

CHAPTER 293

LAND SURVEYS

Ordinances
Nos. 4 of 1866,
2 of 1917.

AN ORDINANCE TO ENLARGE THE POWER OF THE SURVEYOR-GENERAL TO DEMAND THE PRODUCTION OF DEEDS AND MAKE SURVEYS OF LANDS, AND TO FACILITATE THE PROOF OF SURVEYS.

[20 th October, 1866.]

Short title.

1. This Ordinance may be cited as the Land Surveys Ordinance.

such agent, occupier, alleged owner, and person so refusing shall be guilty of an offence and be liable, on conviction thereof, to a fine not exceeding fifty rupees.

Surveyor-General, &c., may demand production of deeds.

2. It shall be lawful for the Surveyor-General, or any of his assistants, or for any person authorized in that behalf in writing by the Surveyor-General, whenever to them it shall appear necessary to do so, to demand in writing of the person claiming to be the owner of any land or premises, or of his agent, or of the occupier of any such land or premises, the production of every deed, document, or instrument upon which such person founds his claim; and if such agent, or the occupier of any such land or premises, shall refuse to give full information respecting the name and residence of the alleged owner, and of the person by whom such agent or occupier is employed, and in whose possession the said deeds, documents, and instruments are, upon being requested so to do by the Surveyor-General, or on his behalf as aforesaid, or if such alleged owner, or agent, or occupier shall refuse to produce to the Surveyor-General, or to any person on his behalf, within ten days after being requested so to do, every deed, document, and instrument upon which he founds his claim to the said land or premises, and which shall be in his possession, or if any such deed, document, or instrument shall not be in his possession, shall refuse fully to inform the Surveyor-General, or any person on his behalf upon application, in whose possession they are ; or if any person having in his possession any such deed, document, or instrument shall refuse to produce the same within ten days after having been requested so to do in writing by the Surveyor-General, or on his behalf, every

3. The deeds, documents, and instruments in section 2 mentioned shall be produced on the premises to which the same may relate, or at such other place as the person demanding the same may require, and the power of demanding the production thereof, in section 2 given, shall be deemed and taken to include the power of making such examination of such deeds, documents, and instruments as shall be necessary; and every person refusing or failing to permit such examination of any such deed, document, or instrument, to any party authorized under this Ordinance to demand production thereof, and making such demand, shall be liable to a fine not exceeding fifty rupees.

Demand of production of deed to include power of examination.

4. The Surveyor-General, or any of his assistants, or any person authorized in that behalf in writing by the Surveyor-General, may, after reasonable notice given to the occupier, enter upon any land or premises which it may be necessary for him to inspect or survey, and make such inspection and survey of the same as shall be necessary to enable such Surveyor-General, assistant, or other person to ascertain whether such land or premises belongs to the State, or is the private property of the person claiming the same, or as shall be necessary for the purpose of the discharge of any official duty of the Surveyor-General or of any officer of his department. General notice, by beat of

Surveyor-General may enter into and survey lands.

tom-tom, an hour at least before the entry, that such entry will be made upon the lands in any village, or within any given limits, shall be deemed reasonable notice for the purposes of this Ordinance; but such form of notice shall not preclude the Surveyor-General or his assistants from adopting any other form.

exhibited therein; and it shall not be necessary to prove that it was in fact signed by the Surveyor-General or officer acting on his behalf, nor that it was made by his authority, nor that the same is accurate, until evidence to the contrary shall have first been given.

Penalty on abuse of power by Surveyor-General, Ac.

5. If the Surveyor-General, or any of his assistants, or any person authorized by him as aforesaid, or any person acting under his orders, shall, under pretence of performing any duty or exercising any privilege imposed on or vested in him by or under this Ordinance, abuse his power or use unnecessary violence, or wantonly do any injury, or give uncalled for and vexatious annoyance, every such officer or person shall be guilty of an offence, and be liable to a fine not exceeding two hundred rupees.

7. Any plan or survey purporting to be a true copy of one purporting to be signed as aforesaid shall, provided the said copy purport to be signed and authenticated by the Surveyor-General or officer acting on his behalf as a true copy of the original, be received in evidence in all cases and for all purposes instead of the original, and may (without proof that the original is not procurable) be taken as prima facie evidence of the truth of the facts exhibited therein as fully as that original may be under this Ordinance ; and it shall not be necessary to prove that the said copy was in fact signed or authenticated by the Surveyor-General or officer acting on his behalf, nor that it is a true copy, nor that the facts established therein are accurate, until evidence to the contrary shall have first been given.

Copies purporting to be authenticated by the Surveyor-General receivable instead of originals.

Proof of plans signed by the Surveyor-General.

6. If any plan or survey offered in evidence in any suit shall purport to be signed by the Surveyor-General or officer acting on his behalf, such plan or survey shall be received in evidence, and may be taken to be prima facie proof of the facts