Settlement - Revenue follow up work to be undertaken by Settlement Authorities on proper Notification of the Resurveyed Areas to update the Revenue Records - Publication of Notification - Orders - Issued.

(REVENUE SS.II(1) DEPARTMENT

G.O.(1D) No.103 **Dated: 1.3.2007**

READ:

1. G.O.Ms.No.1177, Commercial Tax and Religious Endowment Department, dated 30.10.1987.
2. G.O.Ms.No.1971, Revenue Department, dated 14.10.88.
3. G.O.(1D) No.51, Revenue Department, dated 19.1.2005.

READ AGAIN

4. From the Special Commissioner and Director of Survey and Settlement, letter No.H3/4010/2003 dated 8.4.2005.

ORDER:

The Notification (both in English and Tamil) annexed to this order shall be published in the Tamil Nadu Government Gazette.

2. The Director of Stationery and Printing is requested to send hundred copies of the notification to Government as published in the Tamil Nadu Government Gazette.

(By order of the Governor)

P.SELVAM,
SECRETARY TO GOVERNMENT

To
The Special Commissioner of Revenue Administration, Chennai-5.
The Special Commissioner and Commissioner of Land Administration, Chennai-5.
The Special Commissioner and Director of Survey and Settlement, Chennai-5.
The Director of Stationery and Printing, Chennai-2 (for publication of Notification)

Copy to:
The Revenue (SS.I/SS.III) Department, Chennai-9.

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Annexure to G.O.(1D) No.103, Revenue, dated 1.3.2007

Notification

The Revenue Follow up work will be under taken by the Assistant Settlement Officer (South) and Assistant Settlement Officer (North) in the Corporation (except old Chennai City) Municipal towns lying with in their respective jurisdiction under their control and overall supervision of the Settlement Officer, Chennai."

1.CLASSIFICATION:

The following classification will be adopted in the Revenue follow up Work:

(i) All Private holdings in the Corporations/Municipal Town sites and agricultural lands set-apart for dwelling purposes will be registered as "Manai".

(ii) Vacant site in the Corporations/Municipal Towns at the disposal of the Government which are readily available for house site assignment will be registered as Vacant site; Poramboke.

(iii) All Public properties such as Pathway, Road, Street, Channel, Chavadi, Hospital, Bus Stand, Water Tank, Public Wells, Threshing floor etc, in Corporations/ Municipal Towns will be distinguished and recorded as "Road" "Street", "Channel" "Chavadi" etc, according to the reality ground. However, the transfer of poramboke should be done after obtaining orders of Settlement Officer, Chennai..

(iv) Lands belonging to various institution such as " Temple " "Church" "Mosque" "School" "Play Ground" "Park" etc will be distinguished and registered in records accordingly.

(v) Portions of Patta Land have been included in the road margin by broadening the existing road. In such cases, the included portion of Patta Lands may be negligible land and viable enough to be treated as separate sub division and it has to be registered as Road Poramboke.

(vi) Provisions of BSO.26A 31 and 33 will be followed to effect exchange of lands, transfer of registry and to accept relinquishments in cases where roads and other public utility services were formed in patta lands.

(vii) The lands assigned conditionally under Dharkast Rules for which the condition period of ten years is not over will be retained as conditionally assigned lands.

(viii) The other temporary patta lands which exist in certain Corporations/Municipal Towns will be retained as temporary pata lands;

(ix) Natham portion existing in Corporations/Municipal Towns Will be settled as per Natham Settlement Notification and Registry updated,.

(x) Agricultural lands used for non-agricultural purposes will have to be registered in accordance with individual holdings to up date the registry,

(xi) Area settled under the abolition Acts with Ground Rent patta will be retained as such. This same procedure should be adopted for registering the lands covered under Urban Land Tax.

2.Groound Rent Rate:

1. The main object of this scheme is to bring the Revenue registry up to date since the survey has been done in terms of metric system, the equivalent rates per hectare rounded off to the nearest rupee will be adopted in lieu of the existing rate per acre.

2. The Government also reserve the right to impose/enhance the existing rate prevailing at any time during the currency of the Revenue Follow up work, and whatever Ground Rent they may deem necessary on lands assigned subsequent to the present Revenue Follow-up work if they are used for building or other non-agricultural purposes, the pattadar is bound to pay the ground Rent as levied.

4.ROUGH PATTA

1. The main object of the present Revenue Follow-up work is to bring the registry up to date. In view of the time lag between the final check and the present Revenue Follow up work, may result in several changes in the registry. Therefore every field in the area set apart under this scheme, will be inspected by the Field Staff and the ownership noted in the final check land register prescribed after due enquiry. Every field will be subject to further inspection by an official not below the rank of a Settlement Deputy Tahsildar attached to the concerned Settlement Tahsildar or Assistant Settlement Officer who will record his remarks in the Register. Ten percent of the cases will be subject to over check by the Assistant Settlement Office having jurisdiction over the area.

2. Assessed waste/Assessed Manai in the Corporation/ Municipal Town areas in respect of which the occupants have established their right of ownership will be sub divided and patta issued in their names.

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3. Lands in Corporations/Municipal Towns areas in respect of which house site pattas if any issued by the Revenue
Department will be sub-divided and pattas issued under this Scheme.
4. Patta lands used for non-agricultural purposes will be sub-divided as per enjoyment and patta issued.
5. The Settlement Tahsildar will take up each holding as a separate case and issue notices to the owner (as indicated by the field staff in the final check land register) to be present at a hearing. The concerned village Administrative Officer should also attend the hearing. The Settlement Tahsildar will satisfy himself about the ownership of the property. In case no assignment order has been issued by the Revenue Department, the Settlement Tahsildar will decide the ownership of the property on the basis of enjoyment for thirty years prior to the date of publication of this Notification in the Tamil Nadu Government Gazette For this purpose, oral or documentary evidences may be taken in consideration. The Settlement Tahsildar will pass speaking orders to each case in the form of proceedings issued in his name. The order will be served on the concerned persons acknowledgements obtained and filed.
6. Rough Patta for the above type of lands containing the re-survey number and sub-division, old survey number and sub-division as noted in the existing revenue records, classification of land, re-survey area and the ground rent due upon the land will be served through the Village Administrative Officer, or Settlement inspector or such
other agency as deemed necessary on each holder of lands in persons if possible or by affixture prior to the date fixed for hearing objections. Every endeavour will be made to secure the prompt service of rough pata on the holders of lands concerned, but non-residents must make their own arrangements to obtain the pattas from the Village Administrative Officer concerned.

5.ROUGH PATTA OBJECTION HEARING:

1. A Rough Patta Objection Hearing will be conducted by the Settlement Tahsildar on the date fixed in advance. The date/dates of the Rough Patta Objection Hearing will not less than 15 days from the date of service of the rough patta in the Municipal/Towns/Corporations. The date and place of hearing will be noted in the Rough Patta.Objection to the entries or omissions from a rough patta, will be heard at that time. Notices of the the time and place fixed for hearing objection will be pasted in the village Administrative Officer's office or Municipal/Corporation Office or in some other conspicuous place in the Corporation/Municipal Town limits and also will be published in the Municipal Town/Corporation City by beat of tom-tom not less than 15 days prior to the date of hearing. The Village Administrative Officer will attend at the time and place fixed for the disposal of objections. Objections to the entries or omissions in the patta will be heard and disposed off on the day and at the place notified there in. The settlement Tahsildar will pass speaking orders in the form of

Proceedings in all disputed ownership cases. Copies of the orders passed will be served on the existing holder and the objector after the Rough Patta Objection Hearing.

2. No objection will be received by the Settlement Tahsildar after the date notified in the manner set-forth above unless the delay in presenting the petition is explained to his satisfaction.

3. Petition for alteration of demarcation which are barred by the provisions of the TamilNadu Survey and Boundaries Act VIII of 1923 will not be entertained.

6.PUBLICATION OF LIST OF ROUGH PATTA OBJECTION HEARING ORDER:

The Orders passed during Rough Patta Objection hearing shall be published immediately after the Conclusion of the roceedings in the Village Administrative Officers Office, or Municipal/Corporation office or in some other Conspicuous place in the Corporation/Municipal limits and the fact of the publication shall be announced in the Municipal Town/Corporation city by beat of tom-tom . The Village Administrative Officer shall certify to the place and date of publication of the order and the said date shall be deemed to be the date of communication of the copy of the decision or order to the party concerned.

7. APPEALS

An appeal shall lie to the Assistant Settlement Officer with Jurisdiction over the concerned are a against any order passed by the Settlement Tahsildar for Rough Patta Objection Hearing within 30 days from the date of communication of the order. This period is exclusive of the time occupied in obtaining certified copies of the order appealed against. Appeal petitions need not be stamped but certified copies and enclosures appended thereto shall be stamped in accordance with the rules.

8.REVISIONS:

1. The Settlement Tahsildar, the Assistant Settlement Officer, or the Settlement Officer shall not pass any order prejudice to any persons, unless he has given a reasonable opportunity to make his representation.

2. A further appeal shall lie to the Settlement Officer, Chennai against any order passed by the Assistant Settlement Officer within 60 days of receipt of the order of the Assistant Settlement Officer by the aggrieved party. Any order passed by the Settlement Officer shall lie to revision to Director of Survey and Settlement within 60days, of receipt of the said order.

3.The Director of Survey and Settlement may at any time in his discretion suo moto call for and examine any order passed or proceedings recorded by Settlement

Tahsildar or the Assistant Settlement Officer, Chennai and pass orders. The Settlement Tahsildar, Assistant Settlement Officer and the Settlement Officer shall work under the direct supervision and superintendence of the Director of Survey and Settlement.

9. TIME BARRED APPLICATIONS, APPEAL OR REVISION PETITION:

Section 5 of the Limitation, Act, 1963 (Central Act 36/63) shall not apply to the applications, appeals, or revision petitions coming under the purview of this Notification.

10. RECTIFICATION OF ERROR ETC.

Any clerical error noticed or bought to notice by the parties interested can be corrected at any time during or after the Revenue Follow up Work after obtaining orders from the Settlement Officer, Chennai and after obtaining orders from the Director of Survey and Settlement, Chennai.

11. The SC&DOSS shall review and assess the work of the Settlement Tahsildars, Assistant Settlement Officers and Settlement Officer periodically.

P.SELVAM,
SECRETARY TO GOVERNMENT.

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