



NOTIFICATION

No. H. 11018/3/2019-REV : In exercise of the powers conferred by section 132 of the Mizoram Land Revenue Act, 2013, the Government of Mizoram is pleased to amend the Mizoram Land Revenue Rules, 2013, as follows, namely:- ∴

1. Short title, extent and commencement.-

- (1) These rules may be called the Mizoram (Land Revenue) (Second Amendment) Rules, 2019.
- (2) It shall have the like extent as the Principal Rules.
- (3) It shall come into force from the date of its publication in the Official Gazette.

2. Substitution of the words "Land Committee" for the words "Site Allotment Advisory Board".-

In the Mizoram (Land Revenue) Rules, 2013 (hereinafter referred to as the Principal Rules), wherever the words "Site Allotment Advisory Board" appears, the same shall be replaced with the words "Land Committee".

3. Insertion of new rule 4A.-

After rule 4 of the Principal Rules, a new rule 4A shall be inserted as follows, namely-

"4A. Maintenance of Government Land Bank Register.

- (1) The land bank constituted under section 14A of the Act shall be recorded and in the Government Land Bank Register as prescribed in **Appendix-IX**.
- (2) The Land Bank Register shall be maintained in hard copy and in electronic form, and the electronic form shall be uploaded in the public domain of the Land Revenue & Settlement Department's website.
- (3) The Government Land Bank Register shall be updated whenever new land areas are included in the land bank or allotment out of it is made by the Government or any other competent authority under the Act."

4. **Amendment of rule 7.-**

- (1) Sub-rule (7) of rule 7 of the Principal Rules shall be omitted.
- (2) Sub-rule (20) of rule 7 of the Principal Rules shall be omitted.

5. **Amendment of rule 11.-**

Sub-rule (11) of rule 11 of the Principal Rules shall be substituted by the following, namely-

“(11) The competent authority, on being satisfied that the applicant fully agrees to the terms and conditions prescribed under these rules, and after obtaining his signature on the Land Settlement Certificate as a token thereof, shall issue the said Certificate as prescribed in Appendix-I.”

6. **Amendment of rule 12.-**

After sub-rule (2) of rule 12 of the Principal Rules, new sub-rules (3), (4) and (5) shall be inserted as follows, namely-

“(3) Whenever approval of the Government is obtained for allotment of a house site in a surveyed area, the Revenue Officer who maintains the land records thereof shall convey the approval to the applicant in writing in the form of a letter or in electronic form the dated receipt of which shall be obtained and recorded, informing him -

- (a) to collect the House Pass, on payment fee, premium and land tax, etc. therefor as shall be indicated in the letter, or
- (b) if unavoidable circumstance prevails preventing the applicant to collect the House Pass, to inform the same to the Revenue Officer,

within 30 working days from the date of receipt of the intimation, failing which, the approval will be liable to be withdrawn:

Provided that if the applicant turns up to collect the House Pass within the stipulated period, it shall be issued to him on payment of necessary fees, premium and tax, etc;

Provided further that if the applicant, instead of collecting the House Pass, submits within the stipulated period a written request to extend the 30-day period due to sufficient reasons beyond his control, the Revenue Officer, on being satisfied that such reasonable ground exists may, by issuing a second written notice, give him a further period not exceeding 30 working days.

- (4) If the applicant fails to respond to the first or second notice given under sub-rule (3), the Revenue Officer shall serve him a final notice, giving him a further period not exceeding 30 days for collecting the House Pass:

Provided that if the applicant, despite having received the final notice, fails to collect the House Pass, the Revenue Officer shall submit a proposal for withdrawal of the approval for allotment of the house site to the Government, through the Director of Land Revenue and Settlement.

- (5) If the Government withdraws the approval granted earlier for allotment of the house site, the withdrawal shall be conveyed in the form of a speaking order, and the land concerned shall be reverted to the Government Land Bank."

7. Amendment of rule 13.-

- (1) In rule 13 of the Principal Rules, Sub-rule (5) shall be substituted by the following, namely-

"(5) For settlement of a house site land held under a House Pass, the land shall have been properly fenced within the boundaries of the allotted land, with durable materials such as heartwood or reinforced cement concrete posts and other durable materials, such as, stone or brick masonry, steel cables, barbed wire and meshes of steel or plastic, and the land should also be prepared for construction of a house:

Provided that in rural areas, durable heartwood and bamboo may be used for fencing of the house site land;

Provided further that the Revenue Officer concerned shall have the house site inspected, by him or through his staff the report of which shall be countersigned by the authorised representative of the Land Committee concerned, and supported by a printed photo of the land and its fencing, made at the expense of the applicant;

Provided also that the land holder shall maintain the fencing in its proper position, form and structure continually."

- (2) After sub-rule (6), a new proviso shall be inserted as follows, namely-

"Provided that for transfer of house site land within the family of the holder thereof as provided under clause (a) of sub-section (4) of section 36 of the Act, documentary proof of the relation between the transferor and the transferee, such as, authenticated copies of birth certificate, family declaration accepted by a Government Department, or any other legally acceptable document, and the registered conveyance deed shall be produced in support of the application therefor."

(3) Sub-rule (11) shall be replaced with the following, namely-

“(11) The competent authority, on being satisfied that the applicant fully agrees to the terms and conditions prescribed under these rules, and after obtaining his signature on the Land Settlement Certificate as a token thereof, shall issue the said Certificate as prescribed in Appendix-II.”

8. Insertion of new rule 17A.-

After Rule 17 of the Principal Rules, a new Rule 17A shall be inserted as follows, namely-

“17A. Renewal of temporary allotment of land.

(1) The Government shall specify fees for renewal of temporary allotment of land under Pass, Periodic Patta or Lease, by notification in official Gazette from time to time.

(2) If the holder of the land under temporary allotment shall need to use the land beyond the current period of the allotment, he may apply to the Revenue Officer who maintains the record of the land for the renewal of the temporary allotment as prescribed in **Form-2C**, along with such additional documents as the Government may specify by notification in Official Gazette:

Provided that applications for renewal of temporary allotment of land for agriculture shall be screened by the Land Committee concerned and the comment thereof shall be taken into account while considering the application;

Provided further that, in case of any application for renewal of temporary allotment of an agricultural land lying within the notified area of a town or a surveyed village, the land shall also be inspected by the Land Revenue & Settlement Department in the manner as may be specified by the Government, and the report thereof shall also be taken into account while considering the application.

(3) The Revenue Officer receiving the application and the related reports mentioned in sub-rule (2) before the end of the last grace period as prescribed under sub-rule (7), shall inquire into the merit of the application against the provisions of section 46A of the Act, and may accordingly grant renewal of the temporary allotment subject to payment of the fees therefor, or refuse the same:

Provided that refusal to the application for renewal shall be intimated to the applicant in the form of speaking order.

- (4) If, after due inquiry, the Revenue Officer concerned is of the opinion that-
- (a) the land has been allotted within a notified protected or restricted area, or forest reserve, and appropriate clearance from the competent authority thereof has not been obtained, the application shall not be considered till such clearance is obtained;
 - (b) there is a dispute as to the area or boundaries of the land which is yet to be settled, the application shall be considered only after settlement thereof, depending on the outcome of the same.
- (5) If, after due inquiry, the Revenue Officer concerned is of the opinion that continuing the existing manner of use of the land would be against the interest of the public, he would inform the applicant to remove or stop the objectionable use of the land, and the temporary allotment shall not be renewed until the said order is complied with to the full satisfaction of the Revenue Officer.
- (6) If, after due inquiry, it is found that the percentage of the area developed in respect of an agricultural land is less than 50 percent of the total allotted area, the Revenue Officer concerned shall direct the land holder to develop and utilise at least 50 percent of the land, and the temporary allotment shall not be renewed until the said order is complied with to the full satisfaction of the Revenue Officer.
- (7) The amount of fees and penalties for renewal of temporary allotment of land, during the period of its validity and the grace periods shall be determined as shown below:

Time of application for renewal	Length of period	Rate of Fee
Normal period	Six months before the expiry of the allotment	Normal rate as notified by the Government
First grace period	Six months following the normal period	Normal rate plus 50 percent of the normal rate as penalty
Second grace period	Six months following the first grace period	Normal rate plus 100 percent of the normal rate as penalty
Third grace period	Six months following the second grace period	Normal rate plus 150 percent of the normal rate as penalty
Fourth and last grace period	Six months following the third grace period	Normal rate plus 200 percent of the normal rate as penalty

- (8) The period of validity of all temporary allotment of land, if renewed within the grace periods specified under sub-rule (7) shall be construed as extended till the date of such renewal. However, the next period of its validity on such renewal shall be recorded as commencing from the date following the last date of the original period.
- (9) If the application for renewal of a temporary allotment of land is received after the last grace period, the same shall be processed as prescribed under sub-rules (2) to (6), and renewal thereof, if allowed, shall be subject to the provisions of sub-section (3) of section 46A of the Act, and also that-
- (a) if, after the expiry of the allotment, any portion of the expired allotment of land has been utilised for public purpose, or allotted to any person by a competent authority as per provisions of the law in force during the relevant period, the area of the temporary allotment to be renewed shall be corrected so as not to include such area of the land so utilised or allotted; and
- (b) the fee for renewal determined as 5 times the normal fee shall be paid by the land holder:

Provided that the period of temporary allotment of land renewed under this sub-rule shall be recorded as commencing from the date following the date the original period expired;

Provided further that if the period during which the allotment has expired exceeds the period equivalent to the length of the last validity, the fee for renewal of the allotment shall be determined separately for each of such equivalent periods and the current period covering the date of renewal, and the applicant shall pay the same."

9. Amendment of rule 18.-

Sub-rule (4) of rule 18 of the Principal Rules shall be omitted.

10. Amendment of rule 20.-

Sub-rule (1) of rule 20 of the Principal Rules shall be substituted as follows, namely-

“(1) Any person or juristic person proposing to divert the use of his land holding shall submit an application in Form-8, to the Revenue Officer concerned, along with the recommendation of the Land Committee within whose jurisdiction the land situates:

Provided that the Land Committee concerned shall examine the purpose for which the land is proposed to be used against the existing land utilisation norms of the locality, having regard to its possible effect to the safety, security, health and convenience of the public, and make recommendation or objection accordingly which shall be signed by all its members present in the meeting, and a copy of the same shall be submitted along with the application;

Provided further that the comments of the Land Committee shall be taken into account while considering the application for diversion.”

11. Amendment of Rule 28.-

Sub-rule (2) of rule 28 of the Principal Rules shall be substituted as follows, namely-

“(2) Conveyance deed for transfer of land between any valid non-Governmental land holders shall be registered as per provisions of the Registration Act, 1908, before affecting mutation of the land concerned.”

12. Insertion of a new Appendix-IX:

After the Appendix-VIII to the Principal Rules, a new Appendix-IX shall be inserted as follows, namely:

13. Insertion of new Form-2C:

After Form-2B of the Principal Rules, a new Form-2C shall be inserted as follows, namely-

"FORM-2C

APPLICATION FOR RENEWAL OF TEMPORARY ALLOTMENT OF LAND
(A NGHET LOVA RAM PÊK HUN CHHUNG PAWHSEI BELH DILNA)

[See Rule 17A]

Sl. No	Particulars	
1	Name of Allottee (in capital letters) (<i>Ram luahtu hming</i>)	
2	Land Document type, No. & year	
3	Location (<i>Ram awmna hmun sawifahna</i>)	
4	Purpose of allotment (<i>Eng atana pek nge</i>)	
5	Existing use of the land (<i>Eng atana hman mək nge</i>)	
6	Percentage of land area developed out of the total area (<i>Ram zauzawng pum pui za-a thena hmun eng zat nge a cheibawl</i>)	
7	Length of period required for further use of the land (<i>Engtianga rei nge ram a mamawh chhunzawm dawn</i>)	
8	Whether the land has been properly fenced within the boundaries thereof (<i>Ramri pel lovin ram chu hung that a ni em</i>)	
9	Is a Certificate of Inheritance attached in case of the applicant being not the holder of the land? (<i>Ram neitu ni lo mi dangin renew a dil a nih chuan, a diltu hminga roluahna lehkha thiltel a ni em?</i>)	

Documents to be enclosed (*Lehkha thiltel ngaite*):-

Attested copies of-

1. Passport size photo of the applicant.
2. EPIC/ Voter ID.
3. Aadhaar No - for private land holder if the Aadhaar No. has not been submitted earlier (*Land Revenue & Settlement Department-a Aadhaar No. la thehlut lo tan*).
4. Existing land document (*tuna renew tum m êk ram lehkha copy*).
5. Receipt of last payment of annual land tax (*Ram chhiah p êk hnwnun berna receipt copy*).
6. Comment of Land Committee concerned in case of agricultural land (*Periodic Patta/ Agricultural Land Lease renew tur atan ram awmna bialtu Site Allotment Advisory Board/ Land Committee ngaihdan ziaka lâk tel zel tur a ni*).

Place: _____

Date: _____

Signature of Applicant: _____

(Diltu hming sign)

Submitted to _____
(Thehluhna Revenue Officer designation)"

Sd/- R. LALRAMNGHAKA
Special Secretary to the Govt. of Mizoram,
Land Revenue & Settlement Deptt.

Memo No. H. 11018/3/2019-REV

: Dated Aizawl, the 15th Nov., 2019.

Copy to :-

- 1) Secretary to the Governor, Mizoram.
- 2) P.S. to Hon'ble Chief Minister, Mizoram.
- 3) P.S. to Speaker/Dy. Speaker, Mizoram.
- 4) P.S. to all Ministers/Minister of State/Parliamentary Secretaries, Mizoram.
- 5) PPS to Chief Secretary, Govt. of Mizoram.
- 6) All Principal Secretaries/Commissioners/Secretaries, Govt. of Mizoram.
- 7) Secretary, Mizoram Legislative Assembly, Mizoram.
- 8) All Heads of Department, Mizoram.
- 9) Controller, Printing & Stationery, with 3 (three) spare copies of the Notification with soft copy for publication in the Mizoram Gazette.
- 10) All Deputy Commissioners, Mizoram.
- 11) Guard file.

Martini 15/11/19

(MARTINI LALHLUPUII)

Under Secretary to the Govt. of Mizoram,
Land Revenue & Settlement Deptt.