

**CHAPTER VI**  
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## CHAPTER VI

### ACQUISITION SURVEYS

#### Process of the Land Acquisition

- 6.1. When the Government is required to acquire land for public purpose actions have to be taken by all relevant authorities under the provisions of Land Acquisition Act. Therefore, surveyors who are engaged on surveying for land acquisition should acquire a thorough knowledge of each statement and orders of the land acquisition act. ([Annexure 01](#)) Action has to be taken under sections 2,3,4,5 and 6 of land acquisition act in respect of surveying for the acquisition of lands and sections 39(1), 39A (1) and 50 for revocation of vesting orders, divesting of lands where actual possession has been taken and abandonment of acquisition proceedings respectively. The following regulations should be adhered when carrying out field surveys for acquisition of lands in order to facilitate the acquiring officer to minimize the disputes and secure the legality of the land acquisition process.
- 6.2. Where the Minister of Land decides that land in any area is needed for any public purpose, under section 2(1) of the Land Acquisition Act, the Minister of Land may direct the Acquiring Officer of the area to cause a notice to be exhibited in some conspicuous places in that area. in accordance with section 2(2) of the Land Acquisition Act with a copy to Senior Superintendent of Surveys of the relevant District.

After the notice under section 2 (2) is exhibited in some conspicuous place in that area, the Acquiring officer will issue the survey requisition together with a copy of the notice exhibited and other connected papers, to the Senior Superintendent of Surveys to prepare an advance tracing of the land proposed to be acquired.

#### Surveys under section 2

- 6.3 The acquiring officer will in advance inform the local representatives of the applicant agency, the surveyor / s who is assign for the survey, to assist in finding the land and pointing out boundaries. Then the relevant Survey requisition under Section 2 is referred to the District Superintendent of Survey.
- 6.4 These surveys should be completed within as short a time as possible.

#### Notice for Surveys

- 6.5 The owners of the land should be given at least 7 days' notice of the date of survey vide [Annexure 02](#) by registered post to enable him or his representative to present at the time of surveying or pointing out boundaries. The receipt issued by the post office should be attached to the completed papers of the requisition.
- 6.6 A fortnight's notice in writing should be given to officers of the Railway and similar Departments, who may have to travel from Headquarters. In addition to the written notice other modern communication techniques like telephones, e-mail must be used to contact such officers and organize surveying work make convenient for both parties.

### Pointing out boundaries

- 6.7** The boundaries of all the acquisition surveys must be pointed out on the ground by the officer nominated or someone duly authorized by him in writing. These letters of authority should be attached to the completed papers of the requisition.
- 6.8** When the officer nominated to point out boundaries does not turn up on the date fixed, the surveyor should report such cases to the Superintendent of Surveys who will communicate with relevant institutions to make working environment. If Superintendent of Surveys is facing difficulties, then he should inform Surveyor General through Provincial Surveyor General/ Senior Superintendent of Surveys to take appropriate action with the Ministry which requested the Acquisition of land.

### Protesting for the Survey

- 6.9** If objections or obstructions are encountered, it should be conveyed to the Acquiring officer to obtain police protection for field work.

### Field work under Section 2

- 6.10** Surveyors must ensure that no damage is caused to the cultivation, properties and boundaries during the clearing or surveying of the land intended to be acquired.
- 6.11** If damage of any value is unavoidable, then the Surveyor should obtain a statement signed by the owner of the land or his representative giving details of the damage.
- 6.12** The Surveyor assigned to prepare the advance tracing should ensure that in the exercise of the powers conferred on him by the provisions of Sub-Section (3) of section 2 of the Act, he does not enter any occupied building or any enclosed court or garden attached there to unless he has given the occupier of that building at least seven days written notice of his intention to do so.
- 6.13** The local agents of the Applicant Company and land owners have been nominated for representation and care of the proposed land to appear on notice and have appeared in person or, instead of authorized delegates, and have confirmed that the boundaries were shown and secured signature should be obtained. The signature register should also be placed in the survey requisition file.
- 6.14** The Land Owners and local representatives of the Applicant's Institution designated to point out the boundaries of the proposed land for acquisition on notice must ensure that they themselves appear, or that the authorized persons have taken part, and that the boundaries have been shown and taken care of. A signed document should be obtained. It should also be attached to the survey requisition file.
- 6.15** The preliminary survey for preparing the advance tracing under section 2 will be done by Theodolite/ Total Station or other suitable method of surveying. The perimeter of the land required for acquisition and the boundaries of all claims and State lands within the perimeter will be demarcated by stakes and surveyed.

- 6.16** Requisitions for section 2 surveys will be issued to the field without investigation in the District Survey Office, as old work need not be investigated during these surveys. All these surveys should be connected to National geodetic control network and completed with the least possible delay on priority.
- 6.17** Some prominent topographical features like roads, buildings, culverts, wells, etc, in the vicinity should where available be shown on the advance tracing to enable the owner and the applicant Department to locate the land to be acquired with precision.
- 6.18** The Officer preparing the advance tracing should record in his field book whether the owners were present in person or by representative or absent, the stakes indicating the area to be acquired were shown to them and they agreed to the corpus of the Survey.

### Preparation of Advanced tracing for Section 2 Surveys

- 6.19** Where the area to be acquired is part of a larger block of land, the whole or part of the outer boundary of the larger block shown sketch-wise on the advance tracing. It will assist in the location of the land to be acquired.
- 6.20** The advance tracing should give the names of the Grama Niladharies of respective divisions and clear description about the owners or their representatives present at the time of marking out boundaries of the particular land.
- 6.21** Advance Tracing is prepared by plotting surveyed data on A3 Field Sheets.
- 6.22** Heading of the Advanced Tracing should describe by giving requisition number at the top center of the tracing with purpose of the acquisition just below the same. In addition to that, the Divisional Secretary's Reqn. Number, reference number of the Ministry of Lands, reference number of the Ministry/ State organization which requested the Acquisition (if available) and S.G.'s reference number should be given on each tracing together with the purpose of the acquisition.
- 6.23** In acquisitions for Village Expansion, the Land Commissioner General's number should also be shown on the Tracing.
- 6.24** Also, The situation (Village, If it is included in Urban / Municipal council, relevant division Number and name should be entered within brackets under village, Grama Niladhari Division, D.S's Division, District and Province) will be given in the N-E corner of the tracing as in a preliminary plan as a Preliminary Plan.
- 6.25** The land will be surveyed as claimed and the different claims are lotted separately using alphabetical letters except letters "I" and "O" according to ascending order.
- 6.26** An endorsement to the effect that "State lands within the area shown on the tracing have not been dealt with".
- 6.27** The lot number, name of land, extent, name with address of claimant and the boundary schedule (viz. North, East, South, West) should be given on the tracing or another A3 size paper when space available is not sufficient for the tenementary information. Indicate the word "(Approximately)" against the total extent surveyed for acquisition as per approximate boundaries shown by the Ministry/ State organization which requested the Acquisition.

- 6.28** Immediately the Advance Tracing is checked by Superintendent of Surveys, and forwarded to Senior Superintendent of Surveys for certification.
- 6.29** Senior Superintendent of Surveys will issue true copies to Divisional Secretary, Ministry of Lands and Line Ministry of the applicant Department / State organization after certification according to D.S.R. 4.76. Copies to claimants should be issued on payments.
- 6.30** It is the responsibility of Senior Superintendent of Surveys to keep the A3 field sheet, 1:10,000 location tracing and properly prepared requisition file including all connected documents together with digital data at District Survey Office. These documents should be used for investigation of old work at the time of surveying under section 6.

#### Surveys under section 6

- 6.31** As soon after the Minister's declaration under section 5 is issued, the Divisional Secretary will issue a requisition for survey under section 6 of the Land Acquisition Act to District Senior Superintendent of Surveys. After making necessary arrangements, Senior Superintendent of Surveys should issue it to the field immediately with instructions to complete the work giving priority.
- 6.32** The work to be completed giving highest priority and As much as possible, Superintendent of Surveys should assign final survey under section 6 to the surveyor who prepared the advanced tracing.

#### Field work under section 6

- 6.33** Landmark boundaries using available digital data of the advanced tracing prepared under section 2 of the Land Acquisition Act according to the requirement of the requisition. Field book recording should be done according to DSR chapter XI.
- 6.34** It is expected to achieve followings.
- (a) Land to be acquired can be surveyed and shown accurately as shown in advance tracing.
  - (b) Acquisition Surveys will be completed in a short space of time.
- 6.35** Reservations for roads will not be laid through land surveyed for land acquisition.
- 6.36** The entirety of a building that abuts on an acquisition survey or forms part of the acquisition should be surveyed and shown on plan.
- 6.37** Private roads within estates for acquisition should not be surveyed.
- 6.38** Detailed information regarding all buildings and valuable plantations should be given. Trees within a lot should not be enumerated in the case of extents exceeding 2 Hectares unless they are scattered or few in number. This does not apply to lands within Municipalities where all trees should be enumerated despite the extents.



### Scale of Plans

- 6.39** Acquisition survey plans, except; those over 4 hectares and acquisitions for village expansion will be on the 1/2000, 1/1000 or 1/500 scales, according to the size of the lots and value of the land. Plans of acquisitions for village expansions may be drawn on the scale of 1:4000. Instruction should be obtained from Superintendent of Surveys in this regard and act accordingly.

### Plan work under section 6

- 6.40** (a) Acquisitions falling within an area under "block survey" or being done as a Topo Preliminary Plan or Final settled area or unsettled area should be surveyed and drawn in A3 sheets as inset or supplement.
- (b) Acquisitions in areas that have been 'block surveyed', and are either awaiting settlement or the issue of the final report by the settlement Officer, each lot should be balanced and if the balance area exceeds two hectares, then outer boundary of the original plan should be replotted.
- (c) For cadaster area see chapter 21.3.2.5
- 6.41** The boundaries of landmarked preliminary plans, if they fall within an acquisition survey or adjoin it, must be surveyed and shown on the new plan. Boundaries of old preliminary plans on which action has been taken and which cannot be cancelled, must be shown and referred to as in the case of landmarked preliminary plans, but they may be surveyed as they now exist.
- 6.42** If more than one claim is involved the Surveyor should inquire from the owners and/or Grama Niladhari whether the land had been the subject of a partition action. If a partition plan is available and a boundary dispute is likely, he should fix the internal boundaries. Existing boundaries will be accepted if there are no appreciable differences. Otherwise the partition boundaries should be laid down and the portion between them and the existing boundaries lotted separately.
- 6.43** Where Title Plans, outright grant diagrams or settlement ordered private boundaries falling within private lands have to be dealt with in connection with acquisition surveys, action should be taken vide D.S.R. 12.34.
- 6.44** When it is necessary to fix a State/Private boundary within finally settled areas (Eg. FVP/ FTP), the F.V.P./F.T.P boundary should be replotted and checked with an enlargement as in D.S.R. 9.59
- 6.45** Diagram Plan or Restricted Grant Diagram boundaries within the land to be acquired should be shown in firm red lines, and the portions of land covered by each Diagram Plan or Restricted Grant Diagram should be lotted separately as 'Claimed by State'. Balance portion to be lotted but original claimant and other information should not be changed.

Tenement List

- 6.46** When any Title Plan, Diagram, Diagram Plan or part of Title Plan is included to the land to be acquired, reference to relevant TP number/Diagram number must be indicated within brackets against each lot in the previous lot reference column of the tenement list after the old lot number. Reference must also be made to old Preliminary Plan Lots, which have been or can be cancelled, but their boundaries will not be shown on plan.

In F.V.P./F.T.P. areas the names of the claimants with their addresses will be entered as "Claimed by ..... of ....." after the above information in the Tenement List.

- 6.47** When more than one claimant is claimed for one lot, Names and addresses of all claimants must be recorded in the Tenement List.
- 6.48** For lands where religious places are maintained, the name of the defender of the religious place should be mentioned in the Tenement List.
- 6.49** In town areas the assessment numbers with the names of roads should be entered after the name of the land as Assessment No. .... Road or premises bearing assessment No. .... or part of premises bearing assessment No. .... whichever is applicable.
- 6.50** All the names of lands surveyed for acquisition should be given. The expression "etc" should not be used.
- 6.51** Except for lots of land to be acquired, land acquisition details should not be listed on an acquisition tenement list.
- (i) to be acquired , either according to the Declaration, or because a severance lot has made acquisition necessary;
  - (ii) to be given in exchange;
  - (iii) Land shown on the acquisition sketch and found to be state.
- 6.52** When land has been acquired under Section 38(A) of the Land Acquisition Act, it should be borne in mind that the land has already been vested in the State. When drawing up tenement lists of such plans the name of claimant should be "State". The following remarks should be made against such lots: -
- "Taken over under Section 38(A) of the Land Acquisition Act, Original claimants..... (Here, state names and addresses of original claimants) ..... For finalizing acquisition proceedings".
- 6.53** Divisional Secretary's requisition number, The purpose of the acquisition, Reference numbers and dates of the Ministry of Lands and relevant Ministry of the applicant Government Department/ Organization and S.G's reference number and date should be indicated respectively in the Tenement List.
- 6.54** State Lots which are not included in the Acquisition sketch, but are separated and defined for the use of the Department concerned, and any encroachments adjoining the

survey will not be shown on the acquisition plan. Separate preliminary plans with connected tenement lists should be prepared for such lots. See DSR 4.54.

- 6.55** (a) In F.V.P./F.T.P the balance extents and lot numbers are not required for the remaining portions of private lands. The balance portions of private lands will retain the original lot numbers and their extents will not be amended.
- (b) In CM areas each lot to be separately balanced and shown in the plan with lot numbers. See **DSR 21.3.2 .5 and 21.3.9**
- 6.56** When any state Land, which does not appear in the sketch is surveyed and demarcated in connection with an acquisition, such lots will be drawn on a supplement to the F.V.P. the original plan amended and a Tenement list prepared. The extents of the original lot will be maintained and referenced.

#### [Amendments of old documents](#)

- 6.57** The outer boundary of a new acquisition survey will be inserted in pencil on the original field sheets of all Preliminary Plans, Title Plans, Diagrams, Diagram Plans S.O./P Lots which may be included in the Acquisition. Reference to the acquisition plan should be given on these sheets by its new plan number.
- 6.58** (a) If acquisition proceedings have been completed, any surveyed lot of an acquisition survey plan may not be cancelled or amended on it. New work within such lots will be plotted a fresh and a new P. Plan or supplement to F.V.P./F.T.P. issued. Remarks against such lots in the tenement lists should clearly indicate that the lot dealt which is acquired, by referencing thus: "Part of acquired lot.....". No instance Acquisition plan will be amended by showing the outer boundary of the area covered by the new plan as per DSR 4.65. But proscribe in pencil as in the case of P. Plans.
- (b) Amendments may, however, be made to an acquisition plan while acquisitions in progress at the request of the Acquiring Officer. Such amendments will first be made on the original A3 sheets. If it becomes necessary to sub divide an original lot, the original lot number will be crossed out on plan and the sub-divisions lotted from the last lot number used on the plan. A fresh tenement list should be prepared and prints obtained. The old number should be cancelled in the original tenement list by inserting a large red cross across the lot number and inserting "See lot ..... page ....." in red in the remarks column.
- (c) All copies of the print on issue should be recalled and amendments made in the District S.O. in red to agree with the original. The amendments should be certified by the District Senior Superintendent of Surveys, with a remark "Lot 2 amended and "lots 8 and 9 inserted – Vide Divisional Secretary's Letter No. .... of ..... The certificate should be made "on behalf of the Surveyor General".

#### [Follow the Acquisition \(Amendment\) Act](#)

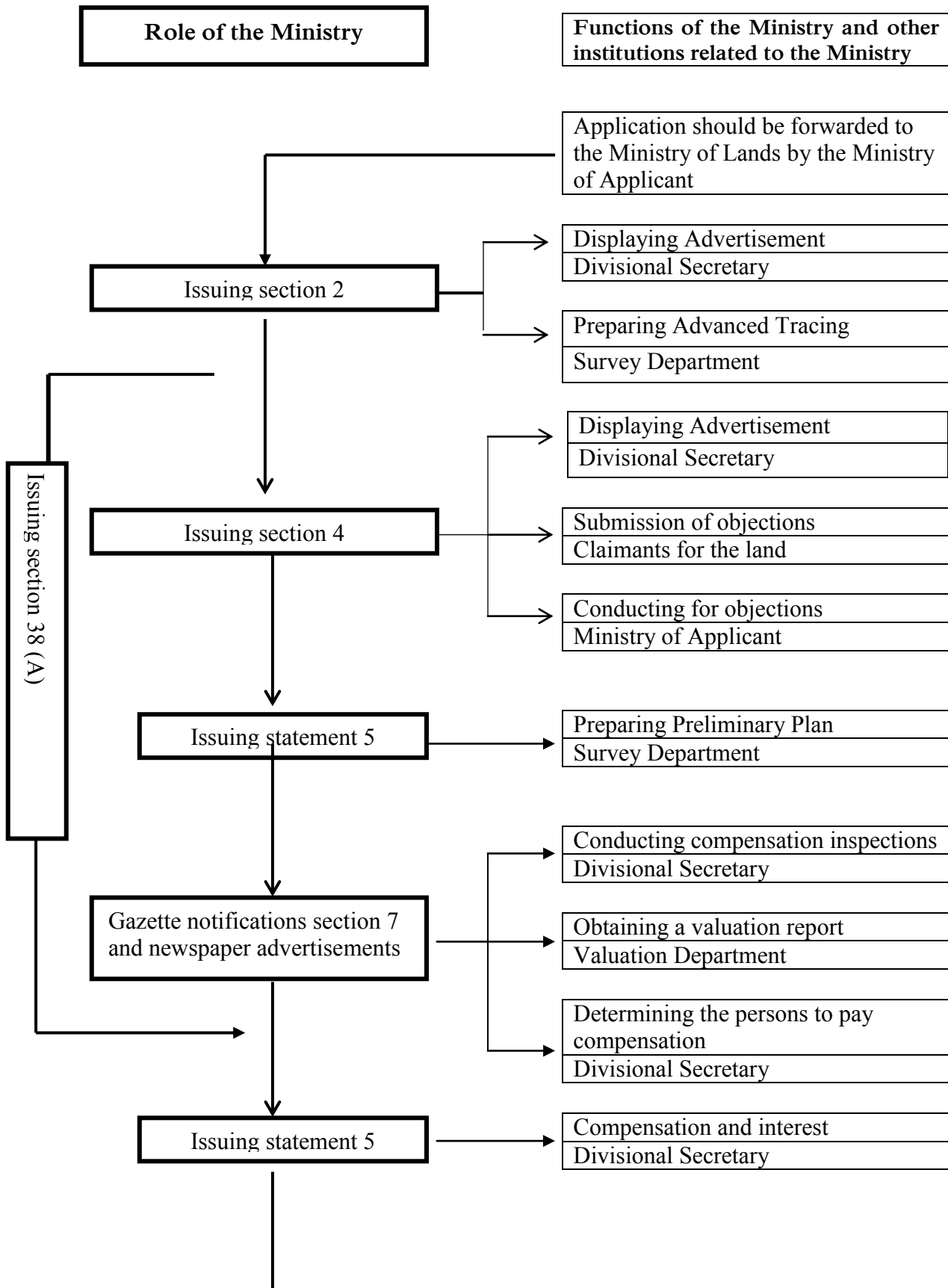
- 6.59** As amended by Land Acquisition (Amendment) Act No. 28 of 1964, the Minister of Land reserves the power to act under the following three contexts after acquisition of

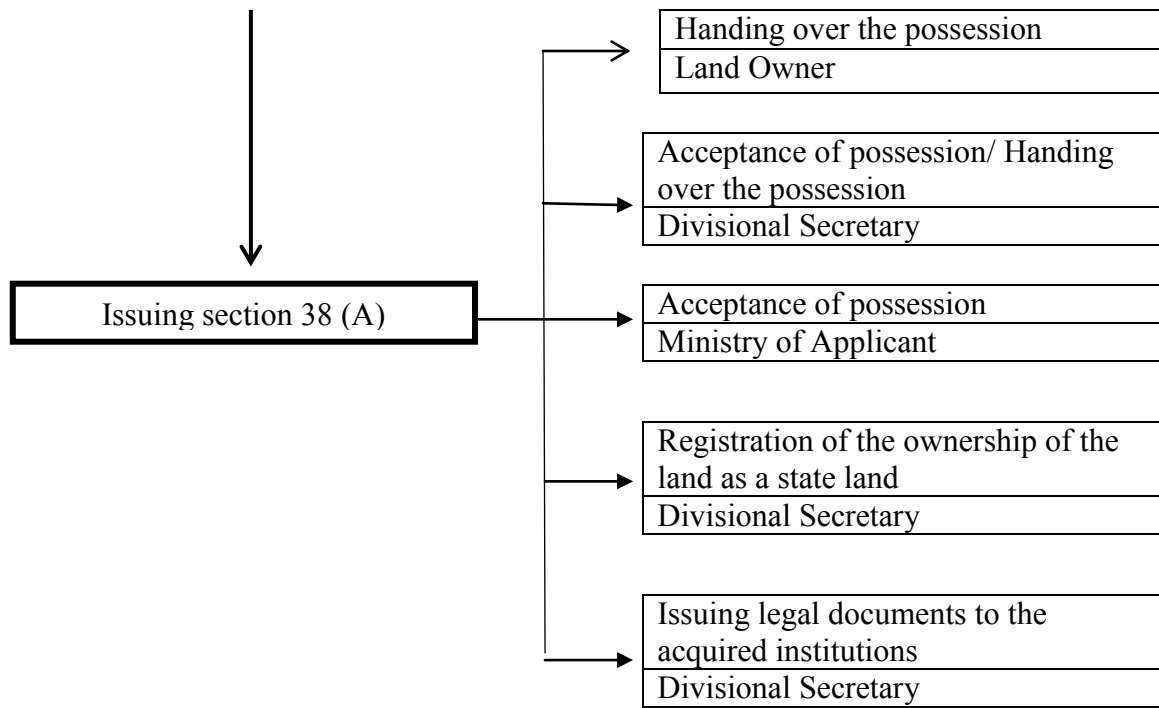
any land.

- (i) Revocation of vesting orders under section 39(1)
- (ii) Divesting of land where actual procession has been taken under section 39A(1)
- (iii) Abandonment of Acquisition proceedings under section 50

- 6.60** After receiving of the consent of the Minister of Land to act under the above three contexts, the relevant Divisional Secretary will be inform by the Ministry of Lands. Thereafter, Survey requisitions will be issued to District Senior Superintendent of Surveys by the Divisional Secretary for the amendment of plan pertaining to the above matter.
- 6.61** Having taking action accordingly, the amended plan copies should be sent to the Ministry of lands, Divisional Secretary and Other Institutions by the Senior Superintendent of Surveys.
- 6.62** As the gazette notifications will be published after the said amendments, no gazette notification should be requested from Divisional Secretary with the requisition for survey to amend the plan and the above amendments should be made in the new supplement or PP. See DSR 4.74.

## The acquisition process





D.S.R. 6.5Annexure 02**Form 1**

( to be used for surveys following a Declaration under Sec. 2 or a Direction under Sec. 4.)

**NOTICE**

To .....  
of .....

Notice is hereby given that in pursuance of directions issued to me by the Surveyor-General acting with the authority of the Acquiring Officer of the ..... Province/District\* under the provisions of Section 2(3) /4(2)\* of the Land Acquisition Act. Chapter 460 of the Legislative Enactments (1956 Revision), I, the undersigned .....together with the necessary staff will enter upon the land called .....situated in the village of .....in.....of the aforesaid Province/District\* on .....day of .....20.....at about .....and on subsequent days, for the purpose of surveying the said land.

.....  
Govt. Surveyor

Date .....

*\* Strike out what is inapplicable*

**Form 2**

(to be used for surveys following a Declaration under Section 5.)

**NOTICE**

To .....  
of .....

Notice is hereby given that in pursuance of authority issued to me by the Surveyor-General in terms of Section 4 of the Land Surveys Ordinance, Chapter 456 of Legislative Enactments, I, the undersigned .....together with the necessary staff will enter upon the land called .....situated in the village of .....in .....of the aforesaid District in the .....Province, on the.....day of .....20.....at about .....and on subsequent days for the purpose of surveying the said land for acquisition under the Land Acquisition Act,. Chapter 460 of the Legislative Enactments (1956 Revision).

.....  
Govt. Surveyor

Date: .....



**CORRECTION SLIPS**