



Abstract

Land - Revenue and Disaster Management Department - Directorate of Survey and Settlement - Held-over cases in Natham Settlement Scheme/Town Settlement Schemes - Conferring powers to officials - Delegation of Powers - Notifications - Orders - Issued.

Revenue and Disaster Management Department, Survey and Settlement Wing, [SS-II(1)] Section

G.O.(Ms) No.233

Dated 05.02.2021

சார்வரி வருடம், தை 23

திருவள்ளூர் ஆண்டு 2052

Read:

1. G.O.(Ms) No.1971, Revenue [SS-II] Department, dated 14.10.1988.
2. G.O.(Ms) No.693, Revenue [SS-II(1)] Department, dated 24.07.1997.
3. G.O.(Ms) No.129, Revenue [SS-II(1)] Department, dated 13.02.1998
4. G.O.(Ms) No.396, Revenue [SS-II] Department, dated 18.09.2003.
5. G.O.(Ms) No.103, Revenue [SS-II(1)] Department, dated 01.03.2007.

READ AGAIN:

6. From the Director of Survey and Settlement Letter No. I1/4565/2020, dated 28.09.2020.
7. From the Commissioner of Land Administration (Full Additional Charge), Letter No. K4/ 694089/ 2020, dated 23.10.2020.

ORDER:

In this G.O. 1st read above, notification was issued that to effect Settlement of Natham sites or Village sites and Agricultural lands used for non-agricultural purposes in the entire area of the State except in the area of the old Madras City. Further it has also been provided about appeal and revision against the orders the Special Tahsildar, Natham Settlement Scheme.

2. In this G.O. 2nd read above, , orders were issued for transferring the appellate powers vested with the Assistant Settlement Officers to the RDOs concerned for disposal of appeal petitions made against the orders passed by the Special Tahsildar (Natham) in respect of Natham Pattas. In the G.O. 3rd read above, a gazette notification was issued in pursuance of the above Government Order.

3. In this G.O. 4th above, orders have been issued that the powers were vested with the Commissioner of Land Administration for passing/revising the orders passed by the District Revenue Officers. Further it has also been ordered to notify the said order.

4. In this G.O. 5th read above, orders were issued by introducing Town Settlement Schemes for following up Revenue work to be undertaken by the Assistant Settlement Officer (South) and Assistant Settlement Officer (North) in the Corporation (except Old Chennai City), Municipal Towns lying within their respective jurisdictions under their control and overall supervision of the Settlement Officer.

5. In the letter 6th read above, in regard, to "the Natham Settlement", the Director of Survey and Settlement has informed to the Commissioner of Land Administration that it was completed in the year 1996 and records were handed over to revenue authorities for maintenance. Therefore, a decision was not arrived so far in disposing the long pending "Held-over" cases and they continue to remain as "Held-over", since no authority has specifically been conferred with powers to deal with such cases. In regard to the "the Town Settlement Scheme", he has stated that there are Held-over cases where in records have already been handed over to revenue authorities for maintenance and no authority has been conferred the powers to decide such cases. He has, therefore, stated that there are approximately 94,474 held-over cases in the State and deputing Assistant Settlement Officers for attending these held-over cases would be time consuming and recommended to confer the powers to the following authorities to decide the held-over cases in Natham Settlement cases:

Authority	Powers
a) Sub Collector/ Revenue Divisional Officer	To decide the held-over cases which were recorded as "Ryot-withheld" in the Fair Adangal Register during Natham Settlement
b) District Revenue Officer	Appellate Authority
c) Commissioner of Land Administration	Revision Authority

In order to decide the held-over cases in Natham and Town Settlement Scheme, the Director of Survey and Settlement has recommended the Commissioner of Land Administration to confer the powers to the same authorities as stated above.

6. In the letter 7th read above, the Commissioner of Land Administration (Full Additional Charge) has stated that during the course of settlement activities, when situation arises when statutory proceedings cannot be continued by the Special

Tahsildar to decide about the title of the lands due to the court cases pending in between the persons on the land and such other issues in respect of their right over those lands, such lands are kept as "Held-over" lands and in the remarks column of the A Register, entries are made that the land is Held-over land. Hence, the lands kept as "Held-over" come under the purview of the Settlement Department as pending Settlement work until final orders are passed by the settlement authorities. The held-over cases also cannot be automatically treated to be taken up on appeal by the appellate authority, since 'held-over' means no settlement has been done in the first place. The Natham Settlement was completed in the year 1996 and records were handed over to revenue authorities for maintenance. Therefore, a decision was not arrived so far in disposing the long pending Held-over cases, and they continue to remain as "Held-over", since no authority has specifically been conferred by powers to deal with such cases. He has further informed that this exercise is only to settle the "Ryot-withheld" cases which were left over during the period of Natham Settlement and Town settlement for certain reasons. Therefore, the question of financial commitment shall not arise and also it is for public purpose only. As there is no hard and fast rule for these "Ryot-withheld" case, the question of issuing amendment to the Act/Rules also does not arise. Therefore, based on the report of Director of Survey and Settlement, the Commissioner of Land Administration (Full Additional Charge) has requested the Government to issue Notification in respect of held-over cases both in Natham Settlement Scheme and Town Settlement Schemes, where the cases have been recorded as "Ryot withheld" only, necessary notification may be issued conferring the powers to the following authorities to decide on the cases for a period of one year from the date of notification:-

Authority	Powers
a) Sub Collector / Revenue Divisional Officer	To decide the held-over cases which were recorded as "Ryot-withheld" in the Fair Adangal Register during Natham Settlement/ Town Settlement Scheme (Revenue Follow-up Works)
b) District Revenue Officer	Appellate Authority
c) Commissioner of Land Administration	Revision Authority.

He has also recommended to issue certain guidelines with regard to the cases can be taken up only in the areas as found in the Appendix-II.

7. The Government after careful consideration, has accepted the proposal of the Additional Chief Secretary / Commissioner of Land Administration and the Commissioner of Survey and Settlement and accordingly issue the notification

conferring the power to the following authorities to decide the cases for a pending of one year from the date of notification as appended in Appendix-I to this order:-

Authority	Powers
a) Sub Collector / Revenue Divisional Officer	To decide the held-over cases which were recorded as "Ryot-withheld" in the Fair Adangal Register during Natham Settlement/ Town Settlement Scheme (Revenue Follow-up Works)
b) District Revenue Officer	Appellate Authority
c) Commissioner of Land Administration	Revision Authority.

8. The notification appended in Appendix-I to this order shall be published in the Tamil Nadu Government Gazette. The Works Manager, Government Central Press, Chennai is requested to publish the notification and send 500 copies to Government.

9. The Government also direct the authorities concerned to follow the guidelines scrupulously as appended in Appendix-II to this order. The Additional Chief Secretary / Commissioner of Land Administration and Commissioner of Survey and Settlement are requested to take necessary further action in this regard.

(By Order of the Governor)

**ATULYA MISRA,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT**

To

The Works Manager, Government Central Press, Chennai-79.

(for publication of notification)

The Additional Chief Secretary/

Commissioner of Land Administration, Chennai-5.

The Commissioner of Survey and Settlement, Chennai-5.

All the District Collectors.

Copy to:

The Chief Minister Office, Chennai-9.

The Senior Personal Assistant to Hon'ble Deputy CM, Chennai-9.

The Senior Personal Assistant, O/o. Minister for (Rev & D.M Dept), Chennai-9.

The Senior Private Secretary to Chief Secretary to Government, Chennai-9.

The Senior Private Secretary to ACS to Government,

Revenue and Disaster Management Department, Chennai-9.

The Senior Private Secretary to Additional Chief Secretary to Government,
Finance Department, Chennai-9.

The Senior Private Secretary to Secretary to Government,
Law Department, Chennai-9.

All Section in Revenue and Disaster Management Department, Chennai-9.

G.O.(Ms) No.1971, Revenue [SS-II] Department, dated 14.10.1988.

G.O.(Ms) No.693, Revenue [SS-II(1)] Department, dated 24.07.1997.

G.O.(Ms) No.129, Revenue [SS-II(1)] Department, dated 13.02.1998.

G.O.(Ms) No.396, Revenue [SS-II] Department, dated 18.09.2003.

G.O.(Ms) No.103, Revenue [SS-II(1)] Department, dated 01.03.2007.

Stock file / Spare copy.

// Forwarded by Order //


Section Officer.

6/2/2021

APPENDIX-I

(G.O. (Ms) No. 233, Rev. & D.M Dept., dated 05.02.2021)

NOTIFICATION

Following the orders issued in G.O.(Ms) No.233. Revenue and Disaster Management, dated 05.02.2021 it is notified to confer the powers to the Sub Collectors / Revenue Divisional Officers / District Revenue Officers / Commissioner of Land Administration for disposing the Held over cases which are recorded as "Ryot withheld" only in Natham Settlement Scheme / Town Settlement Schemes (Revenue Follow-Up Work) so as to decide on the cases for a period of one year from the date of Notification:-

Authority	Powers
a) Sub Collector/ Revenue Divisional Officer	To decide the held-over cases which were recorded as "Ryot-withheld" in the Fair Adangal Register during Natham Settlement /Town Settlement Scheme [Revenue follow-up works]
b) District Revenue Officer	Appellate Authority
c) Commissioner of Land Administration	Revision Authority

ATULYA MISRA,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.

//True Copy//


Section Officer.

8.1.6
5/2/2021

APPENDIX-II

(Annexure to G.O. (Ms) No. 233, Rev. & D.M Dept., dated 05.02.2021)

Guidelines

For this purpose, the following guidelines are hereby issued:-

- (a) The cases can be taken up only in the areas where
 - (i) Natham settlement has been completed and records handed over to maintenance, and the village is not being taken up for Town Settlement subsequently (either Town Settlement is under progress or likely to be taken up in the future, such as in many Corporation / Municipal areas, in which case the held-over will be decided during the course of Town Settlement;
 - (ii) Town Settlement (revenue follow up work) has been completed and records handed over to maintenance.
- (b) Only the lands which were classified prior to the Natham settlement as Ryotwari Punjai/Nanjai (in the UDR / RSR A register), and presently classified Ryotwari-Manai during the Natham Settlement, and kept as "held over" should be taken up for decision. On no account the lands which were classified earlier as Sarkar Poramboke and held over shall be taken up.
- (c) As per para 3 and 4 of the G.O.Ms.No.1971 Revenue (SS II) Department dated 14.10.1988 –

"Land in Natham areas in respect of which house site pattas have been issued by the Revenue Department will be sub-divided and pattas issued under this scheme.

Patta lands used for non-agricultural purposes will be sub-divided as per enjoyment and ownership and patta issued. This procedure will be applied only to lands in respect of which lay out plan approved by the Town Planning authorities exist. The pattas will be based on the enjoyment, the approved lay out and ownership. In respect of these patta lands used for non-agricultural purposes for which no approved lay outs exist, joint pattas will be issued in respect of all the owners of such lands and non sub-division on the basis of enjoyment will be made."

In accordance with the above guidelines, only the held over cases as Ryot-manai in approved layouts shall be taken up. In the case of unapproved layouts or isolated houses, if the classification has been seen to be Ryotwari-manai against the guidelines given above, the classification must be reverted to the original classification prior to the Natham settlement.

- (d) The procedures to be followed in Natham/Town Settlement like preparation of rough patta, hearing the objections, publication of the Gist etc. as per instructions issued in G.O.Ms.No.1971 Revenue (SS II) Department dated 14.10.1988 and G.O.Ms. No 103 Revenue Dept 1.3.2007, shall be followed in respect of deciding the held over cases also, in the case of Natham Settlement and Town Settlement respectively. Further, the Ground Rent must be levied as fixed in the above Government orders while deciding the Held over cases.
- (e) Each and every case has to be decided separately by conducting field inspection, verify the enjoyment and proper enquiry by issuing notices to all concerned and after verifying the documents/records.
- (f) The above guidelines shall also be followed for held over cases under Natham Settlement Scheme and Town Settlement Scheme.
- (g) 5% of the orders passed by the Sub Collectors / Revenue Divisional Officer in respect of held over cases must be scrutinized by the concerned District Revenue Officer and 1% by the District Collector.

**ATULYA MISRA,
ADDITIONAL CHIEF SECRETARY TO GOVERNMENT.**

//True Copy//


Section Officer.

S.S.
21/2/2024