



## Asking for Permission to Utilize Public Land under Section 9 of the Land Code (Excavate Lateritic Soil) (In the case of Director General is Competent Official)



### Procedures, Process



#### Verifying Document



#### Consideration



Detail of Service Delivery Procedures	Responsible Section
<ul style="list-style-type: none"> <li>- Lodging application to chief of provincial land office or chief of branch land office by follow TD. 64 form together with drafting map showing whether within the area of 500 meters has permanent structure or building or plant or precious resource one or the other or not.</li> <li>- Official investigates matter of fact, reason of asking for permission under form TD.66.</li> <li>- Applicant pays the expenses.</li> </ul>	Provincial land office or its branches or sub branches, where land is located.
1 day	
Detail of Service Delivery Procedures	Responsible Section
<p>1</p> <p>Official who received application or assigned official goes to such land for verifying and investigating under TD. 67 form by collecting example of soil from 4 different areas within the land requested for permission and send to Department of Mineral Resources for analyzing, surveyor conducts land survey, applicant pays expenses and accompanies surveyor while surveying his or her land. Applicant or proxy by written letter from applicant is the person who leads relevant government officials to verify his or her land.</p>	Agency that receives application
15 days	
Detail of Service Delivery Procedures	Responsible Section
<p>2</p> <p>Official prepares and posts notification in disclosure area at provincial land office or branch land office, district office or sub-district office, village headman office, local government organization office and the land area that asking for permission 1 copy for 1 place. (Notification under the law:30 days including duration of making notification: 10 days).</p>	Agency that receives application
40 days	
Detail of Service Delivery Procedures	Responsible Section
<p>3</p> <p>Land office that received application sends the case to provincial land office.</p>	Agency that receives application
7 days	
Detail of Service Delivery Procedures	Responsible Section
<p>4</p> <p>In the case official of provincial land office has already checked and considered that provincial land office or branch land office has already proceeded correctly, then official of provincial prepares official letter for cooperation with relevant government agencies for recommendation such as office of conservation area management, office of forest resource management, land development office, army unit in such area, archaeology office and national museum, local government organization, regional environment office, locality district office or locality sub-district office or other relevant government agencies.</p>	Provincial land office
7 days	
Detail of Service Delivery Procedures	Responsible Section
<p>5</p> <p>Provincial land office sends the case to department of lands.</p>	Provincial land office/public land management bureau
7 days	
Detail of Service Delivery Procedures	Responsible Section
<p>6</p> <p>Department of lands verifies the case of asking for permission.</p>	Public land management bureau
7 days	



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### Consideration

#### Detail of Service Delivery Procedures

Other agencies: relevant government agencies inform consideration result to Department of Lands (when reach the due date of 180 days, any agency that does not give an answer, shall be considered that such agency has agreed).

180 days

#### Responsible Section

Public Land Management Bureau, Department of Lands

7

8

When Department of Lands verifies that the procedures of district/sub-district, provincial land office and its branch is correct. Department of Lands sends the case of asking for permission to committee to verify in the part that related to the agency.

7 days

#### Responsible Section

Public Land Management Bureau, Department of Lands

9

#### Detail of Service Delivery Procedures

Making appointment with the committee within 30 days

30 days

#### Responsible Section

Public Land Management Bureau, Department of Lands

#### Detail of Service Delivery Procedures

Submit the comment to the committee for the Director General of the Department of Lands considering for giving order.

- In case of giving permission (sign in the license).
- In case of not giving permission.
- Giving other order.
- Department of Lands informs provincial land office/applicant (in case of not giving permission for having the right to appeal for objection) the provincial land office informs the agency that receives the application/applicant.

19 days

#### Responsible Section

Public Land Management Bureau, Department of Lands/ Provincial land office /Agency that receives application



Signing/Committee has Resolution

Total of implementation duration 320 days



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### Document as Evidence for Lodging Application

#### 1. Document confirming authentic issued by government agency    2. Other document for additional lodging

<p><b>1.1 Natural person</b> (Department of provincial administration is the government agency who issued such document). - Identification card - Household registration</p> <p style="text-align: center; border: 1px dashed green; border-radius: 10px; padding: 2px;">Original 1 copy</p>	<p><b>1.2 Juristic person</b> - Minutes of the meeting of juristic person with copy that signed to certify correctness.</p> <p style="text-align: center; border: 1px dashed green; border-radius: 10px; padding: 2px;">Original 1 copy Duplicate 1 copy</p>
<p style="color: red; font-size: small;">If the owner is not going to conduct by him/herself, applicant shall bring power of attorney, copy of identification card of proxy that certified correctness, identification card and household registration of attorney.</p>	
<p> <b>Fee</b></p> <ol style="list-style-type: none"> <li>1. Application fee: 5 Baht/parcel</li> <li>2. Notification fee: 10 Baht/copy</li> <li>3. Survey expense (deposit survey expense shall be collected with the necessary and actual amount). Fee 0 Baht</li> <li>4. Person who received permission under Section 9, shall pay yearly remuneration to local government organization where the land is located under method and rate prescribed in local registration but shall not exceed the rate attached at the back of the Land Code (1,000 Baht/year). Fee 0 Baht</li> </ol>	
<p style="text-align: center;"> <b>Service Delivery Channels</b></p> <p style="color: red; font-size: small;">Service Delivery Venue: Contact by yourself at Provincial land office or its Branches where land is located.</p> <p style="color: red; font-size: small;">Office Hours:                      Open Monday – Friday (except public holiday) From 08.30 – 16.30 hrs. (take a lunch break)</p>	
<p style="text-align: center;"> <b>Law that Give Authority to Permit or Relevant Law</b></p> <ol style="list-style-type: none"> <li>1. The Land Code</li> <li>2. Ministry of Interior Rule on Rule and Procedure related to Giving Permission under Section 9 of the Land Code B.E. 2543</li> <li>3. Ministry of Interior Order No. 109/2538</li> <li>4. Ministerial Regulation on Defining the Restricted Area under Section 9 of the Land Code.</li> </ol>	

<p><b>2.1 Objective details and necessary implementation method for consideration of utilizing the land.</b></p> <p style="text-align: right; border: 1px dashed green; border-radius: 10px; padding: 2px;">Original 1 copy</p>
<p><b>2.2 Drafting map showing that whether within the area of 500 meters has permanent structure or building or plant or precious resource one or the other or not.</b></p> <p style="text-align: right; border: 1px dashed green; border-radius: 10px; padding: 2px;">Original 1 copy</p>
<p><b>2.3 Evidence of permission for utilizing in forest area from competent official (in case the area that asking for permission is located in the national reserved forest area or permanent forest area under the Cabinet resolution).</b></p> <p style="text-align: right; border: 1px dashed green; border-radius: 10px; padding: 2px;">Original 1 copy Duplicate 1 copy</p>
<p><b>2.4 Permission letter for reclaiming forest from competent official under Section 54 of Forest Act B.E. 2484 (under the approval of the Juridical Council, case closed no. 921/2558).</b></p> <p style="text-align: right; border: 1px dashed green; border-radius: 10px; padding: 2px;">Original 1 copy Duplicate 1 copy</p>



## Asking for Permission to Utilize Public Land under Section 9 of the Land Code (Excavate Lateritic Soil) (In the case of Director General is Competent Official)



### Contact/Complaint Channels

1. Chief of Provincial/Branch/Sub Branch Land Office of the area that rendering such service.
2. Complaint box of Provincial/Branch/Land Office.
3. Department of Lands' Damrongdhama Center, Telephone Number: 0 2141 5678 – 9
4. Complaint Section, Office of the Secretary of DOL, Telephone Number: 0 2141 5500–4, The Government Complex, 6<sup>th</sup> Floor, Commemorating His Majesty, Rattaprasasanabhakti Building, Chaeng Wattana Road, Lak Si District, Bangkok 10210
5. Service Center of Office of the Permanent Secretary, Prime Minister Office P.O. box 1111, No. 1 Pissanulok Road, Dusit, Bangkok 10300/Hotline: 1111/www.1111.go.th
6. Complaint Center of Corruption in Public Sector (Office of Public Sector Anti – Corruption Commission: PACC)
  - No. 99 , Moo 4, Software Park Building, 2<sup>th</sup> Floor, Chaeng Wattana Road, Klong Klua Sub District, Pak Kret District, Nonthaburi 11120
  - Hotline 1206/Telephone Number: 0 2502 6670 – 80 ext. 1900, 1904 – 7 Facsimile: 0 2502 6132
  - www.pacc.go.th/www.facebook.com/PACC.GO.TH

Complaint Center of International Investor (The Anti-Corruption Operation Center) Tel: +66 92 688 0777/line: Fad.pacc/Facebook: The Anti-Corruption Operation Center Email: Fad.pacc@gmail.com).

### Remark

Order from Director General of the Department of Lands is administrative order which can be appealed to Director General within 15 days since the date of informing such order according to Administrative Procedure Act B.E. 2539.