

**GOVERNMENT OF INDIA
RURAL DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:1165
ANSWERED ON:12.12.2013
LAND TRANSFER POLICY
Choudhry Smt. Shruti;Ponnam Shri Prabhakar

Will the Minister of RURAL DEVELOPMENT be pleased to state:

- (a) whether the Government has made or proposes to make any changes in the land transfer policy in the country;
- (b) if so, the details thereof and the reasons therefor and the views of each State taken including Haryana in this regard;
- (c) the manner in which the people are likely to be benefited thereby;
- (d) whether the Government proposes to impose penalty on States for non-implementation of land laws; and
- (e) if so, the details thereof?

Answer

MINISTER OF STATE FOR RURAL DEVELOPMENT
(SHRI LAL CHAND KATARIA)

(a) to (c) : Yes, Sir. The following relaxations in the instructions circulated by the Cabinet Secretariat vide their D.O. letters dated 21st March, 2011 and 21st November, 2011 have been approved by the Government.

i). All cases of land transfers from Ministry to statutory authorities or PSUs may be allowed, subject to the requirements of Government of India (Transaction of Business) Rules;

ii). All cases of land transfer on lease or rent or license to a concessionaire which have been appraised through the PPAC route and approved by the Finance Minister or by the Ministers concerned or by the Cabinet, as the case may be depending upon the value of the project.

iii). Development and use of railway land by Rail Land Development Authority (RLDA) as per provisions of Railways Amendment Act, 2005 and the Rules framed thereunder and in accordance with the prevalent policies and guidelines of the Railway Ministry and the Government.

A number of references were received from the Ministries/Departments seeking clarifications on or exemption from the instructions contained in D.O. letter dated 21.03.2011, in terms of which specific approval of the Cabinet in each case of sale or long term lease of land belonging to the Government and Government controlled statutory authorities was mandatory, till a policy is framed in this regard.

d): Land and its management falls under the exclusive legislative and administrative jurisdiction of the States as provided in Entry No. 18 of List II (State List) of the Seventh Schedule to the Constitution. The State Governments /UT Administrations have their own land laws/acts/rules and regulations in this regard. Central Government has limited role to play in such matters, e.g, advisories, policies etc.

(e): In view of (d) above Question does not arise.