

**REVENUE SECRETARIAT
NOTIFICATION**

No: RD 143 Bhudasa 2012, Bangalore, Dated : 26-07-2013.

The draft of the following rules further to amend the Karnataka Land Revenue Rules-1966, which the Government of Karnataka proposes to make in exercise of powers conferred by Section 197(1) of the Karnataka Land Revenue Act-1964 (Karnataka Act-12 of 1964) in Notification No. RD 143 Bhudasa 2012 dated : 12-02-2013 published in Karnataka Gazette-dated : 11-04-2013 inviting objections or suggestion from all the persons likely to be affected thereby, within 30 days from the date of publication in the official gazette.

And whereas, no objections and suggestions have been received by the Government. Now, therefore in exercise of the powers confirmed by the section 197 Karnataka Land Revenue Act, 1964 (Karnataka Act 12 of 1964), the Government of Karnataka hereby makes the following Rules namely :-

Rules

1. Title and Commencement :-

(1) These rules may be called “The Karnataka Land Revenue (Amendment) Rules, 2013” (2) They shall come into force from the date of publication in the official Gazette.

2. Amendment of Rule 46A to 46K :

- (i) The existing rule 46A 46K shall be deleted :
- (ii) Instead following rule “46A to 46K” shall be substituted.

Insertion of new rules :

“46A, Qualifications, experience and age for obtaining licence as a licenced surveyor (1) The Qualification and experience for the purpose of issue of a licence under section 18A, shall be as follows :-

- (i) “Successful completion of job oriented course in land and city survey conducted by the Directorate of Vocational Education in Karnataka, or
- (ii) Diploma in Civil Engineering granted by the board of Technical Education in Karnataka or Equivalent Qualification ;” or
- (iii) A Bachelors degree in civil engineering from an university established by the law in India” or
- (iv) A pass in II PUC/12th Standard Examination conducted by CBSE or ICSE with science subject and must have secured not less than sixty percent in mathematics or
- (v) A pass in ITI in Survey trade conducted by Department of Employment and Training, Government of Karnataka.

SELECTION PROCESS :

Department of Survey Settlement and Land Records shall conduct competitive examination for the applicants who have applied for licence, in 2 subjects viz., (1) General knowledge (2) specific paper related to licence, each paper carrying maximum of 100 marks. Selection will be made on the merit obtained in the competitive exam.

- (vi) Persons who have worked in the Survey Settlement Department or Survey of India or Public Sector undertakings or Private Organization and who have served for not less than ten years involving Land Survey work and who are not in Service on account of Resignation or voluntary retirement or superannuation shall be also be eligible to apply for licence.
- (2) All persons who have completed 18 years of age but not completed 65 years of age on the last date prescribed for receipt of applications for issue of licence and who are physically fit to discharge the duties assigned to them are eligible to apply for licence.

46 B. Training :

Persons who are selected tentatively through exam on merit among the persons who have applied for issue of licence have to compulsorily undergo a training for a period not less than three months conducted by the department of Survey Settlement and Land Records at the Departmental Training Institute at Mysore & Gulbarga at the cost of the trainees as notified by the Commissioner/Director, Survey Settlement and Land Records and those who successfully completes the training shall be issued licence.

46 C. Licence :

Licence shall be issued by the Commissioner/Director, Survey Settlement and Land Records, Bangalore to the successful candidates in the examination conducted by Department of Survey, Settlement and Land Records on payment of licence fees as notified by the Commissioner/Director, Survey Settlement and Land Records. The licence shall be for a period of 3 years subject to renewal.

Period of licence once issued shall be extended by renewal on an application to be made by the licence holder within one month from the date of expiry of period of licence, before the Deputy Director of Land Records of the respective Districts along with the fee as notified by the Commissioner/Director, Survey Settlement and Land Records.

Renewal of licence shall be subject to satisfactory service rendered by the licenced surveyor which is assessed by the concerned Deputy Director of Land Records of the District or through continuous evaluation mechanism prescribed by the Department. If the performance at any time is below the minimum standard fixed by the Department, Department would subject such Licenced Surveyor to further training for a period of not less than 3 months and after successful completion of the training, the Commissioner/Director, Survey Settlement and Land Records shall decide to renew the licence or not, or to recover the financial loss caused to the applicants.

46 D. Register of Licenced Surveyors :

A register of Licenced Surveyors, District-wise shall be maintained in the office of the Head of the Department, Survey Settlement and Land Records in prescribed form 11A.

46 E. Fee payable to the Licenced Surveyors :

The licenced surveyors shall be paid a fee as notified by the Government from time to time for preparing the sketch in accordance with Sections 129 and 131(c).

46 F. Jurisdiction :

Jurisdiction of the licenced surveyor shall be specified in the licence. Once a jurisdiction is specified in the licence, it cannot be modified or altered under any circumstances.

46 G. Additional particulars to be contained in the sketch :

Every sketch annexed to the report under the third proviso to section 128 shall also contain the following particulars, namely:

1. Information regarding Village/Taluk/District.
2. Area Details.
3. Kharab details, blockwise.
4. Signature of vendor or prospective buyer/persons acquiring rights.
5. Signature of the Licenced Surveyor with seal.

The Department may issue directions to add any additional information from time to time.

46. H. Work Specification :

- 1) Respective jurisdictional Taluk survey office or any office of the Revenue Department notified by the Government shall receive applications from the persons acquiring/alienating right in the prescribed Form and collect the measurement fee as notified by the Government from time to time.
- 2) Before taking up measurement, Licenced Surveyor shall receive relevant file along with pre-certified copies of the survey documents of relevant survey number and certified copies of survey documents adjoining survey numbers from the respective taluk offices by remitting a fee as notified by Government from time to time.

Certified copies applied for by the Licenced Surveyor shall be issued on the same day or within a period of three days.
- 3) Licenced Surveyor shall issue a notice well in advance in prescribed form to the interested parties and to all the adjacent land holders before commencing measurements.
- 4) Licenced Surveyor shall fix the boundaries of survey or hissa number, before subdividing survey or hissa number in the pursuance of all interested parties duly recording their statements and draw mahazar in prescribed Form.

- 5) Such Sub-divided parcel of land should be well marked on the ground with boundary marks.
- 6) If there is any dispute regarding the title or extent and of any other nature, the application shall be referred to the Survey Department for disposal as per rules.
- 7) Measurement shall be carried out as provided under sub-rule (4) of rule 50 of the Karnataka Land Revenue Rules 1966.
- 8) Licenced Surveyor has to prepare the following records.
 - (i) Hissa Survey Tippan or P.T. Sheet.
 - (ii) Hissa Survey pakka or Gunakar Register.
 - (iii) Sketch in prescribed Form.
 - (iv) Statement in prescribed Form duly signed by all concerned.

Licence Surveyors should prepare records as prescribed by the Department of Survey Settlement and Land records, from time to time.

- 9) Licenced Surveyor has to submit the documents specified in sub-rule (9) along with the notice specified in sub-rule (4) within the time prescribed by commissioner from the date of measurement to the survey office for scrutiny.
- 10) Taluk Survey office shall issue an acknowledgment to Licenced surveyor in prescribed form. The survey office shall finalise and shall issue Pre-Mutation sketch within SEVEN days, after validation as per sub-rule 46-I.
- 11) As far as pending cases are concerned the Government may issue necessary guidelines through a notice.

46 I. Scrutiny of records given by Licenced Surveyor in Taluk Survey Offices :

- (1) All the documents prepared and submitted by Licenced surveyor under Rule 46 H (9) shall be scrutinized and approved by the Taluk Survey Office. The detailed procedure for the same will be prescribed by the department from time to time.
- (2) The remaining documents like hissa survey tippan or hissa survey pakka or plain table sheets or gunakar register and one attested sketch in prescribed Form, shall be preserved separately village wise either in paper form or digital form as prescribed by the commissioner from time to time.

46 J. Post registration work in Taluk Survey Office :

- (1) As soon as the mutation begins or after mutation is certified the copy of Pre-mutation sketch (in prescribed Form) shall be verified with the records already prepared and preserved.
- (2) If both the documents tally then the Prescribed Survey officer will complete durasthi work and initiate the process of incorporation in the Record of Rights, will approve the changes in survey records and prepare necessary documents as prescribed by the Department.

46 K. Cancellation of Licence :

(1) Suspension of Licence of licenced surveyor :

Licence issued under Rule 46-A shall be kept under suspension if the licenced surveyor contravenes any of the provisions of the Act or rules, circulars and directions issued by the Government/Commissioner/ Director, Survey Settlement and Land Records after giving the showcase notice and/or an opportunity of being heard. The power to suspend the licence will be vested with the Deputy Director of Land Records, Department of Survey Settlement and Land Records. Appeal against the orders of suspension, shall lie to Joint Director of Land Records.

(2) Cancellation of Licence :

Licence issued under rule 46-A shall be cancelled if the Licenced Surveyor contravenes any of the provisions of the Act, rules, circulars and directions issued by the Government/Commissioner/Director, Survey Settlement and Land Records, abstains from using the licence continuously for a period of 4 months, demands or accepts illegal gratification other than the fees due/payable to him and is under investigation by any Governmental agencies for misconduct or seeks change of jurisdiction already noted in the licence after giving the Licenced Surveyor an opportunity of being heard.

By Order and in the name of the
Governor of Karnataka,

SHAMBHULINGAIAH
Under Secretary to Government,
Revenue Department (SSLR).

