

The Goa, Daman and Diu Land Revenue (Boundaries and boundary marks) Rules, 1969

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Rule

THE-GOA-DAMAN-AND-DIU-LAND-REVENUE-BOUNDARIES-AND-BOU of 1969

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The Goa, Daman and Diu Land Revenue (Boundaries and boundary marks) Rules, 1969Published vide Notification No. RD/LRC/245/69-71/1, dated 16th February, 1971RD/LRC/245/69-71/I. - In exercise of the powers conferred by sub-section (2) of Section 199 of the Land Revenue Code, 1968 (9 of 1969) and all other powers enabling him in that behalf the Lieutenant Governor of Goa, Daman and Diu is hereby pleased to make the following rules :

1. Short title and commencement.

(1)These rules may be called the Goa, Daman and Diu Land Revenue (Boundaries and boundary marks) Rules, 1969.(2)They shall come into force at once.

2. Definitions.

- In these rules-(a)"Chavdi" means, a local village panchayat office or other convenient and centrally located public place as the Collector may direct;(b)"Code" means the Goa, Daman and Diu Land Revenue Code, 1968;(c)"Director" means a Director of Settlement and Land Records;(d)"Form" means a form appended to these rules;(e)"Inspector" means the Inspector of Surveys and Land Records;(f)"Section" means a section of the Code.

3. Authorized boundary marks and survey marks.

- The following boundary marks and survey marks are authorized:-(A)Boundary Marks:-Continuous marks:-(1)Walls,(2)Permanent fences,(3)Bunds dressed with stones with at least 0.50 meter height.Discontinuous marks:-(4)Regular stones or cement pillars of 80 centimetres height, 22 centimetres length and 22 centimetres breadth for survey number boundary and of 50 centimetres height, 15 centimetres length and 15 centimetres breadth for sub-division boundary.(5)Clear and distinct marking on permanent marks, if any, existing along the boundary line inscribing therein the letters "RA".(6)Any other marks that may be prescribed by the Director to meet the requirement of any area specified by him in this behalf:Provided that, the Collector may permit the holders of land to substitute for one kind of mark any other authorized mark within such limits as the Director may, by any general or special order, define in that behalf.(B)Survey Marks:-(1)For purpose of minor triangulation survey, cement blocks of the size 50 centimetres height, 25 centimetres by 25 centimetres bottom and 12 centimetres by 12 centimetres top with a triangle and a point inscribed at the centre of the top of the cement block, or any other survey mark that may be prescribed by the Director to meet the requirements of any area specified by him in this behalf.(2)For the auxiliary triangulation survey,-(a)Galvanized iron hollow pipe of the size 38 centimetres height and 5 centimetres diameter buried in the centre of a cement concrete square foundation of the size 30 centimetres length, 30 centimetres breadth and 10 centimetres height; or(b)a hole 30 centimetres deep and 10 centimetres diameter made on a permanent mark; or(c)any other survey mark that may be prescribed by the Director to meet the requirements of any area specified by him in this behalf.

4. Maintenance of continuous boundary marks.

- The walls, permanent fences and bunds dressed with stones shall be maintained and kept in good repair.

5. Maintenance of discontinuous marks.

(1)Where the length of the boundary between the corners of a survey number is 250 metres or less no discontinuous mark should be raised in the interval, but in case there are bends, a stone should be fixed at each bend.(2)Where the line of boundary between the corners of a survey number is more than 250 metres but not more than 500 metres in length, one discontinuous mark should be raised midway between the corners, and stones should be fixed at all intermediate bends if any. It is not, however, necessary to place the intermediate mark exactly half way between the corners.(3)Where the line of boundary between the corners of a survey number is more than 500 metres in length an intermediate mark should be raised at approximately every 200 metres interval.

6. Determination of responsibility for maintenance of boundary marks.

(1)The responsibility of the several land holders for the maintenance of boundary marks on a common boundary lies on the holder of the survey number which is numerically lowest:Provided that, the Collector may declare two or more holders jointly responsible for the maintenance of

boundary marks or make distribution as appears equitable or may recognize the existing customary distribution. His decision shall be recorded in the survey papers: Provided further that, where any survey number is, unoccupied or assigned for public or Government purposes, the responsibility for repair of the marks on its periphery shall lie on the landholder on the other side of the boundary except that where the marks in disrepair lie between survey numbers each of which has no holder except the Government, repairs shall be made at Government expense; and in such cases the Talathi shall be responsible for their maintenance. (2) Within each survey number, the holder or holders of each sub-division are responsible for the marks, if any have been prescribed on the periphery of that sub-division to the same extent as the holder or holders of survey numbers are responsible under sub-rule (1). (3) A mark which is on the common boundary of two or more villages shall be repaired by the holders of the land in the village which is under restoration when the marks are found out of repair.

7. What boundary marks to be considered out of repair and how to be repaired.

- The following boundary marks shall be considered out of repair and shall be repaired in the manner prescribed for each kind, as follows, namely:-(1) A continuous mark (walls, permanent fences or bunds dressed with stones) if broken down, disturbed or removed or height of the bund is less than 0.50 metre. Mode of repairs: It shall be either rebuilt or replaced or the height of the bund is raised to 0.50 metre throughout, or supplemented by discontinuous marks. (2) A discontinuous mark (regular stones or cement pillars and clear and distinct marking on permanent marks or any other marks prescribed by the Director) if broken down, disturbed or removed or overgrown or surrounded by vegetation of any kind so as not to be easily visible. Mode of repairs: A stone or cement pillar of prescribed size or marks prescribed by Director shall be substituted at the proper place and the vegetation shall be cleared away until the mark is easily visible: Provided that, in any case, where a boundary mark cannot, owing to flooding of a nala, or river, the breaking away of the bank or other causes, be kept in repair, another kind of authorized mark may be substituted. Where even that is impracticable, the direction of the boundary must be fixed by a pair of discontinuous marks erected at an adequate distance back from the abandoned position, either both on the same side, or one on each opposite side thereof.

8. What survey marks to be considered out of repair and how to be repaired.

- The following survey marks shall be considered to be out of repair and shall be repaired in the manner prescribed for each kind as follows:-(1) Any cement block less than such size as may from time to time be prescribed by the Director. Mode of repairs: A cement block of proper size shall be substituted. (2) Any cement block, out of the ground or displaced from its correct position or buried less than two thirds of its length and loose. Mode of repairs: The cement block shall be replaced or fixed firmly at its correct place.

9. Demarcation of boundary marks on application.

(1) If the holder of or any person interested in, a survey number or a sub-division wishes to have it demarcated and boundary marks constructed thereon, he may apply in writing to the Director. (2) The application shall be accompanied by fees according to the scale prescribed from time to time in that behalf by the Director. (3) On receipt of the application, the Director shall cause the survey number or sub-division to be measured by the Inspector, and get the boundary marks fixed thereon in accordance with the provisions of these rules, on the basis of measurements noted in the land records. (4) The cost of materials and labour incurred for fixation of boundary marks shall be paid by the holder of the survey number or sub-divisions.

10. Survey officers to furnish details of boundary marks to Collector.

- On the introduction of a survey settlement or survey for the record of rights or of final town planning scheme or improvement scheme or a scheme for the consolidation of holdings under the provisions of the Code or of any law for the time being in force in the Union territory of Goa, Daman and Diu the Inspector shall furnish to the Collector a map, scheme and statements showing the position and description of the boundary marks erected or laid down by or under the orders of the Director. It shall be the duty of the Inspector to amend these maps in accordance with any subsequent alteration of boundaries in a revision survey or any other authorised occasion.

11. Programme for repairs of boundary marks and survey marks.

(1) A quinquennial programme for the repairs of the boundary marks and survey marks shall be fixed sufficiently in advance by the Collector, who shall send copies of the programme to the Director. In selecting the villages for the programme, the Collector shall select them by Circles so that each Revenue Inspector will have to be 8 to 10 villages or such number as the Collector may determine in his charge for this work, every year. (2) In villages where boundary marks are due for repairs in accordance with the programme fixed under sub-rule (1), a general notice shall be given by the Mamlatdar not later than 1st November, stating that, the boundary marks and survey marks are due for repairs, intimating what the authorised marks are and asking the holders to take necessary steps to complete the repairs by 30th November next following. The notice shall be pasted in the Chavdi and published by beat of drum. (3) Between 1st December and 31st December, the Revenue Inspector accompanied by the Talathi and as many holders as possible, shall jointly inspect every boundary or survey mark in each survey number in the village and shall prepare a list of defective or missing marks. The Talathis shall thereafter issue individual notices to the holders concerned in Form A, requiring them to carry out the repairs within a period of one month from the date of notice, failing which the repairs would be carried out by Government at the cost of the holders. (4) After 31st December, the Talathi shall proceed to check about the repairs to the marks actually carried out by the holders as required by the notice under sub-rule (3); and shall strike off from the list of defective and missing marks, all the marks which are duly repaired or constructed. Not later than 1st February, the Talathi shall submit to the Revenue Inspector an amended list of marks which are still to be repaired or constructed, and simultaneously give a notice to the holders of survey numbers of sub-divisions included in the amended list asking them to select a contractor to repair or reconstruct

the marks within ten days of the notice. If a contractor is selected, the Talathi shall get the work completed before the 31st March next following. (5) If no Contractor is selected by the holders, the Talathi shall send a report to the Mamlatdar through the Revenue Inspector before the 31st January for taking requisite orders. On receipt of such a report, the Mamlatdar may, after such enquiry as he may consider necessary, order the Talathi to have the marks repaired or constructed either by hired labour or through a contractor to be appointed by the Mamlatdar so as to complete the work before 31st March and recover the cost from the holders concerned. Form 'A' (See rule 14) Notice requiring Holders of Land to repair Boundary Marks/Survey Marks From, The Talathi of village

.....Taluka

.....To,Whereas the boundary marks/survey marks of your holding detailed below, are defective, you are hereby directed to put them into proper repairs within a period of one month from the date of this notice, failing which the repairs would be carried out by the Government at your cost:-

Survey No. Details of defective or missing boundary/survey marks

(1) (2)

Date 19 Talathi.