Abstract

Land - Lease - Delegation of Monetary Powers to the various Revenue Officials - regarding renewal of lease - Orders issued.

Revenue [LD2(1)] Department

G.O.(Ms) No.55

Dated : 24.2.2017

துர்முகி வருடம், மாசி 12,
திருவள்ளுவர் ஆண்டு 2048

Read:

1. G.O.(Ms)No.60, Revenue Department, dated 6.2.1999.
2. G.O.(Ms)No.527, Revenue Department, dated 28.11.2014.
3. From the Additional Chief Secretary and Commissioner of Land Administration, Letter No.E1/8225/2013, dated 4.12.2014.

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ORDER:

In the G.O. first read above, orders was issued for the delegation of monetary powers to the various Revenue Officials with regard to Lease and Assignment of Government lands as follows:-

Assignment of cultivable land / house sites:-

Sl.No.	Designation	Monetary Limit
1.	Tahsildar	upto Rs.10,000/- (Rupees Ten thousand only)
2.	Revenue Divisional Officer	upto Rs.20,000/- (Rupees Twenty thousand only)
3.	District Revenue Officer	upto Rs.50,000/- (Rupees Fifty thousand only)
4.	Collector	upto Rs.2,00,000/- (Rupees Two lakhs only)
5.	Special Commissioner and Commissioner of Land Administration	upto Rs.2,50,000/- (Rupees Two lakhs and Fifty thousand only)
6.	Government	above Rs.2,50,000/- (above Rupees Two lakhs and Fifty thousand)

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LEASE:-

Sl. No.	Designation	Monetary Limit
.	Tahsildar	Nil
.	Revenue Divisional Officer	upto Rs.20,000/- (Rupees Twenty thousand only)
.	Collector / District Revenue Officer	upto Rs.50,000/- (Rupees Fifty thousand only)
.	Special Commissioner and Commissioner of Land Administration	upto Rs.2,00,000/- (Rupees Two lakhs only)
.	Government	above Rs.2,00,000/- (above Rupees Two lakhs)

2. In the G.O. second read above, orders were issued for enhancing the Monetary Powers delegated to various Revenue Officials in respect of grant of lease of Government lands as follows:

Sl. No.	Designation of Officer	Enhanced monetary limit
1.	Tahsildar	Nil
2.	Revenue Divisional Officer	upto Rs.50,000/- (Rupees Fifty thousand only)
3.	District Revenue Officer	upto Rs.1,00,000/- (Rupees one lakh only)
4.	District Collector	upto Rs.4,00,000/- (Rupees Four lakhs only)
5.	Commissioner of Land Administration	upto Rs.5,00,000/- (Rupees Five lakhs only)
6.	Government	above Rs.5,00,000/- (above Rupees Five lakhs)

3. In the letter 3rd read above, the Additional Chief Secretary / Commissioner of Land Administration has reported as follows:-

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i) It is to be noted that the delegation of monetary power was fixed against the land cost and not the lease rent. There are 1025 lease cases pending in the State and more than 80% of lease cases are to be decided at Government level applying the current delegation of monetary power as a result many of the cases could not be processed and renewal in time thereby ending in loss of Revenue to Government. Meanwhile the lessee is enjoying the Government land without paying the lease rent to the Government for many years.

ii) In 1999, the revision on delegation of monetary power was done for assignment and lease cases. Subsequently, in the years 2009 and 2012 the monetary power were raised only for Land Assignment, Land Transfer and Land Alienation cases in G.O.(Ms) No.248, Revenue Department, dated 28.7.2009 and in G.O. (Ms) No. 242, Revenue Department, dated 4.7.2012 respectively by the Government.

iii) The reasons for revision of delegation of monetary power to revenue officials are felt for the following reasons.:-

(a) The Guide Line Values has been revised by the Registration Department in 2012 from its last revision done in the year 2007. The average Guide Line Value for agriculture land and street land has been increased by the 270.58% and 170.26% respectively from 2007 to 2012. As a result, even for meager extent of lease cases have to be sent to the Government for sanction and renewal.

(b) In cases of urgency, in regard to Assignment, Transfer and Alienation cases there are possibilities to divide the land so as to fit within the District Collector monetary limit in order to speed up the process, whereas such practical clubbing not possible in lease cases.

(c) In many cases, proposal for renewal of leases of 40 Sq.ft to 100 Sq.ft of land in urban areas has to be sent to Government because the land value is higher than Rs.2,00,000/-. For example the minimum Guide Line Value in Urban areas like Chennai, Coimbatore, Madurai, Trichy are Rs.12,000/- per sq.ft., Rs.6,500/- per sq.ft., Rs.10,000/- per sq.ft., and Rs.5,500/- per sq.ft., and if we apply these Guide Line Value, even lease for 4.16 sq.ft.,7.6 sq.ft., 5 sq.ft., 9 sq.ft. extent of land cannot be renewed by the District Collectors of Chennai, Coimbatore, Madurai, Tiruchirapalli respectively.

(d) Further we have also randomly taken the Guide Line Value of certain survey numbers as prevailed on 2007 and in 2012 both in rural and urban district. Instantly, the guide line value of S.F.No.201/12 in Kovilur Village, Orathanadu Taluk of Thanjavur District, which was Rs.48,500/- per Acre

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in 2003 and increased to 1,11,500/- per Acre in 2007 increased further to Rs.1,60,000/- in 2012, showing an overall increase in the Guide Line Value shows from 2003 to 2012 is 3.25 times. Similarly, the Guide Line Value of Survey No.201/1 in Ganapathypalayam Village, Kangeyam Taluk of Coimbatore District, which was Rs.10,500/- per Acre in 2003 increased to Rs.40,305/- per Acre in 2006 and to 4,00,000/- per Acre in 2012, showing an increases of 38 times over this period.

(e) In this regard, reports were called from the 26 District Collectors of Ariyalur, Coimbatore, Cuddalore, Dharmapuri, Dindigul, Erode, Kancheepuram, Kanniyakumari, Karur, Krishnagiri, Madurai, Nagapattinam, Namakkal, Perambalur, Ramanathapuram, Sivaganga, The Nilgiris, Theni, Thiruvannamalai, Thiruvallur, Thoothukudi, Tiruchirapalli, Tirunelveli, Vellore, Villupuram and Virudhunagar, so as to assess the fact of how many of the lease in their districts fall within a land value of Rs.4 Lakhs, 10 Lakhs and above.

(f) As reported by the District Collectors, out of 531 lease cases (excluding Chennai District) handled in the above Districts, the break up of the monetary value of cases above Rs.4 Lakhs land value is as given below:-

Rs.4 Lakhs to Rs.5 Lakhs	:	34
Rs.5 Lakhs to Rs.10 Lakhs	:	92
More than Rs.10 Lakhs	:	215

As such, about one third of the current leases could be renewed at the District level, 17% (92/531) at C.L.A level, leaving more than 50 % of leases to be renewed at Government only, if the current delegation is retained.

iv) As regards Chennai, almost all the leases will have to come to Government only in view of the higher land value as already pointed out. A separate solution for renewing the leases in Chennai is being worked out in consultation with the District Collector, Chennai.

v) Therefore, considering the circumstances as described supra, while retaining the monetary limits already proposed in respect of new lease cases as shown below, it is suggested that:-

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TABLE-I

TO RETAIN AND REVISE THE MONETARY LIMITS IN RESPECT OF SANCTION OF NEW LEASE CASSES

Sl. No	Designation	Monetary Limit
..	Tahsildar	Nil
2.	Revenue Divisional Officer	upto Rs.1,00,000/- (Rupees One lakh only)
3.	District Revenue Officer	upto Rs.2,00,000/- (Rupees Two lakhs only)
4.	District Collector	upto Rs.5,00,000/- (Rupees Five lakhs only)
5.	Special Commissioner and Commissioner of Land Administration	upto Rs.10,00,000/-(Rupees Ten lakhs only)
6.	Government	above Rs.10,00,000/-(above Rupees Ten lakhs)

The Government may consider revising the monetary power for renewal of lease to various Revenue authorities as follows:-

TABLE-II

Sl. No	Designation	Monetary Limit Land Value
1.	Revenue Divisional Officer	upto Rs.2,00,000/- (Rupees Two lakh only)
2.	District Revenue Officer	upto Rs.5,00,000/- (Rupees Five lakhs only)
3.	Collector	upto Rs.10,00,000/- (Rupees Ten lakhs only)
4.	CLA	upto Rs.25,00,000/-(Rupees Twenty five lakhs only)
5.	Government	Above Rs.25,00,000/-(above Rupees Twenty five lakhs)

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(a) Lease renewal upto a period of 3 years may be done by the District Collectors and Commissioner of Land Administration within their monetary limit.

(b) In the case of leases given on concessional /nominal rates, or leases which require renewal for a period of more than three years, orders of renewal will be issued only by the Government irrespective of the extent or monetary value of the land.

(c) As a special case, since many lease cases have not been renewed for a long period, such cases may be renewed by the respective authorities in 3 years spells upto current date, based on the revised monetary power.

4. The Government, after careful examination, have decided to delegate the etary Powers to various Revenue Officials in respect of renewal of lease as ws:-

Designation of Officers	Monetary Limit
istrict Collector	upto Rs.10,00,000/- (Rupees Ten lakhs only)
ommissioner of Land dministration	upto Rs.25,00,000/- (Rupees Twenty five lakhs only)
overnment	Above Rs.25,00,000/-(above Rupees Twenty five lakhs)

ERS:-

Lease renewal upto a period of 3 years at a time may be done by the District Collectors and Commissioner of Land Administration within their monetary limit.

In the case of leases given on concessional /nominal rates, or leases which require renewal for a period of more than three years, orders of renewal will be issued only by the Government irrespective of the extent or monetary value of the land.

As a special case, since many lease cases have not been renewed for a long period, such cases may be renewed by the respective authorities in 3 years spells upto current date, based on the revised monetary powers.

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5. The Principal Secretary and Commissioner of Land Administration (FAC) and the District Collectors are requested to adhere to the above Monetary Limits.

(By Order of the Governor)

Dr. Chandra Mohan. B,
Secretary to Government.

To
The Principal Secretary and Commissioner of Land Administration (FAC),
Chepauk, Chennai-5.
All District Collectors,
All District Revenue Officers,
All Revenue Divisional Officers

Copy to
The Finance Department, Chennai-9.
The Senior Personal Assistant to Hon'ble Minister for Revenue, Chennai-9.
The Hon'ble Chief Minister's Office, Chennai-9
The Private Secretary to Secretary to Government,
Revenue Department, Chennai-9.
SF/SC.

// Forwarded By Order //

24/2/17

Section Officer.

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