

ACT 29 OF 2007

THE KERALA SURVEY AND BOUNDARIES (AMENDMENT) ACT, 2007

An Act further to amend the Kerala Survey and Boundaries Act, 1961.

Preamble.-WHEREAS, it is expedient further to amend the Kerala Survey and Boundaries Act, 1961 for the purposes hereinafter appearing;

BE it enacted in the Fifty-eighth Year of the Republic of India, as follows:-

1. *Short title and commencement.*- (1) This Act may be called the Kerala Survey and Boundaries (Amendment) Act, 2007.

(2) Sections 3 and 4 of this Act shall be deemed to have come into force on 30th day of July, 2007 and the remaining sections shall be deemed to have come into force on the 6th day of January, 2006.

2. Amendment of section 8.-In section 8 of the Kerala Survey and Boundaries Act, 1961(37 of 1961) (hereinafter referred to as the principal Act), the following proviso shall be inserted, namely:-

“Provided that for the purpose of speedy survey of vast area of land, the Government may by notification in the official Gazette, authorize the concerned survey officer to conduct the survey through aerial survey or other suitable modern methods utilizing the services of such expert agencies, as may be specified by the Government in the said notification.”.

3. Amendment of section 12.-In sub-section (1) of section 12 of the principal Act, for the words “three months” occurring in both the places, the words “one month” shall be substituted.

4. *Amendment of section 13.*- In section 13 of the principal Act, for the words "is modified by a decree of civil court" the words, figures and letter " is modified by an order of the Collector under section 13A or is modified by a decree of a civil court" shall be substituted.

5. *Insertion of new section 13A.*- After section 13 of the principal Act, the following section shall be inserted, namely:-

"13A. *Power of revision by the Collector.*- (1) Notwithstanding anything contained in section 13, the Collector may on an application from any person or any authority, examine the record in respect of the determination of any boundary which has been completed and the fact of such completion has been notified under section 13, to satisfy himself as to the legality of the determination of such boundary, and if, in any case, the Collector is satisfied that the determination of such boundary should be modified or revised, on the ground of any discrepancy, inaccuracy, defect or mistake of any kind crept in such determination, he may pass orders accordingly:

Provided that the Collector shall not pass any order affecting any party unless such party has had an opportunity of making a representation.

(2) Where determination of any boundary is modified or revised by an order under sub-section (1), the Survey Officer shall publish the fact of such modification or revision, as the case may be, in the Gazette and also in the notice board of the Village Office to which the survey relates."

6. *Amendment of section 14.*- In section 14 of the principal Act, in sub-section (1),-

(1) after the words and figures "or section 11", the word, brackets, figures and letter "or aggrieved by an order passed by the Collector under sub-section (1) of section 13A" shall be inserted;

(2) after the words and figures "under section 13", the words, brackets, figures and letter "or sub-section (2) of section 13A, as the case may be", shall be inserted.

7. *Repeal and Saving.*- (1) The Kerala Survey and Boundaries (Amendment) Ordinance, 2007 (53 of 2007) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.