12 MAY 2020

ABSTRACT

Land- Delegation of powers to District Collectors - Instructions - Issued.

Revenue and Disaster Management Department,
[Land Disposal Wing, LD-5(1)] Section

G.O. (Ms) No.241

Dated: 16.05.2020

சார்வரி வருடம், வைகாசி 03
திருவள்ளுவர் ஆண்டு 2051

Read:

1. G.O.(Ms).No.503, Revenue [LD4-(1)] Department, dated 21.09.1999.
2. G.O.(Ms).No.136, Revenue [LD5-(2)] Department, dated 25.04.2017.
3. G.O.(Ms).No.344, Revenue [LD5-(1)] Department, dated 19.09.2018.
4. From the Principal Secretary / Commissioner of Land Administration letter No.V1/6165/2020, dated 23.3.2020.

ORDER:

In the Government order first read above, the Government have issued orders in respect of unobjectionable poramboke, for limited extent of the land can be transferred by the District Collector himself without any ceiling on land value.

2. In the Government order second read above, Government have inter-alia fixed the monetary limit.

Sl. No.	Designation	Pre-revised limit (1999)	Revised limit (2012)	Proposed limit
1.	Tahsildar	10,000/-	30,000/-	50,000/-
2.	Revenue Divisional Officer	20,000/-	50,000/-	1,00,000/-
3.	District Revenue Officer	50,000/-	1,00,000/-	2,50,000/-
4.	Collector	2,00,000/-	4,00,000/-	10,00,000/-
5.	Principal Secretary and Commissioner of Land Administration	2,50,000/-	5,00,000/-	15,00,000/-
6.	Government	above 2,50,000/-	above 5,00,000/-	above 15,00,000/-

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3. In the Government order third read above, the Government have issued orders, permitting the District Collector to grant enter upon permission to the TANGEDCO for all the unobjectionable poramboke lands and in respect of objectionable lands, NOC has to be obtained from the land owning department.

4. In the letter Fourth read above, the Principal Secretary / the Commissioner of Land Administration has reported that in order to avoid delay in allotment of land in transfer / alienation proposals to State Government departments / agencies, empowerment to the District Collectors may be considered on the following lines:-

(a) LAND TRANSFER:

i) The Requisitioning Body must obtain orders from the Government directly for transfer of land mentioning the purpose, the extent and also the classification. The District Collector should coordinate with the Requisitioning Body in preparation of copy of Revenue records. The Government in concerned Administrative Department shall examine the requisition, their proposal and shall issue orders. According to the existing procedure, the land transfer proposals are being routed through Commissioner Land Administration and the orders of the Government are obtained. Hereafter, the District Collector can issue enter upon permission orders by himself on transfer of land immediately after receiving the Government Order from the Government in concerned Administrative Department of the Requisitioning Body subject to the condition that the land cost (as per GLV) fixed is completely collected from the Requisitioning Body.

ii) In the Government order first read above, the Government have issued orders in respect of unobjectionable poramboke, for limited extent of the land can be transferred by the District Collector himself without any ceiling on land value. However, according to the methodology now proposed, the District Collector shall order enter upon permission for land transfer without any ceiling of value for both unobjectionable and objectionable poramboke. But, in case of objectionable poramboke, the consent / NOC should be obtained from the land owning Department. In case, the land owning Department is objecting for the transfer of land in favour of requisitioning body, then the case may be transmitted to the Commissioner Land Administration for taking a decision. The Commissioner Land Administration shall convene a meeting along with the head of requisitioning body and the head of Departments objecting to grant NOC. After hearing the Commissioner Land Administration shall decide the issue and pass the order. Based on the orders of Commissioner Land Administration, the Collector should act immediately and issue necessary orders.

(b) LAND ALIENATION:

i) The Requisitioning Body must obtain orders from the Government directly for alienation of land mentioning the purpose, the extent and also the classification. The District Collector should coordinate with the Requisitioning

Body for preparation of copy of Revenue records. The Government in concerned Administration Department shall examine the requisition, their proposal and shall issue orders. According to the existing procedure, the land alienation proposals are being routed through Commissioner Land Administration and the orders of the Government are obtained. Hereafter, the District Collector can issue enter upon permission orders by himself on alienation of land immediately after receiving the G.O. from the Government in concerned Administrative Department of the Requisitioning Body subject to the condition that the land cost (as per GLV) fixed is completely collected from the Requisitioning Body.

ii) As like Government order third read above , the methodology now followed in the case of TANGEDCO shall be adopted and the District Collector shall be permitted to order enter upon permission, land alienation, without any ceiling of land value for both unobjectionable and objectionable poramboke, immediately after the GO is received. But, in case of objectionable poramboke, the consent / NOC/undertaking should be obtained from the land owning Department. In case, the present land owning Department is objecting for the alienation of land in favour of requisitioning body, then the case may be transmitted to the Commissioner Land Administration for taking a decision. The Commissioner Land Administration shall convene a meeting along with the head of requisitioning body and the head of Departments objecting to grant NOC. After hearing, the Commissioner Land Administration shall decide the issue and pass the order. Based on the orders of Commissioner Land Administration, the Collector should immediately act and issue orders. In the Government order Second read above ,it is ordered to adopt the Guideline Value for fixation of land value in cases where land is alienated to fully owned State Government agencies/Societies/Corporation/ Boards such as Tamil Nadu Water Supply and Drainage Board (TWAD Board), Chennai Metropolitan Water Supply and Sewerage Board (CMWSSB), TANGEDCO as well as Local Bodies for solid Waste Management or Sewerage Treatment Plants or Drinking Water Projects. The Guide Line Value will also be adopted in the case of fully owned State Government agencies/ Societies/Boards/Corporation such as TANGEDCO where land cost is collected, provided that the land is not further used in a commercial transaction and or transferred to another Private parties.

Same procedure should be followed for the agencies/companies/Boards where State Government have atleast 50% equity such as Chennai Metro Rail".

iii) The Principal Secretary / Commissioner of Land Administration has suggested that the Guide Line Value alone as on the date of Government Order issued for alienation shall be adopted without following the existing exercise of gathering the sale statistics for fixing market value. This methodology shall definitely alleviate the difficulty and consume the time factor and also suggested that in all above cases, single market value shall be collected.

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iv) In respect of transfer / alienation of Central Government / Central Government Undertakings, the Requisitioning Body shall obtain necessary Government Order directly from the concerned Administrative Department of Government of Tamil Nadu and then on receipt of the GO, the proposals shall be onward recommended to the Government for necessary orders by the District Collector through the Commissionerate of Land Administration. The District Collector should also coordinate the Requisitioning Body in preparation of copy of Revenue Records. The proposals have to be sent to the Government in Revenue Department only. The Government in Revenue Department shall issue orders on enter upon permission and transfer/alienation of lands.

5. The case was examined by the Government in detail in light of the rules prevailing in force. After careful examination the Government have decided to accept the proposal of the Principal Secretary / Commissioner of Land Administration and duly considering the G.O.'s earlier issued and in order to avoid delay in allotment of land in transfer / alienation proposals to State Government departments / agencies, hereby order as follows:-

i) Powers for grant of enter upon permission is delegated to the District Collectors for all **unobjectionable** poramboke to the State Government departments without considering the monetary limits;

ii) Powers for grant of enter upon permission is delegated to the District Collectors for all **objectionable** poramboke to the State Government departments without considering the monetary limits, subject to condition that necessary NOC has to be obtained from the concerned department and transfer orders to be issued by the competent authority;

iii) Powers for grant of enter upon permission to the District Collectors, in respect of **TANGEDCO** has already been given to them vide GO (Ms) No.344, Revenue Department dated 19.9.2018 and it may continue;

iv) Powers for grant of enter upon permission is delegated to the District Collectors to State Government undertakings for all **unobjectionable poramboke lands** without considering the monetary limits, after getting undertaking from the concerned State Public Sector Undertakings with reference to payment of land cost as per RSO;

v) Powers for grant of enter upon permission is delegated to the District Collectors for **objectionable poramboke** lands to State Government Undertakings without considering the monetary limits subject to the condition that necessary NOC has to be obtained from the concerned department and alienation orders to be issued by the competent Authority, after getting undertaking from the concerned State Public Sector Undertakings with reference to payment of land cost as per RSO and,

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vi) In respect of transfer / alienation of land to Central Government Departments/Undertakings, the existing procedure may continue.

6. The Principal Secretary / Commissioner of Land Administration and the District Collectors are requested to take necessary action and to follow the instructions while issuing Enter Upon Permission in Government poramboke lands for the State Government departments/ Agencies in future.

(By Order of the Governor)

ATULYA MISRA,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.

To
The Principal Secretary / Commissioner of Land
Administration, Chepauk, Chennai-5.
All District Collectors.

Copy to
All Departments of Secretariat, Chennai- 9.
The Finance (Revenue & Disaster Management) Department,
Secretariat, Chennai-9.
The Hon'ble Chief Minister's Office, Secretariat, Chennai-9.
The Special Personal Assistant to Hon'ble Deputy Chief Minister,
Secretariat, Chennai-9.
The Special Personal Assistant to Hon'ble Minister
(Revenue & Disaster Management and I.T.), Secretariat, Chennai-9.
The Private Secretary to Principal Secretary to Government,
(Revenue and Disaster Management Department), Secretariat, Chennai-9.
Revenue & Revenue and Disaster Management Department (OP-II) Department.,
Secretariat, Chennai-9.
Revenue and Disaster Management [LD-1, LD-2, LD-3, LD-4, LD-5, LD-6, LD-7]
Department, Chennai - 9.
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//Forwarded by Order//

Section Officer. 18.5.2020

18/5/2020

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