Abstract

Land-House site assignment- House site patta to people living in Government poramboke lands-Issue of 3 lakhs house pattas before 31.3.2008 -Delegation of certain powers to District Collectors- Orders Issued.

Revenue(LD1(2)Department

G.O.(Ms) No: 498

Dated: 5.9.07.

Read:

1. G.O.(Ms) No.75 Revenue, Dated.5.2.2000
2. G.O. (Ms) No.168 Revenue dated 27.3.2000.
3. Government letter No.11414/LD1(2)/2000-3 Revenue dated:12.4.2000.
4. Government letter No.11414/LD1(2)/2000-5 Revenue dated 2.5.2000.
5. Government letter No.11414/LD1(2)/2000-8 Revenue dated 8.6.2000.
6. Government Letter No.20725/LD1(2)/2000-2 Revenue dated.4.7.2000.

Read again:

7. G.O.(Ms)No.854, Revenue dated30.12.2006.
8. G.O. (Ms) No.340 Revenue dated 30.6.2007.

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ORDER:

In the G.O.7th read above, orders were issued to issue house site pattas to regularise the encroachments in Government poramboke lands by way of construction of houses. As per this Government order, the District Collectors have been empowered to regularise the encroachments made in Government poramboke lands,(except the lands in and around Temples, Mosques and Churches) by way of construction of houses and in occupation for more than 10 years, on production of proper evidence, by relaxing relevant ban orders. This scheme was implemented for 6 months as a one time special scheme from January 2007.

2. In order to implement the scheme effectively and to ensure more beneficiaries to be benefited by this scheme, the above scheme was extended upto 31.12.2007 in the G.O.8 th read above. During the Collectors Conference held on 30.7.2007 and 31.7.2007, Hon'ble Chief Minister made an announcement that 3 lakhs house site pattas have to be issued to the poor till 31.3.2008.

3.Based on the announcement made by the Hon'ble Chief Minister, the Chief Secretary to Government convened a meeting on 20.8.2007 to sort out various issues relating to the distribution of house site pattas to the poor. Secretary Revenue/ Finance / Animal Husbandry and Fisheries / Housing / Highways / Special Commissioner and Commissioner of Land Administration and Special Secretary

Public Works Department participated in the meeting, wherein various issues and problems expressed by the Special Commissioner and Commissioner of Land Administration and various Collectors coming in the way of the implementation of the scheme with reference to the rules and regulations, powers of the District Collectors, land value fixation etc., which are required to be sorted out, were discussed in detail.

4. Based on the careful examination of all the issues, the Government issue the following clarifications and instructions:-

(i) Monetary Power:

The monetary limit for District Collectors, under the regular house site patta scheme is increased from the present Rs.2 lakhs to Rs.4 lakhs. The guidelines issued in Government letter dated 8.6.2000 with regard to unlimited financial powers to Collectors will be made applicable to the one time scheme implemented in the current year 2007-2008.

(ii) Deletion from Prohibitory Order Book:

The District Collectors are given the power of deleting the Government lands/ poramboke lands from POB as well as change of classification of poramboke lands to "Natham" for house site assignment under the regular house site scheme also and they have to follow the same procedure as prescribed for the one time regularisation scheme, i.e. to get the No Objection Certificate from the respective District level Head of the concerned Administrative department and approval of the District Level Committee headed by the Collector set up for this purpose. The NOC/approval of State level HOD/Government should not be insisted by any department under these schemes.

(iii) Fixing of Land Value:

Taking into account the raise in land price particularly in urban areas and ineligibility of beneficiaries to pay the same, difficulties in fixing market value in each case etc., the following procedure regarding fixing and collection of land value in cases involving beneficiaries possessing higher extent of land or being above the income ceiling shall be adopted:-

(a) Under the regular scheme, for those beneficiaries who are to pay, only guideline value shall be taken into reckoning for fixing the land value as against the prevailing system of guideline value or market value, whichever is higher. This system of adopting guide line register value is already prevailing for the one time regularisation scheme, and the guideline values which have been fixed on 1.8.2007 will provide the basis for fixing the land value and this will also avoid delay in processing of cases encountered in fixation of market value on a case to case basis.

(b) For the purpose of house site assignment only, both under the regular and one time regularisation schemes, the prescribed income ceiling limit of Rs.16,000/- per annum in rural areas and Rs.24,000/- per annum for urban areas is revised as Rs.30,000/- per annum for rural and Rs.60,000/- per annum for urban areas.

(c) As regards the excess land occupied by beneficiaries, over and above the norm (i.e. one cent for corporation areas, 1.5 cent for municipal areas and 3 cents in rural areas) as well as for those who are above the income ceiling limits as mentioned in (b) above, for 1 cent or fraction thereof over and above the norm as well as for those with income between Rs.30,000/- and Rs.60,000/- in rural areas and between Rs.50,000/- and Rs.1 lakh in urban areas, the following land value shall be levied:-

For Village Panchayat areas	Prevailing guideline value subject to a maximum of Rs.5,000/- per cent
For Town Panchayats, Gradelll and Grade II Municipal areas	Prevailing guideline value subject to a maximum of Rs.10000/-per cent
For Grade-I, Selection Grade & Special Grade Municipalities	Prevailing guideline value subject to a maximum of Rs.15,000/- per cent
For Corporation areas	Prevailing guideline value subject to a maximum of Rs.25,000/- per cent

For beneficiaries having annual incomes over and above these relaxed limits, i.e. above Rs.60,000 in rural and Rs.1,00,000 in urban areas, full guide line value shall be charged.

(d) Based on the actual built up area of the house, an excess of upto one cent over and above the eligible extent can be regularised on payment of the above rates (as given in para (4) (C) above) Howevor, in rare cases, the built up area, if any, beyond this extended limit also can be considered on payment of Guideline Register Value.

(iv) Based on the guidelines issued under the previous scheme of 2000, as per Government Letter No.114/ 4/LD1(2)/2000-5, Revenue Dated 2.5.2000 a pattas may also be provided to those few house site encroachers also who were staying for less than 10 years in a particular location where the majority of the encroachers are staying for more than 10 years.

(v) Based on the announcement of the Hon'ble Chief Minister in the recently held Collectors' Conference for the grant of 3 lakhs house site pattas in the current

year, the deadline for the one time regularisation scheme which has presently been extended till 31.12.2007, is now extended upto 31.3.2008.

(vi) In view of the large number of house site encroachments to be regularised and pattas distributed within a short time frame, the condition prescribed in the G.O.(Ms)No. 854, Revenue dated 30.12.2006 with reference to the personal inspection by the Collectors is revised so as to provide for inspection by RDOs along with the district level Head of Department of the concerned administrative department for all house site encroachments upto 50 numbers in one location; and inspection by DROs for all cases involving more than 50 house site encroachments in a location. In both these cases, the inspection reports will be placed before the District level Committee, set up for the purpose, which is presided over by the District Collector.

5. The District Collectors are requested to follow the above instructions and to achieve the target fixed to them, more effectively and successfully, without any shortfall.

(By order of the Governor)

AMBUJ SHARMA
SECRETARY TO GOVERNMENT

To
The Special Commissioner and Commissioner of Land Administration, Chennai-5
All District Collectors

Copy to:
The Hon'ble Chief Minister's Office, Chennai-9
The Senior Personal Assistant to Hon'ble Minister (Revenue & Prison) Chennai-9
The Senior Personal Assistant to Hon'ble Minister (Finance) Chennai-9
The Secretary, Finance Department, Chennai-9
The Secretary, Animal Husbandry, Dairying and Fisheries Department, Chennai-9
The Secretary, Housing Department, Chennai-9
The Secretary, Highways Department, Chennai-9
The Secretary, Rural Development and Panchayat Raj Department, Chennai-9
The Secretary, Municipal Administration and Water Supply Department, Chennai-9
The Secretary, Public Works Department, Chennai-9
Sc/SF

//Forwarded by order//

Section Officer. 5/9/07

5/9/07