

The Goa, Daman and Diu Land Revenue (City Survey) Rules, 1969

DAMAN AND DIU

India

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Rule

THE-GOA-DAMAN-AND-DIU-LAND-REVENUE-CITY-SURVEY-RULES-1 of 1969

- Published in Gazette of India The Goa, Daman and Diu Land Revenue (City Survey) Rules, 1969 on 16 February 1971
- Not commenced
- [This is the version of this document from 16 February 1971.]
- [Note: The original publication document is not available and this content could not be verified.]

The Goa, Daman and Diu Land Revenue (City Survey) Rules, 1969Published vide Notification No. RD/LRC/245/69-71/5, dated 16th February, 1971RD/LRC/245/69-71/V. - 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 (City Survey) Rules, 1969.(2)They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise, requires:-(a)"Code" means the Goa, Daman and Diu Land Revenue Code, 1968;(b)"Director" means the Director of Settlement and Land Records;(c)"Form" means a Form appended to these rules;(d)"Inspector" means the Inspector of Surveys and Land Records;(e)"section" means a section of the Code.

3. Collector to issue notice of survey.

- Where a survey of lands in any village, town or city as directed to be made by the Government under section 65 the Collector shall cause to be issued in Form 'A' a general notice to the inhabitants of such village, town or city informing them about the introduction of the survey and calling upon the house owners, mortgagees, absentee owners and other persons having interest in the lands to be surveyed to give all information to the survey officers appointed for the purpose and to ensure that their lands are measured and rights recorded correctly.

4. Survey officer and his staff.

- Subject to the control of such officer as may be designated by the Government in this behalf, a survey officer not below the rank of an Inspector shall be in charge of the survey operations. In conducting the survey operations, the survey officer shall be assisted by such staff of the Land Survey Department as such officer designated by the Government may appoint.

5. Survey operations.

- Operations connected with any survey shall be carried out by the staff referred to in rule 4 as provided in that rule in such manner as the Director may, from time to time direct. The operations so carried out shall be recorded in maps drawn to a scale as may from time to time be laid down by the Director. The staff shall also record information in respect of particulars of the property and names of the holders thereof and enter it in columns 1 to 4 of the inquiry register in Form 'B'. The maps and the register so prepared shall then be forwarded for the purposes of rule 6 to the Inquiry Officer who shall be a Survey Officer not below the rank of an Inspector or a Mamlatdar appointed by the Government or as the case may be, the Director.

6. Procedure of enquiry.

(1) It shall be the duty of the Inquiry Officer to determine, for each parcel of land situated within the limits of the area under survey, who is entitled to be confirmed in possession of each such parcel of land, what possessions constitute encroachments, easements or licenses and what lands vest in a local authority or Government and, in case of land adjudged to be in the legitimate possession of a private individual or body, its tenure and liability to pay land revenue. (2) For purposes of determining the right, title and interest of individuals and bodies in respect of lands under survey under sub-rule (1), the Inquiry Officer shall hold an enquiry under section 14 of the Code or section 85 of the Goa, Daman and Diu Municipalities Act, 1968. The maps and registers referred to in rule 5 shall be corrected in accordance with the decision of the Inquiry Officer or, where an appeal is filed or a civil suit instituted, in accordance with the final order passed in appeal or civil suit. (3) The Inquiry Officer shall send a list of unoccupied vacant plots of waste land which are not claimed by any person to the Collector. The Collector shall, on receipt of such list, cause a public notice in Form 'C' to be affixed on each such plot requiring any person desiring to claim any interest in the plots to appeal before the Inquiry Officer within the period specified in the notice with documentary

evidence of title to the plot. If any claim is made in relation to such plot, the Inquiry Officer shall proceed to determine it in accordance with sub-rule (2). If no claim is made within the period aforesaid, the plot shall be entered as land vesting in the Central Government.

7. Property Card Register.

- The final results of the enquiry shall be recorded for each parcel of land separately in a card in Form 'D' to be called "Property Card Registers".

8. Survey fees.

(1) The survey fees payable under section 66 shall ordinarily be so fixed by the Collector that the total sum payable in respect of the site under survey shall cover the cost of the survey and preparation of the Property Card Register thereof. (2) In fixing the fees for each building site or any portion thereof held separately, the Collector shall have regard to the provision of sub-rule (1) and to the position, value and area of such building site or portion, thereof.

9. Form of sanad to be issued under section 67.

- The sanad to be issued under section 67 to every holder of building site shall be in Form E.

10. Fee for supply of duplicate copy of sanad.

- If any holder applies for a copy of sanad under section 67 a copy of such sanad may be supplied to him on payment of a fee not exceeding one rupee.

11. [Responsibility for maintenance of record of rights and register of mutations. [Inserted by Amendment Rules, 1985.]

- In areas surveyed under section 65, the survey officer or Revenue Officer not below the rank of a Mamlatdar shall be responsible for the up-to-date maintenance of the record of rights and register of mutations in all surveyed cities and towns within his jurisdiction.]

12. Form of acknowledgement of report under section 96.

- The acknowledgement of the receipt of the report made by any person under section 96 shall be made in Form F.

13. Entries in register of mutations.

- The reports and intimations of acquisition or transfer received by the Talathi under sub-section (1) of section 97, shall be entered by him in the Property Card.

14. Notice of mutation.

- As soon as a mutation is entered in the Property Card under rule 13, the Talathi shall post up a complete copy of the entry in the towns or city in a conspicuous place. He shall also simultaneously give notice in Form G to all persons appearing from the Property Card to be interested in the mutation and to any person whom he has reason to believe to be interested therein, requiring them to send their objections, if any, to the entry either orally or in writing if any, to the entry either orally or in writing within fifteen days from the date of receipt of such notice.

15. Form of acknowledgement for objections and of register of disputed cases.

- The acknowledgement for objections received in response to the notice given under rule 14 shall be given in Form H and the register of disputed cases in which such objections should be entered shall be in Form I

16. Disposal of disputes and certification.

- The disputes entered in the register of disputed cases shall be decided and the mutations in the Property Card certified by a revenue or survey officer not below the rank of an Awal Karkun in the manner provided in rule 13 of the Goa, Daman and Diu Land Revenue (Records of Rights and Register of Cultivators) Rules, 1969.

17. Transfer of existing record of rights to Property Card.

- The existing record of rights referred to in section 107 of such towns and cities as may be specified by a revenue or survey officer not below the rank of the Collector in this behalf, shall be transferred to the Property Card in accordance with the procedure prescribed in rule 14 of the Goa, Daman and Diu Land Revenue (Record of Rights and Register of Cultivators) Rules, 1969. Form 'A' (See rule 3) Public Notice All inhabitants of the village, town/city of..... are hereby informed that the Government has, by its Order No....., dated..... directed under section 65 of the GD&D Land Revenue Code, 1968, the survey of lands (other than those used ordinarily for the purposes of agriculture only) within the site of the said village, town/city. Accordingly, the survey officer will start work [from] [Here state the date.] All house-owners in the said village/town/city are hereby informed that they should be present on the date which will hereafter be fixed by the survey officer for the measurement of their houses and other property and should give all possible information to the survey officer to enable him to measure their properties correctly. Mortgagors, mortgagees, absentee owners and other persons having interest in the lands to be surveyed should take steps to see that their rights are recorded correctly. After the survey, sanad will be given by which rights over property in land will be permanently fixed. Sometimes, the measurers will have to enter the houses for internal measurements. Notice of this will be given before hand. No house will be entered unnecessarily. [The cost incurred, if any, for employing hired labour for measurement or classification of the lands to which the survey extends or for objects

incidental to the survey shall be recoverable from the land holders as revenue demand. If the holders render more assistance, the survey work will be expedited and the cost of survey will be less.] [To be deleted in cases where the village to be surveyed has a population of less than 2,000.] Dated:-Collector, Form 'B' (See rule 5)

Serial No. or Chalta No.	Old City Survey Municipal or Village Panchayat or Survey and Sub-Division or plot No.	Area	Supposed name of holders (a) as in Municipal Records or other wise and other interested or claiming parties (B), (C), (d) etc.	Date of service of notice (a) upon the occupant etc. (B) upon the property issued under rule 2(1) of the G.D. & D. Land Revenue (Inquiry into Title of Land) Rules, 1969.	Who of (a), (b), (c), etc. in column 4 were present.	Is the plan prepared and measurement taken by the surveyor accepted by the party confirmed or corrected by Inquiry Officer.	Final City Survey No.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Classification under rule 8(2) for survey fee.	Amount of survey fee fixed by the Collector.	Receipt No. for fees paid.	Tenure and rent or assessment with date on which it is due for revision.	Decisions in respect of name of holder, mortgages in possession, or lessee or encumbrance-holder and attached casements.	Reference to the file of proceedings when contested.	Date of service of decision order issued under rule 2(3) of the G., D. & D. Land Revenue (Inquiry into Title of Land) Rules, 1969.	Appeal order, if any.	Remarks
(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

Form 'C'[(See rule 6 (3))Public Notice(to be affixed on open land)]The plot of waste land described below is claimed by the Central Government. If any person has a right of ownership or any other right over it, he should appear with any documentary or other evidence which he may possess regarding his right over the said land, before the survey officer at his office situated in within ten days from the date of this notice. If no person having right of ownership or any other right over the land appears before the survey officer at his office within the said period, the said land will be treated as Government property.

Dated:- Collector

Description of land

Street House No.

(in the Municipal Register) or otherwise, known as the boundaries of which are as under:-

To the North To the East

To the South To the West

Form 'D'(See rule 7)Property Card Register

Survey No.	Area	Tenure	Particulars of assessment or rent paid to Government and when due for revision
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Easements:-

Holder in origin of the title (so far as traced).

Lessee-

Other encumbrances-

Other remarks:

Date	Trantion	Volume No.	New Holder (H) Lessee (L)or Encumbrances (E)	Attestation
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Form 'E'(See rule 9)Form of sanad for building sites(The Asoka Capital Motif)The Government of Goa, Daman and DiuToWhereas the Government of Goa, Daman and Diu with a view to the settlement of the land revenue, and the record and preservation of proprietary and other rights connected, with the soil as under the provisions of the Goa, Daman and Diu Land Revenue Code, 1968, directed a survey of the land within the of and ordered the necessary inquiries connected therewith to be made, this sanad is issued under section 67 of the said Code to the effect that,-There is a certain plot of ground occupied by you in the Division of the..... of Register No. in the map marked sheet No. and facing towards the road leading from to..... containing about..... square meters and of the following shape and about the following dimensions:-You are hereby confirmed in the said

occupancy exempt from all land revenue (or subject to the Payment of Rs. per annum of the land revenue). The terms of your tenure are such that your occupancy is both transferable and heritable, and will be continued by the Central Government, without any objection or question as to title to whosoever shall from time to time be its lawful holder (subject only to the condition of the payment annually of the above land revenue according to the provision of the Goa, Daman and Diu Land Revenue Code, 1968 or of any other law for the time being in force, and to the liability to have the said rate of assessment revised at the expiration of a term of years reckoned from the and thereafter at successive periods of years in perpetuity, and to the necessity for compliance with the provisions of the law from time to time in force as to the time and manner of payment of the said assessment, and to the liability of forfeiture of the said occupancy and of all rights and interests connected therewith in case of your failure to pay the said assessment as required by law). [Form 'F'] [Inserted by Amendment Rules, 1985.] (See rule 12) Form of Acknowledgement of the Report Regarding Acquisition of Right Received from of village taluka on 19 a report orally/in writing regarding the acquisition of rights in respect of P.T. Sheet No. Chalta No. of town/city in the taluka with the following documents in support thereof:- Talathi of Date Place Form 'G' (See rule 14) Intimation under section 97 of the Goa, Daman and Diu Land Revenue Code, 1968 To, Whereas, an entry has been made in the register of mutations of the village in the Taluka regarding the acquisition of rights in land as specified below:-

Serial No.	Date of entry in theregister of mutations	Nature of rights acquired	Survey number and sub-division number or P.T. Sheet No. and Chalta No. in which the rights have been acquired
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*And whereas it appears to me from the record of rights register of mutations that you are interested in the said mutation. *And whereas, I have reason to believe that you are interested in the said mutation. Now, therefore, I (here enter name), the Talathi of the city/town in which the aforesaid land is situated, hereby intimate to you about the said mutation entry, and call upon you to send to me either orally or in writing within fifteen days from the date of receipt of this intimation your objection, if any, to the said entry. Please note that if no objection is received by me within the said period of fifteen days, it shall be presumed that you agree to the said entry. Talathi of Place Date * Strike out which is not applicable. Form 'H' (See rule 15) Form of Acknowledgement of objection to Mutation Entry Received from of city/town, in the taluka, on 19.... objection orally/in writing in respect of mutation entry No. of town/city, in the taluka. Talathi of Place Date Form 'I' (See rule 16) Register of Disputed Cases

Serial No.	Serial No. in mutation register or rough copy of record of rights Survey number and sub-division number	P. T. Sheet No. and Chalta No.	Date of receipt objection	Particulars of dispute with names of disputing parties	Decision of Officer
1	2	3	4	5	6

