

## **FAQs RELATED TO M.B 3.0**

### ***Land Classification and Assignment Types***

#### **Types of Assignment for Different Institutions**

**Question 1:** What are the land assignment types and classifications for different categories of institutions?

**Answer:** The assignment types vary by institution category:

1. **State Government Department Projects:** Assignment type is "**Allotment**" with proposed land class as "**Institution.**" This will also include state government/provincialized schools,colleges, and universities,Kasturba Gandhi Balika Vidyalaya(KGBV),Netaji Subhash Chandra Bose Avasiya Vidyalaya(NSCBAV).
2. **State Government Undertakings (Boards, Corporations):** Assignment type is "**Allotment followed by Settlement.**" Land class proposed is "**Institution**" for **official** purposes, or "**Industrial**"/"**Trade**" for **commercial** purposes. Examples include ASEB, ASTC, ASWC,AIDC and similar organizations.
3. **Central Government Department Projects:** Assignment type is "**Settlement under land transfer rule**" with proposed land class as "**Institution**".
4. **Central Government Undertakings:** Assignment type is "**Settlement under land transfer rule.**" Land class proposed is "**Institution**" for **official** purposes or appropriate commercial classes like "**Industrial**" or "**Trade**" for **commercial** purposes. Examples include ONGC, BSNL, LIC, and FCI.
5. **Non-Government Educational/Religious/Socio-Cultural Institutions:** Assignment type is "**Allotment followed by Settlement**" with proposed land class as "**Institution**".

#### **Settlement Fees for Rural Agricultural and Residential Land**

**Question 2:** Do applicants need to pay Rs 100 per bigha (as was required in MB 2.0) or Rs 500 per bigha for settlement of agricultural and residential land in rural areas?

**Answer:** According to the government notification dated RSS 502/2019/Pt/2 (ECF No 130241/2020) dated 24 August 2021,applicants **need to pay Rs 500 per bigha as premium** for settlement cases in rural areas for agricultural and residential purposes only.

### ***Rules for Organizations and Institutional Land***

**Question 3:** What types of institutions are covered under non-individual juridical entities?

**Answer:** Educational institutions, religious institutions, and socio-cultural institutions that have **occupied land for 3+ years in rural and 10+ years in urban areas** before October 1, 2021.

**Question 4:** What are the area limits for allotment or settlement of land to non-government institutions?

**Answer:** The area limits depend on the actual requirements and current occupation of the institution. These must follow the Land Policy 2019 (as amended) and comply with Section 4 read with Section 2 of the Assam Fixation of Ceiling on Land Holdings Act, 1956 for agricultural land.

**Question 5:** If a non-government institution already owns land but needs more land than they currently occupy, can this additional land be settled with them?

**Answer:** Yes, additional land can be settled based on actual requirements and current occupation. This must follow the Land Policy 2019 (as amended) and comply with Section 4 read with Section 2 of the Assam Fixation of Ceiling on Land Holdings Act, 1956 for agricultural land.

**Question 6:** What documents are required to apply for land allotment or settlement?

**Answer:** Applicants must upload identity proof, authorization letters, project profiles, site plans, registration certificates, tax returns, audited accounts, NOCs, and other supporting documents depending on the entity type.

**Question 7:** How should cases be processed for Non-Individual Juridical Entities (NIJEs) that possess **Village Grazing Reserve (VGR), Professional Grazing Reserve (PGR), Aan Aan Reserve, Patta land, or Tea Periodic Patta**?

**Answer:** These cases should be flagged in the **new Village Institutional Land Bank (VILB) Module** to create a state-level institutional database. Cases received under Mission Basundhara 3.0 will be marked as "Reserved for Disposal" while waiting for appropriate policy decisions to address such cases.

**Question 8:** As per the Govt notification dated 22-12-2024, on relaxation of registration of NIJE at the time of application, it is stated that non-individual juridical entities shall have to submit proof of registration as non-individual juridical entity before getting the offer of allotment or offer of settlement of the land applied for, as the case may be. However, it is not clear whether such applications should be placed in DLAC/CDLAC and post-recommendation in the DLAC / CDLAC, the applicant should be asked to submit the proof of Registration, prior to the settlement order or such cases should be held back at Circle level (since the document uploading option is available at Circle Level) till the proof of registration is submitted?

**Answer:** There is no bar on processing of such cases. However, **offer of settlement/allotment** shall be issued **only after submission of proof** of registration as non individual juridical entity.

### **Land for Religious, Charitable, or Public Utility Purposes**

**Question 9:** What does the option "Is the land applied for or used for religious or charitable purposes and other public utilities or amenities" mean for NIJE cases?

**Answer:** This option relates to Section 16(e) of the Assam Agricultural Land (Regulation of Reclassification and Transfer of Non-Agricultural Purpose) Act, 2015. If the institution uses the land for religious, charitable purposes, or public utilities as defined in Section 2(u) of the Act, select "Yes." This exempts them from reclassification or reclassification cum transfer premium.

### **Government Institutions and Commercial Use**

**Question 10:** What does the option "Is the land applied for, is or will be used or transferred for commercial purposes" mean for government institutions?

**Answer:** This refers to Section 16(b) of the Assam Agricultural Land Act, 2015. Government institutions are exempt from reclassification/transfer premium only if the land is used for official purposes, not commercial purposes. If the land will be used for commercial purposes, select "Yes." If for official purposes only, select "No".

### **Non-Government Educational Institutions**

**Question 11:** What does the option about non-government educational institutions being "of public nature" and "non-profit making" mean?

**Answer:** According to government letter RSR.9/88/Pt.II/64 dated May 25, 1999, non-profit educational institutions devoted to public purposes will pay only 30% of the market price/zonal value for land settlement. If the institution is non-profit and serves public purposes, select "Yes". If it is profit-making, select "No," which means they must pay 100% of the zonal value as per notification dated August 21, 2023.

**Question 12:** What will be the land assignment type and classifications for **Venture school institutions**?

**Answer:** Such Institutions will fall under category of **Non Govt Educational Institutions** and will be of two types:

(i) **'Unrecognised venture school'** which will be provided with land assignment type **"Allotment followed by Settlement"** with 100% Zonal Value as settlement premium liability. The proposed class will be 'Institution'.

(ii) **'Govt aided venture school'** which have received grants in aid for paying salary/wages for teacher/s from the State Government for each of the last 3 Financial years only will be provided with **'Allotment'** only with liberalised premium rate with the

proposed class as 'Institution'. For all other venture schools, 100% zonal value is to be paid as settlement premium.

### ***Administrative Procedures***

#### **CDLAC and Case Processing**

**Question 13:** How should Mission Basundhara 3.0 cases be processed when districts have notified CDLAC with CDC as Member Secretary, but cases flow directly from Circle Officer (CO) to ADC/SDO in the Dharitree revenue system?

**Answer:** The National Informatics Centre (NIC) has enabled District Commissioners to create multiple ADC accounts where needed. This allows cases to be forwarded from Circle Officers to the corresponding Co-District Commissioners (CDCs) or ADC in case of HQ co-district. SDO (Civil) logins created during MB 2.0 have been deactivated to ensure smooth processing from Circle Officers to respective CDCs.

#### ***Rejection and Eligibility Criteria***

##### **Rejecting Applications with Improper Documentation**

**Question 14:** Should applications for one-time conversion of Tea Grant land under MB 3.0 be rejected if applicants uploaded affidavits instead of registered sale deeds?

**Answer:** Circle Officers may reject clearly ineligible cases directly. When rejecting cases, officers must provide a clear explanation of what the rejection criteria is to avoid frivolous rejections. The ground of rejection should be conveyed to the applicant without fail for maintaining level playing field.

##### **Non-Government Institutions**

**Question 15:** What does the term 'religious institution' mean?

**Answer:** Under the **Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959**, a "religious institution" is defined as:

"An institution the primary purpose of which relates exclusively to religious teachings or worship or advancement of religion irrespective of denomination."

Furthermore, the Act defines "**religious or charitable institutions of public nature**" to include:

"Satras, Maths, Public Temples, Public Wakfs (that is to say, Wakfs other than Wakf-alal-aulad) including Public Mosques and Durgahs, Gurdwaras, Churches or similar institutions or endowments for public purposes of charitable or religious nature."

**Question 16:** What does the term 'socio-cultural institution' mean?

**Answer:** Section 20 of the Societies Registration Act, 1860 specifies the purposes for

which the Societies can be formed under the Act. It states "Societies established for the promotion of literature, science, or the fine arts, or for the diffusion of useful knowledge, [the diffusion of political education], the foundation or maintenance of libraries or reading rooms for general use among the members or open to the public, or public museums and galleries of paintings and other works of art, collections of natural history, mechanical and philosophical inventions, instruments, or designs."

From the above, the following types of **socio-cultural institutions of public nature** can be interpreted as eligible under this Act:

- **Cultural organizations** promoting music, dance, drama, and folk traditions.
- **Educational and literary societies** (e.g., literary forums, public reading rooms).
- **Art galleries and museums** open to the public.
- **Organizations promoting historical research or indigenous knowledge systems.**
- **Public libraries and institutions preserving heritage.**

**Question 17:** The notification eCF No.565802/I/776018/2024, dated 19/10/2024 provides for Allotment to be followed by Settlement for 'Non-Government Institutions of Public Nature' falling under three categories i.e Educational Institutions, Religious Institutions and Socio- Cultural Institutions. Further, it is mentioned that other non-individual private entities such as NGOs, Trusts, Local Bodies, Associations, Societies, etc. will not be considered under purview of this service other than above three categories.

Does this mean that Allotment/Settlement of land to the approved 3 categories of non-individual juridical entities is not allowed if the organization is registered as an NGO, Trust, Society etc.?

**Answer:** No. The non individual juridical entities e.g registered society, registered trust, registered company etc. are allowed for allotment/settlement as per the Land Policy 2019 guidelines, if their charter of activities are such that they can be considered as Educational Institutions, Religious Institutions and Socio-Cultural Institutions.

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