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THE ANDHRA PRADESH CROP CULTIVATOR RIGHTS ACT, 2019.

(ACT No. 30 OF 2019)

[17th August, 2019]

AN ACT TO PROVIDE CROP LOAN FROM THE STATE OR CENTRAL GOVERNMENT OR CO-OPERATIVE SOCIETY OR SCHEDULED BANK OR OTHER FINANCIAL INSTITUTIONS OWNED CONTROLLED OR MANAGED BY THE STATE GOVERNMENT OR CENTRAL GOVERNMENT AND CROP INSURANCE, CROP DAMAGES OR ANY OTHER BENEFITS OR FACILITIES BY THE GOVERNMENT TO THE CULTIVATORS OF AGRICULTURAL LAND THROUGH CROP CULTIVATORS RIGHTS CARD WITHOUT EFFECTING THE RIGHTS OF THE OWNER OF THE LAND AND FOR MATTERS CONNECTED THEREWITH AND INCIDENTAL THERETO.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Seventieth year of a Republic of India, as follows:

**CHAPTER-I
PRELIMINARY**

1. Short title, extent and commencement - (1) This Act may be called the Andhra Pradesh Crop Cultivator Rights Act, 2019.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the Government may, by notification, appoint.

2. Definitions - In this Act, unless the context otherwise requires,-

(1) "Agreement" means agreement for cultivation of agricultural land between the Land owner and the cultivator agreed in the form of "crop cultivator rights card";

(2) "Agreement Amount" means any consideration in cash or kind or both payable by the Cultivator to the Land Owner as per their mutual agreement;

(3) "Agricultural Land" means land, which is used or is capable of being used for the purposes of agriculture crop, other than Government Land or land assigned by the Government to the poor for agricultural purpose;

(4) "Agricultural Year" means the year commencing from the 1st day of June to 31st of May of next year;

(5) "Authorised officer" means Village Revenue Officer working in Village Secretariat;

(6) "Crop" includes,-

(i) all crops of food grains, pulses, oil seeds, vegetables, cotton, chillies, grass, tobacco; and

(ii) Any crop as may be notified by the Government from time to time.

(7) "Crop Cultivator Right Card" means the agreement between the land owner and cultivator for a period of eleven months countersigned by the Village Revenue Officer in the Village Secretariat;

(8) "Cultivator" means a person who cultivates the agriculture land by entering into an agreement with the land owner for agriculture, either on payment of rent or any other means of consideration without exclusive possession, for a period of 11 months and whose name is not recorded in any of the revenue records in respect of that agreement land;

(9) "Government" means the State Government of Andhra Pradesh;

(10) "Land Owner" means the Owner of the land or the Authorised agent of the Owner of the land who consents the Cultivator for cultivation of his land;

(11) "Notification" means the notification published in the Andhra Pradesh Gazette or the District Gazette and the word 'notified' shall be construed accordingly;

(12) "Prescribed" means prescribed by rules made by the Government under this Act;

(13) The words and phrases which are used but not defined in this Act shall have same meaning as provided in the Andhra Pradesh Record of Rights in Land and Pattadar Pass Books Act, 1971(Act No.26 of 1971).

CHAPTER-II EXECUTION OF AGREEMENT

3. Execution of Agreement - (1) All agreements of agricultural land between the land owner and the cultivator shall be made as per the provisions of this Act.

(2) The agreement shall be in the form of Crop Cultivator Rights Card as prescribed.

(3) The agreement in the form of Crop Cultivator Rights Card shall contain the following terms and conditions namely: -

- (a) The names of the Land Owner and Cultivator;
- (b) Survey number, boundaries, location of agreement land;
- (c) The duration of the Agreement period shall be eleven months;
- (d) The Cultivator shall not to acquire any right over the property other than those set forth in this Act or mentioned in the Crop Cultivator Rights Card.

4. Rights and responsibilities of the Land Owner - The Land Owner,-

- (a) Shall have the land reverted back on the expiry of the agreement period without any encumbrances.
- (b) Shall put the Cultivator in possession of the agricultural land on the first day of the agreement and shall not interfere with his possession and enjoyment thereof so long as the Cultivator complies with the terms of the agreement.
- (c) Shall have the right to terminate the Agreement only if the Cultivator fails to comply with the terms of the agreement, by giving two months advance written notice to the Cultivator;
- (d) Shall have the right to alienate the agreement land but such alienation shall not affect the right of Cultivator to possess and enjoy the agricultural land during the agreement period;

- (e) Shall be entitled for loans other than crop loan on the agreement land.

5. Rights and responsibilities of the Cultivator - The Cultivator,-

- (a) Shall be entitled for an undisturbed possession of the agricultural land for the complete agreement period irrespective of any change in ownership of the said land during the period of agreement.
- (b) Shall be entitled to obtain crop loan on the agreement land from the State or Central Government or Co-operative society or Scheduled Bank or any other Financial Institution owned, controlled or managed by the State or Central Government.
- (c) Shall be entitled to obtain crop insurance crop damages or any other benefits or facilities provided to the Cultivators by the Government as notified;
- (d) Shall vacate the agricultural land immediately at the end of the term of the agreement without any encumbrances;
- (e) The Cultivator shall not create any charge or interest or liability during the agreement period;
- (f) Shall not be entitled for any compensation for any improvement or development made on the agreement land from the Land Owner, unless otherwise agreed by the Land Owner and Cultivator;
- (g) Shall pay the Agreement amount within the time as mutually agreed with the Land Owner;
- (h) Shall use the land only for agricultural purposes, and shall not cause any damage to the land and any other immovable property on the land;
- (i) Shall not have any right to the agreement land other than those specifically agreed notwithstanding in anything contained in any other Act;
- (j) Shall pay crop loan borrowed from the Banks or Financial institutions after harvest of the crop;
- (k) S.C., S.T., B.C. and Minority cultivators will also be entitled to "Rythu Bharosa" scheme in addition to land owners.

6. Obligation of Government - No changes to be made in the Revenue records by any official on the entries already available in the land records based on the agreement with respect to ownership of the land.

7. Bankers obligation - (1) This Crop Cultivator Rights Card is sufficient for the Cultivator to obtain crop loan. The banker shall sanction and disburse crop loan without insisting any other documents from the holder of this Crop Cultivator Rights Card.

(2) Bankers shall not attach the scheduled land for recovery of any due of the Cultivator.

8. Duties of the Village Secretariat, -

- (a) the Authorised officer in the Village Secretariat shall countersign the Crop Cultivator Rights Card and shall handover to the Cultivator with a copy to the Land Owner within three (3) days from the date of intimation of the Cultivator intention;
- (b) shall maintain the register prescribed for this purpose containing all the agreements received;
- (c) shall ensure all the benefits viz., input subsidy, insurance, Rythu Bharosa if eligible, crop loan etc., of the agricultural land taken on agreement applicable to the Cultivators;
- (d) shall receive grievances, if any and redress them within seven (7) days.

9. Applicability in the Schedule Areas - This Act shall apply to Cultivators who belong to Scheduled Tribes only notified within the Scheduled Areas of the State of Andhra Pradesh.

10. 1st Appellate Authority - Any person aggrieved by the decision of the Village Secretariat may prefer 1st Appeal to Tahsildar of the concerned Mandal in the prescribed manner and the Appellate authority shall dispose of the appeal by summary enquiry within seven (7) days.

11. 2nd Appellate Authority - Any person aggrieved by the decision of the 1st Appellate authority may prefer 2nd Appeal to Sub Collector/Revenue Divisional Officer of the concerned Revenue Division in the prescribed manner and the Appellate authority shall dispose of the Appeal by summary enquiry within seven (7) days.

12. Revision Authority - Any person aggrieved by the decision of the 2nd appellate authority may prefer revision to the Joint Collector of the concerned District in the prescribed manner and the Appellate authority shall dispose of the Appeal by summary enquiry within seven (7) days.

13. District Level Stake Holder Meeting - The District Collector of the respective district shall conduct a meeting with all stake holders such as representatives of cultivators, bankers, land owners, revenue and agricultural officials of the district before commencement of crop year. Further such meetings shall be conducted periodically during the crop year to review the implementation of the provisions of the Act. The District Collector shall submit a report to the Nodal Agency on conduct of said meetings.

14. Nodal Agency - The Chief Commissioner of Land Administration shall be the Nodal Agency for the purpose of this Act and the Agency may issue such orders and instructions as may be necessary to implement the provisions of the Act and the rules made thereunder and to achieve the object of the Act from time to time.

15. Protection of action taken in Good faith - (1) No suit, prosecution or other legal proceedings shall lie against any person, officer or authority for anything which is in good faith done or intended to be done in pursuance of this Act or any rules made thereunder.

(2) No suit or other legal proceedings shall lie against the Government for any damage caused or likely to be caused or for any injury suffered or likely to be suffered, by virtue of any provision of this Act, or for anything which is in good

faith or intended to be done in pursuance of this Act, or any rules made thereunder.

16. Bar of Jurisdiction - No decision made or order passed by any Officer or Authority or the Government under this Act, shall be called in question before a Civil Court in any suit, application or other proceeding and no injunction shall be granted by any Court in respect of any proceeding taken or about to be taken by such Officer or Authority or Government in pursuance of any power conferred by or under this Act.

17. Act to override other laws - The provisions of this Act, shall have effect notwithstanding anything to the contrary contained in any other law for the time being in force, except the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (Regulation No. 1 of 1959).

18. Power to remove difficulty - If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by general or special order do anything not inconsistent with such provisions which appears to it to be necessary or expedient for the purpose of removing the difficulty:

Provide that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

19. Power to make rules - (1) The Government may, by notification, make rules for carrying out all or any of the purposes of this Act.

(2) Every rule made under this Act shall, immediately after it is made, be laid before the Legislature of the State, if it is in session and if it is not in, in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following the Legislature of the State agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

20. Repeal and Saving - (1) The Andhra Pradesh Land Licensed Cultivators Act, 2011 (Act No.18 of 2011) is hereby repealed.

(2) The Andhra Pradesh (Andhra Area) Tenancy Act, 1956 (Act No.18 of 1956) shall be repealed duly following the procedure.

(3) On such repeal the provisions of sections 8 and 18 of the Andhra Pradesh General Clauses Act, 1891 (Act.No. 1 of 1891) shall apply.