

LAND ADMINISTRATION DEPARTMENT

From

To

The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.

All District Collectors
(With enclosures)

Letter No.F3/11339/2018 dated:7.12.2020

Sir,

Sub: Special Scheme for Regularization of encroachments under
G.O.318 & 480 – Issuing instructions and clarifications – Reg.

- Ref: 1) G.O.Ms.No.318, Revenue & Disaster Management
Department, dated 30.8.2019.
2) G.O.Ms.No.480, Revenue & Disaster Management
Department, LD1(2) Section, dated 11.9.2020.
3) This office letter No.F3/11339/2018, dated 15.10.2020.
4) The Chief Secretary D.O.Letter No.36384/LD-
1(2)/2019-27, dated 19.10.2020.
5) Minutes of the meeting held under the chairmanship of
Chief Secretary, dated 16.11.2020 in his chamber.

I invite kind attention to the above references cited.

2) In order to implement the Noble Scheme of Regularization of Encroachments in unobjectionable porambores and to protect the objectionable porambores by resettling the encroachers in that land Government have issued orders as referred in ref 1st to 2nd cited. As per the G.O. in the ref 1st cited enumeration have been carried out and pertaining datas have been entered in GLR (Government Land Register). Further to implement the above scheme smoothly vide reference 4th cited, a detailed instructions were given to all collectors, by our respected Chief Secretary. In this regard, a meeting was held under the chairmanship of Chief Secretary to Government of Tamil Nadu with 1)Additional Chief Secretary, Revenue Department, 2) Principle Secretary to Government, Animal Husbandry, Fisheries & Development Department, 3)Commissioner of Land Administration (FAC), 4) Director of Animal Husbandry & Veterinary Services & 5) Additional Commissioner (FAC) on 16.11.2020 to review the progress made in implementation of Special Scheme of Regularization of residential encroachments made in Government Porambores. In the said meeting the difficulties faced by the districts in implementing this scheme and clarifications raised by districts were discussed in detail as a result the following clarifications and schedule of work to be done at district level were arrived at which were given below for compliance and for information:-

Schedule & Method of work:

I. Regularization of encroachment in Corporation areas and conversion of Meikkal lands:-

(i) The proposal for the corporation areas should be sent to CLA's office.

(ii) In this regard, the Chief Secretary has proposed conduct a video conference in the fourth week of November, with respective District Collectors on regularization of encroachment in corporation areas.

(iii) In respect of Municipality/corporation areas, the land cost would be considerably on higher side and as such, it has been reiterated to examine the feasibility of allotment in multi storied housing scheme though TNSCB infavour of encroachers in unobjectionable poramboke land also and to proceed further as contemplated in G.O.318 for areas exceeding 25 cents.

(iv) In respect of residential encroachment in town panchayat area, vertical development may be considered by constructing of two storied buildings and to grant joint patta in favour of encroachers.

(v) With regard to residential encroachment in Meikkal/Mandaiveli poramboke lands, consolidated proposal should be formulated on district wise and sent to Government for placing before the State Level Committee.

(vi) In order to have a uniform procedure in the State a template to be prepared on the proposal for regularization of residential encroachment in Meikkal land (Model annexed herewith, which can be used with suitable modification by the Districts)

II. Identification of alternate land for resettlement:-

(i) As of now though the priority has been given for regularization of residential encroachment in unobjectionable poramboke lands, the District Collectors shall parallely identify alternate land on village wise for resettling the encroachment made in objectionable poramboke lands.

(ii) On identification of alternate land and completion of negotiation with land owners, necessary budget estimation to be sent to Government through CLA for allocation of land.

(iii) Soon after the purchase of alternate land, the classification of such land should be changed into Government Natham poramboke and Free House Site Patta shall be given to eligible beneficiaries.

(iv) The beneficiaries of alternate land may also be considered for providing housing facility through the Development Department.

(v) The encroachment data in GLR should be freezed and approval for eligible cases should be given.

(vi) Fresh list of previously left out residential encroachments details should be furnished and there after they will be allowed to make necessary entries in GLR in due course.

III. General clarifications sought for by the Districts.

I. Clarification on eligibility criteria, rules and procedures

Sl. No.	Clarification sought for	Present /Rules/ G.O's	Suggested Clarification
1.	Whether the resolution of the local body is needed, for the lands in category I, II & III in Chief Secretary D.O. letter	-	Resolution of local body is required for the lands vested with local body
2.	Whether the NOC of Geology & Mining Department is needed, for the lands classified as Hill, Malai, Kallanguthu, Parai and Quarry.	In some districts they are insisting for the NOC in order to ascertain whether it is covered under Ban Orders for mining operations.	Yes, NOC should be obtained from the AD / DD, Geology and Mines Department.
3.	Whether the NOC of the Animal Husbandry & Fisheries Dept at Govt level is to be obtained since it consumes more time that hinders the work speed. Further, whether development charges to be collected for the alternate land and if so, from whom?	G.O.Ms.No.186, Animal Husbandry & Fisheries Development Department, dated 11.12.2001 G.O.Ms.No.75, Animal Husbandry & Fisheries Development Department, dated 28.5.2007	Consolidated proposals of the district as a whole for category 'III' should be sent to CLA's office with all relevant particulars and annexures. Such proposal shall be placed before the State Level Committee headed by Chief Secretary for taking a decision and to issue appropriate orders (Model annexed herewith, which can be used with suitable modification by the Districts)
4.	In the category II of Chief Secretary D.O.Letter (i.e) (Poramboke category B) Grazing Ground find	Annexure B & C	Grazing Ground poramboke is to be shifted to category III and to annexure 'C' from 'B' and processed as per the

	place along with kalam whether it may be processed after getting the resolution of the local body.		instructions in Sl.No.3.
5.	Whether patta may be issued in Burial Ground/Mayanam poramboke	As per G.P.(Ms).No.116, Rev(L) Dept, dated 20.1.1988 there is been on covering those lands to other purpose.	Though, there is a ban in regularizing the encroachments in Mayanam/Burial Ground, considering the encroachment of more than 5 years and after ensuring the remaining land is sufficient for Burial /Mayanam purpose, the encroachment may be regularized . In this regard, resolution of the local body should compulsory be obtained.
6.	Whether forest margin may be assigned	As per RSO 15(38)(iii) assignment should not be made from land which adjoins a reserved forest (or) an unreserved block of 2.59 Sq.km or more until the collector has consulted the DFO and considered any objection he may name to assignment. Assignment of land should not be made right up to the boundary of reserved forest but a belt of vacant land 40.2 mt 60.4 m vide should be left unassigned between the reserve boundary and the land to be assigned which acts as a buffer zone.	In this regard, after obtaining NOC from the Forest Department for regularizing the residential encroachment made may be considered.
7.	Whether patta may be granted to Anadheenam poramboke, since it	CLA's instructions to DDG/SIO-NIC in letter No.Z1/25966/2019, dated 11.11.2019.	Anadheenam is a Govt land, as settled during the time of settlement. Grant of patta under RSO 31 is prohibited.

	has been blocked online by the NIC on the directions of CLA		Since it is a Govt poramboke land House Site Patta may be granted under this scheme after verifying whether the encroachments have already been enumerated and registered in GLR. Any claim made based on sale document, it may be rejected. As the transactions in such type was blocked by NIC, it has to be released upto the extent of regularization and regularization will be approved by CLA.
8.	Whether withdrawal notification is to be issued by Govt and published in Gazette, for the lands classified as Salai, Pattai, Cart Track, Meikkal etc.,	As of now all withdrawal notifications is to be sent to Govt for approval and for publishing in Govt Gazette	It is statutory to issue withdrawal notification to release the lands from the control of local body and as of now Govt is competent to approve and issue the notification in Govt Gazette.
9.	Whether house site assignment may be made in hill areas since there is hill area ban as per G.O.(Ms) No.1168, Revenue Department dated 25.7.1989.	There is no ban imposed for house site in the said G.O. but if any specific G.O. is issued like G.O.(Ms) No.1205, Rev.(A2) Dept, dated 27.10.92 banning house site in Nilgiris District, then it will have affect.	G.O.1168 do not restricts assignment of house site (Ref.1.Govt Rev Dept letter No.157, dated 1.3.2006). Further, it is clearly mentioned in G.O.Ms.No. 1205, Rev.(A2) Department dated 27.10.1992 that there is no ban on assigning house sites, as the G.O.1168 is only meant for cultivable land. Hence, regularization may be done unless there is ban for house site assignment to the district/area as issued for Nilgiris District.
10.	In G.O.(Ms).No.1205, Rev.(A2) Department, dated 27.10.92, house site assignment is banned in Nilgiris		Since it is a special G.O. for regularizing existing encroachments, already a proposal has been sent to Govt for constituting a committee to approve house

	District.		site assignments. The committee is likely to be constituted early and decision will be taken in due course.
11.	Whether the approval of District Collector is required for change of classification of unobjectionable poramboke lands in to Natham, where the land value falls within the preview of Tahsildar/RDO in category.	As per RSO 21(6), the District Collector is competent to issue orders for change of classification from unobjectionable poramboke to village site.	As far as the online approval is concerned, the pattas will be generated by the approval of the Tashildar etc based on monetary value and the Natham classification change will be done finally by the Collector as a separate process.
12.	Whether the land value is for a whole extent in a S.No.	CLA's clarification letter No.F3/11339/2018, dated 15.10.2020 (addressed to All District Collectors)	Each and every patta should be treated as separate case and that value of the land should be taken into account for arriving the monetary limit.
13.	In the G.O.318 there is no mention about the extent to be assigned in corporation areas	1.G.O.Ms.No.465, Revenue Department, dated 27.11.2018. 2.G.O.Ms.No.No.496, Revenue Department, dated 24.12.208 & 3.G.O.Ms.No.318, Revenue & Disaster Management Department, dated 30.8.2019.	In continuation to orders issued in G.O.Ms.No.465 and 496, a comprehensive orders were issued in G.O.Ms.No.318, Revenue Department dated 30.8.2019. As such, anything that is not mentioned in G.O.318, may be referred in previous G.O. As per G.O. 496, in corporation areas, 2 cent may be assigned.

II. Clarification on processing of datas in GLR to Tamil Nilam work flow in different logins

Sl.No.	Clarification sought for	Present /Rules/ G.O's	Suggested Clarification
1.	If, ineligible person is included in GLR portal, whether it may be freezed and processed		Freezing of data in Tahsildar login is to identify the land is under encroachment, it doesn't do anything with acceptance of the encroachment for regularization. So, if Tahsildar have knowledge about the encroachments in that land it should be freezed. If the encroacher is found ineligible on any grounds, approval should not be given for generating patta through online.
2.	Whether, further collection/enumeration of data and feeding in GLR may be done.	G.O.Ms.No.480, Revenue & Disaster Management Department, dated 11.9.2020.	Since, the Govt have extended this scheme for another one year from 31.8.2020, this process may be done, in phased manner. As of now phase I datas collected till 31.8.2020 is processed. Simultaneously, in phase II, the datas collected after 31.8.2020 should be furnished to CLA, before allowing to make entries in GLR.
3.	If, eligible person not added in GLR, whether it can be added at this stage.		As of now, phase I datas collected and entered in CLR till 31.8.2020 is processed, since, Govt have extended this scheme for another one year from 31.8.2020 vide G.O.Ms.No.480, Revenue & Disaster Management Department, dated 11.9.2020, further enumeration and collection of eligible datas is to be done and entered in GLR as second phase for which new window will be given in due course.
4.	Since from the inception of the 1 st G.O. under this scheme G.O.Ms.No.465, Revenue Department,	-	In the GLR module itself there is an option as to whether patta issued (or) not. As such there is no bar in processing it in the GLR portal, since it is the aim of the Govt to issue online patta with all the necessary

	dated 27.11.2018 i.e. tail end of 2018 several pattas have been issued till now which found part in the GLR whether those cases should be processed and patta issued through online.		changes carried out in revenue records.
5.	Already manual pattas were issued after regularization of encroachment under this scheme whether this too be allowed to go through the patta generation process in Tamil Nilam		The very purpose of linking the GLR with Tamil Nilam is to generate patta online in the name of an eligible individual and to avoid the beneficiary to approach the Taluk office for changes to be carried out in his/her name in Revenue Records. As such, the patta generated via Tamil Nilam software will only be accounted, so the already manually issued pattas under this scheme should be made to pass through the work flow as that of new eligible cases under this scheme.
6.	In some cases already necessary entries were made in Tamil Nilam on the manually issued patta under this scheme, what to do with those cases		As clarified above the aim of generating patta through online in Tamil Nilam software is to simultaneously bring the beneficiary name in revenue records to avoid the discomfort of the beneficiary to move separately for it. In this event, since already necessary entries were brought in the name of the beneficiary there is no need for further action. Number of counts of such cases should be disclosed so as to arrive at the total number of pattas issued by the respective Districts.

3) I therefore, request you to adhere to the above instructions and follow the clarifications and act accordingly.

Enclosure:-

Model proposal for Grazing Ground/Mandhai which can be used with required modifications by the districts.

Sd/- S. Nagarajan,
for Commissioner of Land Administration


Copy to

1.The Additional Chief Secretary to Government,
Revenue & Disaster Management Department,
Secretariat, Chennai – 9 (For kind information)

1.The Principal Secretary to Government,
Animal Husbandry, Fisheries & Development Department,
Secretariat, Chennai – 9 (For kind information)

3.The Director,
Animal Husbandry & Veterinary Services,
Nandhanam, Chennai 35(For kind information)

//Forwarded by order//


Superintendent

05-11
-11/12/2020