

**പതിനാലാം കേരള നിയമസഭ**  
**പതിനാറാം സമ്മേളനം**

**നക്ഷത്രചിഹ്നമിട്ട ചോദ്യം നമ്പർ 558**

**21-11-2019 ൽ മറുപടിക്ക്**

**ഭൂമി പതിവ് ചട്ടങ്ങളുടെ ഭേദഗതി**

**ചോദ്യം**

ശ്രീ. ഇ. കെ. വിജയൻ  
ശ്രീ. സി. ദിവാകരൻ  
ശ്രീമതി ഗീതാ ഗോപി  
ശ്രീ. ഇ. ടി. ടൈസൺ മാസ്റ്റർ

**മറുപടി**

ശ്രീ. ഇ. ചന്ദ്രശേഖരൻ  
(റവന്യൂവും ഭവനനിർമ്മാണവും വകുപ്പ് മന്ത്രി)

- |  |   |
|--|---|
| <p>(എ) 1964-ലെ ഭൂമിപതിവ് ചട്ടങ്ങളിൽ ഈ സർക്കാർ നിലവിൽ വന്നശേഷം വരുത്തിയ ഭേദഗതികൾ വിശദമാക്കാമോ;</p>  | <p>17.08.2017 ലെ സ.ഉ (പി) നം. 60/2017/റവ ഉത്തരവ് പ്രകാരം കേരള ഭൂമി പതിവ് ചട്ടങ്ങളിലെ 7,8,9 എന്നീ ചട്ടങ്ങളിൽ ഭേദഗതി വരുത്തിയിട്ടുണ്ട്. തുടർന്ന്, 02.02.2018 ലെ സ.ഉ (പി) നം. 7/2018/റവ ഉത്തരവ് പ്രകാരം ചട്ടം 9 (1) ഭേദഗതി വരുത്തിയിട്ടുണ്ട്.</p>  |
| <p>(ബി) ഉപാധിരഹിത പട്ടയം എന്ന ദീർഘകാലമായിട്ടുള്ള ആവശ്യം അംഗീകരിച്ചിട്ടുണ്ടോ; വ്യക്തമാക്കാമോ;</p>   | <p>(ബി) 17.08.2017 ലെ സ.ഉ (പി) നം. 60/2017/റവ പ്രകാരം 1964 ലെ ഭൂമി പതിവ് ചട്ടങ്ങളിലെ ഉപാധികളിൽ ഇളവ് വരുത്തിയിട്ടുണ്ട്.</p>  |
| <p>(സി) കൈവശത്തിലില്ലാത്ത ഭൂമി പതിച്ചുകിട്ടുന്ന സംഗതിയിൽ കൈമാറ്റത്തിനുള്ള കാലപരിധി കുറച്ചിട്ടുണ്ടോ; വ്യക്തമാക്കാമോ;</p>  | <p>(സി) കൈവശത്തിലില്ലാത്ത ഭൂമി പതിച്ചു കിട്ടുന്ന സംഗതിയിൽ ടി ഭൂമി കൈമാറ്റം ചെയ്യുന്നതിനുള്ള കാല പരിധി 25 വർഷത്തിൽ നിന്നും 12 വർഷമായി കുറച്ച്, 17.08.2017 ലെ സ.ഉ (പി) നം. 60/2017/റവ പ്രകാരം ഉത്തരവായിട്ടുണ്ട്.</p>  |
| <p>(ഡി) കൈവശഭൂമി പതിച്ചുകിട്ടുന്ന സംഗതിയിൽ എപ്പോൾ വേണമെങ്കിലും ആയത് കൈമാറ്റം ചെയ്യാൻ കഴിയുമോ; വ്യക്തമാക്കാമോ;</p>  | <p>(ഡി) കൈവശഭൂമി പതിച്ചുകിട്ടുന്ന സംഗതിയിൽ കൈമാറ്റം ചെയ്യുന്നതിന് തടസ്സമില്ലാത്തതാണ്.</p>   |
| <p>(ഇ) കൈവശഭൂമിയായാലും കൈവശമില്ലാത്ത ഭൂമിയായാലും പതിച്ചുകിട്ടിയതിന് ശേഷം എല്ലാത്തരം ബാങ്കുകളിലും ഈടുവച്ച് വായ്പ എടുക്കുന്നതിന് സാധിക്കുമോ; വ്യക്തമാക്കാമോ;</p> | <p>(ഇ) കൈവശത്തിലുള്ള ഭൂമി പതിച്ചു കിട്ടിയതിനു ശേഷം ഭവന നിർമ്മാണത്തിനോ, കൃഷി ആവശ്യങ്ങൾക്കോ, ഭൂമി അഭിവൃദ്ധിപ്പെടുത്തുന്നതിനോ വേണ്ടി സർക്കാരിലോ റബ്ബർ ബോർഡിലോ, ടീ ബോർഡിലോ, ബാങ്കുകളിലോ, ധനകാര്യ സ്ഥാപനങ്ങളിലോ ഈടു വച്ച് വായ്പ എടുക്കുന്നതിനുള്ള വ്യവസ്ഥ ഉൾപ്പെടുത്തി കൈവശമില്ലാത്ത ഭൂമി പതിച്ചു കിട്ടുന്ന കേസുകളിൽ, 25 വർഷത്തേക്ക് അന്യധീനപ്പെടുത്തുവാൻ പാടില്ലെന്നുള്ളത് പന്ത്രണ്ട് വർഷമായി കുറവ് ചെയ്തു.</p> |

(എഫ്) പട്ടയഭൂമിയിൽ കൃഷിക്കാർ വച്ച് (എഫ്) 17.08.2017 ലെ സ.ഉ (പി) 60/2017/റവന്യൂ  
പിടിപ്പിക്കുന്ന മരങ്ങളുടെ  
അവകാശം കൃഷിക്കാർക്ക് തന്നെ  
ലഭിക്കുമോ; വിശദമാക്കാമോ?

ഭേദഗതി ഉത്തരവ് പ്രകാരം പട്ടയം നൽകുന്ന ഭൂമിയിലെ മരങ്ങളുടെ അവകാശം 1964 ലെ കേരള ഭൂമി പതിവ് ചട്ടം 10 (3) പ്രകാരവും 1986 ലെ കേരള പ്രിസർവേഷൻ ഓഫ് ടീസ് ആക്ടിലെ സെക്ഷനുകൾ 4, 22 എന്നിവ പ്രകാരവുമാണ്. 1986 ലെ കേരള പ്രിസർവേഷൻ ഓഫ് ടീസ് ആക്റ്റിൽ വൃക്ഷം എന്ന് നിർവചിച്ചിട്ടുള്ള പത്ത് മരങ്ങൾ ഒഴികെയുള്ള മരങ്ങൾ വനം വകുപ്പിന്റെ അനുപാതം കൂടാതെയും ആക്റ്റിൽ ഉൾപ്പെടുന്ന പത്ത് മരങ്ങൾ വനം വകുപ്പിന്റെ അനുവാദത്തോടെയും മുറിക്കാവുന്നതാണെന്ന വ്യവസ്ഥ ഉൾപ്പെടുത്തിയിട്ടുണ്ട്.



സെക്ഷൻ ഓഫീസർ

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Government of Kerala  
2017



Regn. No. KERBIL/2012/45073  
dated 5-9-2012 with RNI  
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്  
KERALA GAZETTE

അസാധാരണം  
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
PUBLISHED BY AUTHORITY

വാല്യം 6	തിരുവനന്തപുരം,	2017, ഒക്ടോബർ 10	
	ചൊവ്വ	10th October 2017	നമ്പർ
Vol. VI	Thiruvananthapuram,	1193 കന്നി 24	} 2199
	Tuesday	24th Kanni 1193	
		1939 ആശ്വിനം 18	
		18th Aswina 1939	No.

GOVERNMENT OF KERALA

Revenue (U) Department

NOTIFICATION

G. O. (P) No. 60/2017/RD.

*17th August, 2017*  
*Dated, Thiruvananthapuram, 1st Chingam, 1193*  
*26th Sravana, 1939.*

**S. R. O. No. 621/2017.**—In exercise of the powers conferred by section 7 of the Kerala Government Land Assignment Act, 1960 (30 of 1960), the Government of Kerala hereby make the following rules further to amend the Kerala Land Assignment Rules, 1964, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Land Assignment (Amendment) Rules, 2017.

(2) They shall come into force at once.

**2. Amendment of the Rules.**—In the Kerala Land Assignment Rules, 1964,—

(1) in sub-rule (1) of rule 7,—

(a) for the first proviso, the following proviso shall be substituted, namely:—

“Provided that the total extent of land, if any, owned or held by him in proprietary right or with security of tenure is less than the limits laid down in sub-rule (1) of rule 5”;

(b) the third proviso shall be omitted;

(2) in rule 8,—

(a) the proviso to sub-rule (1) shall be omitted;

(b) in sub-rule (1A),—

(i) for the words “twenty five years” the words “twelve years” shall be substituted;

(ii) the following proviso shall be inserted, namely:—

“Provided that the assignee may mortgage such lands to the Government, banks, financial institutions, Rubber Board and Tea Board as security for obtaining loans for housing, agricultural or land improvement purposes.”;

(3) in sub-rule (2) of rule 9, for the words and figures “patta shall be issued in the form in Appendix II to these rules” the words, figure and letter “patta shall be issued in the form in APPENDIX II to these rules for occupied lands assigned on registry and in the form in APPENDIX IIA to these rules for unoccupied lands assigned on registry” shall be substituted;

(4) in APPENDIX I, in condition 1, for the words “twenty five years”, the words “twelve years” shall be substituted:

(5) for APPENDIX II, the following shall be substituted, namely:—

## APPENDIX II

**Form of Patta for Occupied Lands**

[See rule 9(2)]

Photograph/joint photograph  
of the husband and wife in the  
case of married persons

Number :

Taluk :

Village :

Pattadar :

The amount of tax as per this patta should be paid to the Village Official according to the rate mentioned below and receipt obtained therefor.

Station:

Date:

Tahsildar

Amount  
₹ P.

Kist

1. Survey Number

2. Subdivision Number

3. Wet or dry

Acre (Hectres)

Cent (Ares)

4. Area

5. Tax

**Declaration**

I declare that I shall bind myself to the conditions specified below:

Assignee.

## CONDITIONS

1. The land/lands assigned on registry as per sub-rule (1) of rule 8 shall be heritable and alienable.
2. The right over trees in the assigned land shall be as per rule 10(3) of the Kerala Land Assignment Rules, 1964 provided section 22 of the Kerala Preservation of Trees Act, 1986 (35 of 1986) read with section 4 thereof shall apply.
3. All established rights of way and other easement rights shall be respected by the assignee.
4. The land revenue or any tax or fee levied in lieu thereof on the land will be liable to revision.
5. In the case of concessional grant to members of Scheduled Castes or Tribes and indigent families, if the land is at any time brought to sale under the Revenue Recovery Act for the time being in force for arrears of revenue due from the grantee, no fresh grants of land will be made to the grantee under the concessional terms.
6. The registry shall be liable to be cancelled for contravention of any of the provisions in the rules and foregoing conditions.
7. The registry shall also be liable for cancellation if it be found that it was grossly inequitable or was made under a mistake of facts or owing to misrepresentation of facts or in excess of the limits of the powers delegated to the assigning authority or that there was an irregularity in the procedure.
8. In the event of cancellation of the registry, the assignee shall not be entitled to compensation for any improvements he/she may have made on the land.

9. In cases where registry is made subject to survey and demarcation of the extent assigned, the extent noted in the patta shall be subject to revision, if any, found necessary after survey and demarcation is completed.
  10. The assignee shall be liable for the payment of full assessment charged on the land with effect from the year in which the patta is issued. In cases where patta is issued pending survey and demarcation, the liability for land revenue or any tax or fee levied in lieu thereof shall arise from the year in which it is issued and any difference in the tax consequent on the change in extent after survey and demarcation, shall be adjusted to future land revenue or any tax or fee levied in lieu thereof due from the assignee if it is in excess of the tax due or be collected from the assignee straight-away if it is less than the tax due.
  11. The land shall be subject to all local taxes and local rates payable by law or custom.
  12. The existing and customary rights of Government and the public in roads and paths and rivers streams and channels, running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant.
  13. Arrears of assignment dues shall bear interest at 6 per cent per annum.
- (6) after APPENDIX II as so substituted, the following shall be inserted, namely:—

## APPENDIX II A

**Form of Patta for Unoccupied Lands**

[See rule 9(2)]

Photograph/joint photograph of the husband and wife in the case of married persons
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Number :

Taluk :

Village :

Pattadar :

The amount of tax as per this patta should be paid to the Village Official according to the rate mentioned below and receipt obtained therefor.

Station:

Date:

Tahsildar

Amount

₹ P.

Kist

1. Survey Number

2. Subdivision Number

3. Wet or dry

Acre (Hectres)

Cent (Ares)

4. Area

5. Tax

**Declaration**

I declare that I shall bind myself to the conditions specified below:

Assignee.



**CONDITIONS**

1. The land/lands assigned on registry as per sub-rule (1A) of rule 8 in the case unoccupied lands shall be heritable but not alienable for a period of twelve years from the date of assignment on registry. In the event of alienation in contravention of sub-rule (1A) of rule 8, the Government shall resume the land without payment of any compensation.
2. The right over trees in the assigned land shall be as per rule 10(3) of the Kerala Land Assignment Rules, 1964 provided section 22 of the Kerala Preservation of Trees Act, 1986 (35 of 1986) read with section 4 thereof shall apply.
3. All established rights of way and other easement rights shall be respected by the assignee.
4. The land revenue or any tax or fee levied in lieu thereof on the land will be liable to revision.
5. In the case of concessional grant to members of Scheduled Castes or Tribes and indigent families, if the land is at any time brought to sale under the Revenue Recovery Act for the time being in force for arrears of revenue due from the grantee, no fresh grants of land will be made to the grantee under the concessional terms.
6. The assignee or any member of his family or successor-in-interest shall reside in/cultivate the land and such residence/cultivation shall commence effectively within a period of one year from the date of receipt of patta:

Provided that the Military personnel may lease the land assigned to them to others whilst they are away on active service.

7. The registry shall be liable to be cancelled for contravention of any of the provisions in the rules and foregoing conditions.
8. The registry shall also be liable for cancellation if it be found that it was grossly inequitable or was made under a mistake of facts or owing to misrepresentation of facts or in excess of the limits of the powers delegated to the assigning authority or that there was an irregularity in the procedure.

9. In the event of cancellation of the registry, the assignee shall not be entitled to compensation for any improvements he/she may have made on the land.
10. In cases where registry is made subject to survey and demarcation of the extent assigned, the extent noted in the patta shall be subject to revision, if any, found necessary after survey and demarcation is completed.
11. The assignee shall be liable for the payment of full assessment charged on the land with effect from the year in which the patta is issued. In cases where patta is issued pending survey and demarcation, the liability for land revenue or any tax or fee levied in lieu thereof shall arise from the year in which it is issued and any difference in the tax consequent on the change in extent after survey and demarcation, shall be adjusted to future land revenue or any tax or fee levied in lieu thereof due from the assignee if it is in excess of the tax due or be collected from the assignee straight-away if it is less than the tax due.
12. The land shall be subject to all local taxes and local rates payable by law or custom.
13. The existing and customary rights of Government and the public in roads and paths and rivers, stream and channels running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant.
14. Arrears of assignment dues shall bear interest at 6 per cent per annum.

By order of the Governor,

P. H. KURIAN,

*Additional Chief Secretary to Government.*

### **Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

As per sub-rule (1) of rule 8 of the Kerala Land Assignment Rules, 1964, the occupied lands assigned on registry as per sub-rule (1) of rule 7 are heritable and alienable, the permission for mortgaging the same with any financial institution is not relevant and in the case of assignees of the unoccupied land, the assignees may be permitted for obtaining loans from financial institutions for the purpose of agriculture or for constructing a house in the assigned property and in no case, the land shall be permitted to be mortgaged as a security for any commercial activity. Sub-rule (1) of rule 7 of the Kerala Land Assignment Rules, 1964 provides that "where any person is in occupation of Government lands under lease, whether current or time expired, or by way of encroachment not considered objectionable such land if such occupation is before the 1st day of August, 1971 shall be assigned to him on registry. Provided that the total extent of land, if any, owned or held by him in proprietary right or with security of tenure is less than the limits laid down in sub-rule (1) of rule 5 or the annual family income from sources other than the Government land held by him is below ₹ 30,000."

Moreover, in the meeting held on 4th January, 2017 it was decided to remove the income limit of the applicant and to change the conditions of transfer as well as mortgage of the assigned land.

The restriction on minimum period of alienability which was inserted in sub-rule (1A) of rule 8 of the Kerala Land Assignment Rules, 1964 as per notification issued under G.O. (P) No. 424/2014/RD dated 30th September, 2014 and published as S.R.O. No. 607/2014 in the Kerala Gazette Extraordinary No. 2425 dated 7th October, 2014 changing the minimum period of alienability in the case of assigned unoccupied lands from 3 years to 25 years is causing difficulty to the occupants of such assigned Government land. Since there is public demand for reducing the minimum period of alienation of the assigned land, the minimum period of alienability has to be reduced to twelve years. Hence, necessary amendments has to be made in Condition 1 in Appendix I (Form of Order of Assignment on Registry) of the Kerala Land Assignment Rules, 1964.

There is no provision in the present Form of Patta as per sub-rule (2) of rule 9 of the said rules to distinguish whether the patta was given to occupied land or to unoccupied land. As such, necessary distinction has to be made in the format of the form of patta. Therefore, the Government have decided to introduce two forms of patta ie., Form of Patta in Appendix II for occupied lands assigned and Form of Patta in Appendix IIA for unoccupied lands assigned.

In the above circumstances, the Government have decided to amend the said rules suitably.

The notification is intended to achieve the above object.

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2018



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Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്  
KERALA GAZETTE

അസാധാരണം  
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
PUBLISHED BY AUTHORITY

വാല്യം 7 } Vol. VII }	തിരുവനന്തപുരം, തിങ്കൾ Thiruvananthapuram, Monday	2018 ഫെബ്രുവരി 5 5th February 2018 1193 മകരം 22 22nd Makaram 1193 1939 മാഘ 16 16th Magha 1939	നമ്പർ } No. }	236
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GOVERNMENT OF KERALA

Revenue (U) Department

NOTIFICATION

G. O. (P) No. 7/2018/RD.

*2nd February, 2018*  
*Dated, Thiruvananthapuram, 19th Makaram, 1193*  
*13th Magha, 1939.*

**S. R. O. No. 66/2018.**—In exercise of the powers conferred by section 7 of the Kerala Government Land Assignment Act, 1960 (30 of 1960), the Government of Kerala hereby make the following rules further to amend the Kerala Land Assignment Rules, 1964, namely:—

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## RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Land Assignment (Amendment) Rules, 2018.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Land Assignment Rules, 1964, in rule 9,—

(1) for sub-rule (1), the following sub-rule shall be substituted, namely:—

“(1) Order granting registry shall be issued in the form in APPENDIX I to these rules, for assignment of occupied lands and in the form in APPENDIX IA to these rules, for assignment of unoccupied lands”,

(2) for APPENDIX I, the following shall be substituted, namely:—

**“APPENDIX I**

[see rule 9(1)]

**FORM OF ORDER OF ASSIGNMENT ON REGISTRY  
(OCCUPIED LANDS)**

Shri/Smt. ....of.....village is informed that his/her application for the land/lands described in the schedule appended to this order has been accepted and that the above land/lands is/are assigned to him/her on registry subject to the following conditions:—

- (1) That the land/lands assigned on registry as per sub-rule (1) of rule 8 shall be heritable and alienable:

Provided that the assignee may mortgage such lands to the Government, banks, financial institutions, Rubber Board and Tea Board as security for obtaining loans for housing, agricultural or land improvement purposes.

- (2) That the registry shall be liable to be cancelled for contravention of the conditions specified in the patta.
- (3) That the registry shall also be liable for cancellation if it be found that it was grossly inequitable or was made under a mistake of facts or owing to misrepresentation of facts or in excess of the limits of the powers delegated to the assigning authority or that there was an irregularity in the procedure.
- (4) That in the event of cancellation of the registry, the assignee shall not be entitled to compensation for any improvements he/she may have made on the land.
- (5) That in cases where registry is made subject to survey and demarcation of the extent assigned, the extent noted in the patta shall be subject to revision, if any, found necessary after survey and demarcation is completed.
- (6) The cost of survey and demarcation shall be recovered from the assignee at the following rates:

Survey charges at.....

Demarcation charges at.....

- (7) That the assignee shall be liable for the payment of full assessment charged on the land with effect from the year in which the patta is issued. In cases where patta is issued pending survey and demarcation, the liability for land revenue or any tax or fee levied in lieu thereof shall arise from the year in which it is issued and any difference in the tax

consequent on the change in extent after survey and demarcation, shall be adjusted to future land revenue or any tax or fee levied in lieu thereof due from the assignee if it is in excess of the tax due or be collected from the assignee straight away, if it is less than the tax due.

- (8) That the land shall be subject to all local taxes and local rates payable under any law or custom.
- (9) That the assignee shall be liable to pay the arrears, if any, due to Government as prescribed in sub-rule (3) of rule 9 of these rules and as shown in the schedule.
- (10) That the assignee shall be liable to pay land value at the rates prescribed in rule 10 of the Kerala Land Assignment Rules, 1964 and as shown in the schedule. The assignee shall also be liable to pay the value of trees, plants or vines, if any, specified in Parts A and B of Appendix III attached to the Kerala Land Assignment Rules, 1964 standing on the land at the time of assignment, at such rates as may be specified by Government.
- (11) The right over trees in the assigned land shall be as per sub-rule (3) of rule 10 of the Kerala Land Assignment Rules, 1964 provided section 22 of the Kerala Preservation of Trees Act, 1986 (35 of 1986) read with section 4 thereof shall apply.
- (12) That the assignee shall also be liable to pay to the Kerala Land Development Corporation Limited the cost or the proportionate cost as the case may be, of the land development work, if any, executed on the land by the Kerala Land Development Corporation with interest thereon.
- (13) That the assignee shall not be liable to pay tree value in respect of trees the girth of which is 90 centimetre or less at breast height, but in cases where the girth of trees at breast height exceeds 90 centimetre, tree value shall be charged and collected. If the assignee was already in occupation of the land



and he or his predecessor in occupation has planted trees etc. thereon; no tree value shall be charged in respect of such of those trees, etc. planted by him or by his predecessor in occupation as are specified in Part B of Appendix III to these rules.

- (14) That, if the assignee is not agreeable to pay the tree value as specified in condition 13, in respect of trees specified in Part A of Appendix III, the Tahsildar shall dispose of such trees in public auction.
- (15) That the title to the land shall not pass to the assignee until he remits the land value and tree value payable in respect of the land, the arrears of tax, if any, due in respect of the land and other charges due from him.
- (16) That, if the assignee does not remit the land value, tree value arrears of assessment, etc. within three months from the date of sanctioning registry, or such other period as may be allowed by the Tahsildar, the registry shall be cancelled, the occupants evicted, the land resumed and reassigned to other eligible families.
- (17) That no land value and survey and demarcation charges shall be recovered from the assignees belonging to Scheduled Castes and Scheduled Tribes.
- (18) That the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels, running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant.
- (19) Arrears of assignment dues shall bear interest at 6 per cent per annum.

Date:

## DECLARATION

I declare that I shall hold the grant subject to the conditions specified above and shall abide by the rules which are now in force or may hereafter be issued by the Government in regard to registry of lands.

*Signature of Assignee.*";

(Strike out whichever is not applicable)

(3) After APPENDIX I as so substituted, the following shall be inserted, namely:—

**"APPENDIX I A**

[see rule 9(1)]

**FORM OF ORDER OF ASSIGNMENT ON REGISTRY  
(UNOCCUPIED LANDS)**

Shri/Smt. ....of.....village is informed that his/her application for the land/lands described in the schedule appended to this order has been accepted and that the above land/lands is/are assigned to him/her on registry subject to the following conditions:—

- (1) That the land/lands assigned on registry as per sub-rule (1A) of rule 8 in the case of unoccupied lands shall be heritable but not alienable for a period of twelve years from the date of assignment on registry:

Provided that the assignee may mortgage such lands to the Government, Banks, Financial Institutions, Rubber Board and Tea Board as security for obtaining loans for housing, agricultural or land improvement purposes.

- (2) That the assignee or any member of his/her family or successor-in-interest shall reside in/cultivate the land and such residence/cultivation shall commence effectively within a period of one year from the date of receipt of patta.
- (3) That the registry shall be liable to be cancelled for contravention of the said conditions above and also for contravention of the conditions specified in the patta.

- (4) That the registry shall also be liable for cancellation if it be found that it was grossly inequitable or was made under a mistake of facts or owing to misrepresentation of facts or in excess of the limits of the powers delegated to the assigning authority or that there was an irregularity in the procedure.
- (5) That in the event of cancellation of the registry, the assignee shall not be entitled to compensation for any improvements he/she may have made on the land.
- (6) That in cases where registry is made subject to survey and demarcation of the extent assigned, the extent noted in the patta shall be subject to revision, if any, found necessary after survey and demarcation is completed.
- (7) The cost of survey and demarcation shall be recovered from the assignee at the following rates:

Survey charges at.....

Demarcation charges at.....

- (8) That the assignee shall be liable for the payment of full assessment charged on the land with effect from the year in which the patta is issued. In cases where patta is issued pending survey and demarcation, the liability for land revenue or any tax or fee levied in lieu thereof shall arise from the year in which it is issued and any difference in the tax consequent on the change in extent after survey and demarcation, shall be adjusted to future land revenue or any tax or fee levied in lieu thereof due from the assignee if it is in excess of the tax due or be collected from the assignee straight-away if it is less than the tax due.

- (9) That the land shall be subject to all local taxes and local rates payable by law or custom.
- (10) That the assignee shall be liable to pay the arrears if any due to Government as prescribed in sub-rule (3) of 9 of these rules and as shown in the schedule.
- (11) That the assignee shall be liable to pay land value at the rates prescribed in rule 10 of the Kerala Land Assignment Rules, 1964 and as shown in the schedule.
- (12) The assignee shall also be liable to pay the value of trees, plants or vines if any, specified in Parts A and B of Appendix III attached to the Kerala Land Assignment Rules, 1964 standing on the land at the time of assignment, at such rates as may be specified by Government.
- (13) The right over trees in the assigned land shall be as per sub-rule (3) of rule 10 of the Kerala Land Assignment Rules, 1964 provided section 22 of the Kerala Preservation of Trees Act, 1986 (35 of 1986) read with section 4 thereof shall apply.
- (14) That the assignee shall also be liable to pay to the Kerala Land Development Corporation Limited the cost or the proportionate cost as the case may be, of the land development work, if any, executed on the land by the Kerala Land Development Corporation with interest thereon.
- (15) That the assignee shall not be liable to pay tree value in respect of trees the girth of which is 90 centimetre or less at breast height, but in cases where the girth of trees at breast height exceeds 90 centimetre, tree value shall be charged and collected. If the assignee was already in occupation of the land and he or his predecessor in occupation has planted trees etc.

thereon, no tree value shall be charged in respect of such of those trees, etc. planted by him or by his predecessor in occupation as are specified in Part B of Appendix III to these rules.

- (16) That, if the assignee is not agreeable to pay the tree value as specified in condition (15) in respect of trees specified in Part A of Appendix III, the Tahsildar shall dispose of such trees in public auction.
- (17) That the title to the land shall not pass to the assignee until he remits the land value and tree value payable in respect of the land, the arrears of tax, if any, due in respect of the land and other charges due from him.
- (18) That, if the assignee does not remit the land value, tree value arrears of assessment, etc. within three months from the date of sanctioning registry, or such other period as may be allowed by the Tahsildar, the registry shall be cancelled, the occupants evicted, the land resumed and reassigned to other eligible families.
- (19) That no land value and survey and demarcation charges shall be recovered from the assignees belonging to Scheduled Castes and Scheduled Tribes.
- (20) That the existing and customary rights of Government and the public in roads and paths and rivers, streams and channels, running through or bounding the land, and the right of Government to a share in mines and quarries subjacent to the said land are reserved and are in no way affected by the grant.
- (21) Arrears of assignment dues shall bear interest at 6 per cent per annum.

## SCHEDULE OF LAND

District	Taluk	Village	Sy. No.	Extent	Boundaries	Assessment payable on
				A.C [Hectares (Ares)]		(Land Revenue) Rs. P.
Survey and Demarcation Charges	Land value	Tree value	Arrears due as per rule 9(3) of the Rules	Total amount due		
Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	Rs. P.	

Place:

Date:

*Signature and Designation of the  
Assigning authority.*

## DECLARATION

I declare that I shall hold the grant subject to the conditions specified above and shall abide by the rules which are now in force or may hereafter be issued by the Government in regard to registry of lands.

*Signature of Assignee.*

(Strike out whichever is not applicable)

By order of the Governor,

P. H. KURIAN,  
Additional Chief Secretary to Government.

### **Explanatory Note**

(This does not form part of the notification, but is intended to indicate its general purport.)

As per sub-rule (1) of rule 9 of the Kerala Land Assignment Rules, 1964, order granting registry shall be issued in the Form in APPENDIX I to the said rules.

The Government as per notification issued under G.O. (P) 60/2017/RD dated 17th August, 2017 and published as S. R. O. No. 621/2017 in the Kerala Gazette Extraordinary No. 2199 dated 10th October, 2017, amended the Kerala Land Assignment Rules, 1964 by introducing two forms of patta for assignment of occupied lands and unoccupied lands. But the Form of Order of Assignment was not amended by the said notification. Hence, in order to distinguish between the order of assignment given to occupied land and unoccupied land assignments, Government have decided to introduce two forms of Order of Assignment i.e., Form of Order of Assignment in Appendix I for assignment of occupied land and Form of Order of Assignment in Appendix IA for assignment of unoccupied land.

In the above circumstances, the Government have decided to amend the said rules suitably.

The notification is intended to achieve the above object.

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