

# THE KERALA REVENUE CARD ACT, 1999

## ACT 20 OF 1999

*An Act to provide for the issue of Revenue Cards to individual families to enable the members of such families to use the same as an authoritative document in lieu of the various certificates issued by the Government departments, local bodies and other institutions of the Government and for matters connected therewith or incidental thereto.*

*Preamble.*—WHEREAS it is expedient to provide for the issue of Revenue Cards to individual families to enable the members of such families to use the same for availing of various concessions, benefits or grants sanctioned by the Government departments from time to time and to use the same as an authoritative document in lieu of the various certificates issued by the Government departments, local bodies and other institutions of the Government;

BE it enacted in the Fiftieth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Revenue Card Act, 1999.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force on such date as the Government may, by notification in the gazette, appoint:

Provided that different dates may be appointed for different areas and for different provisions of this Act, and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) 'alienation' includes transfer of property by way of sale, mortgage, gift, settlement, lease, hypothecation or partition for a bequest under a will;

(b) 'basic tax' means the tax imposed under the provisions of the Kerala Land Tax Act, 1961 (13 of 1961)

(c) 'Collector' means collector of the district having jurisdiction over the area;

(d) 'family' means husband and wife, their parents and children living with and dependent on them;

(e) 'financial assistance' means assistance by way of loans, advances, guarantees or otherwise for any purposes, as may be prescribed;

(f) 'Government' means the Government of Kerala;

(g) 'Government land' means any land the proprietary right of which vests in the Government;

(h) 'land' means Government land or registered land;

(i) 'land holder' means,—

(i) in relation to any land held by a cultivating tenant as defined in the Kerala Land Reforms Act, 1963 (1 of 1964) such cultivating tenant;

(ii) in relation to any land which has not been surveyed and is not held by a cultivating tenant referred to in sub-clause (i) the proprietor of such land;

(iii) in relation to any other land, the registered holder for the time being of such land, and includes his legal representatives and assigns and any person who under any law for the time being in force is liable for the payment of public revenue due in respect of the land held by him;

(j) 'prescribed' means prescribed by rules made under this Act;

(k) 'registered holder of any land' means the person in whose name the land in question is registered in the Government accounts of the village.

*Explanation 1.*—When any person other than the registered holder is in lawful management of a land, otherwise than as agent or servant of the registered holder or as mortgagee, such person shall be deemed to be the registered holder in respect of such land;

*Explanation 2.*—When a land is so registered in the name of two or more persons jointly, the registered holder shall, for the purpose of this Act, be the person who is recognised by the other joint holder or joint holders as the manager of the land or who, in the case of dispute, is recognised by the Collector as the principal joint holder.

(l) 'registered land' means any land the proprietary right of which does not vest in the Government or local bodies;

(m) 'register of Revenue Cards' means the register of Revenue Cards maintained under section 3;

(n) 'registering authority' means the registering officer appointed under the Indian Registration Act, 1908 (Central Act 16 of 1908);

(o) 'Tahsildar' means the Tahsildar of the taluk having jurisdiction over the area.

3. *Register of Revenue Cards.*—(1) As soon as may be after the coming into force of this Act every Tahsildar shall maintain in such form as may be prescribed a Register of Revenue Cards at the Taluk Office for each village.

(2) Every such Register shall contain the following particulars namely:—

(a) the details as may be prescribed of the person in whose name the Revenue Card is issued under section 4;

(b) the number of members included in each Revenue Card, their relationship, full names, date of birth of each member, place of birth and the information as to whether each member is married or not or widow and if widow whether the widow of a soldier died in the war or whether a divorce or a person working abroad, or a soldier or an ex-serviceman or a freedom fighter (whether a person receiving pension from the Central/State Government) etc.; and the occupation and annual income of each member, annual income of the family, residential and professional address and the community, caste and religion of the members etc.;

- (c) the details of the persons in the family, if any, of those who are in the military service or handicapped or mentally retarded;
  - (d) the date on which his name was entered in the Register;
  - (e) the details of the land and building possessed or owned by each member;
  - (f) the details of the registered land held by each member;
  - (g) the details of financial assistance received;
  - (h) the details of encumbrances made so far;
  - (i) the details of benefits received under social security schemes or pension schemes ;and
  - (j) any other particulars as may be prescribed.
- (3) This shall be a permanent register and the entries in the register shall be made, corrected, renewed or modified only in accordance with the provisions of this Act.

4. *Issue of Revenue Cards.*—(1) A Village shall be the unit for the issue of revenue Cards.

(2) The Tahsildar shall publish a notice in each village, and in each corporation /municipality/village panchayat offices in such manner as may be prescribed informing the residents and registered holders of the land in that area for the preparation or updating of the Revenue Card Register and for the issue of Revenue Cards to each family and to such person, if any, who does not belong to the family.

(3) The notice shall contain the details and other records to be furnished and also specify the date within which and the place where such details and records have to be furnished and the application for the issue of Revenue Cards shall be submitted.

(4) As soon as may be after the information are collected and after making necessary enquiries the Tahsildar shall cause to make necessary entries in the Revenue Card Register maintained in his office.

(5) The Revenue Card shall be issued under the seal and signature of the Tahsildar on realising the fees at the rate of rupees fifteen for each Revenue Card:

Provided that no fees shall be realised for the Revenue Card issued to families below the poverty line.

5. *Issue of duplicate Revenue Card.*—When a Revenue Card is irrecoverably lost, destroyed, damaged, mutilated or rendered useless, the Tahsildar may, on application, issue a duplicate Revenue Card to the applicant after making necessary enquiries as he may deem fit.

6. *Issue of new Card.*—If a member included in any Revenue Card makes a request in the form and the manner as may be prescribed, either by reason of partition of the family or by reason of his residing separately after marriage, new card shall be issued by observing the conditions for issuing Revenue Cards and consequential changes shall be made in the Revenue Card Register and in other related cards.

7. *Entering details relating to registration, transfer etc. of land in the Revenue Card.*—(1) When a sale is registered or any right over land, including those by way of sale, gift, mortgage, lease, exchange,

partition or settlement is transferred, the registering authority shall demand to produce before him the Revenue Card also, if Revenue Card has been issued in respect of such land;

(2) The Tahsildar, on receipt of a copy of the entries in the Revenue Card made by the Registering Authority, shall make necessary changes in the Register of Revenue Cards kept for that purpose and issue a new Revenue Card after sub-division if necessary, within such time and on collection of such fees as may be prescribed.

8. *Acquisition of rights to be reported.*—Any person acquiring by succession, survivorship, inheritance, purchase or otherwise or by a decree or order of a court, or by an order of the Government or other authority, any right in or over any land as owner shall report in writing his acquisition of such right to the Village Officer. This shall be done within one month from the date of such acquisition or within such period as may be prescribed and the Village Officer shall give a written acknowledgement on receipt of the report to the person making the report and the matter shall be intimated to the Tahsildar within one week and on receipt of the information, the Tahsildar shall make necessary changes in the concerned Revenue Card Register within one month from the date of receipt of such information:

Provided that where the person acquiring the right is a minor or otherwise disqualified, his guardian or any other person holding charge of his property shall report it to the Village Officer:

Provided further that any person acquiring the right by virtue of a registered document shall be exempted from the obligation to report to the Village Officer.

*Explanation:*—The person in whose favour a mortgage is discharged or extinguished also acquires a right within the meaning of this section. On receipt of a report under this section, the Tahsildar shall cause necessary changes to be made in the Register of Revenue Cards kept by him and also incorporate necessary changes in the Revenue Card issued under section 4 or issue a new Revenue Card after sub-division, if necessary:

Provided that before causing any such change to be made for issuing a new Revenue Card under this section the Tahsildar shall make necessary enquiries as he may deem fit.

9. *Other rightful benefits to be incorporated.*—The Tahsildar shall incorporate the details regarding assistance received from Government including natural calamity reliefs, allowances, non-statutory pensions, benefits under social security schemes etc. in the Register of Revenue Cards and in the Revenue Card properly to facilitate the various agencies to accept extract of the relevant page of the Revenue Card Register in lieu of various certificates.

10. *Certified Copies.*—Application for certified copies of entries in the Register of Revenue Cards may be made to the Tahsildar and such copies may be issued by the Tahsildar in such manner and on collection of such fees as may be prescribed.

11. *Modification of entries in Revenue Cards.*—

(1) When any individual whose name is included in the Revenue Card claims that any modification is required in respect of any entry in the Revenue Card already issued under section 4 either by reason of the death of any person, or by the reason of the transfer of interest in the land or by reason of any other subsequent changes in circumstances, he shall make an application to the Tahsildar for the modification of the relevant entries in the Revenue Card.

(2) An application under sub-section (1) shall contain such particulars as may be prescribed and shall be accompanied by documents and other supporting materials as evidence.

(3) (a) Before passing an order on an application under sub-section (1), the Tahsildar shall follow such procedure as may be prescribed and shall also give a reasonable opportunity of being heard to the parties concerned. If the Tahsildar feels that a modification, as applied for is necessary he shall pass an order accordingly and cause changes to be made in the Revenue Cards.

(b) The Tahsildar shall reject the application if he feels that no changes are necessary after noting the reasons for rejection.

(c) An order under clause (a) or (b) of this sub-section shall contain the reasons for such order and shall be communicated to the concerned parties in such manner and within such period as may be prescribed.

(d) The entries regarding the annual income of each member and the annual income of the family included in each Revenue Card shall be renewed annually.

12. *Persons to furnish information.*—

(1) Any person whose rights or details are required to be entered in the Revenue Card under this Act shall be bound, on the requisition of the Tahsildar engaged in preparing or modifying the entries in the Revenue Cards to furnish or produce before him the relevant information or documents for inspection within such time as may be specified in such requisition or within such further time as the Tahsildar may in his discretion allow. All such information furnished or produced shall be within his knowledge or possession or under his authority.

(2) Where any information is furnished or any document is produced in accordance with the requisition under sub-section (1) the Tahsildar or the Officer authorised by him in this behalf shall give a written acknowledgement thereof to the person producing or furnishing the same and shall endorse on such document a note under his signature stating the fact of its production and the date thereof.

13. *Appeal.*—(1) Any person aggrieved by an order of the Tahsildar under any of the provisions of this Act may, file an appeal before such authority and within such period as may be prescribed.

(2) The decision of such authority on such appeal under sub-section (1) shall be final.

14. *Penalty for failure to furnish information.*—Any person who willfully defaults in producing any document required under section 4 or section 12 within the time specified in the notice or requisition under those sections or within such further time, if any, allowed by the Tahsildar under those sections will be punishable with fine which may extend to five hundred rupees.

15. *Penalty for furnishing false information.*—If any person who is required to furnish any information under this Act, furnishes any information which he knows or has reason to believe it to be false, shall be punishable with imprisonment for a term which may extend to three months or with fine which may extend to three thousand rupees or with both.

16. *Cognizance of offences.*—No court shall take cognizance of any offence punishable under this Act except on a complaint in writing made by an officer authorised in this behalf by the Government.

17. *Protection of action taken in good faith.*—No suit or other proceedings shall lie against any officer or authority for anything which is done or purports to be done in good faith under this Act or the rules made thereunder.

18. *Exemption.*—Nothing contained in this Act shall apply to any land owned by the Central Government or the State Government or any local authority.

19. *Power of the State Government to direct that the Revenue Card may be accepted in lieu of various certificates issued by Government Departments etc.*—

(1) Notwithstanding anything contained in this Act or in any other law for the time being in force the State Government may, by notification in the Gazette, direct that the entries in the Revenue Card issued under this Act may be used by the holder of such card as an authoritative document in lieu of the various certificates issued by the Government departments, local bodies and other institutions of the Government specified therein.

(2) When a notification under sub-section (1) is issued the officers of the Government department or the local bodies concerned shall accept the entries in the card as an authoritative document in lieu of the various certificates mentioned in such notification.

(3) A copy of the entries in the Revenue Card as certified in the manner prescribed shall be considered as a document in lieu of any certificate specified in sub-section (1).

20. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the place and manner in which the notice under sub-section (2) of section 4 shall be published by the Tahsildar and the particulars to be included in such notice;

(b) the procedure to be followed by the Tahsildar in respect of the enquiries for the issue of Revenue Cards;

(c) the form and the manner in which and the time within which application under sub-section (3) of section 4 shall be made and the declaration and particulars to be contained in such application;

(d) the form and other particulars, the size of the Revenue Card and the particulars to be contained in the Revenue Card;

(e) the form of application for duplicate Revenue Card and the fees to be paid;

(f) the time within which the Tahsildar shall issue a new Revenue Card under section 4 and the fees to be collected thereof;

(g) the manner in which the Tahsildar shall issue duplicate copies of entries in the register of Revenue Cards under section 5 and the fees to be paid thereof;

(h) the particulars to be contained in an application under subsection (1) of section 11 for modification of the entries in the Revenue Card;

(i) the manner in which and the time within which the order of the Tahsildar under sub-section (3) of section 11 shall be communicated to the application or claimant;

(j) the manner in which the order of the Tahsildar shall be communicated to the parties;

(k) the authority to whom an appeal against the order of the Tahsildar may be made under section 13 and the period within which such appeal may be made;

(1) any other matter which has to be or has been prescribed.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly make any modification in the rule, or decide that the rule should not be issued, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be, without prejudice to the validity of anything previously done under that rule.

21. *Power to remove difficulty.*—If any difficulty arises in giving effect to the provisions of this Act, the Government may as occasion requires, by order, do anything not inconsistent with the provisions of this Act which appears to them necessary for the purpose of removing the difficulty.

22. *Saving of other laws.*—The provisions of this Act shall be in addition to and not in derogation of any other law for the time being in force regulating any of the matters dealt within this Act, except to the extent provided in this Act.