

QUERY FORWARDED BY DLR FOR GOOGLE MEET ON 28-09-2023

48. Multiple Tenants in raiyati khatian, but there is single applicant...solution?

Reply- Notices are also to be served in a proper manner for hearing to other tenants inviting objection if any. After hearing the parties if the extent of land is known /demarcated, individual applicant (tenant) may be considered ownership right of his share provided other conditions are satisfied.

49. Original Tenants transferred (sold) the land to non-ryoti without the permission of the govt. The existing possessor of the land applied for patta... what would be the solution?

Reply- Applications of an occupancy tenant or his legal heir will be only considered US 23 of act provided other conditions are satisfied. Any lawful purchaser in conformity with S 8 read with rule 6 with duly mutated under S 61 may be considered.

50. Original Tenant died, next generation also died in many cases...grandchildren applied, that too with affidavit/notary as legal heir (NOK) documents...what should we do?

Reply- Subject to verification of NoK documents, acquisition of ownership can be given to such legal heirs.

51. What would be the case with urban Tenants?... and the tenants who were previously in rural areas but now those places are made into towns.

Reply- All cases of Urban tenants should be rejected as such cases are not covered by provisions of ATSAT Act 1971.

52. What can be done if the tenant failed to submit rent receipt and occupied the particular property for 30years?

Reply- Non- payment of rent is not a cause for rejecting application for ownership right. Rent issues is covered by Chapter VII of said Act.

53. What can be done if the landlord refuses to accept the notice served by authority?

Reply- Service of notice should per provision UR 186 framed under ALRR 1886 .

54. What to do when applicant applied portion of a dag of the land?

Reply- As in FAQ no. 48.

55. Can the legal heirs of a rayat who had already died applied for patta?

Reply- Yes, can apply as it is clear from “Documents required” for said service.

56. Rayats have no possession over the land but Pattadar have possession, in this regard can the rayats can be rejected?

Reply- As per provision US 23 “occupancy tenant personally cultivating the land of his tenancy” can apply for acquisition of ownership. In this case as the tenant do not have possession, so applications should be rejected.

57. In one of the cases of settlement of khas land it has come to our notice that the applicant has expired during this disposal phase. Guidance is sought for as to how we shall proceed in such case? Can we allow the legal heirs in place of the deceased applicant? In that case, necessary changes in the system will be required. Or, shall we reject the cases. In that case, rejection list may be needed to be updated.

Reply- In such cases, applications should be rejected in this phase and NoK should be asked to apply as and when facility for filing application such service is made available during the review of rejected cases or next iteration of Mission Basundhara i.e. MB3.0.