ABSTRACT

House Site Patta - Revenue and Disaster Management Department - Provision of Free House patta to Scheduled Caste/Scheduled Tribe beneficiaries – Conditional Assignment for House site patta – Clarification and Guidelines for changing in Taluk / village records and Tamil Nilam online chitta – Orders -Issued.

Revenue and Disaster Management Department,
Land Disposal Wing, [LD3(1)] Section

G.O. (Ms) No.34 **Dated: 13.01.2021**
சார்வரி வருடம், மார்கழி–29
திருவள்ளுவராண்டு 2051

Read:

1. Govt. Letter (Ms) No.65/LA2(2)/2018, Adi dravidar and Tribal Welfare Department, Dated 04.12.2018.
2. From the Commissioner of Land Administration letter No.F3/803480/2020, Dated 01.12.2020
3. From the Commissioner of Adi Dravidar Welfare letter Na.Ka.No.B1/28676/2020, Dated 04.12.2020

ORDER:

Free house site pattas have been given to eligible members of the Schedule Caste and Scheduled Tribe communities by the field officers of the Adi-Dravidar and Tribal Welfare Department and the Revenue and Disaster Management Department over the years, utilizing the lands acquired under the provisions of the TamilNadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 (Act 31/1978), as well as the unobjectionable poramboke lands available at the disposal of the District Administration for assignment. In such case conditions have been imposed that;

"the assigned land shall not be alienated to any person for ten / twenty / thirty years under the provision of RSO 21".

2. It has been brought to the notice of the Government that, due to various reasons, the house site pattas issued to Scheduled Caste/Scheduled Tribe assignees have not been recorded in the village land records such as Natham Adangal, Natham Chitta& FMB. Further, the changes have also not been made in Tamil Nilam for generation of online patta. This leads to difficulty in identification of the assigned site and some of assignees have constructed houses in some other site, other than the

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allotted one. It is also reported that the beneficiaries could not avail bank loans and could not transfer land between the family members even after the conditional period is over. Since the details of the house site patta is not recorded in the village land records, the beneficiary and the legal heirs could not get benefit under housings schemes viz, the Chief Minister's Solar Powered Green House Scheme (CMSPGH) and Prime Minister's Awas Yojana (PMAY) etc.

3. In the Government letter first read above, orders have been issued, relaxing condition No.9 of the Free House site assignment, to mortgage the house site with the village Co-operative Banks, the Nationalized Banks and the District Central Co-operative Banks to get bank loan for construction of the house. The house site assigned to the Adi Dravidar beneficiaries is normally classified as *'Government poramboke', 'Ryot Wet/Dry land'*, and entered as *'Adidravidar Natham', 'Adi Dravidar Department', 'Ryot, Manai'* etc in the remarks column of the A registers. Since the details of the conditional assignment house site patta have not been changed in the land records, the title of the beneficiary could not be established. Hence, the assignees have requested to carry out the changes in the village land records and to issue clear computer chitta to avail bank loans and to get benefit under housing schemes. In some cases, the beneficiaries have sold out the land to people belonging to SC/ST or other communities. The Commissioner of Land Administration and the Commissioner of Adi Dravidar Welfare have reported that various scenarios emerge in the field which require appropriate directions to rectify the problems at field level as indicated below.

4. The Government after careful examination and considering the proposal and recommendation of the Commissioner of Land Administration and the Commissioner of Adi Dravidar Welfare, issues the following instructions:-

i) The files of house site assignment issued by the Adi Dravidar Welfare Department are maintained in the office of the Special Tahsildar (Adi Dravidar Welfare) and/or District Adi Dravidar Welfare Officer, a certified copy of the FMB (Field Measurement Book) Sketch, sub-division records, *D-Namunas*, and the list of beneficiaries must be communicated to the concerned Taluk Office by the DADWO to ensure that the changes are carried out in the village accounts, Taluk accounts, and Tamil Nilam, so that it is reflected in the Online Chitta also.

ii) The land assigned for house site by the Adi Dravidar Welfare Department or Revenue Department shall be uniformly classified as ***'Adi dravidar Natham' in*** village records and tamilnilam database. All the OSR lands shall be remarked as **'Road'**, **'Street'**, **'lane'**, **'Parks'** etc., as such found in the site. The FMB shall be updated as per state on ground. This exercise has to be completed in the TAMIL NILAM software also.

iii) It is seen that different time periods of 10 / 20 / 30 years have been imposed in different Districts under different circumstances. To ensure uniformity and as a

measure of benefit to the assignees, the uniform conditional period for house site pattas to SC / ST assignees will be adopted as 10 years only in all cases. Accordingly the condition of 20 year or 30 years stand corrected.

iv) Consequently, in the online Tamil Nilam as well as in Taluk and Village accounts, the following changes have to be carried out.

a) If the conditional assignment period, ie., treating all the conditional period of 10/20/30 years uniformly as 10 years, is over, a clear patta, classified as *'Ryot, Manai'*, without condition shall be issued to the beneficiaries or his legal heir and the entries have to be effected in the Taluk / village records and *Tamil Nilam* online chitta.

b) If the conditional assignment period is not over, a patta classified as *'Ryot, Manai'*, with the condition that sale or alienation cannot be done for the remaining condition period shall be issued (conditional patta) and the entries to be effected in the Taluk / Village records and *Tamil Nilam* online chitta. The online chitta shall contain clear remarks that "this house site land can be mortgaged for bank loans".

c) In future, all HSD pattas given to SC /ST beneficiaries either through the AD Welfare Department or by the Revenue Department shall be conditional for a period of 10 years only and also marked clearly that "this house site land can be mortgaged for bank loans".

d) After the conditional assignment period of 10 years is over, the beneficiary can sell the land to another SC / ST person only and not to anybody else.

(i) A special drive must be undertaken by the District Collectors to survey the assigned lands and enumerate the families living there. The following scenarios which are likely to emerge based on the enumeration must be dealt with as follows :-

(a) **The original beneficiary/ heir / family member of the such beneficiary has constructed the house and living in the house site assigned**.

- **Due changes must be made in the Tamil Nilam / Taluk / Village accounts and patta** shall be issued in the name of the beneficiary / heir / family member who is living in the house, and due changes shall be carried out in Tamil Nilam. The entries have to be effected in the village records and TAMIL NILAM online chitta by the concerned Taluk tahsildar. A summary enquiry shall be conducted by the Taluk Tahsildar to decide on the occupants / legal heir(s) in whose favour separately or jointly the patta has to be issued, in case the original assignee has passed away. The conditions of time period the patta shall be as given in para 4(iii) above.

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b) Site is vacant as the original beneficiary has not constructed the house even after one year of assignment.

- If the original beneficiary has not yet constructed the house as per the conditions to have constructed the house within a period of one year, there shall be a further extended period now available from the date of issue of this order for three more years to construct the house. Collectors shall take all efforts to sanction a free house under any Government scheme like PMAY, CMSPGH etc within the specified period of three years. The patta shall not be cancelled now for non-construction of house.

c) The assigned land site is occupied by a family belonging to the SC / ST community based on any registered or unregistered document of sale by the original assignee.

- The RDO of the Revenue Division / Deputy Collector nominated by the Collector shall hold a summary enquiry to confirm the possession and order to grant a patta based on the possession and documents. Time conditions as in 4 (iii) above will be imposed and the changes to be made in Taluk / Village Accounts and Tamil Nilam. In other words, the present occupancy is regularised as he/she belongs to Adi Dravidar community.

d) **Families are residing in land site which is not originally assigned to anyone but kept vacant but falls within the assigned Adi-dravidar Natham site:-**

- The RDO of the Revenue Division / Deputy Collector nominated by the Collector shall hold a summary enquiry to ascertain the possession, and regularize the occupancy by granting patta, if such occupier belong to Adi Dravidar.

e) **The acquired land has not been assigned to any one:**

- The Special Tahsildar (Adi Dravidar Welfare) shall identify the eligible beneficiaries and to assign house site patta to eligible families. The entries have to be effected in the village records and Tamil Nilam online chitta by the concerned taluk tahsildar.

f) The original assignee beneficiary could not be traced and the land is vacant.

- If the beneficiary is not traceable, the Special Tahsildar (Adi Dravidar Welfare) shall conduct an enquiry and the DADWO shall cancel the patta and assign such house site pattas to the eligible families.

g) Multiple beneficiaries have paper patta for the same piece of land and the land is vacant.

- This scenario has arisen since the earlier pattas have been cancelled due to non-construction of house and new beneficiary allotted the land. In such cases, the latest beneficiary should be treated as per 'a' above. The earlier beneficiaries for

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whom the pattas have been cancelled as far as practicable must be accommodated with suitable other free HSD either under Adi Dravidar Welfare lands or general lands available at the disposal of the Taluk Tahsildar for assigning as HSD.

5. The above exercise of making necessary entries online / issuing computer patta through TAMIL NILAM with necessary names shall be completed in a period of one month from the date of issue of this order. Necessary provisions in TAMIL NILAM shall be ensured by the Director of Survey and Settlement through the NIC.

6. This order issues with the concurrence by Adi Dravidar & Tribal Welfare Department vide its U.O.No.1/ACS/AD&TW Dept., dated 07.01.2021.

(By Order of the Governor)

ATULYA MISRA,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.

To:
The Principal Secretary/ Commissioner of Land Administration,
Ezhilagam, Chennai-05.
The Director of Survey and Settlement, Chepauk, Chennai-05.
The Commissioner, Adi Dravidar Welfare, Chennai-05.
All District Collectors/District Revenue Officer's.
All District Adi Dravidar and Tribal Welfare Officers.

Copy to
Hon'ble Chief Ministers Office, Chennai-09.
The Special Personal Assistant to Minister (Revenue and Disaster Management), Chennai-09.
The Special Personal Assistant to Minister (School Education and Youth Welfare and Sports Development), Chennai-09.
The Special Personal Assistant to Minister (Adi Dravidar and Tribal Welfare), Chennai-09.
The Private Secretary to the Additional Chief Secretary to Government, Revenue and Disaster Management Department, Chennai-09.
The Private Secretary to the Additional Chief Secretary to Government, Adi Dravidar and Tribal Welfare Department, Chennai-09.
Stock File/Spare Copy.

//Forwarded by order//

K. V. Radha 13.1.21
Section Officer.

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