ABSTRACT

Land – fixation of guideline value for Government lands – Uniform procedure – Orders – Issued.

Revenue and Disaster Management Department
Land Disposal Wing, (LD.4(1)) Section

G.O.(Ms) No.117 **Dated:18.03.2022**

பிலவ வருடம், பங்குனி, 4
திருவள்ளுவராண்டு 2053

Read:

1) G.O.(Ms) No 633, Revenue Department, Dated 31.10.2007.
2) From the Commissioner of Land Administration D.O.Letter No.V1/1413381/ 2021, dated 19.11.2021.

Order:

In the Government Order first read above, orders were issued by the Government for adopting Guideline Register Value in cases where land transfer is made to State Government Departments under RSO 23(A) instead of arriving at the land cost based on the recent sales statistics.

2. The Commissioner of Land Administration has reported as follows:-

The Guideline Value and Market Value of Government lands are required for various purposes such as transfer, alienation, lease, assignment etc. The market value of private lands is also sought by requisitioning agencies such as various State/Central Public Sector Undertakings, Central Government Departments etc., which intend to purchase such private lands directly. At present there are no specific guidelines/instructions regarding determining the Guideline Market Value of Government lands. The existing common practice is to select a similar type of private land within 1.6 km radius of the Government land as data land and adopt its guideline value as the Guideline Value of the Government land also. Further sales statistics of similar lands within the 1.6 km radius are collected for the preceding 3 years and a suitable data land selected whose sale value is fixed as the market value of the said Government land. This practice appears to have derived from Para 23 (IV) and Para 24(3) of Revenue Standing Order, which refer to similar lands being of the same quality of soil/ground rent and also from procedure under the erstwhile Land Acquisition Act, 1894.

Among other issues, the Commissioner of Land Administration has suggested the following procedure for fixing the Guideline Value:-

With the increased land usage away from agriculture as well as the increased value of land as compared to the assessment (ground rent or land revenue), it may be seen that guideline value of the Government land need not be linked to the type of soil but rather to the potential land use of the Government land.

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It will be appropriate to fix the guideline value of a piece of Government land by (i) taking the guideline values of all private lands surrounding (immediately adjacent) to the Government land and (ii) fixing the guideline value as the highest of those private lands guideline values. This will ensure uniformity in practice, remove subjectivity and discretion in selecting a data land.

If the District Collector is of the opinion that the surrounding guideline values are too low for any reason, she/he should take action to revise such guideline values as per the procedure prescribed by the Registration Department.

3. In this connection, the Government in the Commercial Taxes and Registration Department in consultation with IG, Registration has stated as follows:-

a) The procedure regarding fixing of guideline value for survey number for which value is mentioned as "O" in Guideline register maintained by Registration Department.

> Procedure for fixing guideline values for survey number for which value is mentioned as "O" have been given in 23.11.2011 Central Valuation Committee meeting minutes communicated vide IGR Letter No.29310-LI-2009, dated 01.12.2011. If a sub division is not having rate, then the concerned Registering officer can fix the rate by taking highest value among other sub divisions of the same survey number. If full survey number or street is not having rate then the concerned District Registrar has to visit the site and fit the survey number or street in a suitable category and has to get approval of the Deputy Inspector General of Registration.

b) For a layout, the District Registrar is fixing the rate by considering highest house site guideline value in the surroundings, higher value registrations and enquiry value. But the rate so fixed should not go below the highest of surrounding values. An appeal against the order of the District Registrar lies with Deputy Inspector General of Registration.

c) The proposed fixation by Revenue Department is carefully analysed. If the field is similar to agricultural land then only highest of the agricultural rate in the surroundings has to be taken. If the land is similar to house site, then highest of house site value may be taken. If house site value is not available in the first layer second layer may be considered.

d) But fixing rate in the above method may also bring anomaly in rate to the land, where the land is in the second layer from a road, then in surroundings the field abutting road will come. The rate so fixed for this field will be more and taking and fixing the rate to the field which is not abutting road may not be correct. So, where the field is not situated like in the above scenario, the highest rate may be fixed.

4. The proposal of Commissioner of Land Administration envisages the highest value among the adjoining lands as guideline value. The Commercial Tax (Registration) department has pointed out the differences based on type of lands like house site agricultural purposes and the anomaly in case of fields abutting the roads.

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These cases will result in selectivity in determining the Guideline Value besides the possibility of value lower than the highest of adjoining lands becoming the guideline value in some cases. These issues were considered and it was decided that to safeguard the interest of Government, the proposal to select the highest value among the adjoining lands will be suitable.

5. In the above circumstances, the Government hereby order that, the Guideline Value of any Government land will be determined by the following method:-

i) Identifying all parcels of lands surrounding (immediately adjacent) to the Government land ;

ii) Taking the guideline value of all private lands which surround the Government Land;

iii) Fixing the highest value among these selected guideline values as the guideline value for the Government Land.

6. The Commissioner of Land Administration / District Collectors are requested to adopt the process of fixing guideline value as indicated in paragraph 5 above in all cases requiring fixation of guideline value of Poramboke Lands.

(By Order of the Governor)

Kumar Jayant,
Principal Secretary to Government.

To
The Commissioner of Land Administration, Chepauk, Chennai-5.
Copy to:
All District Collectors.
The Special Personal Assistant to Hon'ble Minister for Revenue and Disaster Management, Secretariat, Chennai-9.
The Revenue and Disaster Management (OP.2) Department, Secretariat, Chennai-9.
The Senior Principal Private Secretary to the Principal Secretary to Government, Revenue and Disaster Management Department, Secretariat, Chennai-9.
Sf/Sc.

// Forwarded by Order //

SECTION OFFICER.

7/3/22

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