

## **ANDHRA PRADESH AGRICULTURAL LAND (CONVERSION FOR NON-AGRICULTURAL PURPOSES) RULES, 2006**

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## **ANDHRA PRADESH AGRICULTURAL LAND (CONVERSION FOR NON-AGRICULTURAL PURPOSES) RULES, 2006**

<sup>1</sup> RS. to Part-I (Ext) AP.Gaz. dt 27-10-2006. In exercise of the powers conferred by sub-section (1) of Section 14 of the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006 A.P.Act No. 3 of 2006), the Government of Andhra Pradesh hereby makes the following rules, namely:-

### **1. Short title :-**

These rules may be called the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Rules, 2006.

### **2. Definition :-**

In these rules unless the context otherwise requires:-

(a)'Act' means the Andhra Pradesh Agricultural Land (Conversion for Non-Agricultural Purposes) Act, 2006;

(b)'form' means the form appended to these rules;

(c)'Basic Value' means the land value entered in the Basic Value Register notified by Government from time to time and maintained by the Sub-Registrar.

### **3. Procedure for Application for Conversion :-**

(i) The application for conversion of the Agriculture land for Non-

Agriculture purposes shall be made in the form at Annexure-'A'.

(ii) Nonces for payment of deficit conversion fee shall be in the form at Annexure-'B'.

(iii) The permission for acceptance of application shall be in form at Annexure-'C'.

**4. Procedure to Be followed by the Competent Authority :-**

The Competent Authority i.e. Revenue Divisional Officer who receive the applications for conversion of Agricultural Land for Non-Agricultural purposes:-

(a) may cause such enquiry as may be necessary to determine whether the conversion applied for is objectionable or not;

(b) may invite objections in this regard, if necessary;

(c) may inspect or cause inspection of the land in order to determine whether or not the proposed conversion is objectionable;

(d) shall take cognizance of the Master Plan and such other land use restrictions in determining whether the proposed conversion is objectionable or not;

(e) shall thereafter proceed to pass orders, ordering or rejecting the proposed conversion.

**5. Powers of Collector/Revenue Divisional Officer/Mandal Revenue Officer :-**

(i) The Competent authority or any other officer authorized by him, shall have power to enter upon, inspect, measure the land and do such other act or acts as are necessary for the determination of the area applied for conversion and fixation of conversion fee under the Act.

(ii) The Mandal Revenue Officer is empowered to such act or acts as entrusted by the Collector/ Competent Authority under the Act.

(iii) The Collector shall have appellate powers against the orders passed by the Competent Authority.

(iv) The Collector may suo motu or on an application can call for the record, scrutinize to satisfy himself before or after the orders passed and to modify or annul any order or proceeding passed by the Competent Authority after giving notices and hearing the affected party.

## **6. Mode of payment for Conversion Fee :-**

(i) For the purpose of calculation of conversion fee the basic value as notified by Government from time to time, for the land as on the date of application shall be taken into account.

(ii) The applicant shall pay the conversion fee prescribed under Section 4 of the Act by way of Challan payable into the Government treasury as specified by the Government from time to time to the relevant head of account,

(iii) Any person desires to ascertain the basic value, such person shall apply to the Competent Authority for furnishing of such basic value for such Survey No. Area etc., and the competent authority shall furnish such information within (15) days from the date of receipt of application.

(iv) In case of deemed conversion, the date for the purpose of calculation of basic value shall be the date earliest of the following dates:

(1) Date of detection of conversion by Competent Authority.

(2) Date of entry in to Village accounts by Village Officer/Panchayat Secretaries.

(3) Date of application by Owner/ Occupiers.

## **7. Order of Permission :-**

The competent authority shall issue necessary permission for conversion in the form at Annexure-'C'.

## **8. Penalty :-**

(i) In case it has come to the notice of the competent authority that any Agricultural Land has been converted to Non-Agriculture purpose without obtaining any prior permission by any owner or occupant of such agricultural land, the same shall be deemed to have been converted into Non-Agriculture purpose and action shall be taken to levy such lands with such penalty as prescribed under Section 6 of the Act;

(ii) The Competent Authority shall issue notices the owner/occupier of Agriculture Land deemed to have been converted to Non-Agriculture use Under Section 6(1) calling upon him to pay 50% penalty over and above the Conversion fee in the form at Annexure-'D' giving him time of (30) days to remit into

Government account through a challan as specified at sub-rule (ii) of Rule 6. Provided that a show cause notice shall be issued by the competent authority to the said owner or occupant of such agricultural land calling for explanation within fifteen (15) days as to why the penalty as provided under Section 6(2) shall not be imposed for conversion of Agricultural Land into Non-Agricultural purposes without obtaining prior permission. On receipt of such explanation, the competent authority has to decide the actual extent of land converted into Non-Agricultural purpose and issue proceedings in the form Annexure-E informing the total amount including the penalty and the land conversion fee payable within fifteen (15) days from the date of receipt of such demand notice. If, any fee and penalty remains un-paid, within the time specified by the competent authority such fee and penalty is liable to be recovered under the provisions of the Revenue Recovery Act, 1864.

#### **9. Appeal :-**

(i) Every Appeal lies to the Collector against the orders of the Competent Authority within (60) days from the date of receipt of the orders. The appeal shall be accompanied by an authentic copy of the order appealed against and such appeal shall be duly stamped with a court fee table of Rs. 3/- and any other fee as may be notified by the Government.

(ii) Collector shall observe the principles of natural justice in disposing off any appeal.