly sworn in by the owner of the land to the effect that the land proposed for reclassification or reclassification-cum-transfer shall be put to the permitted non-agricultural purpose within the stipulated period.
3. The Deputy Commissioner shall call for a report from the Circle Officer concerned immediately under whose jurisdiction the agricultural land or a part thereof is situated and after making such enquiries including field enquiries as may be necessary, the Circle Officer shall submit a report to the Deputy Commissioner with his recommendation within fifteen days from the date receipt of

the order of the Deputy Commissioner calling for his report, in such form and manner as may be prescribed.

4. The Deputy Commissioner shall accord an in-principle approval or deny approval altogether for allowing reclassification or reclassification-cum-transfer as the case may be, within 30 (thirty) days of the receipt of the recommendations of the Circle Officer and while doing so shall take the opinion of a District Level Committee headed by himself with officials drawn from relevant district line departments as may be prescribed and/ or take such expert advice that may be deemed necessary for arriving at a decision.

Before issuing an in-principle approval the Deputy Commissioner shall take the prior concurrence of the concerned Local Authority under whose jurisdiction the agricultural land falls with regard to the proposed non agricultural activity with the prevailing rules or regulations or byelaws of the Local Authority.

5. Once the in-principle approval for reclassification or reclassification-cum-transfer is accorded, it shall be mandatory on the part of the owner to remit the prescribed Reclassification Premiums specified under section 6 within 30 (thirty) days from the date of receipt of the approval.

Provided that the Deputy Commissioner, for valid reasons may extend the time for the payment of the Reclassification premium for another 30 (thirty) days and during the interim period if the minimum zonal value of land in the area where the said land is located is enhanced, then the owner shall pay the Reclassification Premium as assessed on such enhanced minimum zonal value of land.

6. The owner shall furnish the receipt or challan of payment of the Reclassification premium at the rate as specified under section 6 to the Deputy Commissioner who on being satisfied, shall issue a No Objection Certificate (NOC) in turn, for reclassification or reclassification-cum-transfer, as the case may be, and the Circle Officer shall reclassify such agricultural land into appropriate non-agricultural class and make necessary entries in the land records and where the land is meant for reclassification-cum-transfer, the Registrar of Land Registration shall register the Deed of Transfer after the reclassification by the Circle Officer.
7. In case if the total area intended to be reclassified-cum-transferred is above 50 bighas, the Deputy Commissioner shall send the proposal to Govt and shall accord his in-principle approval only after getting approval of Government in the Revenue Department .

Documents to be annexed as per Application

1. Court Fee
2. Photograph of Buyer and Seller.
3. Declaration of Consideration. In case of Flat value of both Flat area and apportionment of Land.
4. Up-to-date Revenue Receipt (Khajana Rashid)

5. Citizenship of Purchaser (Certified copy of Voter list/ Passport etc.).
6. Land Patta (if available).
7. Affidavit of Buyer and Seller or Power of Attorney Holder.
8. Photo ID of Buyer and Seller.
9. Power of Attorney Copy (if the Seller is a Attorney Holder)
10. Pattadar to submit affidavit in favour of POA Holder.
11. Authority/ NOC of Co-partner in case of flat.
12. NOC from Co-pattadar.
13. GMC/GMDA/Municipality/ Town Committee receipt/ occupancy certificate in case of flat.
14. PAN/ TAN Card.

User Charge: Rs.(a) Up to first 3 Bighas : @ Rs 2000/(Rupees two thousand only).

(b) More than 3 Bighas up to 10 Bighas : @Rs 50/(Rupees fifty only)per additional bigha.

(c) More than 10 Bighas up to 50 Bighas : @Rs 100/(Rupees one hundred only) per additional bigha.

(d) Above 50 bighas :@ Rs 150/(Rupees one hundred fifty only) per additional bigha.)

Citizen Charter: At Appendix-A

Form: At Annexure-I

sd/-

Commissioner & Secretary to the Govt. of Assam,
Revenue & D.M. Department.
Dispur, Guwahati- 6.

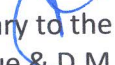
Memo No: RRG.12/2012/pt/2-A

Dated Dispur the 31st October, 2017

Copy for information and necessary action to:-

- 1) The Chairman, Assam Board of Revenue, Panbazar, Guwahati-1.
- 2) The Principal Secretary to the Autonomous Council (KAAC/ DHAC/ BTC)
- 3) All Commissioner of Divisions.
- 4) The Director of Land Records & Surveys etc., Assam, Rupnagar, Ghy-32.
- 5) The Inspector General of Registration, Assam, Rupnagar, Ghy-32.
- 6) Deputy Commissioner (All Districts)/ Settlement Officers.
- 7) The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Ghy-32.
- 8) All Sub-Divisional Officers (Civil).
- 9) All Circle Officers.
- 10) All Sub-Registrars.

By order etc.,


Deputy Secretary to the Govt. of Assam
Revenue & D.M. Department
Dispur, Guwahati-6.

Citizen Charter

Appendix-A

| Sl. No | Certified public service | Designation of the designated public servant | Stipulated time limit for providing the service. (in days) | Designation of the Appellate Authority | Time limit for disposal by the Appellate Authority | Designation of Reviewing Authority | Time limit for disposal by the Reviewing Authority | Documents to be enclosed along with the Application for issuance of No Objection Certificate | Users Charge |
|--------|--|---|---|--|--|---|--|---|--|
| 1 | Issue of No Objection Certificate for reclassification and reclassification cum transfer | Deputy Commissioner/ to be nominated by Deputy Commissioner | Total 30 days if no objection is filed. (10 days for Circle Officer, 10 days for LM & 10 days for DC Office) | Commissioner of Divisions | Thirty days | Revenue & DM Department, Govt. of Assam | Thirty days | <ol style="list-style-type: none"> 1. Court Fee 2. Photograph of Buyer and Seller 3. Declaration of Consideration. In case of Flat area and apportionment of Land 4. Up-to-date Revenue Receipt (Khajana Rashid). 5. Citizenship of Purchaser (Certified copy of Voter list/passport etc.) 6. Land Patta (if available) 7. Affidavit of Buyer and Seller or Power of Attorney Holder. 8. Photo ID of Buyer and Seller. 9. Power of Attorney copy (if the Seller is a Attorney Holder). 10. Pattadar to submit affidavit in favour of POA Holder. 11. Authority/NOC of Co-partner in case of flat. 12. NOC from Co-pattadar. 13. GMC/GMDA/Municipality/Town Committee receipt/occupancy certificate in case of flat. 14. PAN/TAN Card. | <p>(a) Up to first 3 Bighas: @ Rs 2000/(Rupees two thousand only).</p> <p>(b) More than 3 Bighas up to 10 Bighas : @Rs 50/(Rupees fifty only)per additional bigha.</p> <p>(C) More than 10 Bighas up to 50Bighas @ Rs 100/(Rupees hundred) per additional bigha.</p> <p>(d) Above 50bighas @ Rs 150 (one hundred fifty only) per additional bigha.</p> |

Annexure-I

Application for NOC for Reclassification / Reclassification-cum-transfer.

1. Name of purchaser / transferee (in Assamese) :
2. Fathers name of purchaser / transferee (in Assamese) :
3. Mother name of purchaser / transferee (in Assamese) :
4. Gender :
5. Present Address of Purchaser/ transferee :

| | |
|-----------------|---------------------|
| House No./Road: | Village/ Locality: |
| City/ Town : | PIN : |
| Contact No.: | email ID : |
| PAN/TAN No: | Adhar No.(if any) : |
6. Permanent Address of Purchaser/ transferee

| | |
|-----------------|---------------------|
| House No./Road: | Village/ Locality: |
| City/ Town : | PIN : |
| Contact No.: | email ID : |
| PAN/TAN No: | Adhar No.(if any) : |
7. Basic details of land for re-classification/ reclassification-cum-transferee:

| | |
|--------------------------|---|
| Type of reclassification | |
| Name of district | : |
| Name of Sub-Division | : |
| Name of Circle | : |
| Name of Mouza | : |
| Name of Village | : |
| Dag No. | : |
| Class of land | : |

Area of Land to be reclassified :

Boundary of proposed plot of land :

If land proposed allotted / settled/

Converted to PP(date of court order):

Duration of allotment/settlement/

conversion of the proposed land :

If land revenue has been paid in full (attach proof)

If the land proposed has been mortgaged

for any purpose, details thereof (attach proof)

Is there any recorded tenant in the applied land

Is the consent of the tenant obtained (attach proof)

If the consent of the co-pattadar obtained, Name

of co-pattadar (attach proof)

Specify the purpose for which land is reclassified

If the land proposed to be sold /transferred/ reclassified

falls in Tribal belt / block.

Is the land unfit for cultivation

Has the land not been under cultivation during last

10 years

If affidavit regarding establishment of proposed

non agricultural activity within stipulated period

(attach copy of affidavit in from – 3)