

പതിനാലാം കേരള നിയമസഭ
അഞ്ചാം സമ്മേളനം

നക്ഷത്രചിഹ്നമിടാത്ത ചോദ്യം
നമ്പർ.5105

22.05.2017- ൽ മറുപടിയ്ക്ക്

തോപ്പംപടി, പള്ളുരുത്തി, ഇടക്കൊച്ചി വില്ലേജുകളിൽ
ബോട്ട്-ഇൻ-ലാൻഡ് വസ്തുക്കൾ

ചോദ്യം:
ശ്രീ. ജോൺ ഫെർണാണ്ടസ്

മറുപടി:
ശ്രീ. ഇ. ചന്ദ്രശേഖരൻ
(ബഹു. റവന്യൂവും ഭവന നിർമ്മാണവും
വകുപ്പുമന്ത്രി)

(എ) ബോട്ട്-ഇൻ-ലാൻഡ് ആക്കിയിട്ടുള്ള വസ്തുക്കൾ ഏറ്റെടുക്കുന്നത് സംബന്ധിച്ചുള്ള മാനദണ്ഡങ്ങൾ എന്തെല്ലാമെന്ന് വിശദമാക്കാമോ;

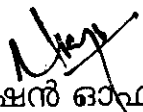
(എ) 21.07.2015 - ലെ 42989/എച്ച്3/2015/റവ നമ്പർ സർക്കുലറിലെ മാനദണ്ഡപ്രകാരമാണ് ബോട്ട്-ഇൻ-ലാൻഡാക്കിയ വസ്തുക്കൾ ഏറ്റെടുക്കുന്നത് (പകർപ്പ് ഉള്ളടക്കം ചെയ്യുന്നു)

(ബി) തോപ്പംപടി, പള്ളുരുത്തി, ഇടക്കൊച്ചി വില്ലേജുകളിൽ ബോട്ട്-ഇൻ-ലാൻഡ് ആക്കിയിട്ടുള്ള വസ്തുവകകൾ ഏറ്റെല്ലാമെന്നും ഇത് എന്നാണ് ബോട്ട്-ഇൻ-ലാൻഡ് ആക്കിയിട്ടുള്ളതെന്നും വ്യക്തമാക്കാമോ;

(ബി) ഇടക്കൊച്ചി വില്ലേജിൽ സർവ്വെ നമ്പർ 349/1,2, 350/1,2,4,5 എന്നിവയിൽപ്പെട്ട 01.23.00 ഏക്കറും സർവ്വെ 287/2, 289/1,2,3,4,8 എന്നിവയിൽപ്പെട്ട 01.69.420 ഏക്കർ ഭൂമിയും തോപ്പംപടി വില്ലേജിൽ സർവ്വെ 2421/1ൽപ്പെട്ട 1.50.529 ഏക്കർ ഭൂമിയും ബോട്ട്-ഇൻ-ലാൻഡായി ഏറ്റെടുത്തിട്ടുണ്ട്. 11.04.1973 - ൽ ആണ് ടി വസ്തു ഏറ്റെടുത്തിട്ടുള്ളത്. പള്ളുരുത്തി വില്ലേജിൽ ബോട്ട്-ഇൻ-ലാൻഡ് ഇല്ല.

(സി) പ്രസ്തുത ഭൂമികൾ സർക്കാർ ആവശ്യങ്ങൾക്കായി ഉപയോഗിക്കുന്നതിലെ തടസ്സങ്ങൾ എന്തെല്ലാമെന്ന് വിശദമാക്കാമോ?

(സി) പ്രസ്തുത ഭൂമികൾ കേരള റവന്യൂ റിക്കവറി നിയമം 1968 പ്രകാരം ബോട്ട്-ഇൻ-ലാൻഡായി ഏറ്റെടുത്ത് അഞ്ചു വർഷം കഴിഞ്ഞതിനാൽ സർക്കാരിന്റെ പ്രത്യേക തീരുമാനപ്രകാരം വിവിധ ആവശ്യങ്ങൾക്കായി ഉപയോഗിക്കാവുന്നതാണ്.


സെക്ഷൻ ഓഫീസർ



GOVERNMENT OF KERALA

Revenue (H) Department

No. 42989/H3/2015/RD.

Dated, Thiruvananthapuram, 21st July, 2015.

CIRCULAR

Sub:—RR—Possession, Utilization and disposal of bought-in-land—
Instructions—Reg.

- Ref:*—1. G. O. (Ms.) No. 578/65/Rev. dated 30-6-1965.
2. G. O. (Ms.) No. 88/68/RD. dated 9-2-1968.
3. G. O. (Ms.) No. 196/96/RD. dated 22-3-1996.
4. Circular No. 58158/H2/08/RD. dated 19-8-2010.

As per section 54 of the KRR Act, it has been provided that “on expiry of thirty days from the date of the sale, if no application to have the sale set aside is made under section 52 or section 53 or if any such application has been made and rejected, the Collector shall make an order confirming the sale”. It has come to the notice of the Government that confirmation of auction sale has been delayed in many cases. In a particular instance, the sale is seen confirmed after 10 years. In other cases, it was seen that the authorised officers are setting aside auction sale after many years of the auction date. In both the cases, the Revenue Recovery proceedings are delayed considerably and the proceedings have not been taken to a logical conclusion within a reasonable time. This has been

GCPT. 3/3153/2015/TP.

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causing revenue loss to Government exchequer and also hardship to the auctioners, who had bought there lands in public auction.

As per Government circular referred to (4) above Government have issued strict direction regarding possession, utilisation and disposal of bought-in-land for strict compliance by the Revenue officials. From the experience, it is seen that the circular instructions are not been followed in its letter and spirit. Government have been receiving requests for reconveyance of bought-in-land even after lapse of more than 20 years since confirmation. In almost all cases when a bought-in-land is taken over by Government it is not being put into Government possession within a reasonable time nor put into public auction again to recover the dues. Currently no bought-in-land need to be reconveyed after a lapse of 5 years, as per existing rules in force.

In the above circumstances Government issue the following instructions for strict compliance by the Revenue Department Officers.

1. Section 50(1) of the Kerala Recovery Act 1968 provides that when an immovable property is put up for sale at the time and place specified in the notice under clause(2) of Section 49 for the recovery of arrears of public revenue due on land, if there be no bid or if the highest bid be insufficient to cover the said arrears and other charges thereon, the officer conducting the sale shall postpone the sale to another date and shall conduct the auction on the postponed date, fulfilling the conditions laid down under the clause. It has come to the notice of the Government that the auctioning officers are postponing the sale number of times, thereby delaying the whole procedures under the revenue recovery to a considerable extent. Government therefore direct that auction under section 50(1) of the Act will not be postponed more than thrice. Even on conducting the auction third time, if

there be no bid or if the highest bid be insufficient to cover the said arrears and other charges thereon, the auctioning officer may bid the property on behalf of the Government under Section 50(2) of the Act and finalise the proceedings accordingly to take over the land as bought-in-land.

2. When an immovable property is put up for auction sale, if the successful bidder fulfills, the conditions laid down under the KRR Act or the property is bid by the Government as bought-in-land, the officer conducting the sale shall move for the confirmation of the sale forthwith.
3. If no application under section 52 or 53 of KRR Act seen filed within 30 days of the auction sale, the Officer who is empowered to confirm the auction, shall issue the order of confirmation under section 54 of the KRR immediately.
4. If the Officer confirming the sale has reason to think that the sale ought to be set aside he shall do the same without delay, in any case within one week of auction conducted.
5. In any case, the confirmation/setting aside the auction sale shall be completed within least possible time; which shall not exceed 6 months from the date of sale.
6. If statutory revision petition U/s 83(1) or 83(2) is pending before the appropriate authority or if there is any case relating to the Revenue Recovery is pending with any court of law, confirmation shall be done only in accordance with the final decision of the Revision petition or the case filed before the court of law as the case may be.
7. In cases where the land is brought for sale for recovery of Government dues, and is purchased by the Government under section 50(2) of the RR Act, the property, should be taken

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possession of within a period of one month from the date of confirmation of the sale. The Officer concerned (Village Officer), taking physical possession of the land should make changes in the Revenue Records and the Requisition Authorities should be informed immediately.

8. After taking possession of the property, the village officer should ensure that the property purchased on behalf of the Government, is not encroached or trespassed by anyone. The Village Officer, personally will be held responsible for the safe custody, of the bought-in-land.
9. After taking possession of the property as purambokku land steps should be taken to ensure that the usufructs in the property are properly taken into account and accounted for, either by auction or by other arrangements and the returns deposited in to the Government Account.
10. The Village Officer, while taking the physical possession of the property shall put a board in the conspicuous part of the property, indicating that the property belongs to the Government. Details of the property such as the Survey Number and extent should be promptly displayed on the board.
11. The Village Officers concerned shall be personally liable for any loss occurred to the Government on account of not taking the possession of the property or not accounting the usufructs standing in the property. Disciplinary action will also be taken against the erring officers.
12. Immediately after taking possession of the property, the land should be brought under the Land Bank and steps should be taken to utilise the said property for Government purpose. If this is not a viable option, immediate steps should be taken to place

the property in public auction for sale once again as provided under the KRR Act. In addition to the above, all Revenue Recovery cases that have in the past resulted in bought-in-land should be reconciled with the Requisitioning Authority/Department.

13. The land value of each bought-in-land should be determined and the same conveyed to the Requisition authority in order to settle the Revenue Recovery case after taking it to its logical end.
14. The District Collectors will make a separate list of all bought-in-land sale of which was confirmed before 5 years or more and shall explore the scope of utilising the same for Government Purposes/schemes or assigning such land to eligible landless people.

The above instructions will be followed scrupulously by all the concerned; breach of which will be viewed seriously by the Government.

The Commissioner of Land Revenue will make periodical checks to see that the instructions are followed in its letter and spirit and shall report non compliance to the Government without fail.

DR. VISHWAS MEHTA,

Principal Secretary to Government.

To

The Commissioner of Land Revenue.

All District Collectors.

All Tahsildar/Village Officer (through the District Collectos Concerned).

All Sections in the Revenue Department.

Web & Media (for publishing in Website).

The Stock File/Office Copy.

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