

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.14574 OF 2019

ORDER:

Heard learned counsel for the petitioners and learned Government Pleader for Revenue.

2. Petitioners claim that they are the owners of various extents of land in various survey numbers of Uddandapur Village of Mahabubnagar District. The details of the petitioners' land holdings with survey numbers are incorporated in paragraph 3 of the affidavit filed in support of the writ petition in tabular form. The limited grievance of the petitioners in this writ petition is that though they own agricultural land and are cultivating the same, the financial assistance under 'Rythu Bandhu' scheme floated by the State Government is not extended to them, arbitrarily and illegally.

3. As per the statements made by the learned counsel for the petitioners, learned Additional Advocate General and learned Government Pleader for Revenue, it is apparent that notification under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, was issued to acquire several extents of land including the lands owned by the petitioners, but acquisition proceedings are not completed and the lands were not vested in the State. On the ground that notification is already issued, new passbooks are not issued to the petitioners. On the ground that new passbooks are not issued to the petitioners and the lands are covered by land acquisition notification, Agriculture Department has not forwarded the claim of the petitioners in the list of the beneficiaries to receive financial

assistance under 'Rythu Bandhu' scheme. Consequently, the said benefit was not extended to the petitioners.

4. As per the above submissions, it is apparent that petitioners are the owners of the land and cultivating the same and their lands are not acquired by the Government as on today. Only because land acquisition notification is issued, they were not granted pattadar passbooks and title deeds, as per the new scheme evolved by the State Government, and on that ground they are not granted financial assistance under 'Rythu Bandhu' scheme.

5. At this stage, learned Government Pleader representing the learned Additional Advocate General brought to the notice of the Court that a grievance redressal mechanism is created by the Government in G.O.Rt.No.231 Agriculture and Cooperation (Agri.II) Department dated 04.04.2018. Paragraph 10 of the same provides Monitoring and Grievance Redressal Mechanism. In W.P.No.479 of 2019, this Court was informed the composition of the District Level Monitoring Committee, which is as under:

1)	District Collector	-	Chairman
2)	Joint Collector	-	Convener
3)	District Agriculture Officer	-	Member
4)	District Horticulture & Sericulture Officer	-	Member
5)	District Cooperative Officer	-	Member
6)	Lead District Manager	-	Member
7)	District Irrigation Officer	-	Member
8)	NIC/e-District Manager	-	Member

6. Learned Government Pleader, therefore, submits that the petitioners may file appropriate application before the Grievance Redressal Committee supported by their ownership claims and the Committee would examine the grievance of the petitioners.

7. Having regard to the said submissions, the Writ petition is disposed of granting liberty to the petitioners to submit an application before the District Collector to refer their grievance to the Grievance Redressal Committee. The Grievance Redressal Committee shall consider the factum that though land acquisition notification is issued, lands of the petitioners are not acquired and petitioners continued to cultivate the land. If the petitioners' claim to the ownership is verified and they are found to be the owners and are cultivating the land and if they are otherwise entitled to receive financial assistance under 'Rythu Bandhu' scheme, appropriate immediate steps shall be taken, either to provide pattadar passbook and title deeds or release the money without insisting for new pattadar passbooks and title deeds, as the case may be. This exercise shall be completed and appropriate decision to be taken and communicated to the petitioners within a period of two weeks from the date of submission of the application by the petitioners.

8. If the petitioners are found to be eligible to receive financial assistance under 'Rythu Bandhu', the same shall be sanctioned immediately.

Miscellaneous petitions, pending if any, shall stand closed.

No order as to costs.

P. NAVEEN RAO, J

18th July, 2019
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