

Kerala Survey and Boundaries Rules, 1964

KERALA

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Rule KERALA-SURVEY-AND-BOUNDARIES-RULES-1964 of 1964

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Kerala Survey and Boundaries Rules, 1964 Published vide Notification No. G.O. (P) No.544/64/Rev., dated 26.8.1964 Last Updated 25th November, 2019 S.R.O No. 255/64. - In exercise of the powers conferred by section 22 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) the Government of Kerala hereby make the following rules the same having been previously published as required by sub-section (1) of the said section, namely :-

1. Short title and commencement.

(1) These rules may be called the Kerala Survey and Boundaries Rules, 1964. (ii) They shall come into force on the first day of September 1964.

2. Definitions.

- In these Rules, unless the context otherwise requires - (a) "Act" means the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961); (b) "Field mark" means the mark placed at the bends and junctions on the boundaries of survey fields and sub-divisions and includes marks placed on village boundary, Khandom boundary and other offset stones. (c) "form" means a form appended to these rules; (d) "section" means a section of the Act; (e) "theodolite mark" means the mark placed at the stations where a theodolite is set up and observations made.

3. Specifications of Survey marks.

- Survey marks shall ordinarily be stones of durable quality, namely granite stones of the following descriptions and dimensions (1) Field stones : - Granite stones of durable quality roughly squared of approximate dimension 60 cm x 15 cm x 25 cm with a plummet hole, 1 cm deep cut on the side. (2) Theodolite stones : - Granite stones of durable quality roughly squared of approximate dimensions measuring 60 cm x 15 cm x 15 cm with a plummet hole, 1 cm deep cut on the top and a coconut tree mark 1 cm deep cut on one side (G.O)p) 367/76/RD , dated 3rd March 1976). The

survey marks which have been duly planted under proper authority before the commencement of these rules shall be deemed to be of the prescribed description and size.

4. Symbol for identification.

- The following symbols shall also be cut on theodolite and field stones to facilitate identifications.(a)on a theodolite stone at a village trijunction, a triangle one cm deep enclosing the plummet hole;(b)On a theodolite stone at any other point on the village boundary, two parallel lines one cm, deep one on either side of the plummet hole and parallel to the boundary line;(c)on a theodolite stone on a khandom boundary, a circle one cm, deep enclosing the plummet hole;(d)on all other theodolite stones a plummet hole one cm, deep on the top.(e)on a field stone on the boundary of a village plus mark (+) one cm deep on the top, and(f)all survey marks erected during town survey shall have in addition to the above marks a square of 7 cm side cut one cm, deep on the top.

5. Symbols on Survey marks on frontier boundaries.

(1)In the case of survey marks on the frontier boundaries, symbols of the neighboring states shall also be cut on the respective sides.(2)The stones erected by other Departments on boundaries of lands may be recognised as survey marks if the proper symbols as provided under rules 3 and 4 are cut on them and if their specifications are not below those described under rule 3.

6. Survey marks on rocks.

- When stones cannot be planted owing to the position of a survey mark falling on a rock, the survey mark shall be cut on the rock. Squares of 20 cm side or 15 cm side as the case may be shall be chiseled on the rock, and the coconut tree mark shall be cut adjoining the square. The distinguishing symbols mentioned in rule 4 shall also be cut inside the square according to the nature of the boundary.

7. Survey marks in special tracts.

(1)In low lying lands and backwaters, the sizes of the theodolite stones shall vary from 150 cm x 20 cm x 20 cm to 250 cm x 20 cm x 20 cm and field stones shall be of dimensions varying from 100 cm x 15 cm x 15 cm. to 200 cm x 15 cm x 15 cm according to the needs of the locality.(2)When water in low lying lands and backwaters is too deep even for stones of the sizes mentioned in sub-rule (1) , a\hard and stout coconut stem with the coconut tree mark painted in tar on the side near the top, shall be planted firmly so that a length of at least one metre may be buried under the ground and a length of above 50 cm. may be visible above high water level.(3)In exceptional cases, where survey marks of the prescribed quality and dimensions cannot be obtained at reasonable cost, the Director of Survey and Land Records shall for reasons to be recorded in writing suitable survey marks.

8. Service of Notice.

- All notices and communications required under the Act shall be in writing. When the registered holder or other person on whom any of the notices or communications under the Act have to be served is not available, service may be effected by delivering the notice or communication to some adult member of his family at his usual place or residence or to his authorized agent or by affixing it in some conspicuous part of his last known residence or on some conspicuous part of the land to which the notice or communication relates. When service is effected by so affixing the notice, the serving officer shall note the method of service on the form of acknowledgement which is returned to the officer issuing the notice or communication.

9. Maintainable survey marks.

(1) The maintainable survey mark shall be the following. (a) All theodolite stations ; (b) Survey marks at the junction of survey fields, end of 'G' lines , or base lines and in the case of Government land bends also on subdivision boundaries. (G.O (P) 1568/75/RD ., dated 24th November 1975). (2) A survey mark shall be deemed to require repairs - (a) When it is out of the ground, or is buried less than 2/3 of its length or is completely under the surface of the ground. (b) When it is out of its correct position; and (c) when it is covered with vegetation.

10. 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 repair, the Survey Officer shall issue notice under sub-section (2) of section 15 in Form No.1 to the concerned registered holder.

11. Report of the Village Official about damaged survey marks.

- The report of the village official under sub-section (b) of section 17 shall be made to the Taluk Surveyor or the Revenue Inspector by an entry in an inspection register and extract of which should be submitted periodically.

12. Renewal and repair on failure of registered holder.

- If the registered holder of any land fails to carry out the repairs or renewal within the period specified in the notice, any officer empowered under the Act within whose jurisdiction the land lies shall renew or repair the survey marks at Government cost, which will be recovered later from the registered holder of the land in the manner specified in rule 17.

13. Cost of renewal and repair of survey marks.

- The cost of renewing a missing stone or repairing a stone shall be according to sub -rule (b) to (d) of rule 85.

14. Apportionment of cost.

- The cost of the renewal or repair of each survey mark shall be apportioned as laid down in rule 85 (e).

15. Maintenance of survey marks on the boundary between Government lands and Registered lands

- In the case of a survey mark on the boundary between Government lands and registered lands, the registered holders or owners of registered lands touching the survey mark shall be responsible for the maintenance of the survey marks on the boundary.

16. Orders under section 15 (1) to be communicated by the Tahsildar.

- Orders passed under sub section (1) of section 15 imposing charges for renewal or repair of survey marks shall be communicated to the registered holder in Form No.2. Where officers other than Tahsildars concerned pass orders, such communication shall be made through the Tahsildars concerned. For this purpose the notice shall be prepared in duplicate and the Tahsildars shall after serving the notice on the registered holder, return the original to the officer issuing the notice.

17. Recovery of charges for renewal or repair of survey marks.

- If no appeal has been preferred or if an appeal has been preferred after orders are passed on that appeal, the authority concerned shall issue a notice to the registered holder in Form No.3 for the recovery of charges for renewal or repair of survey marks through the Tahsildar of the taluk in which the land is situate. For this purpose the notice shall be prepared in duplicate and the Tahsildar shall after serving the notice return the original to the officer issuing it. Another copy of the notice shall also be sent by the officer issuing it to the Tahsildar who shall take steps for the recovery of the amount after serving the notice as aforesaid.

18. Verification and maintenance of /State boundaries forming boundaries of forests.

(1) whenever the State boundary forms the boundary of Reserve Forest, or private forest, the divisional Forest Officer, within whose jurisdiction the Reserve Forest or Private forest is situated, shall be responsible for periodical joint inspection of such boundary with representatives of the bordering states. (2) The notes of joint inspection with illustrative sketches showing the position of survey marks inspected, shall be forwarded to the collector of the district with copy to the Assistant Director of Survey and land Records having jurisdiction. The Collector shall make arrangements for attending to the repair or renewal of the survey marks jointly with the authorities of the neighbouring states after the estimates are got approved by the respective Governments.

19.

Verification and maintenance of State boundaries in other cases.- In all other portions of the State boundaries, the Tahsildar concerned shall be responsible for periodical joint inspection with the authorities of the neighboring states. The joint inspection report with illustrative sketches should the positions of survey marks inspected, shall be prepared and submitted to the District Collector with estimates necessary for repairs and renewal of survey marks. After the estimates are got shall be attended to by the maintenance staff of the taluk, after observing necessary formalities under the Act.

20. Charges for the repairs and renewals of the State boundaries.

- The bill of charges for the repairs and renewals of survey marks on State boundaries shall be submitted to the concerned District Collectors for further action.

21. Inspection and maintenance of survey marks on lands under the control of the Central Government.

- The inspection and maintenance of survey marks on the lands under the control of the Central Government shall be attended to jointly by the District Collector or his nominee and a representative of the concerned department of the Central Government.

22. When to make fresh subdivisions.

- A fresh subdivision in a survey field or subdivision thereof may be created in the following circumstances ;-(1)(a)when survey field or a subdivision of a survey field is to be further subdivided under the rules for joint registry or transfer of registry.(b)When a transfer of registry of a portion of a survey number or subdivision is to be made as per the Kanam Tenancy Act, 1955.(2)When portions of survey fields or subdivisions are leased out under the rules for the issue of mining leases, and when portions of surveyed Government lands are leased out for a period of 12 years or more.(3)When Government lands are transferred from assessed to unassessed and vice versa.(4)When a new subdivision has to be created under the Kerala Land Acquisition Act, 1961.(5)when a subdivision has to be effected for transfer of Government land to the control of a Local Body or any Department of Government.(6)When a subdivision has to be made under the Kerala Land Relinquishment Act, 1958 to write off land tax after acceptance of the relinquishment by the District Collector.(7)When a subdivision has to be made for classification of land for the purpose of land revenue assessment .(8)When a new subdivision has to be created for giving effect to any law.

23. Procedure for effecting a subdivision.

- In case of fresh subdivision under clauses (2) to (8) of rule 22 the provisions of section 6,7,9,10,11 and 13 of the Act shall be followed. The notice under subsection (2) of section 9 shall be in Form

No.4 and the notice under sub-section (2) of section 10 or sub section (1) of section 11 shall be in Form No.5

24. Measurement of new subdivision by Village Assistant where no special agency is employed.

- whenever a new sub division has to be created under rule 22 and wherever a special agency is not employed the Village Assistant shall measure the proposed subdivision on the ground. But no subdivision shall be measured in respect of cases for transfer of registry, unless there are clear and well defined boundaries at site, showing the limits of the new subdivision. Every applicant for transfer of registry shall remit the subdivision fee prescribed under rule 92. On receipt of application, the Tahsildar shall forward it to the Village Assistant after registering it in a register of new subdivision cases. The Village Assistant shall measure the new sub division boundary according to its alignment as seen on ground, after issue of intimation to the parties in Form No.6, prepare a regular subdivision sketch and subdivision statement in duplicate in Form No.7 and submit them to the Tahsildar through the Taluk Surveyor, Town surveyor or revenue Inspector as the case may be. The signature of all the parties involved in the subdivision case, in token of their approval of the extent and boundaries of the new subdivisions, shall as far as possible be obtained in the sketch and the subdivision statement. The Tahsildar shall get the subdivision sketch and subdivision statements scrutinized by the Superintendent of Survey and Land Records,

25. No durable demarcation of new sub division to be made in certain cases.

- No durable demarcation of the new subdivisions need be made in respect of the cases falling under sub-rule (1) of rule 22 and in all other cases durable demarcation shall be compulsory. Demarcation and Survey of Registered But Unsurveyed Subdivisions

26. Extent of application.

- The rules under this Part shall apply to cadastral surveyed fields and not to minor circuits within which such unsurveyed registered holding are situated.

27. Request for demarcation of registered lands.

- When the registered holder of a settlement or post settlement or current pokkuvaravu subdivision which has not yet been demarcated and surveyed, applies for the demarcation and survey of his land, it shall be done at his cost. The application for the purpose shall be made in Form No 8 to the Tahsildar of the taluk in which the land is situated.

28. Rates of Survey charges.

- the applicant at the rates specified below shall deposit Survey charges under rule 27 in advance. (a) When the area to be surveyed is one acre or less ten rupees. (b) When the area to

be surveyed is more than one acre 40 ares ten rupees for the first acre 40 ares and Re.1 for every additional acre 40 ares for fraction thereof. Provided that in cases where the above rates are inadequate owing to the heaviness of work involved on the demarcation and survey, the Tahsildar may fix higher rates according to the special circumstances of the case in consultation with the Superintendent of Survey and Land Records of the District.

29. Notice by Tahsildar.

- The Tahsildar shall, after determining the charges to be levied, issue notice to the applicant in Form No.9 informing him of the amount to be deposited.

30. Refund of survey charges.

- The survey charges shall be remitted into the treasury under the appropriate head of account. These charges shall not be refunded unless the work could be done owing to the original survey records being incomplete or discrepant or due to other causes. In such cases, the Tahsildar shall report the matter to the District Collector and get his sanction for the refund.

31. Failure to deposit survey and demarcation charges.

- If the applicant fails to deposit the survey charges within the period prescribed in the notice, the application shall be rejected. As amended by Notification No.G.O (Ms) 575/65/Rev., dated 29th June 1965.

32. Issue of notice on deposit of charge.

- If the amount is deposited, the Tahsildar shall forward the application to the Taluk Surveyor or Town Surveyor or Revenue Inspector as the case may be for demarcation and survey of the lands who shall issue notice in Form No.6 to the applicant and also to the registered holders of all the unsurveyed subdivisions with in the survey number of surveyed sub-number containing the registry, to be surveyed and demarcated.

33. Preliminaries for sub division survey.

- Before undertaking subdivision of any unsurveyed revenue field, the boundaries of the survey field or its surveyed subdivision containing the unsurveyed revenue field must be refixed according to existing records of measurements, and necessary repairs, renewal of survey marks carried out. Then all the unsurveyed revenue subdivisions of fields falling within the boundaries of the refixed survey field or its subdivision must be surveyed and the applicant shall be liable to pay fees for the whole area of the survey or revenue numbers so surveyed.

34. Demarcation of new subdivision boundaries in accordance with Government records , etc.

- Subdivision boundaries which are to be newly demarcated shall be demarcated and surveyed in accordance with Government records and documents of title wherever such records and documents indicate the measurement, extent and shape of the subdivision to be made, and in the absence of such records and documents the boundary shall be demarcated and surveyed in accordance with the limits of enjoyment as seen on the ground.

35. Parties to provide new survey marks etc.

- For measuring subdivision 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 party concerned.

36. Submission of subdivision sketches, etc. to the Tahsildar.

- The Taluk Surveyor or other authority concerned shall measure the subdivision and prepare the subdivision sketches and necessary subdivision statements in duplicate and submit them to the Tahsildar with the served copy of the notice in Form No.6 and the bill of cost of the work. The Tahsildar shall get the subdivision sketches and subdivision statement scrutinized by the superintendent of survey and Land Records.As amended by Notification No.G.O (MS) 575/65/Rev. dated 29th June 1965.

37. Complaints to be disposed of by the Tahsildar.

- Complaints received during the course of the survey and demarcation shall be enquired into and disposed of by the Tahsildar.

38. Tahsildar to issue notice of completion of survey.

- The Tahsildar shall issue notice of the completion of the survey in Form No.4 to all the parties affected by the survey.

39. Appeal to the Superintendent of Survey and Land Records.

- Appeal against the orders of the Tahsildar shall lie to the Superintendent of Survey and Land Records of the district whose decision shall be final.

40. Superintendent of Survey and Land Records to issue revised records.

- After the disposal of the land complaints, the Superintendent of Survey and Land Records shall issue the revised records to the Village Officers through the Tahsildar. The changes if any resulting

from the survey shall be incorporated in the rerecords immediately and the fact verified at the time of Jamabandy.

41. Procedure for survey of settlement subdivisions which are porambokes.

- when settlement subdivisions which are porambokes remain unsurveyed in fields already surveyed, they shall be surveyed and demarcated as provided hereunder.(1)The poramboke subdivision in a survey number or revenue field shall be surveyed first, as seen on ground.(2)When the poramboke subdivision shown in the divide sketch in one portion of the survey number or revenue number lies in a different portion, demarcation shall be according to the existing position of the poramboke.(3)The demarcation shall be confirmed according to the existing shape of ground in the following cases, namely.(a)If the area calculated is the same as the settlement area though its width is more or less than the width recorded in the divide sketch, and(b)If the area calculated is more than the area recorded in the settlement register and if the width is not greater than the width recorded in the divide sketch.(4)If the existing area and width are less or greater than the settlement area and the divide sketch measurements the whole survey or revenue field with the poramboke and all other subdivisions in it shall be surveyed according to existing limits.(5)If the area of the next adjoining subdivisions shows any excess that excess shall be added on to the poramboke and treated as encroachment as far as there is deficit in the recorded area of the poramboke.(6)When the whole or part of the poramboke subdivision of any survey number or revenue field as seen on ground lies in the adjoining survey or revenue number, the poramboke subdivision shall be demarcated within the survey number or revenue number defined as per the settlement register, so as to cover the settlement area and by the side of the existing poramboke.

42. Basis for demarcation of subdivisions acquired under the Land Acquisition Act.

- In the case of subdivisions acquired by the Government under the Land Acquisition Act, 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.

43. 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.10 to the Tahsildar of the Taluk in which the land is situated.

44. Fee for pointing out surveyed boundaries.

- For pointing out boundaries, fee shall be levied at the rate specified in rule 94.

45. Notice to remit fees.

- The Tahsildar shall issue a notice to the applicant, in Form No.11 directing him to remit the required fee. After the prescribed fee is remitted, the Tahsildar shall forward the application shall be rejected.

46. Failure of deposit fees.

- If the applicant fails to deposit the fee within the period prescribed in the notice in Form No.11 the application shall be rejected.

47. Refund of fees.

- The fee shall not be refunded to the applicant unless the Tahsildar finds that the work could not be done owing to the original survey records being incomplete or discrepant or due to other unforeseen reason. In such cases, the Tahsildar shall obtain the sanction of the District Collector for the refund.

48. Notice to the applicant and pattadars of adjoining lands.

- Notice in Form No.12 shall be issued to the applicant as well as to the pattadars of the adjoining lands by the Survey Officer attending to the work before the work is started.

49. Failure to comply with the notice under rule 48.

- If the fails to produce necessary survey marks or coolies for the line clearance in spite of the notice issued in Form No.12, the application may be returned by the Survey Officer to the Tahsildar starting the above fact; and the Tahsildar shall be competent to reject the application for such defaults on the part of the applicant. The applicant shall also forfeit the amount deposited by him in case his application is rejected. Complaints on the question whether there has been a default shall be enquired into and disposed of by the Tahsildar and his decision thereon shall be final.

50. Pointing out or refixing boundaries by the Survey Officer.

- The Survey Officer shall point out or refix the boundaries according to the recorded measurement. The renewals and repairs of Survey marks shall be executed by the Survey Officer and a refixing sketch shall be prepared and kept in the file.

51. Notice of completion of work.

- After the application and records are received from the Survey Officer the Tahsildar shall issue a 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.

52. Appeals against refixing boundaries.

- Appeals against the refixing work done by the Survey Officer shall be preferred before the Superintendent of Survey and Land Records of the district within a period of three months from the date of service of the notice in Form No.13 or Form No. 14 as the case may be. The decision of the Superintendent of Survey and Land Records in the matter shall be final. Correction of Previous Survey Measurement

53. Correction of chain survey measurements.

- The survey measurements already recorded by the process of chain survey, shall be corrected, if the error found on verification exceeds the following limits:-In the areas where the survey records are maintained according to Town Survey System $1\frac{1}{3}$ decimeters for a distance of 200'/60 metres and under, and not more than $1\frac{1}{3}$ decimeters for every 200'/60 metres for distances exceeding 200'/60 metres subject to a maximum of $3\frac{1}{9}$ decimetres. In other areas, 5 links/10 decimetres for a distance of 5 chains 100 metres and under and not more than 1 link/2 decimetres, per chain/20 metres for a distance over 5 chains/100 metres subject to a maximum of 10 links/20 decimetres in wet lands and 20 links/40 decimetres in dry lands.

54. Correction of theodolite survey measurements.

(1) In the case of theodolite surveys the recorded angle as per previous survey shall be corrected, if the angle observed at the same station differs by more than three minutes. The limit of tolerance allowable in linear measurements of a theodolite traverse survey shall be as follows: -For distance for 100 links /20metres or below One Links/2Decimetres For distance above 100 links/20metres up to and including 500 links /100metres , One link/2decimetres. For distance over 500 links/100 metres One link/2 decimetres for every additional 250 links/50 metres

55. Discrepancy to be removed as per per actual measurements on ground.

- If the difference between the recorded measurements for a common boundary does not exceed the limit prescribed under rule 53 or rule 54, the discrepancy shall be reconciled as per actual measurements on ground.

56. Limits of error in the case of recorded area of fields or subdivisions.

- In the case recorded areas of fields or subdivisions, the allowable limits of error shall be as follows:-(a) In the case of survey fields or subdivisions in the former Travancore area five cents/2 area up to 5 acres/2 hectares and one per cent above five acres /2 metres extent. (b) In the case of Taluk of Palaghat and Walluvanad of the former Malabar district , 10 per cent of the registered extent. (c) In other case, 5 cents/2 areas per acre/40 ares of registered extent.

57. Correction of measurements expect in the case of state boundaries.

- The measurements found wrong as per the proceeding rules shall be corrected in the following manner expect in the case of measurements on the State boundaries. The Village Assistant or Survey Officer Shall have power to enter upon any land falling with his jurisdiction and examine whether upon any land falling within his jurisdiction and examine whether any recorded measurement in the previous survey is erroneous.

58. Correction of chain survey measurements to be with the sanction of the Superetendent of Survey and Land Records.

(1)No Correction or addition or omission to the existing linear measurements in the final records of survey of a field surveyed under chain survey and Land Records of their district and without issue of notice ion form No. 14 to the registered holders concerned.(2)Having satisfied himself by field verification of the diecupancies in linear measurements and after issuing notice in form No. 14 to the concerned registered holders and after disposing of their objections if any raised in the matter a Survey and Land Records through the Tahasildar for sanction of the proposals and order necessary changes in the records of survey and settlement, except in respect of the cases mentioned in rule 60 below.

59. Sanction of Government necessary for correction of District or State boundary.

- Wherever the correction of measurements involves any change in the District boundary or State boundary, insted of the Superintendent of Survey and Land Records , the Government shall be the competent authority to sanction the alteration of measurements.

60. Sanction of District Collector or Assistant Director necessary in certain cases.

- When ever the correction of measurements involves a change in the existing area of the field or its subdivision by more than 5 per cent the area in the memorandum of alteration shall be checked and certified as correct by the Superintendent of Survey and Land Records of the district and the District Collector shall be the competent authority to sanction the alteration of area. No correction to the existing measurements in the theodolite survey records or town survey records shall be the made without the previous sanction of the assistant Director of Survey and Land Records having jurisdiction over the area. When corrections are found necessary, a draft memo of alterations with illustrative sketches shall be prepared by the Survey officer proposing corrections after duly enquiring 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 it to the Assistant Director of Survey. The Assistant Director of Survey shall, on receipt of the draft memo of alterations, senutinise them and having satisfied himself of the necessity for the correction, may approve it and order necessary corrections in the records. Whenever the corrections involves

changes in the recorded areas of fields or subdivision, the Assistant Director shall after technical scrutiny, forward the memorandum of alterations to the District Collector for sanction and ordering the changes in the concerned records.

61. Procedure for alteration of recorded areas.

- The following procedure shall be followed for the alteration of a recorded area:-The field shall be re-measured and area recomputed by the Survey officer. If the difference between the recorded and recomputed areas exceeds the limit prescribed in rule 56, memorandum of alterations shall be properly prepared by the Survey officer and submitted through the Tahasildar to the Superintendent of Survey and Land Records of the district for technical scrutiny. On receipt of the memorandum for the alteration of the area duly approved by the Superintendent of Survey and Land Records, Tahasildar shall issue notice in Form No. 14, to the concerned registered holders. In preparing the memorandum, if the error in the total area of the entire survey fields is within the allowance and area of any of the component subdivisions exceeds the allowance prescribed in rule 56, the areas of all the subdivisions in the survey field shall be recomputed and suitably adjusted so as to agree to the total area of the field. After disposal of complaints, if any, the Tahasildar shall in necessary cases submit the alteration memorandum to the District Collector for sanction. The changes in survey and settlement records shall be carried out only on receipt of orders sanctioning the alteration proposed in the memorandum.

62. Technical scrutiny to be conducted by the Assistant Director in certain cases.

- In case of alteration of areas involving correction of the old measurements, the technical scrutiny of the survey records shall be conducted by the Assistant Director of Survey and Land Records having jurisdiction over the area.

63. Resurvey where there is no error in the measurements but the boundaries on ground disagree.

- Where there is no error in the measurements but the boundaries on the ground disagree with the records, the field must be resurveyed in accordance with the actual facts of enjoyments, except in the case of poramboke, where each case will be dealt with on its own merits.

64. Certain alterations in the village boundaries to be reported to the Director of Survey and Land Records.

- The traverse alterations referred to in rule 60, all perceptible on the map on scale of 14000 shall be reported immediately to the Director of Survey and Land Records. Original Survey and Resurvey

65. Records to be prepared by the Survey Officer in the case of cadastral survey.

- For the cadastral survey of an area the following of an area the following records shall be prepared by the Survey Officer before the completion of survey of such area is notified under section 13,
- (i)Field register showing the number and area of each survey field and subdivision, and as far as ascertainable, the tenure and ownership of the same;(ii)record of measurement or field measurement book plotted to scale and showing measurement taken for each field and subdivision;(iii)map plotted to scale showing all survey fields with important topographical details.

66. Points to be demarcated with survey marks.

- The following shall be the points to be demarcated with survey marks of the specifications prescribed under rules 3 to 7;-(i)Terminal points of traverse lines;(ii)bends and junctions of all fields except in areas surveyed under diagonal and offset system where stones, need be planted only at field trijunctions. [G.O.(p) 1568 [75] RD, dated 24th November, 1975 1,(iii)bends on the boundaries of Government lands inclusive . of those vested in local bodies by the Government ;(iv)terminal points of G, lines in street survey or town survey vertices of triangles formed during trigonometrical with theodolite. Triangulation

67. Limits of enjoyments as seen on ground to be followed in demarcating boundaries in certain cases.

- In demarcating boundaries of few fields in unsurveyed tracts, or boundaries of enjoyments as seen on ground shall be followed as far as possible , unless there are valid documents to prove beyond all reasonable doubt that the boundaries have to be demarcated otherwise. The new fields created in unsurveyed tracts shall not wet lands and 10 acres /4hectares approximately in the case of dry lands.

68. Application for survey under section 5.

- The application of the registered holder for survey under section 5 shall be in Form No. 15 and shall be submitted to the Collector through the Tahasildar. Each such application must bear the countersignature of the Village officer of the village in which the property is situated and shall be accompanied by a challan receipt of five rupees under the appropriate head. If the Collector, after such enquiry as he may deem fit, is satisfied that a survey under section 5 is necessary, he shall order accordingly.

69. Fee remitted under rule 68 not to be refunded.

- The fee remitted along with the application referred to in rule 68 shall not be refunded under any circumstances.Survey of Minor Circuit Fields

70. Survey of Minor circuit field.

- Before taking up the survey of a minor circuit the procedure prescribed in the Kerala Survey and Boundaries Act shall be observed. The Tahsildar shall furnish revenue list and key maps, and copies of original measurement sketches wherever available.

71. Registered lands in minor circuit to be located with reference to revenue records etc.

- All the registered lands within the minor circuit shall, as far as possible, be located with reference to revenue records, limits of enjoyment and documents of title.

72. Excess area of possession to be cut off and sub-divided.

- If the existing extent of possession of a registered holder is less than the registered extent, the deficit, if it is less than 5 per cent or six cents/2 area whichever is less, shall be ignored; but if the deficit exceeds the above limits, the matter shall be brought to the notice of the appropriate authorities of the Revenue Department.

73. Deficit extent of registered holding to be made good.

- If the existing extent of possession of a registered holder is less than the registered extent, the deficit, if it is less than 5 per cent or six cents/2 area whichever is less, shall be ignored; but if the deficit exceeds the above limits, the matter shall be brought to the notice of the appropriate authorities of the Revenue Department.

74. Deficit in registered area in minor circuit.

- If the registered area in a minor circuit field cannot be fully located as compact block, the matter shall be brought to the notice of the appropriate authorities of the Revenue Department.

75. Demarcation of Railways, etc.

- Railways, cart tracts, footpaths and channels which are now seen in the minor circuits shall be demarcated as such in the survey. As far as possible, access shall be provided to each subdivision by utilizing the Government lands available.

76. Encroachment in minor circuits.

- Encroachments in minor circuits shall be surveyed and demarcated after locating all the registries in the field.

77. Provisions of section 9,10 and 13 to be followed before finalizing survey in minor circuits.

- Before the survey of minor circuits is made final, the provisions of sections 9,10 and 13 shall be followed.

78. Survey in minor circuits forming village sites.

- In the case of minor circuits forming villages sites, the allowances prescribed in rule 72 and 73 shall not allowed and survey shall be conducted strictly according to enjoyment. Survey of Village Sites, Municipal Towns and Cities

79. Form of notification under section 6.

- Before demarcating boundaries, a notification shall be published in Form No.16 or Form No.17 as the case may be.

80. Present limits of possession and enjoyment to be followed in demarcation of boundaries in minor circuits.

- In demarcating boundaries between registered holdings within a minor circuit, the present limits of possession and enjoyment shall be followed.

81. All subdivisions to be accounted for measured and mapped.

- All subdivisions as per list furnished by the Tahsildar and the Commissioner of the Municipality or Corporation as the case may be, shall be accounted for, measured and mapped and subdivisions not shown in the above list may also be measured and shown in the map, provided they are based on documents evidencing proprietary rights and they are in separate possession and enjoyment of the registered holders, or persons entitled to registry, where transfer of registry has not been affected.

82. Survey porambokes and other Government lands.

- Porambokes and other Government land shall be first surveyed according to the existing shape seen on the ground the areas calculated. In such cases, demarcation shall be confirmed according to the existing state of ground in the following cases only. if the area is found to be the same as the settlement area through the present widths or less than the widths recorded in the divide sketches. if the area is found to be more than the area recorded in the settlement register through the present widths are not greater than the widths recorded in the divide sketches; if the area is found to be less than the area recorded in the settlement register, but the width is not less than that recorded in the division sketches.

83. Excess areas of adjoining subdivisions to be added to porambokes and other Government lands.

- If the present area and measurements of porambokes and other Government lands are both less than the settlement areas and dived measurements respectively, and if the areas of the adjoining subdivisions show any excess, such excess shall be added to the porambokes or other Government land treated as encroachments as far as there is deficit in the recorded width of the poramboke or other Government lands.

84.

[***]Recovery of Cost

85. Recovery of the cost of survey.

(a) Recovery of the cost of the operation prescribed in subsection (3) of section 6 of a specified area or a block taken up for survey shall be made as soon as the field work thereof is over. The cost of renewing a missing stone comprises of the following items:-(i)The cost at the village debot of the stone of the required size and description, if the stone are available, and in other cases the cost of a stone in the locality fixed by the Tahasildar, or any other Survey officer(ii)All labour charges required for items such as measurements in field connivance and planting of survey marks, cutting of symbols and such other incidental items subject to a maximum of Rs.2 per stone.A fixed charge Re. 1 per stone for the time and labour of the Government staff employed. (c)The cost of repairing a stone shall be the actual cost of the hired labour, subject to a maximum of Rs.2 per stone, and also a fixed charge of Re. 1 per stone towards the time and labour of the Government staff.The District Collectors and the Director of Survey and Land Records may in deserving cases, enhance the cost of hired to actual expenses according to the requirements of the cases, irrespective of the maximum fixed above.The cost of renewal or repair of each survey marks shall be apportioned in equal preparation among the registered holders of all fields touching the stone repaired or renewed.

86. Manner of recovery of cost.

- Recovery of the cost of the survey operations prescribed in subsection (3) of section 6 shall be made according to rules 95 and 96.

87. Notice of recovery.

- when charges are recoverable under sub-section (5) of section 6 or section 7 notice of the determination and appointment shall be served through the revenue authorities in Form No.19.

88. Notices in the case of survey works undertaken by the L.R.M. staff.

- In the case of survey works undertaken by the L.R.M. staff, the Town Surveyor or Taluk Surveyors or Revenue Inspector shall prepare the notices.

89. Appellate authorities.

- The copies of the notice or order served under rule 87 shall be returned and appeals if any against such decision or order shall be disposed of by the following authorities:- (i) Where the decision or order as the case may be, is of the Town surveyors, Taluk surveyors or Revenue Inspectors, by the Tahsildar of the Taluk. (ii) Where the decision or order as the case may be, is of the Head Surveyors or Superintendent of Land Records in the Range Offices or in special survey parties in the Range Offices, by authority to whom such officer is immediately subordinate.

90. Issue of notices and demand statements.

- After disposal of appeals under section 11 or subsection (3) of section 16, notices in Form No.3 shall be served on the parties concerned and the demand statement in Form No.20 or Form No.21, as the case may be, shall be furnished to the District Collector by the Assistant Director of survey and Land Records in charge of the Range or the tahsildar, as the case may be, for further action in the matter of recovery.

91. Form of order under section 15 (1) and notice under section 6(5).

- The order for recovery under sub-section (1) of section 15 shall be in Form No.2 and the notice under sub-section 6 shall be in Form No.19.

92. Fees for transfer of registry.

- In the case of sub-divisions for transfer or registry falling under rule 24, the following shall be the rates of fees payable by the applicant along with the application:- (i) two rupees for subdivision to be surveyed, (or) (ii) two rupees for the first one acre/40 or fraction thereof, whichever is higher.

93. Power of district Collector to enhance rates.

- In case which are really difficult involving much labour and expenditure where the above rates are not workable, enhanced rates may be fixed by the District Collector.

94. Fees for pointing out boundaries.

- Wherever the boundaries of survey fields or subdivisions thereof already surveyed and mapped have to be pointed out to the registered holders on their application, fee at the following rates shall be payable:- Two rupees (Rs.2) for every boundary line of the field or subdivision thereof. In cases

that are really difficult involving much labour and expenditure where the above rates area the district collector may fix not workable, enhanced rates.

95. Appointment of charges under section 6 (5) and 7.

- When a survey is ordered under section 4 or section 5 and the charges determined under sub-section (5) of section 6 or section 7 for any village or part of any village, such charge shall be apportioned on the land surveyed in proportion to the area thereof as ascertained in the manner specified below: (i) The area of the fields for which the holders have supplied labour and survey marks, shall be deducted from total area dealt with; (ii) The total area surveyed and the rate of survey charges per hectare determined shall divide the total charges. The rate of charges for fields of over 20 hectares in extent shall be computed at one-fourth of the rate determined for one hectare as aforesaid. The charges shall be recovered from all the registered holders at the rate so computed. Government being treated as registered holder of unoccupied lands [G.O. Rt. 2224/74/RD, dated 22nd November, 1974].

96. Determination of the rates of survey charges.

- The determination of provisional rates at which charges have to be levied shall begin as soon as the field work in respect of a specified area or block is over.

97. Demand to be sent to the Revenue Department for collection.

- The demand together with a list of the excluded fields shall be sent to the Revenue Department for collection. The balance of the cost relating to the surveyed area shall be carried forward for apportionment in the succeeding month.

98. Procedure of collection in Revenue Department.

- As soon as each demand is received, the Tahsildar shall work out the demand separately for each holding and forward the demand notice in duplicate to the Village Officer for collection.

99. Calculation of average rates in case of town surveys.

- In the case of town surveys, the average rate for the recovery of the cost of stones and their labour shall be calculated in the following manner: (i) The blocks into which the town has been divided during survey will be classified as 'close', 'medium' and 'open' according to the number of houses in them. An acre/40 Ares of close area shall be considered as equivalent to 4 acres/160 areas of medium and 12 acres/480 Ares open area. (ii) The total charges shall be divided by the total area in acres/ares terms of open area. The average of charges having been thus determined for open areas that for medium area shall be computed a three times the rate open area and that for close area at twelve times such rate. (iii) That determine of the rate at which the charges have to be levied shall be made when the mapping of the town has been completed. the demand shall be sent to the Revenue

Department for collection .(iv)In determination of the demand against the municipality, the charges in respect of the lands owned by, vested in, or alienated to, the municipality shall be worked out and only two-thirds of the cost being met from the municipality, the remaining one-third being borne by the Government

100. No deduction in case of surveys under section 4 or section 7.

- In the case of surveys ordered under section 4 or section 7, no deduction shall be made and the principles apportionment shall be modified to that extent only.

101. Powers to be exercised by various classes of officers.

- The officers specified in column (1) of the schedule below shall exercise the powers under the section or sections specified against each in column (2) hereof: