ASSIGNMENT OF GOVERNMENT LAND IN TAMIL NADU: A PROCEDURAL OVERVIEW UNDER REVENUE STANDING ORDER NO. 15

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ABSTRACT

Land is one of the most valuable resources to mankind and has been central to social, economic, and political organization throughout history. Systems of land administration have evolved from community-based control and monarchical control to the modern governmental control. Land is a public resource, and it is the duty of the state to ensure that the public resources are equitably distributed. One such mechanism to achieve equitable distribution is assignment of government lands to socially and economically disadvantaged persons. Land assignment involves the transfer of specified rights over government land to eligible individuals subject to prescribed conditions. The framework that governs such assignments is under Revenue Standing Order 15, Government of Tamil Nadu. This Article provides a procedural overview of the assignment of Government land under RSO 15.

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Introduction

The assignment of Government land (Poramboke Land) in Tamil Nadu may aptly be viewed as a intersection of revenue law, constitutional rights, and welfare policy. The process of assignment is governed by Revenue Standing Order No. 15 (RSO 15)[1], which provides a detailed procedure about who may apply, what may be assigned, which authority is empowered to assign, and how the assignment is made. This article gives an overview of the essential procedure for the assignment of Government land under RSO 15.

The Nature of Assignment of Government Lands

The Assignment of Government Land is a process of granting or transferring rights over government land for private purpose, such as cultivation, house site and industrial use, either free of land value or upon payment of land value, subject to the conditions imposed.

Broadly, Government land assignments fall into two categories: assignments for cultivation and assignments for house-site purposes governed by R.S.O 15 and R.S.O 21 respectively.

Under RSO 15, assignment is expressly governed by the Government Grants Act (Central Act)[2], accordingly, the Transfer of Property Act[3] does not apply unless the order of assignment specifically provides that title will pass to the assignee, either upon compliance with conditions imposed or after the expiry of the stipulated period.[4] The Supreme Court has recently reaffirmed the overriding character of the Government Grants Act in *Union of India v. Sir Sobha Singh and Sons Pvt. Ltd.[5],* the court held that Section 3 of the Act is not a mere exclusion of the Transfer of Property Act but an overriding declaration of the supremacy of grant conditions.

Further, the mere issuance of an assignment order does not vest title in the assignee. This principle was affirmed by the Madras High Court in V.D.S.R. Re-Rolling Mill v. Special Commissioner and Commissioner of Land Administration[6], where the court held that, "the grantee of the land, does not acquire title, simply under the orders of grant of land by the

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[1] Tamil Nadu Revenue Standing Order No. 15 (Assignment of Land), Government of Tamil Nadu.
[2] The Government Grants Act, No. 15 of 1895 (India).
[3] Transfer of Property Act, No. 4 of 1882 (India).
[4] Revenue Standing Order No. 15(1A)(i), Govt. of Tamil Nadu, Revenue Department.
[5] Union of India v. Sir Sobha Singh and Sons Pvt. Ltd. (2026 INSC 406)
[6] V.D.S.R. Re-Rolling Mill v. Special Commissioner and Commissioner of Land Administration (2012) 5 MLJ 817 (Madras HC)

Government."

The Standing Order draws a distinction between two categories, assignment with the conditional right to alienation and assignment with prohibition on alienation.

- Where land is assigned free of land value with conditions that it must be used within a specific period for the purpose intended and alienation can be made after the specified period, the assignee acquires title only after both conditions are satisfied.

- If the assignment carries a permanent prohibition on alienation, title never passes regardless of how long the land has been held.

Where land is assigned on payment of land value, similar principles apply depending on the conditions imposed.

If the assignee violates the conditions of the assignment, the Government can resume the land. The Madras High Court, in *K. Seethalaxmi v. Commissioner, Land Reforms Department*[7], upheld the cancellation of the assignment where the assignee alienated the land before complying with the conditions imposed.

Classification of Land for the Purpose of Assignment

RSO 15 classifies land into two broad categories for the purpose of assignment.

- Land that is prima facie available for assignment includes assessed land and unassessed land, which is not reserved.[8]

- Land that is prima facie not available includes poramboke land and reserved land, whether assessed or unassessed[9] which has been earmarked for special purposes by an entry in the settlement register, the village adangal, and the Prohibitive Order Book.

Unassessed land, before it can be assigned, must first be transferred to assessed land. This

[7] K. Seethalaxmi v. The Commissioner, W.A.(MD) Nos. 1244–1247 of 2012, Madras High Court (Madurai Bench)
[8] Revenue Standing Order No. 15(2)(1)(i), Govt. of Tamil Nadu, Revenue Department.
[9] Revenue Standing Order No. 15(2)(1)(ii), Govt. of Tamil Nadu, Revenue Department.

transfer is within the powers of the Divisional Officer.[10]

Certain categories of land are absolutely excluded from assignment without a specific sanction of the Government. These include tank bed lands, grazing ground porambokes, watercourse porambokes, land adjoining reserved forests, land near railway stations, aerodromes, port limits, cantonment areas and land containing valuable resources, minerals or quarries.

When a road, canal, or irrigation channel runs through or near land applied for assignment, the rules require that:

- Where a road passes through the land a minimum strip of 20 metres must be left for the road

- Where irrigation structures run through or near the land, for major irrigation structures - a margin of 20 metres from the foot of the embankment must be left. For minor irrigation structures, 6 metres margin is sufficient.

- Where a stream runs through or near the land at least 10 metres on each side must normally be reserved.[11]

The reserved portions must be entered in revenue records as road poramboke, tank poramboke, channel poramboke, or stream poramboke, depending on the nature of the land.

Who May Apply: Eligibility

Assignment free of land value is available only to a landless person or poor person who is likely to engage in direct cultivation and he must be a citizen of India.

A "landless person" is defined as one who owns less than 1.21.5 hectares of dry land (or 60.5 ares of wet land).[12] "Poor person" means a family income not exceeding Rs. 12,000 per annum.[13]

Co-operative societies composed entirely of such persons are also eligible for assignment free

[10] Revenue Standing Order No. 15(2)(2), Govt. of Tamil Nadu, Revenue Department
[11] Revenue Standing Order No. 15(2)(4), Govt. of Tamil Nadu, Revenue Department
[12] Revenue Standing Order No. 15(3)(2)(ii), Govt. of Tamil Nadu, Revenue Department
[13] Revenue Standing Order No. 15(3)(2)(iii), Govt. of Tamil Nadu, Revenue Department

of land value.

Assignment of pattas for cultivation or house sites is to be issued in the name of the female member of the family as a matter of women empowerment policy.

Competent Authority: Powers of Assignment

The Revenue Standing Order prescribes a tiered system of authority and their powers determined by the market value of the land proposed for assignment. The Assignment of non-valuable land is typically within the Tahsildar's jurisdiction, limit up to a market value of Rs. 30,000 and maximum extent limit of 1.21.5 hectares.

The monetary limits for assigning valuable land are:

- Tahsildar - up to Rs. 30,000;
- Revenue Divisional Officer - up to Rs. 50,000;
- District Revenue Officer - up to Rs. 1,00,000;
- District Collector - up to Rs. 4,00,000;
- Commissioner of Land Administration - up to Rs. 5,00,000; and
- Government - all cases exceeding Rs. 5,00,000.[14]

The Application Procedure

Applications for assessed land must be submitted in writing in the prescribed form. On receipt of an application, the Tahsildar refers it to the Village Administrative Officer (VAO) through the Revenue Inspector. The VAO enters it in Register-C, gives wide publicity to the application in the village, and pastes a notice in Form A-1 at the village chavadi, panchayat office, and on the land for a period of fifteen days. At the end of this period, the VAO prepares a memorandum in duplicate, attested by two literate village residents and countersigned by the Revenue Inspector, accompanied by an administrative sketch of the land showing its classification and

[14] Revenue Standing Order No. 15(3)(1), Govt. of Tamil Nadu, Revenue Department

maintainable survey marks. This memorandum is sent to the Tahsildar through the Revenue Inspector.[15]

If the report raises no objection and there is a single applicant, the Tahsildar will personally inspect the land. If he is satisfied on eligibility and absence of objection, he issues a notice to the proposed assignee for recovery of tree value, demarcation charges, and other dues.[16] Upon payment of the amount, the assignment shall be made.

If multiple persons apply for the same land, the Tahsildar shall determine the assignee based on the principle of equity and priority. Preference generally goes to the person who has made prior investment or labour in the land. If no money or labour made then the preference goes to the first applicant, with village residence being a relevant consideration. [17]

Where two or more applicants have comparable claims that the Tahsildar cannot resolve, the Divisional Officer may order the right of occupancy to be sold by public auction.[18]

Appeals and Revision

One appeal may be lied against every original decision, whether by the Tahsildar, Divisional Officer, or District Collector.

- Appeals against the order of Tahsildar to Divisional Officer and against the order of Divisional Officer to District Collector must be filed within 30 days.
- Appeals against the order of District Collector to Commissioner of Land Administration must be filed within 60 days.[19]

The time limit can be relaxed for appeals if sufficient cause is shown.[20]

The decision made in the appeal is final and no second appeal can be made. However, revision remains available. For assignments made after 14 May 1973, the RDO, DRO, or Collector may revise a subordinate order within a period of three years. The Commissioner and the

[15] Revenue Standing Order No. 15(6), Govt. of Tamil Nadu, Revenue Department
[16] Revenue Standing Order No. 15(9), Govt. of Tamil Nadu, Revenue Department
[17] Revenue Standing Order No. 15(10)(1), Govt. of Tamil Nadu, Revenue Department
[18] Revenue Standing Order No. 15(11), Govt. of Tamil Nadu, Revenue Department
[19] Revenue Standing Order No. 15(15), Govt. of Tamil Nadu, Revenue Department
[20] Revenue Standing Order No. 15(16), Govt. of Tamil Nadu, Revenue Department

Government are not under any time restriction to exercise revision powers in cases of procedural irregularity, fraud, or jurisdictional excess, even in cases prior to 14.5.1973.[21]

Conclusion

The procedure for land assignment under RSO 15 is considerably more intricate and multi layered in nature. It reflects the Government's attempt to balance revenue administration with social welfare objectives. The Government seeks to improve the living conditions of the landless and economically weaker sections by assigning lands to them for the purpose of cultivation and house-site purpose. At the same time, the framework ensures proper utilisation of assigned lands and protection of public resources by imposing conditions.

In essence, Assignment of Government land under R.S.O. 15 represents both an administrative function and a welfare-oriented measure to achieve equitable distribution of resources. A subsequent article in this series will examine the assignment of Government lands for house-site purposes under R.S.O. 21.

[21] Revenue Standing Order No. 15(18), Govt. of Tamil Nadu, Revenue Department