LAKSHADWEEP SURVEY AND BOUNDARIES(SUPPLEMENTARY) RULES,1979,

ADMINISTRATION OF THE UNION TERRITORY OF LAKSHADWEEP Kavaratti Island, Dated the I lth August, 1980. NOTIFICATION F. No. 5/1/77-L. R. (Survey) : In exercise of the powers conferred under sub-section (l) of section 20 of the Lakshadweep Survey and Boundaries Regulation, 1959 (No. 4 of 1959), the Administrator, Union territory of Lakshadweep hereby makes the following rules after due publication, namely: 1. 2. (a) These rules may be called the Lakshadweep Survey and Short title Doundaries (Supplementary) Rules, 1979; (b) They shall come into force from the date of their publication in Lakshadweep Gazette. (a) "Collector" Ineans the Collector of the District having Definitions, jurisdiction over the area; (b) "Government La\nd" means any land the proprietory right of which is vested in the Government; (c) "Registered holder of any land" means the person whose name -the land in question is registered in the Government accounts of the island. Explanation l. When any person other than the registered holder is in lawful management of a land, otherwise than as agent or servant of the registered holder or as mortgagee, such person shall be deemed to be the registered holder in respect of such land. 2 Explanation 2. When a land is registered in the a name of two or more persons jointly, the holder or holders of the land so registered shall, for the purposes of these rules be the person or persons who are deemed to have been recognised by the other joint holder or joint holders as manager of the land or who, in the case of dispute is recognised by the Collector as the principal joint holder. (d) Director of Survey and Land Records shall include Settle- ment Offcer; "G. lines" mean the lines connecting the ends of trijunctions as technically called; (e) "Forms" means the forms prescribed under the rules; (f) "Registered lands" means any land the proprietory right Of which does not vest in the Govetiilnent; (g) "Village Offcial" includes Amin, Gumastha, Nadappal; includes "Deputy Surveyor" and "Senior (h) "Surveyor" Surveyor" includes "Selection Grade Surveyor"; (i) "Tahsildar" includes Deputy Collector, Minicoy; (j) "Poromboke" shall mean unassessed lands which are the property of the Government reserved for public purpose such as roads, lane, market, burial ground, path ways, ditches, hikes, sea shore etc. Insertion of 3. In the Lakshadweep Survey and Boundaries Rules, 1960 after new rules, rule 21, the following rules shall be added as rule 22 to 56. 22 to 56. 22. 23, 3 Maintainable survey marks: The maintainable survey marks shall be the following: (a) All theodolite stations; (b) Survey marks at all bends on the boundaries of survey fields; (c) Survey marks at the junction of survey fields, ends of "G lines" or base lines and in the case of Government lands also at the ends of and bends on sub-division boundaries. Inspection of survey marks: Any Survey Officer shall be competent to inspect all the maintainable survey marks. When a survey mark is found to require renewal or repairs, the Survey Offcer shall issue notice, under sub-section (2) of section 13 in

Form No. I to the concerned registered holder, 24. Report of the Amins and/or Gumasthas of Amin's Katcherry about damaged survey marks: The report of the Amins and/or Gumasthas of Amin's Katcherry under sub-section (b) of section 14 shall be made to the Surveyor in the island or to the Tahsildar by making an entry in the inspection register, an extract of which should be submitted periodically

25. Renewal and/or repair on failure of registered holder: If the registered holder fails to carry out the repairs and/or renewal of survey marks within the period specified in the notice any officer empowered in this behalf under the Regulation within whose jurisdiction the land lies, shall or cause to renew and/or repair the survey marks at Government cost which will be recovered later from the registered holder of the land in the manner specified under section 13, 4 26. Cost of renewal and/or repair of survey marks: The cost of renewing a missing stone or repairing a stone shall be recovere as follows: (a) Recovery of the cost shall be made as soon as the field wor thereof is over; (b) Cost of renewing a missing stone shall comprise of the following: (i) the cost at the depot of the stone of the required size an descriptions, if the stones are available and in other cases th -cost of the stone in the locality fixed by the Tahsildar or an other Survey Offcer on the basis of advice from the P. W. D.; (ii) all labour charges required for work such as measurements i field, conveyance and planting of survey marks, cutting o symbols and such other incidental charges as may be necessary (iii) a fixed charge of Re. I also per stone for other incidenta charges incurred in this behalf. (c) The cost of renewal and repairs of each survey mark shall b apportioned equally among the registered holders of all field touching the stone repaired or renewed

27. Manner of recovery of cost: The cost-of renewal and/or repair of survey marks including other expense shall be recovered from the parties concerned as provided under section 13

28. Maintenance of survey marks on the boundary between Government lands an registered lands: In the case of a survey mark on the boundary between Government land and.registered lands, the registered holders or owners of registered lands touchin 5 the survey mark shall be responsible for the maintenance of the survey marks on the boundary

29. Orders under section 13 (1) to be communicated by the Survey Officer or Tahsildar: Orders passed under sub-section (1) of section 13 imposing charges for renewal and/or repair of survey marks shall be communicated to the registered holder in Form No

3. Where orders are passed by the officers other than the Tahsildar, such communication shall be made through the Tahsildars concerned. For this purpose the notice shall be prepared in duplicate and the Tahsildar shall after serving the notice on the registered holder, return the original to the omcer issuing the notice

30. When to make a fresh sub-division: A fresh sub-division in a s'-lrvey field or a sub-division thereof may be created in the following circumstances: l.2. 3. 4. 5

6. When survey field or a sub-division of a survey field is to be further sub-divided under the rules for joint registry or transfer of reystry. When portions of survey fields or sub-divisions of Government lands are leased out. When Government lands are transferred from assessed to unassessed. When new sub-divisions are to be created under the Land Acquisition Act of 1894. When a sub-division has to be effected for transfer of Government lands to the control of local body or any department of Government. When a sub-division has to be made to write off or remission of land tax under the provisions of Länd Revenue and Tenancy Regulation, 1965 (No. 6 of 1965) and the rules thereunder. 6 7. When a new sub-division has to be created for giving effect to any law

31. Procedure for effecting a sub-division: In case of fresh sub-divisions under clause (2) to (7) of Rule, 30, the provisions of seg.tions 5, 7, 8, 9 and 11 of the Regulation shall be followed. The notice under sub-section (2) of section 7 shall be in

Form No. 4 and the notice under sub-section (2) of section 8 or sub-section (2) of section 9 shall be in Form No. 3. 32 Measurementof new sub-division: Whenever a new sub-division has to be made under Rule 30. the surveyor will measure the proposed sub-division on the ground. For collecting a sub-division under transfer of registry every applicant apply in Form No. 8 and shall remit the fee prescribed as follows: (i) Two rupees for each sub-division to be surveyed upto an extent of aves; (ii) Two rupees for the first 5 ares or fractions thereof and one rupee for everv additional 5 ares or fraction thereof, when the sub-division to be made is in excess of ares. The fee shall be levied either in cash or by way of court fee stamps. On receipt of the application, the Surveyor shall register it in the register of new sub- division cases. He shall measure the new sub-division boundary according to its alignment as seen on ground, after issuing intimation to the applicant and adjoining land owners/holders in Form No. 6, prepare a regular sub-division sketch and sub-division statement in duplicate in Form No. 7 and submit them to the Tahsildar. The signature of all the parties involved in the sub-division case in token of their approval of the existing possession and boundaries of the new sub-division shall as far as possible be obtained in the sketch and the sub-division statement. The Tahsildar shall get the sub-division sketches and sub-division statement scrutinised If the Collectorate finds any defect in preliminary scrutiny of by the Collectorate. 7 the sub-division sketch and statement they will be returned to the field through the Tahsildar for rectification. If the sketches and statements are in order, it shall be incorporated in original records after final scrutiny. One copy of the sketch and area list and sub-division statement shall be sent to Tahsildar. On receipt of sub- division sketches the Tahsildar shall direct the Surveyor to effect the new sub-division in the duplicate copy of the records of the village. After effecting. the sub-division in the copy of duplicate records, the fact shall be reported to the Collectorate through the Tahsildar. No sub-division bearing on extent of less than 0.01 are shall be made in any case

33. Notice by Tahsildar: The Tahsildar shall, after determining the charges to be levied, issue a notice to the applicant in

Form No.9 informing him the amount to be deposited. .34. Refund of survey charges: The survey charges shall be fetnitied into treasury under the appropriate head of account. These charges shall not be refunded except in cases where the work could not be done owing to the original survey records being incomplete or discrepant or due to other cases. In such cases, the Tahsildar shall report the matter to the Collector and get his sanction for the refund

35. Failure to deposit survey and demarcation charges: If the applicant fails to deposit the survey and demarcation charges within the period prescribed in the notice, the application shall be rejected

36. Issue of notice on deposit of charges: If the amount is deposited, the Tahsildar shall forward the application to the Surveyor of the concerned island for demarcation and survey of the land who shall issue notice in

Form No.6 to the applicant and also to the registered holders of all the unsurveyed sub-divisions within the survey number or surveyed sub- number containing the registry, to be surveyed and demarcated. 11 i I iii 8 37. Demarcation of new sub-division in accordance with Government records: Sub-division boundaries which are to be newly demarcated shall be done and surveyed in accordance with the Government records and documents of title wherever such records and documents, indicate the measurement, extent and shape of the sub-division to be made, and in the absence of such records and documents, the boundary shall be demarcated and surveyed in accordance with the limit of enjoyment as seen on the ground

38. Parties to provide new survey marks: For measuring sub-division lines and interior lines, the concerned parties shall provide new survey marks and necessary labour, failing which the work shall be carried out at the cost of the Government in the first instance and the same shall be recovered from the parties concerned

39. Complaints to be disposed of by the Tahsildar or Surveyors: Complaints received during the course of the survey and demarcation Shai! be enquired into and disposed of by the Tahsildar or under his orders by the Surveyor supervising the work

40. Director of Survey and Land Records to issue revised records. After the disposal of the lend complaints, the Director of Suriey and Land Records shall issue the revised rec&ds to the Deputy Surveyor through the Tahsildar. The changes if any resulting from the survey shall be incorporated in the revenue records immediately and the fact verified at the time of annual inspection

41. Basis of demarcation of sub-division acquired and Land Acquisition Act and/Or by negotiation: In the case of sub-divisions of land acquired by Government under the Land Acquisition Act or through negotiation but not yet surveyed and demarcated, the measurement sketch in the land acquisition file or in its absence the extent acquired or other revenue records available, shall be the basis for demarcation.9 42. Application for pointing out boundaries of registered lands already surveyed and demarcated: Application for pointing out boundaries of registered lands already surveyed and demarcated shall be made by the registered holder in

Form No. IO to the Tahsildar having jurisdiction over the island in which the land is situated. Tn islands where there is no Tahsildar such application shall be given to the Surveyor-in-charge ot' that island who shall register such application and submit to Tahsildar after completion of work with his report. The fees for pointing out boundaries will be Re. I (One rupee) for every boundary line of the field or sub-division thereof, In cases which are really diffcult involving such labour and expenditure where the above rates are not workable, enhanced rates may be fixed by the Collector. Fees shall be collected either in cash or by way of court fee stamps. Demand for fees, if required, shall be given to in Form No. 11

Form No.12 shall be issued to the applicants as well as to the holders of the adjoining lands by the survey officer attending to the work before the work is started

44. Failure to supply with the notice under rule 43: If the applicant fails to provide necessary survey marks or coolies for the line clearance, in spite of the notice issued in korm No.12, the application may be returned to the Tahsildar who shall be competent to reject the application for such defaults on the part of the applicant. The amount deposited by the applicant shall be forfeited in case his application is rejected. Complaints on the question whether there has been any default on the part of the applicant shall be enquired into and disposed of by the Tahsildar and his decisions thereon shall be final

45. Pointing out or refixing boundaries by the Survey Officer: The Survey Offcer shall point out or refix the boundaries according to the recorded measurement. The renewals and repairs of survey works shall be executed by the survey offcer and a refixing sketch shall be prepared and kept in the file. lii Ili] 10

46. Notice of completion of work: After the application and records are received back from the Surveyors the Tahsildar shall issue notice in

Form No. 13 or Form No. 14 as the case may be to all parties affected by the survey about the completion of the work

47. Appeals against refixing boundaries: Appeals against the refixing work done by the survey offcer shall be preferred before the Director of Survey and Land Records within a period of three months from the date of service of the notice in

Form No.13 or 14 as the case may be. The decision of the Director of Survey and Land Records in .the matter shall be final

48. Correction of chain survey measurements: The Survey measurements already recorded by the process of chain survey, shali be corrected, if the error found on verification exceeds I link/2 decimetres per v.) uecimeu-es per cnalnizu metres

49. Correction of theodolite survey measurements: (a) In the case of theodolite survey, the recorded angle as per previous survey shall be corrected, if the angle observed at the sarne station differs by more than three minutes.(b) Limit of error allowable in linear measurements of the theodolite traverse survey shall be for a distance above 100 links/20 metres l} link/3 decimetres

50. Discrepancy to be removed as per actual meaurements on ground: If the difference between the recorded measurements for a boundary does not exceed the limit prescribed under rule 48 or 49 the discrepancy shall be recon- ciled as per actual measurements on ground.51. 52. 53. 11 Limits of error in the case of recorded areas of field or sub-divisions: The allowable limits of error of area shall be two per cent. Correction of chain survey measurements to be made with the sanction of the Director.of Survey: (a) No correction, addition or alteration in survey measurements shall be made without proper sanction as hereinafter provided; (b) Having satisfied himself by field verification of the discrepancies in linear measurements the survey officer shall issue notice in

Form No. 14 to the concerned registered holders, and after disposing of the objections if any raised in the matter, shall in necessary cases, prepare a draft memorandum of alterations with illustrative sketches and submit it to the Director of Survey and Land Records through the Tahsildar for sanction of the proposals for alterations. The Director of Survey and Land Records may sanction the proposals and order necessary changes in the records of survey/settlement except iR respect of cases sanctioned in Rule 53. Sanction of Collector is necessary in certain cases: Whenever a correction of measur€ment involves a change in the existing 11 area of the field or its sub-division by more than two per cent, the area in the memorandum of alteration sball be checked and certified to its corrections by the Director of Survey and Land Records and sent to the Collector who Fhall be the competent authority to sanction the alteration of area. When corrections are found necessary a draft memo of alterations with illustrative sketches shall be prepared by the surveyor under personal supervision and checking by Senior Surveyor and the Senior Surveyor shall propose corrections after due enquiry into the discrepancy in the measurements and disposing of the objections if any, put in by the registered holders of the fields affected by the proposed correction and forward the proposal to the Director of Survey through the Tahsildar concerned. The Director of Survey 12 on receipt of the memorandum of. alterations scrutinise it and having satisfied himself of the necessity for the correction may approve it and order necessary corrections in the records, whenever the corrections involve change in the recorded areas of fields or sub-division, the Director of Survey shall after technical scrutiny, forward the mernorandum of alterations to the Collector for sanction and ordering the changes in the concerned records

54. Procedure for alteration of recorded area: The field shall be remeasured and area computed by the surveyor and overchecked by the senior surveyor. If the difference between the recorded and recomputed area exceeds the limit prescribed in rule 51 memorandum of alterations shall be prepared by the senior surveyor and submitted to the Director of Survey and Land Records through the Tahsildar concerned for technical scrutiny. On receipt of the memorandum of alteration of area duly approved by the Director of Survey and Land Records the Tahsildar shall issue notices in

Form No. 14 to the In preparing the memorandum, if the error in the concerned registered holders. total area of the entire survey field is within the allowance and area of any of the cömponent sub-divisions exceeds the allowance prescribed in rule 51, the areas of all the sub-divisions in the survey field shall be recomputed and rateably adjusted so as to agree to the total area of the field. After disposal of complaints, if any, the tahsildar shall in necessary cases, submit the alteration memorandum to the Collector for sanction. The changes in the survey and settlement records shall be carried out only on receipt of orders sanctioning the alteration proposed in the memorandum

55. Technical scrutiny to be conducted by the Director of Survey in certain cases: In cases of alteration of area involving correction of theodolite measure- ments.tech nicai scrutiny of the survey records shall be conducted by the Director of Survey and Land Records. 13 56. Resurvey where there is no error in measurements but the boundaries •on ground disagree: Where there is no error in the measurements, but the boundaries on ground disagree with the records, the field must be resurveyed in accordance with the actual facts of enjoyment except in the case of poromboke, where each case will be detal with on its own merits,

FORM No. 1 (rule 23) (PRADIP MEHRA) Administrator. To Form of notice under section 13 of the Lakshadweep Survey and Boundaries Regulation, 1959 (No. 4 of 1959) Village Ill Take notice that the survey marks as per the sub-joined statement for the maintenance of which you are responsible/jointly responsible require repair or renewal and that, in default of your executing the necessary renewal!repair within 15 days from the date of receipt of this notice, necessary action will be taken by Government and the charges incurred under the Lakshadweep Survey and Boundaries Regulation, 1959 (No. 4 of 1959) and the rules made thereunder, will recorded as an arrear of public revenue due on land. be apportioned and recovered repair Station : Date Name of village To 14 The village offcials shall render necessary renewal within the time specified above. the .. .. Village.. . assistance in carrying out Survey Offcer S urvey number and sub- division number Number of stones missing damaged Whether theodolite stone or field stone Remarks FORM No. 2 (rule 29) Notice .... Taluk You are hereby informed that the charges amounting to Rs. .....for the renewals and repairs of survey marks as per the Notice No... .....dated..... issued by.... ....has been confirmed as no appeal has been received as specified in that notice/revised as Rs... .....P.....as the result of enquiry made or the .appeal preferred by... ....on 15 You are to pay this sum of Rs . ...P... ...to the village omcer of village, within seven days from the date of service of this notice, failing which the amount will be recovered as an arrear of public revenue due on land. Date : To . Village ..... .Taluk FORM No. 3 (rule 27) Order .....Taluk (1) The sums shown in the sub-joined statement will be recovered from you, under section 13 (l) of the Lakshadweep Survey and Boundaries Regulafion, 1959 (No. 4 of 1959), as you have not attended to the renewals and repairs etc., as per notice served on you and as the work has been done at Government cost. (2) Appeal, if any, should be preferred to the Tahsildar of the Taluk within 2 months from the date of service of this notice. Station : Date Particulars of stones planted Survey Offcer. Name of Survey village 1 No. & Subk Div. No 2 Descri- ption of the stones 3 No. of stones 4 Cost of Stones Rs. P. 5 Cost of hired labour Rs. P. 6 Fixed charges per stone Rs. P. Total amount to be re- covered 8 9 16 FORM No. 4 (rule 31) To . . . ...Village . survey field The sub-joined statement is an extract from the... . register giving particulars of the lands registered and surveyed in your name, appeal if any, against the survey should be presented within three months from the date of service of this notice to the offcer-in-charge of the survey whose headquarters are Field maps may be obtained on prescribed from time to time. Date : Initial survey Resurvey As pen revenue accounts application and payment of the fees Oflice of the As now surveyed Area Area Survey field nulliber Sub- division number 2 Survey field number 3 Sub- division num ber 4 Hectare Are Hectare Are 5 6 7 17 FORM No. 5 (rule 31) Survey party No. Notice to party under section 8 (2) or 9 (l) of the Lakshadweep Survey and Boundaries Regulation, 1959 (No. 4 of 19.9). In the original appellate survey court No.. . In the complaint!appeal No. under section 8(3) or 9 (l) of the Lakshadweep Survey and Boundaries Regulation, 1959 (No. 4 of 1959) of village No... Taluk. Complainant/appellant : Nature of complaint : On the boundary between Decision:— Camp: Date: True copy to:— Complainant: Appellant: Defendant: Respondent: Defendant/respondent : Incorrect demarcation : Village No. Survey Nos. Survey and sub-division Nos. This decision is final unless set aside on an appeal Survey Officer. filed within three months to the... ...e.. 11 lil No. To Village.. 18 FORM No. 6 (rule 32) Taluk (l) You are hereby informed that the sub-divisions noted below will be or soon after. taken up for demarcation and survey on (2) You are required to render necessary help by clearing jungle during the survey. (3) For- further particulars, please apply to the undersigned, who will give all reasonable assistance in the matter. Station : Date Senior Surveyor/Dy. Surveyor. FORM No. 7 (rule 32) Statement showing the particulars of sub-division effected in during the year village No. Particulars of existing sub-division or survey field 19 Particulars of the proposed sub-division o 1 2 10 11 12 13 o 15 16 17 Form of application by the FORM No. 8 (rule 32) registered holder under Rule 32 for demarcation and survey of registered holdings. l. Name and full address of the applicant 2. 3. 4. 2. 20 The survey No. with revenue of sub- division number of the lands requested to be surveyed with name of the village Applicant's title to the land (quote patta No.) Approximate extent of the land speci- fied in (2) above DECLARATION I agree to the payment of the survey charges for the demarcation and survey of the lands specified above. The particulars furnished by me above are correct. No. To Village . Signature of the applicant. FORM No. 9 (rule 33) Notice Taluk 21 (l) With reference to your application dated and survey of sub-division No. of survey No in for demarcation village. Taluk, you are hereby informed that you should remit into the treasury the fee of Rs and produce the receipted under the head of account chalan within seven days from the date of service of

this notice. (2) In the event of your not remitting the fee and producing the chalan within the time specified above your application will be rejected. Date : Tahsildar. Taluk. FORM No. 10 (rule 42) Form of application for pointing out the boundaries of registered land already demarcated and surveyed

2. Name and address of the applicant Particulars of the fields, the boundaries .of which are requested to be pointed out (a) Name of the village (b) Survey No. and sub-division No. (c) Details of boundaries to be pointed : out (No. of F. lines) ii 11 11 3. l. 2. 22 Applicant's title to the land specified in column 2 (here enter the patta No. etc.) DECLARATION I agree to the payment of fees for pointing out the boundaries specified above. The inror.mation furnished by me above is correct. Signature of the applicant.

FORM No. 11 To Village (rule 42) Taluk l. With reference to your application dated the boundaries of survey No. is Village. are hereby requested to remit into the treasury the fee of Rs for pointing out Taluk, you under the head and produce the receipted chalan within seven days from the date of serving of this notice. 23 2. In the event of your not remitting the fee and producing the chalan within the time specified above, your application will be rejected. Date : of 2. Village FORM No. 12 (rule 43) Taluk Tahsildar. Taluk sub-division No The boundaries of survey No Village Taluk will be refixed on During the work you are required to attend either in person or by duly authorised agent renew or repair the survey marks and to render necessary assistance by clearing jungle wherever required on or within the boundaries of your registered holding

3. For further particulars, please apply to the undersigned who will give necessary assistance in the matter. Senior Surveyor/Dy. Surveyor. 24

FORM No. 13 (Rule 46) Notice To l. You are hereby informed that the boundaries of Survey No Village therein) in (and Sub-division Taluk have bee'n re-fixed in connection with the application dated you 'Shri made by 2. Complaints against the present re-fixing of the boundaries of your land shall be preferred to the Director of Survey and Land Records within three months from the date of service of this notice. Tahsildar Taluk: Date : FORM No. 14 (Rule 46) Notice To Notice is hereby given that the alterations specified in the appended Schedule are found necessary and that it is proposed to alter the permanent land 25 ecords. Any objections to •the proposed change can be presented to the under- igned within ! 5 days from the date of receipt of this notice. SCHEDULE Memorandum of alterations to be made in the record of Village No Survey No. 1 Taluk Sub- division No. 2 District FOR Measure. ment 3 Area 4 Remarks 5 Survey No. 6 Sub- division No. 7 READ Measure- men t 8 Area 9 Remarks 10 Tahsildar. Taluk