

Government of Assam

Revenue & Disaster Management Department

**Handbook
of
Government Circulars
(From May, 2007 to August, 2019)**

Volume-V

Sarbananda Sonowal



**Chief Minister, Assam
Guahati**

Dispur
August 28, 2019

MESSAGE

I am happy to know that Revenue and Disaster Management Department, Government of Assam has compiled the Hand Book of Circulars, Volume-V containing the Government Circulars, Office Memorandum etc. issued by the Department from 1st May, 2007 to 30th August. 2019.

As the Handbook is going to be a compilation of Government Circulars issued by Revenue and Disaster Management Department, I am confident that it would prove to be invaluable in ensuring prompt and accurate decision making for the Government stakeholders while delivering essential public services.

I wish the Revenue and Disaster Management Department, Government of Assam all the very best for this endeavour.

(SARBANANDA SONOWAL)

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Message

This is the fifth volume of Hand Book of Government Circulars issued by the Revenue and Disaster Management Department. This volume contains important circulars of durable value issued by different Branches of the Revenue & D.M. Department between May, 2007 to Aug, 2019.

I hope that this volume will benefit all officials of Revenue & D.M. Department in normal transaction of official work.

(BHABESH KALITA)

Alok Kumar, IAS
Chief Secretary



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MESSAGE

This is the fifth volume of compilation of Government Circulars, Office memorandum, Notifications etc. issued by Revenue & D.M. Department from May, 2007 to Aug, 2019 is aimed at making available the relevant circulars collectively in an easy to use format.

It is expected that all the official of Revenue & D.M. Department both at the Secretariat and field level would find this Hand Book useful for transacting official work and the Department will undertake efforts to bring out such Hand Book at regular intervals.


(Alok Kumar)

June 29, 2019

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Preface

The fourth volume of Hand Book of Government Circulars was published in the year 2007. The current volume contains Government Circulars, Office Memorandum, Notifications etc. issued by Revenue & Disaster Management Department from May, 2007 to August, 2019.

An attempt was made to publish the Hand Book containing circulars issued w.e.f April, 2007 to December, 2015 during the tenure of the then Additional Chief Secretary to the Government of Assam, Revenue & DM Department Shri Subhash Chandra Das, IAS, but the same volume could not be published due to various reasons. So, in continuation of the earlier effort, circulars issued till August, 2019 have also been incorporated in the present volume.

This compilation will make the relevant circulars of different branches available in a easy to comprehend maner. An endeavour has also been made to make the circulars available on the official website of the Reveune & Distater Management Department.

Although some circulars incorporated in this volume have been superseded by circulars issued subsequently, these circulars have been retained for their future reference.

I appreciate all the Departmental Officials specially Shri Ashok Kr. Barman, ACS, Additional Secretary, Shri Dhiraj Saud, ACS, Deputy Secretary, Smt. Kabyashree Mahanta, Jr. A.A. and Sri Dilip Kalita, the then Sr. A.A. of the Department for their effort in compiling this volume.

It is hoped that this Hand Book of Circulars will not only benefit the officials of Revenue & Disaster Management Department but also the citizens in their interaction with the Government. It is expected that this will facilitate speedier decision making and prompt service to the citizens.

Dated - 28th August, 2019

Kumar Sanjay Krishna.

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2	No.RGR.160/2009/63 dated 14th July,2009	Action plan for managing drought like situation regarding.	324
3	No.32-17/2008-NDM-I dated 31st July,2009	Item and norms of assistance from CRF and National Calamity Contingency Fund(NCCF) for the period between 2005-2010.	325-336

4	No. RGR.520/2009/14 dated 29 th January, 2010	Revised list of items and norms of assistance from CRF/NCCF.	337
5	No. RGR.386/2010/51 dated 27 th July, 2011	Notification on guidelines on constitution of State Disaster Response Fund(SDRF).	338-349
6	No.FEB.26/2011/1(B/S) dated 4 th July, 2011	Delegation of special financial power to DCs under Schedule-III of the DFP Rule,1999 for sanction of Ex-Gratia etc.@ Rs.1.00 Lakh.	350
7	No.FEB.177/2012/1(B/S) dated 9 th May, 2012	Delegation of special financial power to DCs under Schedule-III of the DFP Rule,1999 for sanction of Ex-Gratia etc.@ Rs.4.00 Lakh.	351
8	No.FEB.342/2012/1(B/S) dated 26 th November, 2012	Special power delegated to DCs & Chairman of DDMA.	352
9	No.32-7/2011-NDM-I dated 16 th January, 2012	Revision of items and norms of assistance from SDRF and NDRF for the period 2010-2015.	352-360
10	No.RGR.39/2012/9 dated 17 th March, 2012	Revised list of items and norms and assistance from SDRF/NDRF.	361
11	No. RGR.386/2010/77 dated 11 th March, 2013	Constitution of Advisory Committee on SDRF.	362
12	No.32-3/2013-NDM-I dated 21 st June, 2013	Items and Norms of assistance from SDRF and NDRF for period 2010-2015	363-370
13	No. RGR.599/2009/40 dated 21 st June, 2012	Procedure for sanction of SDRF Schemes.	371-373
14	No.RGR.126/2013/5 dated 12 th August, 2013	Providing medicines to flood affected people regarding.	374
15	No.RGR.335/2008/26 dated 3 rd September, 2013	Standard format for issuance of sanction of Rehabilitation Grant.	375-376
16	No. RGR.140/2013/79 dated 26 th November, 2013	Regarding clearance of pending liabilities of FCI.	377
17	No.RGR.39/2012/20 dated 6 th December, 2013	Revised list of items and norms of assistance for SDRF/NDRF.	378
18	No.RGR.109/2009/Pt-XIII/43 dated 11 th December, 2013	Regarding submission of work completion reports of SDRF Schemes, format thereof.	379-380

19	No.P-21016/15/2014-Dist dated 9 th June, 2014	Requirement of S.K. Oil for Gratuitous Flood Relief to the flood affected people of Assam for the Monsoon period in the current year 2014-15.	381
20	No.RGR.345/2014/9 dated 10 th January, 2014	Buffer stock to meet the situation during current monsoon in the State.	382
21	No.S & S,1(97)/2004-Part-III/Vol-III dated 26 th May, 2014	Building up of buffer stock to encounter any unforeseen situation during the coming monsoon in Assam.	383-384
22	No. RGR. 376/2013/26 dated 16 th June, 2014	Regarding drawing of GR fund and keeping in DDMA's A/C regarding.	385
23	No. RGR. 345/2014/14 dated 25 th June, 2014	Allotment of PDS Kerosene to cope up the special needs during the monsoon period, 2014-15.	386
24	No.RGR.416/2014/1 dated 1 st July, 2014	Notification declaring Deputy Secretary, Secretariat Administration (Accounts) Department as DDO for drawal and disbursement of all sanctions to ASDMA.	387
25	No. RGR. 532/2013/11 dated 29 th August, 2014	Release of fund under Rehabilitation Grant regarding.	388
26	No.RGR.126/2014/6 dated 29 th August, 2014	Providing medical aid and sanitation measures in relief camps regarding.	389
27	No. RGR. 351/2014/447 dated 3 rd November, 2014	Sanction and release of Rehabilitation Grant regarding.	390
28	No. RGR. 686/2014/13 dated 6 th December, 2014	Advanced planning for distribution of G.R. and R.G.	391
29	No.RGR.785/2014/6 dated 12 th March, 2015	Features of the Chief Minister's Special Scheme for Rehabilitation of Erosion affected Families in Assam.	392-396
30	No.RGR.394/2015/Pt/4 dated 7 th May, 2015	Sanction of Ad-hoc advance GR fund-expenditure thereof.	397
31	No. RGR. 353/2014/25 dated 18 th May, 2015	Funds to be provided to PHE Department for expenditure for providing of drinking water and sanitation measures in the relief camps regarding.	398

32	No.RGR.454/2014/168 dated 16 th June, 2015	Notification regarding Assam Disaster Management Manual, 2015	399
33	No.FEB.183/2015/1(B/S) dated 23 rd June, 2015	Delegation of special financial power to DCs under Schedule-III of the DFP Rule,1999 for sanction of Ex-Gratia etc.@ Rs.1.50 Lakh.	400
34	No.RGR.611/2015/66 dated 26 th June, 2015	Declaration of erosion, storm and lightening as State specific disaster etc.	401-402
35	No.RGR.353/2014/27 dated 15 th July, 2015	Maintenance of public health in relief camps etc.	403
36	No.RGR.599/2009/56 dated 24 th August, 2015	Standard format for sanction of Ex-Gratia Grant.	404-405
37	No.RGR.611/2015/68 dated 29 th September, 2015	Financial assistance to the victims of lightening, storm and erosion etc.	406
38	No.RGR.890/2015/18 dated 7 th December, 2015	Guidelines on the constitution and administration of SDRF and NDRF regarding.	407-423
39	No.RGR.785/2014/PT-II/27 dated 28 th January, 2016	Notification regarding Chief Minister's Special Scheme for Rehabilitation of Erosion Affected Families in Assam.	424

PART-VII

RELIEF & REHABILITATION BRANCH

Sl. No.	No. of Circular	Subject	Page No.
1	No.RR.86/2005/22 dated 24 th April, 2007	Notification regarding enhancement of quantum of relief.	425-427
2	No.RR.25/92/133 dated 19 th June, 2007	Grant of Ex-Gratia to the NOK of missing person, abducted/kidnapped by extremists/terrorists in enhanced rate from Rs. 1.00 Lakh to Rs. 3.00 Lakhs and payment in one installment regarding.	428-429
3	No.RR.15/2007/17 dated 29 th June, 2007	Notification on sanction of Ex-Gratia Grant of Rs.200000/- and Rs.50000/- regarding.	430-431

4	No.RR.25/92/140 dated 27 th August, 2009	Grant of enhanced rate of Ex-Gratia from Rs.100000/- to Rs.300000/- regarding.	432-433
5	No.RR.55/2009/11 dated 4 th September, 2009	Notification regarding RG to ethnic violence affected people of NC Hills at par with the quantum provided in similar cases in Darrang and Udalguri District.	434-435
6	No.RR.34/94/PT-II/510 dated 2 nd September, 2013	Submission of Ex-Gratia proposal to the concerned DCs within 3 years from the date of reported dates of killing/missing in the hands of extremist/terrorist/miscreants.	436
7	No.RR.34/94/PT-II/512 dated 2 nd September, 2013	Corrigendum to OM No. RR.34/94/PT-II/510 dated 2 nd September,2013.	437
8	No.RR.106/2004/Pt/80 dated 29 th October, 2013	Approval of Hon'ble Chief Minister before sanction of Ex-Gratia to the NOK of person killed due to Police firing, cross firing etc. regarding.	438
9	No.RR.95/2007/102 dated 3 rd February, 2014	Submission of Ex-Gratia proposal to the concerned DCs within 3 years from the date of reported dates of killing/missing in the hands of extremist/terrorist/miscreants.	439
10	No.RR.93/2013/36 dated 21 st May, 2014	Notification regarding non-eligibility for Ex-Gratia to NOK of Central/State Govt. employee killed in extremist/ ethnic violence etc. who already gets the same from the concerned Administrative Department.	440
11	No.RR.33/2014/Pt/6 dated 21 st May, 2014	Rehabilitation of children whose both the parents are killed in violence etc.	441-442
12	No.RR.94/2003/288 dated 15 th October, 2014	Partial modification of Notification No.RR.86/2005/22 dated 24 th April,2007	443
13	No.RR.33/2014/66 dated 15 th November, 2014	Notification regarding revised quantum of relief etc.	444-445

GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT :: SETTLEMENT BRANCH
ASSAM SECRETARIATE (C) :: DISPUR
GUWAHATI

No. RSS. 740/2001/24

Dated Dispur, the 10th June, 2007

CORRIGENDUM

Please read the name of Tetelia Nanke village as 2 No. Tetelia villages as mentioned in the Notification No.RSS.740/2001/14, dtd. 30-6-2006.

Sd/-

(D. KALITA)

Under Secretary to the Govt. of Assam
Revenue & D.M. (S) Department,.

Memo No. RSS.740/2001/24-A

Dated Dispur, the 10th June, 2007

Copy to:-

1. The Commissioner Lower Assam Division, Guwahati-1.
2. The Director of Land Records & Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and reforms, Assam, Rupnagar, Guwahati-32.
4. The Deputy Commissioner, Kamrup (M), Guwahati-1.
5. The Deputy Commissioner, Kamrup, Guwahati-1.
6. The Settlement Officer, Guwahati Re-Settlement Operation, Ulubari, Guwahati-7.
7. The Director, Printing and Stationery, Assam, Bamunimaidan, Guwahati-21.

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue (Settlement) Department.

GOVERNMENT OF ASSAM
REVENUE (SETTLEMENT) DEPARTMENT :: DISPUR

No. RSS. 740/2001/16

Dated Dispur, the 29th September, 2006

CORRIGENDUM

Please read the following villages an under Ulubari Mouza instead of Beltola Mouza as sanctioned in the Notification No.RSS.740/2001/14, dtd. 30-9-2006.

<u>Mouza</u>	<u>Villages to be known as</u>
Ulubari	1. Bamunimaidan Gaon 2. Noonmati 3. Ramsahill 4. Sunsali 5. Clearance Garden

Sd/-
(U. Hazarika),
Deputy Secretary to the Govt. of Assam
Revenue (Settlement) Department,.

Memo No. RSS.740/2001/16-A

Dated Dispur, the 29th September, 2006

Copy to:-

1. The Commissioner Lower Assam Division, Guwahati-1.
2. The Director of Land Records & Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and reforms, Assam, Rupnagar, Guwahati-32.
4. The Deputy Commissioner, Kamrup (M), Guwahati-1.
5. The Deputy Commissioner, Kamrup, Guwahati-1.
6. The Settlement Officer, Guwahati Re-Settlement Operation, Ulubari, Guwahati-7.
7. The Director, Printing and Stationery, Assam, Bamunimaidan, Guwahati-21.

By order etc.,

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue (Settlement) Department.

GOVERNMENT OF ASSAM
REVENUE (SETTLEMENT) DEPARTMENT
DISPUR :: GUWAHATI
ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 30th June, 2006

No. RSS/740/2001/14 :- In the interest of public the Governor of Assam is pleased to change the names of the following villages of Kamrup (M) District as noted below :

Sl. No.	Mouza	Existing names of the Village	To be known as
1	2	3	4
1	Jalukbari	Dahongari Gaon	Dahongari Gaon
2	- do -	Pachim Jalukbari	Pachim Jalukbari
3	- do -	Kachari Garigaon	Kachari Garigaon
4	- do -	Uttar Jalukbari	Uttar Jalukbari
5	- do -	Dakhin Jalukbari	Dakhin Jalukbari
6	- do -	Maj Jalukbari	Maj Jalukbari
7	- do -	Gar Pandu Kumarpara	Gar Pandu Kumarpara
8	- do -	Tetelia	Tetelia
9	- do -	Tetelia Nanke	Tetelia Nanke
10	- do -	Gota Nagar	Gota Nagar
11	- do -	Gota Nagar Nanke	2 No. Gota Nagar
12	- do -	Pub Baragaon	Pub Baragaon
13	- do -	Pub Boragaon Nanke	2 No. Boragaon
14	- do -	Pachim Boragaon	Pachim Boragaon
15	- do -	Pachim Boragaon Nanke	2 No. Pachim Boragaon
16	- do -	Kamakhya	Kamakhya
17	- do -	Maligaon	Maligaon
18	- do -	Maligaon Nanke	2 No. Maligaon
19	- do -	Durga Sarobar	Durga Sarobar
20	- do -	Durga Sarobar Nanke	2 No. Durga Sarobar
21	- do -	Bharalumukh Gaon	Bharalumukh Gaon
22	- do -	Bharalumukh Nanke	2 No. Bharalumukh Gaon
23	- do -	Sadilapur	Sadilapur
24	- do -	Fatasil Nanke	2 No. Fatasil
1	Beltola	Fatasil Gaon	Fatasil
2	- do -	Barshapara	Barshapara
3	- do -	Dialboma	Dialboma
4	- do -	Jutikuchi	Jutikuchi
5	- do -	Betkuchi	Betkuchi
6	- do -	Dakhingaon	Dakhingaon
7	- do -	1 No. Kahilipara Nanke	3 No. Kahilipara
8	- do -	2 No. Kahilipara Gaon	2 No. Kahilipara \
9	- do -	Kahilipara Gaon	Kahilipara

Sl. No.	Mouza	Existing names of the Village	To be known as
1	2	3	4
10	Beltola	Odalbakra Gaon	Odalbakra
11	- do -	Odalbakra Nanke	2 No. Odalbakra
12	- do -	Japorigog Gaon	Japorigog
13	- do -	Dispur Gaon	Dispur
14	- do -	Dispur Nanke	2 No. Dispur
15	- do -	Narakashur Nanke	Narakashur Gaon
16	- do -	Bhogargaon Grant	Bhogargaon
17	- do -	Jatia Gaon	Jatia
18	- do -	Natboma Gaon	Natboma
19	- do -	Sarusajai	Sarusajai
20	- do -	Borsajai	Borsajai
21	- do -	Hatigaon	Hatigaon
22	- do -	Sarumataria	Sarumataria
23	- do -	Barmataria	Barmataria
24	- do -	Rukminigaon	Rukminigaon
25	- do -	Basistha Gaon	Basistha Gaon
26	- do -	Basistha Nanke	Basistha Mandir Gaon
27	- do -	2 No. Basistha Gaon	2 No. Basistha
28	- do -	Maidamgaon	Maidamgaon
29	- do -	1 No. Madgharia	1 No. Madgharia
30	- do -	2 No. Madgharia	2 No. Madgharia
31	- do -	Madgharia Nanke	3 No. Madgharia
32	- do -	Birkuchi Gaon	Birkuchi Gaon
33	- do -	Noonmati Garden	2 No. Noonmati
34	- do -	Hengrabari Gaon	Hengrabari
35	- do -	1 No. Hengbari Nanke	1 No. Hengbari
36	- do -	2 No. Hengrabari Nanke	Gitanagar
37	- do -	Bagharbari Gaon	Bagharbari
38	- do -	Bagharbari Nanke	2 No. Bagharbari
39	- do -	Kalitikuchi Gaon	Kalitikuchi
40	- do -	Satgaon	Satgaon
41	- do -	Dwarandha Gaon	Dwarandha
42	- do -	Khanapara Gaon	Khanapara
43	- do -	Khanapara Nanke	2 No. Khanapara
44	- do -	Noonmati	Noonmati Koloney
45	- do -	Saukuchi Gaon	Saukuchi
46	- do -	Bamunimaidan Gaon	Bamunimaidan Gaon
47	- do -	Noonmati Gaon	Noonmati
48	- do -	Ulubari Gaon	Ulubari
49	- do -	Ramsahil Grant Gaon	Ramsahil
51	- do -	Sunsali Grant Gaon	Sunsali
51	- do -	Kiloyarang Garden	Kiloyarang

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue (Settlement) Department.

Copy to:-

1. The Commissioner Lower Assam Division, Guwahati-1.
2. The Director of Land Records & Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. The Deputy Commissioner, Kamrup, Guwahati-1.
5. The Deputy Commissioner, Kamrup (M), Guwahati-1.
6. The Settlement Officer, Guwahati Re-Settlement Operation, Ulubari, Guwahati-7.
7. The Director, Printing and Stationery, Assam, Bamunimaidan, Guwahati-21.

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue (Settlement) Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR
GUWAHATI-6

NO.RSS.183/2007/50 : Dated Dispur, the 2nd February, 2008.

From : Shri Alok Perti, IAS,
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. The All Deputy Commissioners
(Except Hill Districts and B.T.A.D. Districts).
2. All Settlement Officers.
3. All Sub-Divisional Officers(Civil).

Sub : Settlement of land in favour of individuals, Government Department and
Private organizations etc.

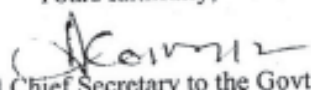
Ref : Letter No.RSS.609/98/21 ; Dated 9.4.2003 and No.RSS.609/98/11,
Dated 12.10.98.

Sir,

I am directed to say that the Government have decided that all proposals for
settlement of Government land in favour of individuals, Government Departments and
private organizations etc. should be cleared only after approval of the Cabinet.

It is, therefore, decided that all proposals relating to settlement of Government
land should be submitted to the Government with full details of the case as per existing
land policy and procedures in this regards for approval of the Government.

Yours faithfully,

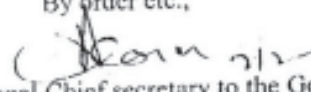

Additional Chief Secretary to the Govt. of Assam,
Revenue and Disaster Management Department

Memo No.RSS.183/2007/50-A : Dated Dispur, the 2nd February, 2008.

Copy for information to :-

1. The Commissioner & Secretary to the Hon'ble Chief Minister, Assam, Dispur for
kind information.
2. The Commissioners, Lower Assam Division, Guwahati/ North Assam
Division, Tezpur/Upper Assam Division, Jorhat/ Hills & Barak Valley
Division, Guwahati.
3. The Director of Land Records and Surveys etc., Assam,
Rupnagar, Guwahati-32.
4. The Director of Land Requisition Acquisition and Reforms,
Assam, Rupnagar, Guwahati-32.
5. The P.P.S.to Hon'ble Chief Minister, Assam, Dispur for appraisal of the Chief
Minister.
6. The P.S. to Minister, Revenue & D.M. Department, Assam, Dispur.
7. The P.S. to the Principal Secretary to the Govt. of Assam, Revenue & D.M.
Department, Dispur.

By order etc.,


Additional Chief secretary to the Govt. of Assam,
Revenue and Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT : DISPUR

No. RSS. 183/2007/Pt/4

Dated Dispur the 20th June, 2008.

From : V. K. Pipersenia, IAS
Principal Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners (Except Hill Districts and BTAD Districts).
2. All Settlement Officers.
3. All Sub-Divisional Officers (Civil)

Sub : Allotment/Settlement of land in favour of individuals, Government Department and private organisations etc.

Ref. : Letter No. RSS. 609/98/21, dated 9.4.2003 and No. RSS. 609/98/11 dtd. 12.10.99 and No. RSS. 183/2007/50, dated 2.2.2008.

Sir,

I am directed to say that in modification of instructions conveyed vide letter No. RSS. 183/2007/50, dated 2nd February, 2008, the Government of Assam have decided that henceforth Government land for infrastructure project of the State Government may be allotted to the requiring Department as per prescribed procedure without sending the proposals to the Cabinet for approval. However, all other proposals for allotment and settlement of Government land in the State including Guwahati in favour of individuals, private organisations, companies, societies etc. would be cleared only after approval of the Cabinet.

You are requested to ensure necessary action accordingly.

Yours faithfully,

Sd/-

(V. K. Pipersenia)

Principal Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

Memo No. RSS. 183/2007/Pt/4-A

Dated Dispur the 20th June, 2008

Copy to:-

1. Principal Secretary to the Hon'ble Chief Minister, Assam, for kind information.
2. The Commissioner, Lower Assam Division, Guwahati/North Assam Division, Tezpur/Upper Assam Division, Jorhat & Hills & Barak Valley Division, Guwahati.
3. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
4. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
5. The PPS to Hon'ble Chief Minister of Assam, Dispur for appraisal of Hon'ble Chief Minister.
6. PS to Hon'ble Minister, Revenue & Disaster Management Department, Assam, Dispur.

Sd/-

(V. K. Pipersenia)

Principal Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

(7)

GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIATE : : DISPUR
GUWAHATI - 781006

No. RSS. 646/2008/2

Dated Dispur, the 4th August, 2008

From : V. K. Pipersenia, IAS,
Principal Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : All Divisional Commissioners
All Deputy Commissioners
All Sub-Divisional Officers

Sub : Leased land used by the Tea Estates other than Tea Cultivation, violating the lease conditions.

Sir,

In inviting a reference to the subject cited above, I am directed to say that it has been reported to the Hon'ble Chief Minister, that a number of Tea Estate have been diverting land for use other than for tea cultivation violating the lease conditions. In this connection, you are requested to ensure that no Tea Estate diverts any land, leased out to them purely for tea cultivation for use other than tea cultivation.

You are also requested to furnish a monthly report indicating the cases of such violation detected in respect of your District and action taken/initiated so far against those Tea Estates for submission to the Hon'ble Chief Minister, Assam, every month.

The first report giving the up to date status as on 31.7.2008 should be submitted to the undersigned by 16.8.2008 positively. Thereafter, a monthly report should be submitted by the 10th day of every month so that the consolidated monthly report to Hon'ble Chief Minister may be submitted by 15th day of every month.

Yours faithfully,

Sd/-

(V.K. Pipersenia),

Principal Secretary to the Government of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 646/2008/2-A

Dated Dispur, the 4th August, 2008

Copy to:-

1. Principal Secretary to Chief Minister, Assam, Dispur, with reference to her U/O No. CMO. 14/2008/2470-A, dated 25th July, 2008.
2. PS to Hon'ble Minister, Revenue & Disaster Management, Assam, Dispur.
3. Staff Officer to Chief Secretary, Assam, Dispur.

Sd/-

(V.K. Pipersenia),

Principal Secretary to the Government of Assam,
Revenue & Disaster Management Department.

(8)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT :: SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 12th August, 2008

No. RSS. 351/91/Pt/82 : In super session of the Department's Notification No.RSS.351/91/339, dated 27-10-1999 and in exercise of the power under Section -11 A of Assam Land Revenue Re-assessment Act, 1936 (as amended), the Governor of Assam is pleased to reassess the rate of land Revenue in respect of tea land at Rupees 22.00 (Rupees twenty two) per bigha per annum in Brahmaputra Valley and Rupees 16.00 (Rupees sixteen) in Barak Valley with effect from 01-07-2003.

Further, the Govt. has realised the rate of land revenue in respect of the factory part of the tea garden as industrial site and assess the land revenue at Rs.500.00 (Rupees five hundred) per bigha in rural areas and Rs.1000.00 (Rupees one thousand) per bigha in town areas under Section 25(C) of the Assam Land Revenue reassessment Act, 1936 (as amended) with effect from 01-07-2003.

Apart from this the tea Garden have been encroaching upon huge stretches of Government Lands and extracting the benefits of it. Government had formulated a Policy to Settle the lands to the eligible Tea Garden under occupation on payment of premium. Very few tea gardens have come forward for settlement of land encroached by them. To deal with the situation firmly, Government has imposed a fine amounting to Rs.200.00 (Rupees two hundred) per bigha of encroached land per annum whether eligible for settlement or not until encroachment is cleared. This fine shall be realized as arrear of land revenue each year. This may be assessed to as Land Revenue and included in the Annual DouL.

Sd/-

Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

Memo No. RSS. 351/91/pt/82-A
Copy to:-

Dated Dispur, the 12th August, 2008

1. All Commissioner, LAD/NAD/UAD/ Hills & Barak Valley Division.
2. The Director of Land Records & Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. All Deputy Commissioners.
5. All Sub-Divisional Officer (Civil).
6. P.P.S. to Chief Minister, Assam, Dispur, Guwahati-6.

By order etc.,

Sd/-

Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

(9)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 183/2007/Pt/7

Dated Dispur the 31st October, 2008.

From : Sri K. K. Kalita, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : All Deputy Commissioners/ All Sub-Divisional Officer (C) except Deputy
Commissioners/ Sub-Divisional Officers (C) of Hill Districts & BTAD Districts.

Sub : Allotment of land in favour of landless individuals.

Ref. : 1. Govt. Letter No.RSS. 183/2007/50, Dt. 02/02/08
2. Govt. Letter No.RSS. 183/2007/Pt/4, Dt. 20/06/08

Sir,

I am directed to say that in partial modification of the instructions conveyed vide letters mentioned above, it has been decided that for allotment of land to landless people, the approval of the Cabinet is not required. All Deputy Commissioners/ Sub-Divisional Officers (C) may take note of this instruction.

Yours faithfully,

Sd/- K. K. KALITA
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department,
Dispur, Guwahati-6.

Memo No. RSS.183/2007/Pt/7

Dated Dispur, the 31st October, 2008

Copy to:-

1. All Commissioners of Divisions.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. PPS to Hon'ble Chief Minister of Assam, Dispur for appraisal of Hon'ble Chief Minister.
5. The Deputy Secretary to the Govt. of Assam, Political (Cabinet Cell) Department, Dispur,
6. PS to Hon'ble Minister, Revenue & DM Department, Assam, Dispur.
7. PS to the Principal Secretary to the Govt. of Assam, Revenue & DM Department, Dispur.

Sd/-
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department,
Dispur, Guwahati-6.

(10)

Most Important

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT : DISPUR

No. RSS. 1467/2006/13

Dated Dispur the 7th April, 2009.

From : V. K. Pipersenia, IAS
Principal Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners (Except Hill Districts).
2. All Sub-Divisional Officers (Civil)

Sub : Allotment /Settlement of land in favour of N.G.O / Company.

Ref. : Letter No. RSS. 1467/2006/1, dated 29.11.2006
and No. RSS. 1467/2006/3, dated 4.12.2006.

Sir,

In continuation of this Department's letter cited above, I am directed to say that while forwarding proposals for allotment / settlement of land, the following details should be provided, wherever applicable.

1. Site Plan for the proposed land and building plan of the proposed project.
2. Actual assessment of the requirement of land.
3. Details of registration, audited balance sheet of the company/NGO to execute the project.
4. Time frame for execution of the project.
5. Source of funding.
6. Project profile.
7. Resolution of the Sub-Divisional Land Advisory Committee (SLAC)
8. Views of the concerned line Department, e.g. the Department of the Forest if the land is required for plantation, Department of Industry if requirement is for setting up industry etc.
9. Specific views of the deputy Commissioner on the proposal with special reference to provisions of the Assam Land Policy, Ceiling Act and Executive Instructions issued from time to time.
10. De-reservation of PGR/VGR should be sparingly restored to and when taken up in unavoidable situation, due procedure as per the relevant Rules under the ALRR, 1886 should be followed.

Yours faithfully,

Sd/-

(V. K. Pipersenia)

Principal Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

MOST IMPORTANT

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR ; GUWAHATI - 6

No. RSS. 636/2009/2

Dated Dispur the 19th September, 2009.

From : Shri K. Kalita, ACS
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : All Deputy Commissioners (Except Hill Districts).

Sub : Encroachment of Government land, PGR, VGR, Waste Land and land belonging to
Satras and religious Institution.

Sir,

I am directed to say that apart from Assembly Question, there has been enormous criticism for encroachment of land in large scale of sarkari, VGR, Waste Land and land belonging "Satras and religious Institution since last few months almost in every daily News Paper and electronic media by Satradhikar, Students Bodies and other public organization. It has strongly criticized that due to indifferent attitude of Government, land belonging to "Satras" are being grabbed by the encroachers.

You are, therefore, requested kindly to furnish report along with a map of every Circle showing total land including VGR/PGR/Waste Land/Religious Institution/Satra and land under encroachment.

Yours faithfully,

Sd/-

Joint Secretary to the Govt. of Assam
Revenue & D.M. (S) Department.

Memo No.RSS.636/2009/2-A

Dated Dispur the 19th September, 2009.

Copy forwarded and necessary action to:-

The Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (Reforms) Department, Dispur, Guwahati-6.

By order etc.

Sd/-

Joint Secretary to the Govt. of Assam
Revenue & D.M. (S) Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT : DISPUR
GUWAHATI-6

No. RSS. 636/2009/4

Dated Dispur the 31st October, 2009

From : Shri K. Kalita, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : All Deputy Commissioners (Except Hill Districts)

Sub : Encroachment on Government khas land, Satra's land, VGR, PGR, land of religious institution, land earmarked for Government Department and other institutions.

Sir,

I am directed to say that in spite of repeated instructions issued from time to time, it has been observed that encroachment on Government khas lands and land of religious institutions is going on without any obstruction from the District administration or field level Revenue Officers. You would recall that this matter was also raised by Hon'ble Minister, Revenue & DM in the Conference of Deputy Commissioners on 14.10.2009 in presence of Hon'ble Chief Minister and Hon'ble and Hon'ble Chief Minister had directed Deputy Commissioners to identify all Government encroached land within a month and ensure that no further encroachment takes place in future.

You are requested to take necessary action as per above mentioned direction of Hon'ble Chief Minister.

You are also requested to submit an action taken report in the matter immediately.

Yours faithfully,

Sd/- K. KALITA
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

Memo No.RSS.636/2009/4-A

Dated Dispur the 31st October, 2009

Copy to:-

1. The P.P.S to Hon'ble Chief Minister, Assam, Dispur.
2. The P.S. to Hon'ble Minister, Revenue & Disaster Management Department.
3. The P.S. to Principal Secretary, Revenue & DM Department.

By order etc.

Sd/-
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6.

No. RSS. 1398/2007/Pt/3

Dated Dispur the 9th December, 2009

From : Shri K. Kalita, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners (Plain Districts)
2. All Sub-Divisional Officers (C) (Plain District)

Sub : Allotment of land in favour of the landless Tea and Ex-Tea Garden Labourers.

Sir,

I am directed to say that the Government in Revenue & Disaster Management Department had, vide Notification No.RRG.86/2001/Pt/3, dtd. 12.3.2007 constituted a committee under the Chairmanship of ADC (Revenue) of the District with concerned Circle Officer as Member Secretary and the Local MLAs as Member for speedy allotment of Government land/ ceiling surplus land in favour of landless tea and ex-tea garden labourers.

But, it is reported that no effective steps have so far been taken in this regard.

You are requested once again to take necessary action for allotment of the Government land/ ceiling surplus land to the Tea and Ex-Tea labourers as per Land Policy 1989 and current circulars on priority basis.

Further, you are also requested to kindly prepare a list of tea gardens, showing surplus land which are not genuinely occupied by the gardens and submit the same to the Government immediately.

Yours faithfully,

Sd/- K. KALITA
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

Memo No. RSS. 1398/2007/Pt/3-A

Dated Dispur the 9th December, 2009

Copy to :-

1. The Commissioners of Divisions, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/ North Assam Division, Tezpur.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. The PS to Hon'ble Minister, Revenue & D.M. Deptt. for kind appraisal of the Minister.

By order etc.
Sd/-
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 573/94/Pt/5

Dated Dispur the 9th December, 2009

From : Shri K. Kalita, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners (Except Hill Districts)
2. All Sub-Divisional Officers (Civil)
3. All Sub-Registrars.

Sub : Alienation of Tea Garden land.

Ref : This Departments letter No.RSS.573/94/25, dtd. 26.3.2001.

Sir,

In inviting a reference to the subject cited above, I am directed to say that it has come to the notice of the Govt. in the Revenue & D.M. Department that Tea garden lands are being sold by some garden authorities for purpose other than tea plantation in violation of Govt. instructions issued from time to time.

As such, you are requested to identify all such cases and cancel the mutation in case the same has been granted without following the Government instruction and policy in this regard.

Further, you are also requested to direct all Sub-Registrars under your jurisdiction to be careful in case of registration of tea garden land and bring all such cases to the notice of the Government.

Yours faithfully,
Sd/- K. KALITA,
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 573/94/Pt/5-A

Dated Dispur the 9th December, 2009

Copy to :-

1. P.S. to the Minister, Revenue & D.M. etc., Assam, Dispur for kind information of the Hon'ble Minister.
2. P. S. to the Principal Secretary to the Govt. of Assam, Revenue & D.M. Department for kind information of the Principal Secretary.
3. The Inspector General of Registrar to issue suitable instructions to all District Registrars and Sub-Registrars.

By order etc.
Sd/-
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

(15)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH ASSAM
SECRETARIAT (C) : DISPUR
GUWAHATI-6

No. RSS. 860/2005/57

Dated Dispur, the 4th January, 2010.

From : Shri K. Kalita, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & D.M. Department.

To : 1. All Deputy Commissioner
2. All Sub-Divisional Officer (C)

Sub. : Preferential allotment & settlement of Government land in favour of the persons with disabilities as well as payment of premium at concessional rate thereof.

Sir,

I am directed to say that the Govt. of Revenue & D.M. Department has decided to give effect to the benefits of provision of the Section 43 of "The persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995" envisaging formulation of schemes in favour of the persons with disabilities for preferential allotment / settlement of Government land for house, setting up of business setting up or special recreation centres, establishment of special schools, establishment of research centres and establishment factories by entrepreneurs' with disabilities.

Further, it is also decided by the Government that the existing 25% of concession over the estimated due premium fixed as per rules in force in the matter of payment of premium on the new settlement of Government land as well as on conversion of annual patta / short lease into periodic patta now available to the persons belonging to S.C., S.T. etc. be extended to the persons with disabilities as defined by the competent authority.

You are, therefore, requested to give effect to the decision mentioned above With immediate effect on production of disability certificate from the competent authority as designated by the Govt. of Assam in terms of the aforesaid Act.

Yours faithfully,

Sd/-

Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 860/2005/ 57-A

Dated Dispur, the 4th January, 2010

Copy to:-

1. The Commissioners of Divisions.
2. The Commissioner & Secy. to the Govt. of Assam, Social Welfare Department, Dispur
3. The Director of Land Records and Surveys etc., Assam, Rupnagar, Guwahati-32.
4. The Director of Land Requisition Acquisition and Reforms, Assam, Rupnagar, Guwahati-32
5. P.S. to Minister, Revenue & D.M. Department for kind appraisal of the Hon'ble Minister.

By order etc.

Sd/-

Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

MOST IMMEDIATE

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT :: SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 470/2010/4

Dated Dispur the 6th May, 2010

From : Shri A. K. Barman, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners (Except Hills & BTAD Districts)

Sub : Conversion of Annual patta Land and submission of Report thereof.

Sir,

I am directed to refer to the subject cited above and to request you kindly to take up special drive for conversion of Annual Patta Land to periodic Patta and subsequent correction of land records of all the Annual Pattas eligible for such conversion as per the Assam Land Records Manual and Govt. instructions in this regard from time to time.

You are also requested to send a copy of the programme of special drive to this Department and to Principal Secretary to the Chief Minister, Assam immediately.

Yours faithfully,
Sd/- A. K. Barman
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

Memo No. RSS. 470/2010/4-A
Copy to :-

Dated Dispur the 6th May, 2010

1. The Principal Secretary to the Chief Minister, Assam, with reference to his letter U.O. No. COM/CM/7/2010/1151 dtd. 29.4.10 for information.

Yours faithfully,

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT :: SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR

No. RSS. 404/2005/309

Dated Dispur the 14th May, 2010

From : Shri K. Kalita, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : All Deputy Commissioners (Except Hills & B.T.A.D Districts)

Sub : Allotment of land to the eligible river eroded families of Char areas.

Sir,

In inviting a reference to the subject cited above, I am directed to say that it has come to the notice of the Govt. regarding slow progress of allotment of land to the eligible river eroded families sheltering in different places, embankment and in Char areas in Govt. khas land.

In view of the above, I am directed to request you kindly to form a Core Committee specially for allotment of land to the eligible river eroded families with the following officers.

Chairman : ADC(R) of the District.
Member Secy. : Circle Officer of the Revenue Circle.
Members : Local MLAs.

Further, you are also requested kindly to prepare a list of such eligible river eroded families recommended by Circle Level Committee to allot Govt. land to these persons from the said list as per norms with intimation to the Government in Revenue & Disaster Management Department.

This may be treated as urgent.

Yours faithfully,

Sd/- K. KALITA
Joint Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

Memo No.RSS.404/2005/309-A

Dated Dispur the 14th May, 2010

Copy to :-

1. P.S to the Minister, Revenue & Disaster Management Department for kind appraisal of the Hon'ble Minister.
2. All Sub-Divisional Officers (Civil) (Except Hill Districts).

By order etc.

Sd/-
Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT :: SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 267/2012/17

Dated Dispur the 6th September, 2012

From : Smti. Barnali Sharma, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

To : 1. All Deputy Commissioners.
2. All Sub-Divisional Officers.
3. The Settlement Officer, Dhubri/Goalpara/Cachar/Karimganj.

Sub : **Preservation and protection of wetland areas.**

Sir,

I am directed to say that inspite of various instructions from time to time for preservation and protection of wetland areas, proposals are sent for allotment of such land in the name of individuals/ groups and organizations

You are aware of the fact that serious attention has been given to preserve and protect these water bodies. **In order to prevent any further allotment/encroachment and filling up of low lying Govt. land**, you are requested not to send any proposal for allotment of any wet land and also your personal attention is requested to **get encroachment removed** without any delay so that natural flow of waterways are not obstructed.

Yours faithfully,

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department,

Memo No. RSS. 267/2012/17-A

Dated Dispur the 6th September, 2012

Copy to :-

1. All Divisional Commissioners
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
3. P.S. to Minister, Revenue & D.M., Assam for information.

By order etc.

Sd/-

Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT :: SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 542/2013/5

Dated Dispur the 1st July, 2013

From : Shri A. K. Barman, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners.
2. All Sub-Divisional Officers.
3. All Settlement Officers.

Sub : Encroachment of land in Govt. Beels / Fisheries / Water Bodies etc.

Ref : 1. No.RSD.5/94/10-A dated 31-5-1995.
2. No.RSD.5/94/Pt/7 dated 7-8-1999.
3. No.RSS.654/07/Pt.-I/1 dated 20-1-2006.

Sir,

I am directed to say that it has been brought to the notice to Govt. that large scale encroachment in Govt. Beels of Fishries Department have taken place by some groups and organizations and also some individuals started unauthorized construction like brick kilns etc. in such land. Such illegal activities have resulted in the loss of revenue to Govt. apart from creating law and order and ecological problems in the localities.

You are aware that Govt. has issued several instructions to preserve and protect these Govt. Beels / Fisheries / Water Bodies etc. vide letters under reference. You are therefore, requested kindly to take necessary action for demarcation of Beels / Fisheries/ Water Bodies and remove of encroachment without any delay and report for cancellation of allotted land in such water bodies.

Action taken may kindly be intimated to Government.

Yours faithfully,
Sd/- A. K. BARMAN
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No.RSS.542/2013/5-A

Dispur the 1st July, 2013

Copy to :-

1. All Divisional Commissioners
2. The Secretary to the Govt. of Assam, Fisheries Department, Dispur, Guwahati-6 for information.
He is requested to instruct the District level Fisheries Department officials to immediately report to the respective Deputy Commissioners/Sub-Divisional Officers/Circle Officers about specific cases of such unauthorized encroachment of Beels/Fisheries belonging to the Fisheries Department.
3. The Director, Fisheries, Assam, Guwahati.
4. P.S. to Hon'ble Minister, Revenue & D.M., Assam for information.
5. P.S. to Hon'ble Minister of State (Ind.), Fisheries etc., Assam for information.

By order etc.
Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

(20)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT (SETTLEMENT) DEPARTMENT
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 42/2011/31

Dated Dispur the 2nd July, 2013

OFFICE MEMORANDUM

Subject : Procedure for final approval of allotment/settlement of Government Land in districts of Assam other than the districts under Sixth Schedule Areas.

In partial modification of the existing provisions, the following procedure will be followed while giving final approval for allotment/settlement of Government land.

1. The Deputy Commissioners of the districts are authorised to allot land to the indigenous landless persons in the rural areas as per existing Land Policy after receipt of the approval of the Sub-Divisional Level Land Advisory Committee. After three years of continuous physical possession, the land will be settled with the allottees in the form of Annual Patta provided that the land is found to have been used for the purpose for which it was allotted.

Already allotted land in rural areas may be settled by the Deputy Commissioners in the form of Annual Patta with the indigenous allottees provided that the allottee is in possession for three years or more using it for the purpose for which it was allotted. Later on the Annual Patta can be converted to Periodic Patta as per rules and procedures.

The maximum limit of land for allotment to a family is 7 Bighas for agricultural purpose and 1 Bigha for homestead purpose. With the increase of population, since land has become a scarce and valuable resource, Deputy Commissioner should be very rational in allotment and settlement of land to any individual. The Deputy Commissioners also should keep in mind that for future development activities, Government Land has to be preserved.

2. In case of allotment and settlement of land to the landless and eligible people of Tea and Ex-Tea garden community in rural areas, as mentioned above, the deputy Commissioners are authorised to issue allotment certificates with the approval of the Sub-Divisional Land Advisory Committee (SDLAC) or by the Committee notified vide letter No. RSS. 404/2005/309, dated 14th May, 2010, to expedite the matter. After allotment, the same procedure mentioned above at Serial No.1 for providing Annual Patta and Periodic Patta to be followed.
3. For settlement of land to Small Tea Growers in rural areas, The Deputy Commissioners will send proposals to Government for settlement of land as per Land Policy, with due approval of SDLAC. On receipt of proposals from Deputy Commissioners, Revenue & D.M. Department will approve the settlement of land with approval of Minister, Revenue & D.M. Department.
4. The Revenue & D.M. Department on receipt of the proposal from the Deputy Commissioner with approval of SDLAC, with approve allotment/settlement of Government land for infrastructure projects of the State Government or Central Government or Public Sector undertakings with the approval of Minister, Revenue & D.M. Department.

5. On receipt of proposals of settlement/allotment of land to landless Private Institutions, Companies, Societies etc. as well as settlement of land to individual as per land policy in Revenue Town areas including Guwahati from the concerned Deputy Commissioners, the Revenue & D.M. Department will approve such proposal only with prior approval of the State Cabinet.

You are requested to follow the instructions accordingly.

Sd/- S. C. Das, IAS
Addl. Chief Secretary.
Revenue & Disaster Management Department,

Memo No. RSS. 42/2011/31-A

Dated Dispur the 2nd July, 2013

Copy to :-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/North Assam Division, Tezpur/Hills & Barak Valley Division, Housefed Complex, Dispur, Guwahati-6.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. PS to Hon'ble Chief Minister, Assam, Dispur.
5. PS to Hon'ble Minister, Revenue, Assam, Dispur.
6. P.S. to Addl. Chief Secretary, Assam, Revenue & D.M. Department, Dispur, Guwahati-6.
7. P.S. to Commissioner & Secretary, Revenue & D.M. Department, Dispur, Guwahati-6.

By order etc.

Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 605/2013/32

Dated Dispur the 12th August, 2013

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioner.
2. All Sub-Divisional Officer (Civil)

Sub : Restriction on transfer of agricultural land to non-agriculturist/non-agricultural purpose.

Ref : Letter Nos. (1) No. RSD.19/85/1 dated 27-12-1985.
(2) No.RSD.19/85/58 dated 04-12-1989.
(3) No.RSD.19/85/59 dated 05-12-1989.
(4) No.RSS.125/2000/1 dated 08-3-2000.
(5) No.REGN.10/2007/95 dated 19-01-2010.
(6) No.REGN.10/2007/97 dated 22-02-2010.

Sir,

I am directed to refer to the Government circulars quoted above and to reiterate the imposition of restriction on transfer of agricultural land in rural areas by cultivators for non-agricultural purposes without previous sanction by Deputy Commissioner as per Executive Instruction No.6 (as amended) under the Assam Land and Revenue Regulation 1886 and accordingly Government had also adopted it in Government Land Policy, 1989 where in the matter of restriction of agricultural land to non-agricultural purpose has been clearly spelt out in paras 9.1 and 9.2 of the Land Policy, 1989.

But it is reported that a large area of agricultural land has been transferred to non-agriculturist for non-agricultural purposes. It is learned that in most of the districts, the Deputy Commissioners are allowing transfer of agricultural land only for agricultural purpose, but subsequently some of the purchasers have converted the agricultural land for non-agricultural purpose. Some companies are also buying agricultural land submitting affidavit that they will use the land for agricultural purpose. Government have expressed serious view on transfer of such huge area of agricultural land for non-agricultural purposes.

You are, therefore, requested kindly to enforce restriction on transfer of agricultural land to non-agriculturist for non-agricultural purposes as explained in the Government circulars under reference.

Further, you are also requested to issue show cause notice to the buyers of agricultural land who has violated their commitment given through the affidavit and violated the provisions aforementioned, criminal action for violation of the same may be initiated against them.

Action taken may kindly be intimated to Government.

Yours faithfully,
Sd/- S. C. Das
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department,.

(23)

Copy to :-

1. The Commissioner, Lower Assam Division, Guwahati//North Assam Division, Tezpur/Upper Assam Division, Jorhat/ Hills & Barak Valley Division, Guwahati-6 for information and necessary action.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. PS to Hon'ble Minister, Revenue & D.M Department, Assam, Dispur.

By order etc.

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 605/2013/33

Dated Dispur the 12th August, 2013

From : Shri S. C. Das, IAS.
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioner.
2. All Sub-Divisional Officers (Civil)

Sub : Re-assessment of land revenue after Re-classification based on present land use pattern.

Sir,

I am directed to say that it has come to the notice of the Government that because of development activities in the State, land use pattern in large areas has been changed. Proper classification and assessment of land as per use has not been reflected in land records resulting in loss of land revenue and public inconvenience in getting bank loans etc.

You are, therefore, requested kindly to take immediate necessary steps for re-classification of land as per land use pattern and collect land revenue of the re-classified area following the provisions of Assam Land Revenue Re-Assessment Act, 1936 (as amended) and Assam Land Records Manual.

Action taken may be intimated to the Government.

Yours faithfully,
Sd/- S. C. Das

Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 605/2013/33-A

Dated Dispur the 12th August, 2013

Copy to :-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/North Assam Division, Tezpur/Hills & Barak Valley Division, Dispur, Guwahati-6 for information and necessary action.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. PS to Hon'ble Minister, Revenue & D.M Department, Assam, Dispur.

By order etc.

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR : GUWAHATI-6

No. RSS. 605/2013/34

Dated Dispur the 12th August, 2013

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners.
2. All Sub-Divisional Officers (Civil)

Sub : Implementation of Assam Fixation of Ceiling on Land Holdings Act, 1956 (As amended)

Sir,

In inviting a reference to the subject quoted above, I am directed to say that it has come to the notice of the Govt. that although the Assam Fixation of Ceiling on Land Holdings Act, 1956 (As amended) is in force, hardly any new cases have been registered after 1970s and 1980s. It is reported that many of the new purchasers are purchasing land in excess of the ceiling limit violating Section 4 of The Assam Fixation of Ceiling on Land Holdings Act, 1956 (As amended). You are aware that the Collectors of the Districts have been empowered for effective implementation of the provisions of the Act.

It is therefore reiterated that the Collectors of the districts should take immediate necessary steps for effective implementation of the above mentioned Ceiling Act as per laid down procedures.

Action taken may kindly be intimated to the Government.

Yours faithfully,

Sd/- S. C. Das

Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

Memo No.RSS.605/2013/34-A

Dated Dispur the 12th August, 2013

Copy to :-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/North Assam Division, Tezpur/Hills & Barak Valley Division, Guwahati-6 for information and necessary action.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. PS to Hon'ble Minister, Revenue & D.M Department, Assam, Dispur.

By order etc.

Sd/-

Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 856/2013/25

Dated Dispur the 12th August, 2013

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners.
2. All Sub-Divisional Officers (Civil)

Sub : Allotment/Settlement of land to Tea and Ex-Tea Garden Community.

Ref : 1. No. RRG.86/2001/Pt/3 dated 12-3-2007,
2. No. RSS.1398/2007/26 dated 24-12-2010 and
3. O.M. No. RSS42/2011/31 dated 2-7-2013.

Sir,

With reference to the subject cited above, I am directed to say that Government has decided to expedite issue of allotment of land to the eligible landless Tea and Ex-Tea Garden Community as per guidelines issued vide letters under reference.

You are requested to issue allotment certificate as per Land Policy to the eligible landless persons of the Tea and Ex-Tea Garden Community in rural areas. Approval of either SDLAC or the Committee mentioned in the letter No.RRG.86/2001/Pt/3 dated 12-3-2007 is necessary before allotment.

After 3 (three) years of continuous physical possession, the allotted land may be settled with the allottees in the form of annual patta to confer title over the land provided that the land is found to have been used for the purpose for which it was allotted.

You are also requested to expedite conversion of such annual patta into periodic patta as per rule.

Kindly take action accordingly.

Yours faithfully,
Sd/- S. C. Das

Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department.

Memo No.RSS.856/2013/25-A

Dated Dispur the 12th August, 2013

Copy to :-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/North Assam Division, Tezpur/Hills & Barak Valley Division, Housefed Complex, Dispur, Guwahati-6 for information and necessary action.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. PS to Hon'ble Minister, Revenue & D.M Department, Assam, Dispur.

By order etc.
Sd/-

Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

(27)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS.1386/2013/1

Dated Dispur the 6th September, 2013

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management (Settlement) Department.

To : 1. All Deputy Commissioners.
2. All Sub-Divisional Officers (Civil)

Sub : Proposal of settlement /allotment /sale permission regarding.

Sir,

I am directed to say that it has been observed in Revenue & D.M. Department that while submitting a proposal for settlement/allotment of land in favour of Govt. Department/ Institution / Organizations as well as for individuals, some of the Deputy Commissioners/ Sub-Divisional Officer (Civil)s simply forward the proposal to the Govt. without his / her specific views/ recommendation. It is often noticed that proposals prepared by the Circle Officers and forwarded by the Sub-Divisional Officer (Civil)s are simply forwarded by the Deputy Commissioners for necessary action of the Government.

In the case of proposals for sale permission / grant mutation etc. the same practice of forwarding the proposals to the Govt. by the Deputy Commissioners/Sub-Divisional (Civil)s is also noticed.

It is expected that proposals submitted to the Govt. are based on the existing rules / procedures as well as Land Policy in vogue and accompanied with specific views and recommendation of the Deputy Commissioners and Sub-Divisional Officer (Civil)s as the case may be.

Henceforth, you are requested to take into consideration the above observation while submitting any proposal to the Government.

Yours faithfully,

Sd/- S. C. Das
Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 605/2013/36

Dated Dispur the 17th September, 2013

CORRIGENDUM

The last para in the letter No.RSS.605/2013/32 dated 12th August, 2013 regarding restriction on transfer of agricultural land by cultivators for non-agriculture purposes, which was "Further, you are also requested to issue show cause notice to the buyers of Agricultural land who has violated their commitment given through the affidavit and violated the provisions aforementioned, criminal action for violation of the same may be initiated against them" may be read as :

"Further, you are also requested to issue show cause notices to the purchasers of Agricultural land from cultivators in rural areas, who have prima facie violated their commitment given through the affidavit to use the land for agricultural purpose. On receipt of their reply to the show cause notice, or otherwise, if it is found that they have violated any provisions of law, legal action may be initiated against them.

Action taken may kindly be initmated to Government."

Sd/- S. C. Das
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department,.

Memo No.RSS.605/2013/36-A

Dated Dispur the 17th September, 2013.

Copy to :-

1. The Commissioner, Lower Assam Division, Guwahati /North Assam Division,Tezpur/Upper Assam Division, Jorhat/Hills & Barak Valley Division, Guwahati-6 for information and necessary action.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. All Deputy Commissioners / Sub-Divisional Officers (Civil).
4. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
5. PS to Hon'ble Minister, Revenue, Assam.

By order etc.

Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1086/2006/19

Dated Dispur the 19th September, 2013

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners.
.....
2. All Settlement Officers.
.....
3. All Sub-Divisional Officer (Civil)
.....

Sub : Fixation of Rate of Premium for Settlement of land with Small Tea Growers.

Sir / Madam,

In continuation of the Government Circular No. RSR.9/88/Pt-1/31, dated 19-4-2000, I am directed to say that Small Tea Growers have been approaching the State Government for settlement of the Government Land which have been allotted to them or is under their occupation. The Land Policy of the 1989 of the State Government provides for a maximum ceiling of 4 hectares of land in case of individual for special cultivation. In spite of the State Government Policy, it appears that not many Small Tea growers have come forward to take settlement of land. It is reported that the rate of premium to be paid for the settlement of land has been a factor for the poor response from the Small Tea Growers for coming forward for settlement of the land allotted to them or under their occupation.

After consideration of all aspects in the matter, I am directed to inform you that the Governor of Assam has been pleased to fix the rate of premium for sttlement of land with Small Tea Growers at $33\frac{1}{3}\%$ of the market value of the land. It is however, to be ensured that such land is invariably used for tea cultivation and if the land is found to be used other than the purpose of tea cultivation, then the land will be reverted back to the Government.

In view of the above decision of the Government, you are requested to inform the Small Tea Growers who are in occupation of State Government Land to apply for settlement within the next six (6) months and send proposals to the State Government after due approval of the SDLAC, for consideration of the State Government.

Further, the Small tea growers who are encroaching the Government Land, they should be levied Encroachment Penalty of Rs.200/- per bigha till settlement of the land encroached by them is settled with them by the State Government.

Yours faithfully,

Sd/-

(S. C. Das)

Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department.

(30)

Copy to :-

1. The Chairman, Assam Board of Revenue, Guwahati-1
2. The Commissioner, Lower Assam Division, Guwahati-1 /North Assam Division, Tezpur/Upper Assam Division, Jorhat/Hills & Barak Valley Division, Dispur, Guwahati-6.
3. Commissioner & Secretary to the Government of Assam, Finance Department, Dispur, Guwahati-6.
4. The Commissioner & Secretary to the Government of Assam, P & D Department, Dispur, Guwahati-6.
5. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
6. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
7. The Principal, Assam Survey & Settlement Training Centre, Dakhingaon, Guwahati-34.
8. PS to Minister, Revenue & D.M., , Assam, Dispur, Guwahati-6.
9. The Superintendent, Assam Government Press, Bamunimaidam, Guwahati-21.

By order etc.

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1370/2010/160

Dated Dispur the 9th October, 2013

From : Shri S. C. Das, IAS,
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners.
2. All Sub-Divisional Officers (Civil)

Sub : Leasing out and registration of lease deed with the private parties/industrial units of the land allotted by Govt. to Commissionerate of Industries and Commerce, AIDC, AIIDC and ASIDC.

Ref: Letter Nos.
1. RSS.93/2000/65 dated 24-01-2001
2. RSS.93/2000/Pt/4 dated 23-3-2005
3. RRT.53/2005/30 dated 22-6-2006

Sir,

I am directed to say that the State Government issued a number of circulars as mentioned above prohibiting transfer /leasing out of land allotted to the State Government Departments, public sector undertakings to private parties without prior approval of Revenue & D.M. Department. It has now been reported by the Industries & Commerce Department that this has created difficulties in leasing out land to industrial houses and entrepreneurs in industrial estates and industrial areas and has made an adverse impact as regards to industrial investment in the State.

2. After consideration of all aspect of the matter, and with a view to create an atmosphere for industrial investment through promotion of entrepreneurs and industrial houses in Assam by making land readily available, the State Government in Revenue & D.M. Department in relaxation of the above mentioned circulars have decided to allow leasing of land allotted to Commissionerate of Industries & Commerce AIDC, ASIDC, AIIDC, (the PSUs under Industries & Commerce Department) situated within industrial areas/industrial estates to entrepreneurs and industrial houses by Commissioner of Industries and Commerce, AIDC, ASIDC, AIIDC so that they can establish industrial units therein, without reference to Revenue and D.M Department. This exemption will be limited to land already allotted to above Government Organisations/ undertakings for establishment of Industrial Areas / Industrial Estates/ Industrial Growth Centre/ Integrated Industrial Development Centre/ Food Processing Park/ Export Promotion Industrial Park/ Border Trade Centre/ Tea Park/ Cluster Development Project etc. by Revenue and D.M. Department in Government of Assam.

3. The Exemptions are subject to following conditions :-

(a) In case of mortgage of such land to the Bank/ Financial Institutions by the Entrepreneurs/ Industrial houses (i.e. Lessee) with prior permission of the concerned authority under Industries & Commerce Department (i.e. Lessor for purpose of taking loan/ Financial Assistance etc.), the bank Financial Institutions will have a limited right to utilise the land till expiry of lease period on failure of the Entrepreneurs/ Industrial houses to settle the loan/ Financial Assistance.

(b) Under no circumstances ownership of the land will be transferred to any party without approval of the Government in Revenue & D.M.

(c) The maximum lease period will be for a period of 20 years with a provision of renewal thereafter.

(d) The land so leased should be used only for industrial purposes. In case of transfer of ownership of the Industrial Unit or taking over of the Industrial Unit by Banks/ Financial Institutions also for remaining period of lease, the land can be used only for Industrial purposes.

The above conditions amongst others should be incorporated in the lease deed with Entrepreneurs/ Industrial Houses.

4. Therefore, you are requested kindly to issue NOC for registration of such lease agreements between Industries & Commerce Department or Commissioner of Industries & Commerce or the above mentioned PSUs with Industrial Houses/ Entrepreneurs for the land allotted by the State Government for the purposes mentioned in Para 2 above.

Yours faithfully,

Sd/-

(S. C. Das, IAS)

Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

Memo No. RSS. 1370/2010/160-A

Dated Dispur the 9th October, 2013

Copy to :-

1. The Principal Secretary to the Govt. of Assam, Industries & Commerce Department, Dispur. The Industries & Commerce Department is requested to get a model land lease agreement duly vetted by Judicial/ Legislative Department for adoption by the concerned authorities.
2. The Commissioner of Industries & Commerce, Bamunimaidam, Guwahati-21.
3. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
4. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
5. The Administrative Officer, Assam Board of Revenue, Panbazar, Guwahati-1

By order etc.

Sd/-

Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1650/2013/11

Dated Dispur the 24th December, 2013

OFFICE MEMORANDUM

Sub.: Procedure for final allotment/ settlement of Govt. land in the Districts of Assam other than the Districts of Sixth Scheduled Areas.

Sir,

In partial modification of this Department's Office Memorandum No.RSS.42/2011/31, dated 02/07/2013 and letter No.RSS.183/2007/50, dated 02/02/2008, the following procedures will be followed while settlement of Govt. land in Greater Guwahati and other towns / (three) 3 K.M. radius from boundary of towns of Districts of Assam other than the Districts of Sixth Scheduled Areas with the eligible petitioners as per existing rules and Govt. Land Policy in force.

1. In case of settlement of Govt. land for residential purpose in Guwahati Metropolitan area / 10 K.M radius from boundary of GMC area involving land upto 2 Kathas, may be decided at the level of Hon'ble Chief Minister, Assam on recommendation of Revenue & D.M. Department through the Hon'ble Minister, Revenue and D.M. etc. The cases in Guwahati Metropolitan area / 10 K.M. radius from boundary of GMC area, above 2 Kathas would be cleared only after approval of the Cabinet.
2. The land settlement cases involving land up to 2 Kathas for residential purpose in other towns/ 3 K.M radius from boundary of towns in the State may be decided at the level of Hon'ble Minister, Revenue & D.M etc. after due processing by the Department of Revenue & D.M. Department.
3. All other proposals for allotment / settlement of Govt. land in Guwahati Metropolitan Area / 10 K.M. from boundary of GMC area and in towns / 3 K.M radius from boundary of towns in the State other than residential purpose in case of individuals, private organization, companies, societies, NGOs etc. would be cleared only after approval of the Cabinet except those proposals which are covered by letter No.RSS.183/2007/Pt/4, dated 20/06/2008.
4. Processing of proposals for approval in the cases mentioned at Sl. (1) and (2) also to be carried out on individual basis as is done for Cabinet at present.

Yours faithfully,

Sd/-

(S. C. Das, IAS)

Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1386/2013/2

Dated Dispur the 26th December, 2013

From : Shri S. C. Das, IAS.
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners,
.....
2. All Sub-Divisional Officer (Civil),
.....

Sub : Proposal of Settlement/ Allotment of land - regarding.
Sir,

It has been observed that proposals of Settlement / Allotment of land received from DCs / SDO (C)s are not complete and conclusive. Requisite and relevant information are very often found to have not been furnished alongwith the proposal. As a result, the proposals need to be returned to the respective DC / SDO (C) for rectification and resubmission. This ultimately results in delay in delivering services to the public as well as to the requiring Departments.

Proposals of settlement may always be accompanied / supported with status / information / documents on the following points :

- ⇒ Occupation of the petitioner praying for settlement of land.
- ⇒ Landed property of the petitioner and his family in the concerned Town where proposal of settlement is solicited.
- ⇒ Period of possession specifying the nature of possession whether by constructing a dwelling house or running trade / business.
- ⇒ Whether the roadside land is reserved, if the proposed land is situated beside a public road.
- ⇒ Copies of receipt of payment of Bedakhali Jarimona.
- ⇒ Two copies of chitha and trace map of the proposed land.
- ⇒ Petitioner's petition for settlement of land alongwith report of LR Staff.
- ⇒ Circle Officer's report
- ⇒ SDLAC's recommendation.

Deputy Commissioner / Sub-Divisional Officer (C) should send the proposal of settlement under their signature only to the Government with specific recommendation on the proposed settlement.

Since Deputy Commissioner has been authorized to settle land with the landless people in rural areas upto a certain extent, no proposal should be submitted to Govt. in respect of rural area land so far covered by their delegated authority, as per the latest Govt. Circular.

Likewise the proposal of allotment of land in favour of any institution / Government Offices should accompany with the following :

Requiring Department's petition / request letter.

- ⇒ Essentiality report / inspection report in respect of education institution.
- ⇒ Whether the proposed land is outside roadside / riverside reservation.
- ⇒ Whether proposed land falls within a Town / 3 K.M. radius of a town.
- ⇒ Whether the proposed land falls under Tribal Belt/ Block
- ⇒ Whether the proposed land belongs to VGR / PGR.
- ⇒ Whether there are valuable trees / minerals on the land.
- ⇒ Whether the proposed land is free from encroachment.
- ⇒ Whether SDLAC recommended the proposal.

Deputy Commissioner / Sub-Divisional Officer (C) should send the proposal to the Government on his / her signature with specific recommendation.

Government instructions issued from time to time in this regard may also be accounted for.

The above instruction may be followed scrupulously so that the proposals can be disposed of in quick time.

Yours faithfully,

Sd/- S. C. DAS,
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

No. RSS. 1386/2013/2-A

Dated Dispur the 26th December, 2013.

Copy to :-

The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32 for information.

By order etc.

Sd/-
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1979/2013/13

Dated Dispur the 4th January, 2014

From : Shri H. N. Bora, IAS,
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

To : 1. All Deputy Commissioners
.....
2. All Sub-Divisional Officers (Civil)
.....

Sub : **Regarding removal of encroachment from Heritage / Historical / Archeological sites.**

Sir,

With reference to the subject mentioned above, I am directed to say that instances of encroachment have come up at Heritage / Historical / Archeological sites like Charaideo Maidam, Chamdhara Garh, Misa Fort, other monuments of Ahom / Kachari Kingdoms and different ancient ponds etc. It is needless to mention that preservation of the sites bearing the Heritage, Historical and Archeological importance is the bounden duty of the Government. It is therefore, a matter of concern that such sites/places bearing glorious past of our State, have been encroached or under threat of encroachment.

You are, therefore, requested to take all necessary steps to clear those sites of Heritage, Historical and Archeological importance from the encrochers and may take up with the concerned responsible authority for its proper upkeep and preservation.

You are also requested to keep strict vigil & monitoring through field level revenue functionaries including local Gaon Burah to prevent further encroachment of such areas.

Yours faithfully,

Sd/- H. N. BORA,
Commissioner Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department.

Memo No. RSS. 1979/2013/13-A

Dated Dispur the 4th January, 2014

Copy to :-

1. The Commissione & Secretary to the Govt. of Assam, Cultural Affairs department, Dispur, Guwahati-6.
2. The Secretary to the Govt. of Assam, Environment & Forest Department, Dispur, Guwahati-6.
3. The Director, Tourism, Paltan Bazar, Guwahati.
4. The Director, Archeology, Guwahati.
5. The Director, Cultural Affairs, Guwahati.
4. P.S. to Hon'ble Minister, Revenue & D. M. Department, Dispur, Guwahati-6.
7. P.S. to Addl. Chief Secretary, Revenue & D.M. Department, Dispur, Guwahati-6.

By order etc.

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 532/2011/Pt/152

Dated Dispur the 21st February, 2014

OFFICE MEMORANDUM

Sub : Detail guidelines for settlement of land for the people residing for a long time in Kamrup (Metropolitan) District and adjoining hill areas.

Representations were received from a number of public organizations and individuals from time to time calling upon the Govt. to take necessary action for granting land settlement to the landless persons who have been in permanent occupation of Govt. lands in Guwahati metropolitan area and adjoining hill areas for a long time, by constructing residential buildings etc.

In order to examine, the demands made by the above public organizations, the Government constituted a Committee headed by Dr. Bhumidhar Barman, MLA and consisting of Ministers, local MLAs, and public representatives to make necessary recommendations to the Government.

The Committee after due deliberation and after taking into consideration the views of various organizations and individuals expressed by them in their representations and interactions, made a number of recommendations to the Government.

The above recommendations of the Committee, has been accepted by the State Government. Accordingly, the following detailed guidelines are issued regarding settlement of land to landless persons who are in continuous occupation of Govt. land in Guwahati Metropolitan area since 28th June, 2001 or prior to that date.

(A) Deputy Commissioner will identify the areas where settlement can be given as per recommendation of these guidelines and prepare a map of the area and submit to a committee which will be constituted by the State Government consisting of following persons. **(Tier-II Committee.)**

1) Commissioner of Division	----	---	Chairman
2) Deputy Commissioner, Kamrup (Metro)	---	---	Member
3) CEO, GMDA	---	---	Member
4) Commissioner, GMC	---	---	Member
5) DFO of Concerned Division	---	---	Member
6) Executive Engineer of the concerned Division, PWD			Member
7) Executive Engineer of concerned Division of Water Resource Department.	---	---	Member
8) ADC, Revenue	---	---	Member Secretary

(B) The persons who are eligible to get land as per these guidelines are to submit petition (kabula petition) along with a photograph of the house to Circle Officer concerned. The petitions are to be verified by a separate circle wise committee **(Tier-I Committee)** who will visit the field and the committee should be consisting of

1) Additional Deputy Commissioner (Revenue)	----		Chairman
2) Representative of GMC	---		Member
3) Representative of GMDA	---	---	Member
4) Concerned Range Officer of Forest Department			Member
5) Representative of Water Resource Department			Member
6) Representative of PWD	---	---	Member
7) Concerned Circle Officer of the Circle	---	---	Member Secretary.

(C) The Tier -1 Committee will visit the site to be settled and determine the length of possession, total area occupied by the applicant and other relevant matter like landless character, citizenship and other eligibility.

(a) To determine the length of possession which must be prior to 28th June, 2001, the committee may examine.

(i) Electricity Bill,

(ii) Telephone Bill,

(iii) Copy of Voter List,

(iv) GMC Tax payment receipt and other relevant acceptable documents.

(v) The Committee may also see the approximate age of the plants and trees in the campus of the applicant to determine the length of possession.

(b) The Committee will also see provision of road, drain and other safety conditions.

(c) The committee should ensure that the land proposed for settlement is not under Wild Life Sanctuary, Reserve Forest, Notified Forest, Proposed Reserved Forest, Unclassified Forest or any land barred for allotment / settlement by a judicial pronouncement or any Central or State legislation.

(d) No settlement should be considered on wetland and on land which was earlier allotted / reserved for a Government or a public institution.

(e) If the Committee feels that the settlement is not safe for habitation, they may propose for relocation of the petitioners.

(f) The excess land of 1 (one) Katha, 5 (five) Lessa to be relinquished by the petitioner may be used for public purposes and afforestation.

(g) Rate of premium for RCC house will be 100%, for Assam Type house 30% and Chali house will be 10% of the current market value as already determined by Deputy Commissioner.

(h) The Committee will make recommendations for settlement subject to safety provisions including soil conservation and protection of environment and water bodies as per prevailing laws.

(D) The list of persons recommended for settlement by the Tier - I Committee is to be placed before the Tier - II Committee and after approval of Tier - II Committee, it will be sent to Govt. for approval. No petition or document need come to Govt.

(E) (a) After approval of Govt., Deputy Commissioners will realise the required premium from the petitioners and correct land records accordingly and issue a special patta in the name of both husband and wife if the applicant is the married along with their photograph pasted on it.

(b) The land of special patta will not be transferable. It will be heritable only.

(c) Permission to transfer will be only on extreme emergency and will have to be approved by the Govt. after 10 years of issuance of patta.

(d) If for any reason, the land so provided found unused by the family for residential purpose at any future date, the land shall stand reverted to Government.

(e) The family who got the land from Govt. should be obliged to protect the natural character of the land. In case of violation of the natural character, Govt. will take back the land.

Yours faithfully,

Sd/- (S. C. Das, IAS)
Additional Chief Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department.

Memo No. RSS. 532/2011/Pt./152-A

Dated Dispur the 21st February, 2014

Copy to :-

1. The Commissioner Lower Assam Division, Panbazar, Guwahati-1.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Deputy Commissioner, Kamrup (Metro), Guwahati-1.
4. The Deputy Commissioner, Kamrup, Amingaon, Guwahati-1..
5. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati.
6. The Deputy Secretary to the Govt. of Assam, Political (Cabinet Cell) Department, Dispur.
7. P.S. to Chief Minister, Assam
8. P.S. to Minister, Revenue & D.M Department, Dispur, Guwahati-6.
9. P.S. to Additional Chief Secretary, Revenue & D.M. Department, Dispur, Guwahati-6.
10. P.S. to Commissioner & Secretary, Revenue & D.M. Department, Dispur.
11. The Principal, Assam Survey & Settlement Training Institute, Dakhingaon, Guwahati.

By order etc.

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 288/2014/24

Dated Dispur the 29th May, 2014

From : Smti. Barnali Sharma, ACS
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

To : 1. All Deputy Commissioners.
.....
2. All Sub-Divisional Officers (Civil)
.....

Sub : **Reclassification of land based on present land use pattern.**

Ref: : Letter No.RSS.605/2013/33 dated 12-08-2013.

Sir,

I am directed to refer to the above and to say that due to on going development activities in the State land use pattern in the State have been frequency changed. It has come to the notice of the Govt. that after repeated instruction issued from time and again large area of land are yet to be reclassified as per present land use pattern resulting lost of land revenue.

You are, therefore, requested kindly to take immediate necessary steps for reclassification of land as per ALRR, 1886 (as amended), ALRR Act, 1936 (as amended) and ALRM.

Matter may kindly be treated as urgent.

Yours faithfully,

Sd/- B. Sharma,
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT : DISPUR : GUWAHATI-6

OFFICE MEMORANDUM

No. RSS. 288/2014/Pt/25

Dated Dispur the 17th June, 2014

Sub : **Transfer of Land recorded as agricultural class but unfit for Agricultural Activities or where there is no agricultural activities, for establishment of Industry, Educational institutions / Health Institutions/ Housing etc.**

Ref: : **Office Memorandum No.REGN.85/2009/189, dated 05-08-2013.**

It has come to the notice of the State Government, that there are a large number of plots of land which are recorded as Agricultural Land but in actual practice they are not fit for Agriculture or has not been cultivated for 10 (ten) years or more. With a view to ensure optimum utilization of such available land and to promote nonAgricultural Activities like setting up of Industries, Educational Institutions, Health Institutions, Housing etc. which play a pivotal role in the growth and development of the State including creation of employment opportunities, the State Government have decided to allow Deputy Commissioners to give NOC for transfer of such land which are recorded as Agricultural Land, but which are not fit for Agricultural purposes or where there is no Agricultural Activities for last 10 (ten) years or more after reclassification of such plots of land. Such land will be reclassified as (a) barren and unculturable or (b) Culturable waste as per actual status of the land in the field. The State Government has already extended this benefit to the Mega Projects as identified / declared by Industries & Commerce Department, as per State Industrial Policy.

1) The Deputy Commissioners will issue NOC on recommendation of the Committees constituted for this purposed based on quantum of land (as mentioned below). The Committee will decide regarding transfer based on a detail field verification report including vediography / photograph of the land. Whether it is felt necessary, the Committee may take up field verification itself.

2) It has further come to the notice of the State Government in many cases, the present land owners of the land have not been able to utilise the land for non-agricultural activities like setting up of Industries, Educational Institutions, Health Institutions, Housing Projects etc. or obtain loan from Financial Institutions for such activities, as the same is recorded Agricultural Land although there has been no Agricultural Activities for more than 10 (ten) years or land is unfit for agriculture. In such cases also the Deputy Commissioner's can take up reclassification of the land on recommendations of the Committees based on quantum of land.

3) The Deputy Commissioners can take up reclassifications as per procedure mentioned above, suo motto or on application from the Land owner. The application must be from the actual Land Owners and not from any Power of Attorney Holders.

4) The Committees for recommending issue NOC or reclassification are as follows :-

(a) District Committe for plots of Land of 10 (ten) Bighas or less

Deputy Commissioner	--	---	Chairman
DistrictAgricultural Officer	--	---	Member
General Manager, DIC	--	---	Member
Sub-Divisional Officer (C)	--	---	Member

Adtl.; Deputy Commissioner (Rev)	---	Member Convenor
(b) Divisional Committee for land above 10 (ten) Bighas and up to 50 Bighas		
Commissioner of the Division	-- ---	Chairman
Deputy Commissioner of the concerned District	---	Member
General Manager, DIC	-- --	Member
District Agricultural Officer of the concerned District	---	Member
SA to the Divisional Commissioners	-- --	Member Convenor
C) Government level Committee for land 50 (fifty) Bighas or above		
Adtl. CS / Principal Secretary, Revenue	-- ---	Chairman
Commissioner & Secretary, Agriculture	-- ---	Member
Commissioner & Secretary, Industry	-- ---	Member
Commissioner & Secretary, Revenue	-- ---	Member Convenor.

The Divisional and Government level Committees will take up proposals on receipt of the same from the Deputy Commissioners along with the field report. Government level Committee will send recommendations to the concerned Deputy Commissioner only with approval of the Government in Revenue & Disaster Management Department.

(4) It is to be further noted that if earth filling of any low lying area is necessary for setting up of Industries, Educational Institutions, Housing Projects, this will subject to the approval of the Water Resources Department to ensure proper drainage facilities for preventing floods / water stagnation etc. and also subject to necessary environmental clearance as per rules from the Pollution Control Board of the Government of Assam.

Sd/-
(S. C. Das, IAS)
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

Memo No.RSS.288/2014/Pt/25-A

Dated Dispur the 17th June, 2014

Copy to :-

1. All Additional Chief Secretaries.
2. All Principal Secretaries.
3. All Commissioner & Secretaries.
4. All Divisional Commissioners.
5. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
6. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
7. Deputy Commissioners (All).
8. All Sub-Divisional Officers (Civil).
9. PS to Hon'ble Chief Minister, Assam.
10. PS to Minister, Revenue & Disaster Management.
11. PS to Minister, Industries & Commerce.

By order etc.
Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department.

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GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1467/2006/34

Dated Dispur, the 3rd July, 2014.

From : Shri S.C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners, (Except BTAD and Hills District)
2. All Sub-Divisional Officers (Civil), (Except BTAD and Hills District)

Sub : Mortgage of new settled land.

Ref : Letter No. RSS. 1467/2006/4 Dated 6-12-2006.

Sir,

I am directed to say that transfer of newly settled Govt. land, annual patta land newly converted to periodic patta land by way of sale, lease, gift and mortgage for the next 10 (ten) years from the date of issue of settlement order / conversion of annual patta to periodic patta or taking over possession which ever is later was banned vide Government letterNo.RSS.1467/2006/4 dated 6-12-2006.

Now, in partial modification of this Department's letter mentioned above, the Government has decided to allow settlement holders to mortgage the newly settled Govt. land / Annual Patta Land converted to periodic patta land for obtaining loan from Bank / financial institution for Housing / Industries / other Institutions etc.

Yours faithfully,

Sd/- S. C Das
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 1467/2006/34-A

Dated Dispur, the 3rd July, 2014

Copy to :-

1. The Commissioners of Upper Assam Division, Jorhat / North Assam Division, Tezpur / Lower Assam Division, Guwahati-1 / Barak & Hills Area Division, Housefed, Dispur, Guwahati-6.
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.

By order etc.,
Sd/-
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 542/2013/37

Dated Dispur, the 5th July, 2014.

From : Shri S.C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners,.....
2. All Sub-Divisional Officers (Civil),
3. All Settlement Officers,

Sub : Encroachment of land in Govt. Beels / Fisheries / Water Bodies etc.

Ref : 1. No.RSD.5/94/10-A dated 31-5-1995.
2. No.RSD.5/94/Pt./7 dated 7-8-1999.
3. No.RSS.657/04/Pt.1/1 dated 20-01-2006,
4. No.RSS.542/2013/5 dated 1-7-2013.

Sir,

I am directed to say that it has been brought to the notice to Government that most of the Government Beels of various districts are being encroached by different section of society and unauthorized person. Due to illegal encroachments, the Department of Fisheries could not utilize the full potential of Water Bodies. As this relates to the changing scenario of the State in terms of bio-diversity and ecological balance, these Water Bodies need to be cleared from unauthorized occupation.

You are aware that Govt. has issued several instructions to preserve and protect these Govt. Beels / Fisheries / Water Bodies etc. vide letters under reference. You are, therefore, requested to kindly take necessary action for demarcation of Beels / Fisheries / Water Bodies and remove the unauthorized encroachment without further delay. The Department of Fisheries is being requested to identify the specific cases of encroachments in Govt. beels etc. under their custody and to direct their field officers to meet you in this regard.

Action taken may kindly be intimated to Government.

Yours faithfully,
Sd/- S. C. Das
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 542/2013/37-A :

Dated Dispur, the 5th July, 2014

Copy to :

1. All Divisional Commissioners
2. The Secretary to the Govt. of Assam, Fisheries Department, Dispur, Guwahati-6 for information. He is requested to instruct the district level Fisheries Department officials to immediately report to the respective Deputy Commissioners /Sub-Divisional Officers /Circle Officers about specific cases of such unauthorized encroachment of Beels / Fisheries/Water Bodies belonging to the Fisheries Department.

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3. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
4. The Director, Fisheries, Assam, Guwahati.
5. The S.O. to Chief Secretary, Assam for information.
6. P.S. to Hon'ble Chief Minister, Assam, Dispur for information.
7. P.S. to Hon'ble Minister, Revenue & D.M., Assam for information.
8. P.S. to Hon'ble Minister of State (Ind.), Fisheries etc., Assam for information.

By order etc.,

Sd/-

Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR

No. RSS. 1086/2006/32

Dated Dispur, the 18th December, 2014.

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. The Deputy Commissioners (all)
2. The Settlement Officers (all)
3. The Sub-Divisional Officers (Civil)

Sub : Allotment / settlement of Govt. land for special cultivation of tea to small tea grower
Regarding.

Sir / Madam,

It is needless to mention that there are provision under the Land Policy of 1989 for allotment / settlement of land for special cultivation of tea. Para 5 of the Land Policy spells out the procedure of allotment/settlement of land alongwith quantum of land to be allotted / settled.

Government in Revenue & D.M (S) Department vide No.RSS.1086/2006/19 dated 19th Sept, 2013 has decided that small tea growers be settled with land for special cultivation of tea on realization of $33\frac{1}{3}$ % of premium in a view to encourage the small tea growers who have undertaken tea cultivation as a means of their livelihood.

It has, however, come to the notice of the Govt. that the proposals framed often lack the requisite information on the proposed allottee / petitioner as well as of the land proposed for allotment / settlement. To fulfill the requirement as per provision of Land Policy, the following should invariably be incorporated:

- a. The petitioner /members of the co-operative should be indigenous unemployed, educated youth(s).
- b. The petitioner / petitioner's family should not possess any patta land and in case any patta land is there, this should be deducted from the total admissible area.
- c. Co-operative society should be registered as per the relevant Act.
- d. The petitioner / co-operatlve should undertake special cultivation of tea as a means of livelihood.
- e. Suitability of the proposed land for tea cultivation.
- f. The proposal should be placed before the SDLAC and its recommendations obtained prior to sending to Government.

It is, therefore, requested that the requisite information while framing the proposal of allotment/ settlement of land should be incorporated. Besides, additional information if any may also be furnished alongwith the proposal.

Yours faithfully,

Sd/- S. C. Das,

Addl. Chief cretary to the Govt. of Assam,
Revenue & Disaster Management Department.

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Copy to :-

1. The Chairman, Assam, Board of Revenue, Guwahati-1.
2. The Commissioners, Lower Assam Division, Guwahati / Upper Assam Division, Jorhat/
North Assam Division, Tezpur and Hills & Borak Valley Division, Housefed Complex,
Dispur, Guwahati-6.
3. The Director of Land Records & Surveys, Assam, Rupnagar, Guwahati-32.
4. The Director of Land Requisition Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.
5. The Principal, Assam Survey & Settlement Training Centre, Dakhingaon, Guwahati-34.
6. P.S. to Hon'ble Minister, Revenue & D.M., Assam, Dispur.
7. The Director, Assam Government Press, Bamunimaidam, Guwahati-21.

By order etc.

Sd/-

Joint Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT: SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR
GUWAHATI-6

No. RSS. 542/2013/53

Dated Dispur, the 23rd February, 2015

From : Shri Ashok Kr. Barman, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners,
2. All Settlement Officers,
3. All Sub-Divisional Officers (Civil),

Sub : Encroachment of marshy regions/Ponds Beels/Fisheries/Water Bodies land etc.

Ref : No. RSS. 542/1013/37 dated 5-7-2014.

Sir,

I am directed to say that in the Eleventh Report of Departmentally Related Standing Committee (DRSC) on Works Department (2014-15) has recommended to protect marshy regions/Ponds /Beels/ Fisheries / Water Bodies land etc.

In this regard, you are aware that Govt. has issued several instructions to the all concerned to take necessary action for demarcation, preservation and protection of Government marshy regions/ ponds /Beels / Fisheries / Water Bodies land etc. vide this department's letter under reference.

You are, therefore, requested to kindly ensure the protection of Government marshy regions/ ponds /Beels / Fisheries /Water Bodies land etc.

Action taken may kindly be intimated to Government.

Yours faithfully,
Sd/- A. K. Barman,
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 542/2013/53-A :

Dated Dispur, the 23rd February, 2015

Copy to :-

1. All Divisional Commissioners,
2. The Secretary to the Govt. of Assam, Fisheries Department, Dispur, Guwahati-6 for information. He is requested to instruct the district level Fisheries Department officials to immediately report to the respective Deputy Commissioners/Sub-Divisional Officers /Circle Officers about specific cases of such unauthorized encroachment of Beels Fisheries/Water Bodies belonging to the Fisheries Department.
3. The Director of Land Records &. Surveys etc., Assam, Rupnagar, Guwahati-32.
4. The Director, Fisheries, Assam, Guwahati.

By order etc.
Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT: SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL): DISPUR : GUWAHATI-6.

No. RSS. 260/2015/11

Dated Dispur, the 7th April, 2015.

From : Shri P. K. Tiwari, IAS,
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : The Deputy Commissioner,
.....

Sub : Re-examination of proposals for allotment / settlement of land.

Sir/Madam,

A number of proposals have been received in this department over past few years and have been awaiting disposal for a variety of reasons. The re-examination of these proposals has become essential for the following reasons ;_

1. In case of long-pending proposals, it is necessary to ascertain if the field level situation has undergone any change.
2. In case of proposals for allotment of land to private institutions / organizations, sufficient and cogent reasons have to be produced in regard to why the institution / organization should not arrange land for its use on its own and government land, which is getting scarcer, be given to it. Government land shall not be allotted to / settled with a private institution / organization unless some great long-term public interest is served by doing so.
3. After the enactment of Right to Education Act, 2009, schools up to elementary level, can be established or allowed to function after three years of the Act coming into force only if they meet the norms laid down by the Act. Hence, every proposal for allotment of land to any private school must be examined in the context of the provisions of the Right to Education Act.
4. Proposals for allotment of land for setting up any industrial on construction facility shall not be recommended unless clinching evidence is produced that all the necessary permissions from the competent authorities in regard to environmental safeguards have been obtained by the applicant. For instance, every petition for land to set up a mining / industrial / production facility must produce approved copies of the greening plan, solid and hazardous wastes disposal facility, effluent management system, air and water quality monitoring mechanism and community action plan for protection of natural and human habitats in the adjoining areas.
5. Need for protection of village common lands, particularly the VGRs and PGRs, has been made amply clear by the Hon'ble Supreme Court's judgements in Civil Appeal No. 1132 of 2011 @ SLP(C) NO.3109 of 2011 dated 28-01-2011 (Jagpal Singh & Ors. -Vs- State of Punjab & Ors). There are two important points to be kept in mind: (a) Village common lands shall be kept encroachment free and not be settled with anyone except for community purposes in exceptional cases, and (b) in no case should the area under VGRs and PGRs be reduced to less than 5% of the total village land area.

Since Village Land Bank contains full details of Government land, each of these

proposals need to be scrutinized in the light of Hon'ble Supreme Court's judgements with the help of Village Land Bank.

6. Equity must inform our decisions regarding allotment / settlement of government land. Land Policy, 1989 allows allotment / settlement of government land with certain categories of indigenous persons. This exercise should, however, not be undertaken in a selective or arbitrary manner. The Village Land Bank provides a list of encroachers on government land, as recorded by field level revenue staff in Chithas. There may be other persons who are not encroaching on government land, but fall under the deserving categories as per the Land Policy, 1989. A complete list of the deserving categories of persons in every village shall be prepared and placed before the Land Advisory Committee to consider allotment of land as per the provisions of Land Policy, 1989 taking cognizance of the government land available in the village and the land necessary to be reserved for the essential needs of future generations.

The list of proposals for allotment / settlement of government land received from your district is being enclosed with the letter. You are requested to re-examine each of them in the light of observations made above and the relevant government rules / instructions and offer your comments at the earliest.

Yours faithfully,
Sd/- P. K. Tiwari,
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 260/2015/11-A

Dated Dispur, the 7th April, 2015.

1. The Addl. Chief Secretary to the Government of Assam, Revenue & D.M. Department, Dispur.
2. All the Divisional Commissioners, .
3. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
4. All The Joint Secretary / Deputy Secretary / Under Secretary to the Govt. of Assam, Revenue & D.M. Department, Dispur.

By order etc,
Sd/-
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH ASSAM
SECRETARIAT (C) : DISPUR
GUWAHATI-6

No. RSS. 594/2015/3

Dated Dispur, the 23rd April, 2015

From : Shri M. C. Deka, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & D.M.(Settlement) Department.

To : 1. All Deputy Commissioners,
.....
2. All Sub-Divisional Officers (Civil),
.....

Sub : Special drive for mutation, partition and conversion of land.

Sir,

With reference to the subject cited above, I am directed to say that Hon'ble Chief Minister has announced a programme called, "Mukhya Mantrir Bhumi Nathi Unnitakaran Abhijan" for disposal of pending mutation, partition and conversion cases in the State. He desires that a special drive may be taken up for disposal of pending mutation, partition and conversion cases in the revenue circle offices with effect from 1st May, 2015 to 15th May, 2015.

You are, therefore, requested to kindly take necessary action accordingly.

Yours faithfully,

Sd/- M. C. Deka
Joint Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo No. RSS. 594/2015/3-A

Dated Dispur, the 23rd April, 2015

Copy to :-

1. The P.S. to Chief Minister, Assam for kind appraisal of Hon'ble Chief Minister.
2. The P.S. to Minister, Revenue & D.M., Assam for kind appraisal of Hon'ble Minister.
3. The P.S. to Addl. Chief Secretary, Revenue & D.M. Department, Dispur for kind of Addl. Chief Secretary.

By order etc.,

Sd/-

Joint Secretary to the Govt. of Assam,
Revenue & D.M. Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT (S) DEPARTMENT
ASSAM SECRETARIAT (CIVIL) : DISPUR : GUWAHATI-6

No. RSS. 396/2015/2

Dated Dispur the 19th May, 2015

From : Shri P. K. Tiwari, IAS,
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : 1. All Deputy Commissioners.....
2. All Sub-Divisional Officers (Civil)

Sub : Encroachment of Govt. land, P.G.R., V.G.R. Wet land and other reserved land etc.

Ref. : (1) No. RSS. 542/2013/37 dated 05-07-2014 &
(2) No. RSS. 543/2013/53 dated 23-02-2015.

Sir,

I am directed to say that it has come to the notice of Govt. that large area of VGR, PGR, Wet land and other reserved land and the land of ancient monuments etc. are under encroachment.

You are aware that rampant encroachment of Govt. land by the encrochers have reduced the area which were reserved in the interest of public and ecological balance.

The matter has been viewed by Govt. seriously and it is obviously happened due to lack of proper action in time by revenue officials in field.

It is therefore, requested to kindly take action against the erring officials whenever such inaction comes to notice and ensure eviction of encrochers and get the land free from encroachment.

Yours faithfully,

Sd/- P. K. Tiwari
Commissioner & Secretary to the Govt. of Assam
Revenue & Disaster Management (S) Department,

Memo No. RSS. 396/2015/2-A

Dated Dispur the 19th May, 2015

Copy to :-

1. The Commissioner, Lower Assam Division, Panbazar, Guwahati-1/Upper Assam Division, Jorhat/
North Assam Division, Tezpur/ Hills & Barak Valley Division, Guwahati.
2. The Director of Land Records and Survey etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati-32.
4. All Settlement Officers.
5. All Circle Officers.
6. P.S. to Hon'ble Minister, Revenue & D.M. etc., Assam.
7. P.S. to Additional Chief Secretary, Revenue & D.M. Department, Dispur, Guwahati-6
8. All officers of the Department.

By order etc.

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & Disaster Management Department,

(53)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT: SETTLEMENT BRANCH
ASSAM SECRETARIAT (CNIL) : DISPUR
GUWAHATI-6

No. RSS. 188/2011/PT/29

Dated Dispur, the 15th June, 2015.

OFFICE MEMORANDUM

Protection of government land especially VGRs and PGRs and the land reserved for specific purposes including roadside reserves and riverside reserves is the prime responsibility of the officials of the Revenue & Disaster Management Department. Assam Land Records Manual provides the mechanism to keep the record of government land and encroachment thereon. Rule 18 of the Settlement Rules under Assam Land and Revenue Regulation 1886 provides that encroachment on government land should be removed forthwith and the power to remove encroachment was delegated to Circle Officers vide letter No. RLR 162/2008/25, dtd. 6/2/2010. Para 6.1 of Land Policy, 1989 also underlines the need for protection of VGRs and PGRs. Hon'ble Supreme Court vide its judgment dtd. 20th January, 2011 in Civil Appeal No.1132/2011, SLP(C) NO.3109 of 2011- (Jagpal Singh & others- Vs-the State of Punjab & others) issued clearcut directions in this regard.

Two important steps to ensure the protection and management of government land that have been taken recently are (i) Preparation of Village Land Banks and (ii) Formation of Village Land Management Conservation Committees in every revenue village. These are meant to bring about transparency and facilitate active engagement of community in the protection and management of government land.

Following instructions are issued to further strengthen the institutional mechanism for the protection and management of government land and ensure effective compliance with Hon'ble Supreme Court's judgment:

- (I) To create a comprehensive database on VGRs and PGRs and the nature of encroachment thereon, GIS mapping of the VGRs and PGRs should be done and integrated with the digitized Village Land Banks.
- (II) It shall be mandatory for Gaon Burhas to report new encroachment on government land within twelve hours of encroachment having taken place.
- (III) It shall be mandatory for Circle Officers to remove new encroachments within twenty four hours of getting the information from Gaon Burhas/ Village Land Management and Conservation Committees.
- (IV) All the encroachments on VGRs and PGRs having taken place after 20th January, 2011 shall be treated as new encroachments.
- (V) It shall be mandatory for the Circle Officers to make the entries of encroachment and removal thereof using Dharitree.
- (VI) The Director of Land Records, Assam shall put in place an on-line, mobile application based reporting system for enabling Gaon Burhas/ VLMCC to upload information on encroachment A Web enabled monitoring system shall also be put in place for effective review of the status of action taken on reports of encroachment.

(VII) Deputy Commissioners shall prepare a plan of action for the protection and management of VGRs and PGRs in consultation with other government departments like Panchayat and Rural Development, Agriculture, Veterinary & Animal Husbandry, Soil Conservation, Forests etc. The plan of action should include measures for the green fencing of the VGRs and PGRs, using them for agro-forestry and fodder plantations etc.

Director, Land Records, Assam, Deputy Commissioners/ Sub-Divisional Officers(C) and Circle Officers are directed to take necessary action as per the instructions given above and submit the progress report within seven days of every quarter.

Sd/- S. C. Das
Additional Chief Secretary to the Government of Assam,
Revenue & Disaster Management Department.

No. RSS. 188/2011/PT/29-A

Dated: Dispur, the 15th June, 2015.

Copy to :

1. Commissioner & Secretary to the Government of Assam, Revenue & Disaster Management Department.
2. Director, Land Records and Surveys, Assam, Guwahati -32
3. Director of Land Acquisition, Requisition and Reforms, Assam, Guwahati -32
4. Principal, Assam Survey & Settlement Training Center, Dakhingaon, Guwahati.
5. All Divisional Commissioners
6. All Deputy Commissioners
7. All Sub-Divisional. Officers (Civil)
8. All Circle Officers.
9. Settlement Officer, Cachar, Hailakandi, Dhubri, Kokrajhar.

By order etc.,

Sd/-
Deputy Secretary Revenue & Government of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 136/2011/189

Dated Dispur, the 29th June, 2015

From : Shri P. K. Tiwari, IAS,
Commissioner & Secretary to the Govt. of Assam,
Revenue & D.M. Department.

To : 1. All Deputy Commissioners (Except Hills & BTAD),
2. All Sub-Divisional Officers (Civil), (Except Hills & BTAD),.....
.

Sub : Settlement of land for homestead purpose in towns with eligible indigenous landless persons of Assam viz-a-viz Hon'ble Gauhati High Court's order dated 31-3-2014 passed in WP(C) No.530/2011- Jeewan Madhuri Neog Bora -Vs- State of Assam.

Sir,

With reference to the subject cited above, I am directed to say that the Hon'ble Gauhati High Court vide order dated 31-03-2014 passed in WP(C) No. 530/2011 - (Jeewan Madhuri Neog Bora -vs- State of Assam) has directed to review Clause 14.3 (ii) and 14.3 (iv) of Land Policy, 1989 of Government of Assam. Till such exercise, the Govt. of Assam was also directed not to make further settlement of land in greater Guwahati and other towns of the State in terms of the above two clause of existing Land Policy, 1989. Extract copy of Clause 14.1, 14.2 and 14.3 of Land Policy, 1989 is enclosed at **Annexure-I**.

I am further directed to say that the matter has been duly considered by the State Government and the following instructions are issued.

- (1) No proposal for settlement of land in Greater Guwahati and other towns of the State for homestead purpose in favour of the petitioners who own land in his/her name or in the name of his/her spouse or in the name of members of his / her family anywhere in the State or else where should be initiated and submitted to State Government for approval.
- (2) The Deputy Commissioners shall obtain affidavit from the petitioner in the prescribed format which inter alia shall contain the complete address of the original place to which he / she belongs and enclose the same with the proposal.
- (3) The settlement will be liable to be cancelled without refund of the premium paid at any stage after the settlement if the information furnished in the affidavit is found to be untrue without prejudice to any other action under relevant laws for submission of false affidavit.

Copy of the standard format for Affidavit is enclosed at **Annexure-II**.

Yours faithfully,

Sd/- P. K. Tiwari,
Commissioner & Secretary o the Govt. of Assam,
Revenue & Disaster Management Department.

(56)

Copy to:

1. The Commissioner, Lower Assam Division, Guwahati-1/ Upper Assam Division, Jorhat/ North Assam Division, Tezpur/ Hills & Barak Valley Division, Housefed, Guwahati-6.
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
3. The Director of Land Requisition Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.
4. All Settlement Officers, .
5. The Registrar, Gauhati High Court, Guwahati-1.
6. P.S. to Chief Minister, Assam, Dispur.
7. P.S. to Minister, Revenue & D.M. etc., Assam
8. P.S. to Chief Secretary to the Govt. of Assam, Dispur.
9. P.S. to Addl. Chief Secretary to the Govt. of Assam, Revenue & D.M. Department, Dispur.
10. P.S. to Commissioner & Secretary to the Govt. of Assam, Revenue & D.M. Department, Dispur.
11. P.S. to Secretary to the Govt. of Assam, Revenue & D.M. Department, Dispur.

By order etc.

Sd/-

Deputy Secretary the Govt. of Assam,
Revenue & Disaster Management Department.

Existing provision of Land Policy, 1989 for settlement of ordinary Government land / Ceiling Surplus land in Municipal Corporation and other towns for homestead purpose with the indigenous landless person is reiterated below :-

"Clause 14.1 of Land Policy, 1989: No land within Municipal Corporation or any Town constituted under Assam Municipal Act, 1956, shall be settled for agriculture purpose. (EXPLANATION agriculture" includes horticulture, aboriculture, pisciculture, piggery, animal husbandry and other ancillary purposes)."

"Clause 14.2 : The area of land to be settled shall not exceed the limit of 4.00 Ares in Municipal Corporation area per family, and 5.50 Ares in other Towns per family for homestead purpose."

"Clause 14.3 : Land within Greater Guwahati notified under Government Notification No.RSR.21/59/126 dated 1st October, 1966 and in any other Towns may be settled on payment of due premium with the indigenous persons of the State in order of preference as follows.

(i) An indigenous person, who has no land in his name or in the name of any member of his family and who has been in occupation of Government land with members of his family for last 15 years or more.

(ii) An indigenous person, who has land in rural area of the State, but has no land in City or Town in his name or in the name of any member of his family and has been in occupation of Government land with members of his family for last 15 years or more.

(iii) An indigenous person, who has no land in rural areas or in City or Town in the State either in his name or in the name of any member of his family, and has been staying in urban area for last 15 years or more with the members of his family.

(iv) An indigenous person, who has land in rural areas, but has no land in any urban areas either in his name or in the name of any member of his family, and who has been residing in urban area for last 15 years or more with members of his family.

Provided that such person is required to reside in urban area permanently by very nature of his service / profession and who has not been able to purchase land in urban area on account of poor pecuniary conditions.

(v) Other indigenous landless persons of the State."

MODEL AFFIDAVIT

1. I Shri / Smtiaged.....years, son / daughter / wife / husband of is the original resident of village..... Mouza P.S..... Revenue Circlein the districtsolemnly affirm that I am a citizen of India.
2. I am an indigenous person of Assam and now residing on a plot of Govt. land measuring in Dag No.Village MouzaRevenue Circle Districtsinceyears by constructing Tin Chali / Assam Type / RCC house.
3. I hereby declare that I do not own and possess any land other than the plot as stated at Sl. 2 above in my name or in the name of any member of my family anywhere in the State of Assam or elsewhere.
4. Name of my spouse is Smti.and she has no land anywhere in the State of Assam or elsewhere.
5. It has been explained to me and I have understood that if it is found at any later stage after settlement of the plot of land mentioned at Sl. 2 above, then the land / patta so issued shall be cancelled and the amount of premium shall be forfeited in addition to any other legal action for submission of the false affidavit.
6. This affidavit will stand as a piece of evidence to prove that I have no any Govt. land under our possession / Myadi Patta Land in my name or in the name of any member of my family in the State of Assam and elsewhere except the land stated above.
7. That the statements made above in this affidavit are true to the best of my knowledge and belief.

OATH

I swear that this declaration is true, that it conceals nothing, and that no part of it is false.

I sign this affidavit on thisday of 2015.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 843/2015/12

Dated Dispur, the 2nd July, 2015

From : Shri Ashok Kumar Barman, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. Department.

To : The Deputy Commissioner, Kamrup (Metro.), Guwahati-1.

Sub : Settlement of land with eligible indigenous landless person for residential purpose in
Greater Guwahati.

Ref : Memo NO.RSS.843/2015/11-A dated 24-6-2015.

Sir,

I am directed to say that in order to expedite the process of settlement of land for residential purpose with eligible indigenous landless person in Greater Guwahati it has been decided to send back the proposals which are now in Revenue & D.M. Department to Deputy Commissioner for verification in the field. by Tier I and Tier II Committees formed as per guideline issued vide O.M. No.RSS.532/2011/Pt/152 dated 21-2-2014. Since these are very old cases, it will be necessary to verify the status of land involved in each of the cases.

As per order of the Hon'ble Gauhati High Court dated 31-05-2014 passed in WP(C) No.530/2011 Jeewan Madhuri Neog Bora -Vs- State of Assam an affidavit from the petitioner shall also be obtained as per the Model Affidavit issued vide letter No.RSS.136/2011/189 dated 29-06-2015.

The check list for field verification shall include name and address of the person, schedule of the land, area, valuation, type of construction, LAC approval, length of possession, approval of GMDA and eligibility as per settlement rules and Land Policy of the Government.

The lists of settlement proposals approved by Tier II Committee shall be sent to the Government.

Proposals pending in the Circle or Deputy Commissioner offices will be taken up after disposing of old, SDLAC approved proposals.

Minutes of both Tier I and Tier II Committee shall be recorded in descriptive manner, giving details of the checks applied for recommending or rejecting a proposal to ensure optimum transparency and accountability in the whole process.

The list of proposals return herewith is enclosed at Annexure-A.

Yours faithfully,

Sd/- A. K. Barman,
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. Department.

(60)

GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPTT. : SETTLEMENT BRANCH
ASSAM SECRETARIAT (C) : DISPUR : GUWAHATI-6

No. RSS. 1001/2015/7

Dated Dispur, the 10th July, 2015.

OFFICE MEMORANDUM

Sub : Re-classification of Wetland (Jalatan) in the State.

In the interest conservation of Wetlands in the state, it is hereby decided that henceforth the Deputy Commissioners shall change the class of wetland with the prior approval of State Government.

All such proposals should be sent by Deputy Commissioners to the Government in the Revenue & D.M. Department for consideration / approval.

Sd/- (P.K. Tiwari, IAS)
Commission & Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo No. RSS. 1001/2015/7-A

Dated Dispur, the 10th July, 2015.

Copy to:

1. The Commissioner & Secretary to the Govt. of Assam, Environment & Forest Deptt. Dispur Guwahati-6.
2. The Commissioner & Secretary to the Govt. of Assam. Guwahati Development Deptt. Dispur Guwahati-6.
3. The Commissioner Lower Assam Division, Panbazar, Guwahati-1/ North Assam Division, Tezpur /Upper Assam Division, Jorhat / Hills & Borak Valley Division, Housefed, Dispur, Guwahati-6.
4. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
5. The Chief Executive Officer, GMDA, Ghy-5
6. The Commissioner, GMC, Ghy-1
7. The Director of Land Requisition, Acquisition & Reforms, Rupnagar Ghy-32.
8. All Deputy Commissioner,
9. All Sub-Divisional Officer (Civil),
10. All Settlement Officer,
11. P.S. to Chief Minister, Assam for kind appraisal of Hon'ble Chief Minister.
12. P.S. to Minister, Revenue & D.M. Assam for kind appraisal of Hon'ble Minister.
13. P.S. to Chief Secretary. Assam for kind appraisal of Chief Secretary.
14. P.S. to Additional Chief Secretary, Revenue & D.M. Department, Dispur,
15. P.S. to Commissioner & Secretary, Revenue & D.M. Department, Dispur.
16. P.S. to Secretary, Revenue & D.M. Department, Dispur.

By order etc.,
Sd/-
Joint Secretary to the Govt. of Assam,
Revenue & D. M. Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT : DISPUR : GUWAHATI-6

No. RSS. 594/2015/

Dated Dispur, the 12th August, 2015

From : Shri Subhash Ch. Das, IAS,
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : (i) All the Deputy Commissioner (Except in Hill & BTAD District)
(ii) All S.D.O. (Civil)

Sub : Special Drive to update the Land Records from 1st September, 2015 to 15th October, 2015.

Sir / Madam,

As you are aware we are moving towards making the Land Records Management System online through web-based Dhartree, integration of Land Records and digitized maps with the help of Bhu-Naksha and putting in place inter connectivity between Revenue Circles and Sub-Registrar Offices. Objective is to ensure optimum efficiency, transparency and accountability in the delivery of services to the citizens and effective management of the land resources.

It is imperative, therefore, that land records are kept up to date by effecting mutation, conversion, reclassification etc. in a proactive manner. Encouraged by the impact of Mukhya Mantri Bhumi Nathi Unnitkaran Abhijan undertaken from 1st June, to 15th June, 2015, it has been decided to launch a Special Drive for the Updation of Land Records on the same lines from 1st September to 15th October, 2015.

Steps to be taken for the successful implementation of the special Drive are mentioned below:

1. 1st September to 15th September being the period of Autumn Tour for L.M.s and S.K.s, it shall be ensured that they are in the field during this period as per the advance field tour programme approved by the Circle Officer, a copy of which must be available with D.C./S.D.O. (Civil).
2. Date of the L.M.'s visit to a village shall be communicated in advance to the villagers through Gaon Buras or other means with an appeal to the villagers to submit application or share information regarding partition, mutation, conversion or reclassification.
3. L.Ms shall be instructed to hold a meeting in the village on the pre-announced date and read out Jamabandi, so that people can be aware of the status of records in respect of their land.
4. This shall be followed by collection of applications and information in the meeting itself.
5. Maximum effort shall be made to collect all the applications/information during this period only, but it is possible that some people get left out for unavoidable reasons. The L.M. shall fix and announce another date for visit to the village after the Autumn Tour period to complete the process. This schedule should be shared with the Circle Officers.
6. Circle Officers shall submit a Progress Report to D.C./S.D.O. (Civil) latest by 18th September, 2015 and on weekly basis subsequently.

7. Circle Officers shall chalk out a day-wise plan of action for the examination of records and reports and hearing in a meticulous manner, so that the cases are disposed of in single hearing, as far as possible.
8. It should be ensured while collecting applications for updation of records that full postal address and contact details (Telephone No. and E-mail ID) are also obtained, so that the petitioner can be informed of the date of hearing or decision on their applications through SMS or E-mail.
9. Given the shortage of U.D.As/L.D.As in Circle Officers, D.Cs should provide some extra need-based manpower support to the Circle Officers.
10. Advertisement in regard to the special Drive will be issued from the State level, but D.Cs will have to take intensive publicity measures to get the messages across to the people.

You are requested, therefore, to take necessary steps to make the Special Drive a success and usher in the era of transparency, accountability and citizen-centricity in revenue administration.

Yours faithfully,

Sd/- S. C. Das,
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. RSS. 594/2015/-A

Dated Dispur, the 12th August, 2015.

Copy to :-

1. The Chief Secretary, Assam, Dispur, Guwahati-6.
2. The Additional Chief Secretary to the Chief Minister, Assam, Dispur, Guwahati-6.
3. The Divisional Commissioner, UAD / NAD / LAD / Hills and Barak Valley, Guwahati-6.
4. PS to Minister, Revenue & DM, Dispur, Guwahati-6.

Sd/-
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT : DISPUR : GUWAHATI-6

No. RSS. 1356/2015/1

Dated Dispur, the 21st September, 2015.

OFFICE MEMORANDUM

Assam Land Records Manual, 1905 (as amended) requires Deputy Commissioners and Sub-Divisional Officers (Civil) to provide effective leadership to the Revenue administration in their respective Districts and Sub-Divisions. With a view to ensuring optimum involvement of the Deputy Commissioners and Sub-Divisional Officers (Civil) in the management of Revenue Administration and facilitating objective self-appraisal of their performance by them, it has been decided to introduce the Leadership Appraisal Matrix for Revenue Administration, which is enclosed as annexure to this Office Memorandum.

The Leadership Appraisal Matrix is intended to act as a constant guide to the Deputy Commissioners and Sub-Divisional Officers (C) in the discharge of their Revenue Administration related duties and responsibilities. It shall be mandatory for the Deputy Commissioners, however, to fill up the Matrix in the prescribed format on half-yearly basis and submit the filled-up Matrix by the 7th day of October and April every year to the Divisional Commissioners concerned with a copy thereof to Revenue & Disaster Management Department. The Sub-Divisional Officers (Civil) shall submit the filled-up Matrix to Deputy Commissioners.

Divisional Commissioners and Deputy Commissioners shall submit their comments in regard to the entries made in the Leadership Appraisal Matrix on the basis of the inspections and field level verifications carried out by them to the Revenue & Disaster Management Department with a copy thereof to the Personnel Department latest by 30th day of October and April every year.

This is issued with the approval of Chief Minister.

Yours faithfully,

Sd/-

(P. K. Tiwari, IAS)

Commission & Secretary to the Govt. of Assam,
Revenue & D.M. Department, Dispur, Guwahati-6.

Memo No. RSS. 1356/2015/1-A

Dated Dispur, the 21st September, 2015.

Copy to :-

- 1 All the Divisional Commissioners.
- 2 All Deputy Commissioners.
- 3 All the Sub-Divisional Officers (Civil)
- 4 S.O. to Chief Secretary to the Govt. of Assam.
- 5 P.S. to Minister, Revenue & Disaster Management Department.
- 6 P.S. to Additional Chief Secretary to the Govt. of Assam, Revenue & Disaster Management Department.
- 7 P.S. to Additional Chief Secretary to Chief Minister, Assam.
- 8 P.S. to Additional Chief Secretary to the Govt. of Assam, Personnel Department.

Sd/-

(P. K. Tiwari)

Leadership Appraisal Matrix
For
Deputy Commissioners & SDO (CC)
In respect of
Revenue Administration

A. Familiarity with Dharitree

1. Can you run the modules of Dharitree on your own?

- i) For Mutation
- ii) For Partition
- iii) For Conversion
- iv) For generating Pendency status

Y	N
Y	N
Y	N
Y	N

2. Which are the MIS features of Dharitree that you have used?

- i) Pendency status of petitions
- ii) Encroachment on Govt. Land
- iii) Reclassification proposals
- iv) Status of wetlands
- v) Status of hills

Y	N
Y	N
Y	N
Y	N
Y	N

3. Percentage of villages in respect of which entries in Chitha checked

- i) For Crops
- ii) For Irrigation
- iii) For Trees

4. Number of Circle Offices which generated following through Dharitree

- i) Crop Abstract
- ii) Irrigation Abstract
- iii) Regular Doul
- iv) Supplementary Doul

5. Percentage of SKs and LMs whose proficiency in the use of Dharitree checked

--

B. Functioning of Circle Offices

- 1. Number of Circle Offices inspected
- 2. Number of Circle Offices for which inspection reports received from subordinate officers

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3. Number of inspection reports on which Action Taken Report received from Circle Officers
4. Percentage of villages for which Chitha and Village Land Bank entries in respect of encroachment on Govt. land cross-checked with ground situation
5. Number of Circle Offices which prepared advance village visit programmes in respect of-
- i) Autumn tour
 - ii) Winter tour
 - iii) Spring tour
6. Number of Circle Offices in which record of reports received form VLMCC on encroachment and encroachment removed is maintained
7. Percentage of S.Ks who submitted Weekly Diary Abstract regularly
8. Percentage of L.Ms who submitted Weekly Diary Abstract regularly
9. Number of Circle Officers who submitted Annual Report in time
10. Number of Revenue Circles having conducted monthly meeting with L.Ms and G.Bs regularly.

C. Familiarity with MIS

1. Number of modules not updated as per the given periodicity
2. At the DC office level
- i) At the SDO Civil level
 - ii) At the Revenue Circle level
 - iii) At the SRO level

3. Purpose for which MIS reports used

- i) To prepare proposal for improvement of infrastructure

Y	N
---	---
- ii) To ensure timely retirement benefit to the retiring employees

Y	N
---	---
- iii) To prepare proposals for filling up vacancies

Y	N
---	---
- iv) To prepare proposals for LAC meetings

Y	N
---	---
- v) To prepare Action Plan for encroachment removal

Y	N
---	---
- vi) To prepare plan of action for development of VGR, PGR And open spaces.

Y	N
---	---
- vii) To organize awareness programmes on preservation of land and natural resources.

Y	N
---	---

D. Processing of Land allotment/ settlement proposals

1. If LAC meetings are being held with necessary preparation

- i) Village summary sheet on the Revenue village generate through MIS

Y	N
---	---
- ii) Availability of Govt. land, encroached and free from encroachment, generated using Village Land Banks

Y	N
---	---
- iii) List of encroachers generated using Village Land Banks

Y	N
---	---
- iv) Encroachers profile generated as per the eligibility criteria prescribed in Land Policy, 1989

Y	N
---	---
- v) Master list of indigenous land less persons in the village prepared in order of priority, as laid down in Land Policy, 1989

Y	N
---	---
- vi) Report on requirement of land for essential community purposes in future prepared.

Y	N
---	---

2. If check list prepared for examination of Land allotment / settlement proposals

- i) For allotment of land to landless persons

Y	N
---	---
- ii) For allotment of land to NGOs

Y	N
---	---
- iii) For allotment of land to private bodies

Y	N
---	---
- iv) For allotment of land for schools

Y	N
---	---
- v) For allotment of land for mining / industries

Y	N
---	---
- vi) For allotment of land for brick kilns

Y	N
---	---

3. Proficiency of the staff dealing with land allotment / settlement proposals

- i) Copies of Acts, Rules and Circulars available with them

Y	N
---	---
- ii) Number of branch inspections carried out

--	--
- iii) Number of Review Meetings held

--	--
- iv) Number of training programmes organized

--	--

E. Status of Citizen-centric measures

1. Steps taken for providing the citizens easy access to processes and procedures

- i) Putting up relevant information on the district website

Y	N
---	---
- ii) Putting up signboard at the offices

Y	N
---	---
- iii) Using toll free number for provide information / answer queries

Y	N
---	---
- iv) Using recorded messages on processes and procedures

Y	N
---	---

2. Reaching out to citizens

- i) Percentage of Gaon Burhas confirmed to have disseminated the advance village visit programme of Mandals and SKs among the villages.
- ii) Percentage of LMs confirmed to have read out Zamabandi in the villagers meeting
- iii) Percentage of Mandals confirmed to have shared the details of proposals received/recorded for office mutation/partition in such meeting.
- iv) Percentage of villages in which Mauzadars organized Revenue collection camps on the day of village visit by the L.M.
- v) Percentage of petitioners in respect of the petitions of whom the copy of order and collecting Jamma Bandi was handed over during the village visit of LMs.
- vi) Number of Revenue Circles which have started information petitioners of the progress of their petitions through SMS.

F. Functioning of VLMCCs

1. Percentage of VLMCCs having held meeting every month regularly

2. Percentage of VLMCCs having submitted resolution regarding

- i) Encroachment on VGR and PGRs
- ii) Encroachment on hills and hillocks
- iii) Encroachment on wetlands

3. Percentage of VLMCCs having organized awareness programme on

- i) Preparedness to face earthquakes
- ii) Flood preparedness
- iii) Protecting the quality of water and soil
- iv) Protecting open spaces and grazing lands

4. Percentage of VLMCCs having prepared the village Master Plan for Disaster.

G. Any Innovative measure/initiative taken to improve the Revenue Administration

(in not more than 100 words)

Date :

Signature :

Name of D.C / SDO (Civil) :

District/ Subdivision :

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT ASSAM SECRETARIAT:
DISPUR GUWAHATI-6.

No. RSS.1480/2015/1

Dated 3rd November, 2015

From : Sri P.K. Tiwari,IAS,
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : All the Deputy Commissioners.
All the SDOs (Civil).

Subject : Village Land Use Plan.

Sir/Madam,

As we are all aware land is a scarce natural resource getting scarcer due to the increased and competing demand from various socio-economic groups and sectors presenting the revenue administration with the mammoth challenge of striking a right balance among all the competing demands. While it is imperative for the revenue administration to unlock the land resources for the economic development of the state and address the genuine needs of the poor, landless people, it is not in the last important to take care of the ecological balance and needs of the future generations.

2. It calls for informed decision-making and meticulous planning at every level of the revenue administration, particularly at the level of those closest to the land. It is only when the ordinary residents of the villages begin to understand and appreciate the nature and nuances of the conflict between demand and supply that the state will witness the optimum and sustainable utilisation of its land resources.

3. It is in this context that there is a need to prepare **Perspective Village land Use Plans (PVLUPs)** for every revenue village of the state on the basis of the mapping of not only the present scenario, but the one after 30 years; expected to be marked by at least the doubling of the population, more rapid pace of economic development and greater stress on environment.

4. Some important steps have already been taken to facilitate the preparation of Perspective Village Land Use Plans. These are: preparation of Village Land Banks (VLBs) for every revenue village, provision in Dharitree to generate report on government land and encroachment thereon, provision for Village-wise summary sheet in the MIS for the department and constitution of Village Land Management and Conservation Committees (VLMCCs). These initiatives have made it possible for the village community and also the officials at the Circle and District levels to take a holistic view of the availability of land and the multi-pronged demands on it, a prerequisite for the preparation of PVLUPs.

5. Following steps are now required to be taken to ensure the preparation of the PVLUPs in a time-bound manner:

- I. Circle Officer should draw up a detailed plan of action for the village-wise discussion on the VLUPs through VLMCCs during the Winter Tour, 2015-16.

- II. The plan of action should include, (a) the exact dates on which the Lot Mandal (LM) will visit the village, (b) giving wide publicity of LMs' village visit by uploading the information on the departmental web site, putting it up on the office notice board, advertisement in newspapers and through Gaon Buras, (c) making available the copies of VLB, Village Summary sheet, details of land allotment/settlement proposals already approved by the SDLAC, and provisions of Land Policy and other land related Acts, Rules and Government Orders to the VLMCC, (d) holding Gaon Sabha Meeting with the help of VLMCC to discuss the PVLUP.
- III. The discussion should centre around following issues:
- (a) The services and facilities community has, existing supply side deficit, requirement of land to bridge the present deficit, expansion of the need for those services and facilities visualised in coming 30 years and likely requirement of land. The services and facilities will include education, health care, creches, vocational training, etc.
 - (b) Present and future requirement of land for infrastructure like, roads, bridges, embankments, godowns, cold storages, irrigation, water supply scheme etc.
 - (c) Present status of open spaces including grazing lands, playgrounds, green spaces etc. and requirement of land for desired expansion.
 - (d) Number of landless persons in the village and requirement of land to meet their need for homestead land and livelihood; and the likely scenario after two generations even if they are given some land to meet livelihood needs.
 - (e) Setting apart some land for industrial activities as land itself can't generate enough employment.
 - (f) Requirement of minimum land to ensure ecological balance and preservation of bio-diversity.
- IV. This exercise done with the villagers will not only help build consensus on the land use pattern to be adopted, but will also generate valuable insights for the revenue administration.
- V. The information so generated shall be entered in a template prescribed for the purpose and placed in the meeting of the SDLAC, which shall deliberate on all the facts and recommendations of VLMCC and offer its views on the way the land resources of the villages should be utilised for various purposes in a sustainable manner:
- (a) Land that needs to be set apart for various services and facilities.
 - (b) Land to be set apart for infrastructure.
 - (c) Land to be set apart for open spaces.
 - (d) Land to be set apart for preservation of ecological balance that includes wetlands, hills etc.
 - (e) Land that can be distributed among landless people and order in which the landless be given the land.
- VI. D.C./SDO should enter the views/recommendations of the SDLAC in the prescribed format and the document so finalised will be the PVLUP for the village.
- VII. DC/SDO shall forward a copy of the same to the VLMCC and Director of Land Records, Assam.
- VIII. Director, Land Records, Assam should upload the PVLUPs for all the villages on the website of the Revenue & Disaster Management Department.

6. The time-line for the completion of various steps involved in the preparation of the PVLUP is as follows:
- I. Organising village level meetings through VLMCCs - 15th January, 2016.
 - II. Compilation of the village-wise information in the prescribed format at the Circle level- 30th January, 2016.
 - III. SDLAC meeting to discuss the information so compiled - 15th February, 2016.
 - IV. Preparation of the draft PVLUP at the district/subdivision level 30th February, 2016.
 - V. Uploading of the PVLUP on the department website - 7th March, 2016.
7. The VLUPs so prepared will be useful not only for ensuring the optimum and sustainable use of the land resources, but can also be shared with other departments like P. & R.D., Industry, Agriculture, Veterinary & Animal Husbandry etc. for preparing action plans for creating housing facilities, employment generation, infrastructure development and conservation measures.

You are requested to take immediate steps as mentioned above for the preparation of the PVLUPs for all the revenue villages and ensure that the exercise is completed within the prescribed time-frame.

Enclosure :

Format for preparing the PVLUP.

Yours faithfully

Sd/-

(P. K. Tiwari),

Commissioner & Secretary to the Govt. of Assam,
Revenue & D. M. Department.

Memo No : RSS.1480/2015/1-A

Dated : 3rd November, 2015

Copy to:

- i. All the Divisional Commissioners.
- ii. SO to Chief Secretary.
- iii. PS to Minister, Revenue and Disaster Management.
- iv. PS to Additional Chief Secretary, Revenue and Disaster Management.
- v. PS to Additional Chief Secretary to Chief Minister, Assam.

Sd/-

(P. K. Tiwari),

Commissioner & Secretary to the Govt. of Assam,
Revenue & D. M. Department.

**Format for entry of the information at the VLMCC level for the
Perspective Village Land Use Plan (PVLUP)**

Name of District :

Name of Revenue Circle :

Name of Mouza :

Name of Village :

1	2	3	4	5	6	7	8	9	10	11	12
Area of the village	Area of P.P. Land	Area of A.P. Land	Area under any other kind of Patta	Area of Govt. Khas Land	Area of Govt. Khas Land under encroachment	No. of encroachers on Govt. Khas Land	Govt. Khas Land free from encroachment	Area under VGRs & PGRs	Area under VGR/PGR encroachment	Area of VGR/PGR free from encroachment	Other Area of road-side and river-side reserve

13	14	15	16	17	18	19	20
Area of Land in column 12 under encroachment	Area of Land in column 12 free from encroachment	Area of Land allotted for community purposes	Area of land in column 15 not utilised	Area of Land under wetlands	Area of wetlands under encroachment	Area of wetlands free from encroachment	Area of Land unfit for agriculture
		Govt Department NGOs/Private Bodies	For the purpose it was allotted	Partially utilised	Total	Patta	Total

21	22		23	24	25	26	27
Area of land not under cultivation for atleast 10 years	No. of landless families		No. of landless encroachers whose means of livelihood is cultivation	No. of other landless families whose means of livelihood is cultivation	Total landless families whose means of livelihood is cultivation	Area of land required to allot homestead land to the families in column 25	Area of land required to allot homestead both homestead and agricultural land to the families in column 25.
	Encroachment on Govt. land	Other					

28

Area of land under essential community facilities / school										
Elementary School	Anganwadi Centre	High School	Higher Secondary School	Health Centre	Mini PHC/Dispensary PHC	Veterinary Sub-Centre	Veterinary Dispensary/Extension Centre/Demonstration from	Godown	Cold Storage	Markenting land

28 (contd.)

Area of land under essential community facilities / school				29	30	31
ITI/ Skill training Centre	Play Ground	Indoor Sports Complex	Raised Platform	Grazing Land	Open Spaces	Greencover (Orchards Agroforestry etc.)

(73)

32

Area of land required for each of the purposes mentioned in column 28.
(keeping the growth of population in next 30 years)

Elementary School	Anganwadi Centre	High School	Higher Secondary School	Health Sub-Centre	Mini PHC/Dispensary PHC	Veterinary Sub-Centre	Veterinary Dispensary/ Extension Centre/Demonstration from	Godown	Cold Storage

32 (contd.)

Area of land required for each of the purposes mentioned in column 28.
(keeping the growth of population in next 30 years)

Marketing land	ITI/ Skill training Centre	Play Ground	Indoor Sports Complex	Raised Platform	Permanent relief Centres	Grazing Land	Open Spaces	Green cover (Orchards Agroforestry etc.)

33

Area of land at present under infrastructural facilities

Road	Canal/water channels	Water supply scheme	Embankment/Flood Protection structures	Govt. Offices	Industrial Units	Solid waste Disposal Facility	Liquid waste Disposal Facility	Water harvesting structures

34

Area of land required for each of the purpose mentioned								
Road	Canal/water channels	Water supply scheme	Embankment/Flood Protection structures	Govt. Offices	Industrial Units	Solid waste Disposal Facility	Liquid waste Disposal Facility	Water harvesting structures

35

Area of Land to be set apart for Various purposes							
Allotment of land to Landless for Homestead Purposes	Allotment of land to landless for agricultural purposes	Land for essential community purposes	Land for infrastructural facilities	Land for Grazing purposes	Land for Green Cover	Land for open spaces	Land for wetlands

36

Area of Land to be set apart for Various purposes			
Land that needs to be set apart for services and facilities	Land to be set apart for infrastructure	Land to be set apart for open spaces	Land that can be distributed among landless people and order in which the landless be given the land.

(75)

Recommendation of the VLMCC :

Date : _____
Chairsperson

Name & Signature of
Member Secretary

Name & Signature of
SK/Mandal Present to
facilitate the discussion

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

No. RSS.532/2011/Pt/183

Dated Dispur, the 23rd December, 2015

Form : Shri Subhash Ch. Das, IAS
Additional Chief Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : The Deputy Commissioner,
Kamrup (Metro), Guwahati-1.

Sub : Abolition of Tier-I and Tier-II Committee in case of settlement of Govt. land in
Guwahati City.

Ref : Office Memorandum No. RSS.42/2011/31 dated 02/07/2013 and
Office Memorandum No. RSS.1656/2013/11 dated 24/12/2013.

Sir,

In partial modification of this Department's Office Memorandum No. RSS.532/2011/Pt/152, dated 21st February, 2014 I am directed to say that the Tier-I and Tier-II Committee constituted for settlement of land in Kamrup (Metro) District is hereby abolished and existing system of settlement of Government land with the recommendation of SDLAC be made applicable in case of Greater Guwahati also. The other terms and conditions as laid down in the O.M. No. RSS.532/2011/Pt/152, dated 21st February, 2014 will remain same.

You are requested kindly to expedite disposal of all settlement proposals which are pending at various levels, after proper scrutiny and obtaining due affidavit from the applicants keeping in view of the order passed by the Hon'ble Gauhati High Court on the issue of settlement of land within greater Guwahati as per Land Policy, 1989 followed by Govt. guideline issued vide letter No. RSS.260/2015/11, dated 07/04/2015 and No. RSS.136/2011/189, dated 29/06/2015.

Yours faithfully,

Sd/- S.C. Das, IAS

Additional Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department
& Member-Convener of the Committee.

Dated Dispur, the 23rd December, 2015

Memo No. RSS.532/2011/Pt/183-A

Copy to :

- 1) The Commissioner, Lower Assam Division, Guwahati - 1 / Upper Assam Division, Jorhat / North Assam Division, Tezpur / Hills & Barak Valley Division, Guwahati / Central Assam Division, Nagaon,
- 2) The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
- 3) All Deputy Commissioners (except Council Districts). They are also requested to expedite disposal of all settlement proposals which are pending at various levels, after proper scrutiny and obtaining due affidavit from the applicants keeping in view of the order passed by the Hon'ble Gauhati High Court in case of settlement of land in town areas. Further, they are also requested to expedite the proposals for allotment of land in rural areas as per existing rules and guidelines issued vide O.M. No. RSS.42/2011/31 dated 02/07/2013.
- 4) The Director of Land Acquisition Requisition & Reforms, Assam, Rupnagar, Guwahati-32.
- 5) The Deputy Secretary to the Govt. of Assam, Political (Cabinet Cell) Deptt., Dispur, Guwahati - 6. This has the reference to the Cabinet decision item No.2 held on 10/12/2015.
- 6) P.S. to Chief Minister, Assam, Dispur, Guwahati - 6.
- 7) P.S. to Minister, Revenue & D.M., Assam, Dispur, Guwahati - 6.
- 8) P.S. to Chief Secretary, Assam, Dispur, Guwahati - 6.
- 9) P.S. to Commissioner & Secretary to the Govt. of Assam, Revenue & D.M. Deptt., Dispur, Guwahati - 6.

By order etc.


Deputy Secretary,

Revenue & D.M. Department.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্ত্ত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 274 দিশপুৰ, বুধবাৰ, 30 ছেপ্তেম্বৰ, 2015, 8 আহিন, 1937 (শক)
No. 274 Dispur, Wednesday, 30th September, 2015, 8th Asvina, 1937 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT: : LEGISLATIVE BRANCH

NOTIFICATION

The 30th September, 2015

No. LGL. 131/2015/Pt/7.- The following Act of the Assam Legislative Assembly which received the assent of the Governor on 20th September, 2015 is hereby published for general information.

ASSAM ACT NO. XXVI OF 2015

(Received the assent of the Governor on 20th September, 2015)

**THE ASSAM AGRICULTURAL LAND (REGULATION OF RECLASSIFICATION AND
TRANSFER FOR NON-AGRICULTURAL PURPOSE) ACT, 2015**

**AN
ACT**

to regulate the reclassification and the transfer (hereinafter called reclassification-cum-transfer) of agricultural lands for intended non-agricultural purpose in the state of Assam and for matters connected there with or incidental thereto .

Preamble

Whereas it is expedient to regulate the reclassification and the transfer (hereinafter called reclassification-cum-transfer) of agricultural land for intended non-agricultural purpose for enabling judicious growth and simultaneous preservation and furtherance of agricultural sector for overall economic development in the state of Assam and for matters connected therewith or incidental thereto;

It is hereby enacted in the Sixty-sixth Year of the Republic of India as follows :-

Short title
extent and
commence-
ment

1. (1) This Act may be called the Assam Agricultural Land (Regulation of Reclassification and Transfer for NonAgricultural Purpose) Act, 2015.
- (2) It extends to the whole of the State of Assam except the districts under Autonomous Councils formed under Sixth Schedule of the Constitution of India and except the Municipal Corporation under the relevant Act and the notified Urban Areas under the Assam Municipal Act, 1956.
- (3) It shall come into force with immediate effect.

Assam Act
XV of 1957

Definations

2. In this Act, unless the context otherwise requires,—
 - (a) "agricultural land" means and includes land classed as such in the revenue record or used for cultivation or raising of any crop or grass or garden produce, horticulture, floriculture or any other activity that the Department of Agriculture, Government of Assam, may from time to time notify as an agricultural activity but shall not include lands under Tea cultivation in the state and the word 'agricultural' shall be construed accordingly;
 - (b) "commercial purpose" means use of land for the purpose of trade or commerce or business whether retail or wholesale, which shall include a shop, shopping complex, marriage hall, marriage garden, conference hall, bank, restaurant, hotel, depot, godown, printing press, auto service station, show-room, cinema, multiplex, explosive magazine, weigh bridge, workshop, dhaba (whether pucca or temporary structure), petrol or diesel pump, tourism activities and such other purposes or any other activity, notified by the State Government, from time to time, as commercial purpose and shall also include the use thereof partly for residential and partly for commercial purposes;
 - (c) "Circle Officer" means the Revenue Circle Officer under whose jurisdiction the agricultural land or a part thereof is situated, and includes Attached Circle Officer;

- (d) "developer" means a person who desires or undertakes subdivision, reconstitution or improvement of plots;
- (e) "The Deputy Commissioner" means the Deputy Commissioner of the District under whose jurisdiction the agricultural land is situated;
- (f) "Government" means the State Government of Assam ;
- (g) "industrial area" means an area of land to be developed by any person, for setting up an industry or industries including essential welfare and supporting services within the industrial area like residential colony for employees, entrepreneurs, staff of Industrial units and shall include Industrial Parks and Estates;
- (h) "industrial purpose" means the use of any land for any industry whether a small or medium or large scale unit including Information Technology industry, and shall include a brick-kiln or kiln but shall not include use of any premises or land for the commercial purpose;
- (i) "infrastructure projects" means activities such as Power Projects, Telecommunication Projects, Transport Projects, Water Supply Projects, Solid Waste Management Projects, Sewerage Treatment Plants or any project as may be specified by the State Government from time to time;
- (j) "institutional purpose" means the use of land by any establishment, organization or association for the promotion of some object specially of general utility, charitable, educational or like nature, except public utility purpose;
- (k) "Local Authority" means and includes an Urban Development Authority or a Gram Panchayat in rural areas or any other Authority which the government may from time to time notify as Local Authority, under whose jurisdiction the agricultural land falls;
- (l) "medical facilities" means and include clinics, dispensaries, hospitals, diagnostic centers, nursing-homes, etc;
- (m) "multiplex" means a building which contains one or more cinema halls, along with space for recreation and commercial activities;
- (n) "minimum zonal value of land" means the minimum base value of land for a particular class of land in an area that is fixed and notified by the Deputy Commissioner of the district from time to time;
- (o) "non-agricultural class" includes all trade sites including industry and commercial or residential sites or any other class that the government may notify as non-agricultural class from time to time;
- (p) "non agricultural land" means land other than agricultural land and intended to be used for non-agricultural purposes;
- (q) "non-agricultural purpose" means and includes use of land for establishing industries or industrial areas, commercial purposes, infrastructure projects, institutions, medical facilities, housing including residential area or housing colony or township project, public utility or amenities or any other purpose not being an agricultural purpose;

- (r) "owner" means any person being a proprietor or a settlement holder and shall have same meaning as assigned in the Assam Land and Revenue Regulation, 1886 and shall not include a Power of Attorney holder under this Act; Regulation I of 1886
- (s) "prescribed" means prescribed by rules made under this Act;
- (t) "person" includes individual, firm, registered society, association of persons, corporate body or any legal person;
- (u) "public utility or amenities" means places of religious worship, dharmashala, gaushala, Haj Bawans, public parks, hostels, smashan or kabarthan, old age home, leprosy treatment center, pensioners rest house, night shelter, training center for differently abled persons, public water huts, public toilets, public libraries, etc. or any other place of public utilities that may be notified by the Government from time to time as public utility or amenity excluding use of medical facilities;
- (v) "Registrar of Land Registration" means and includes the jurisdictional District Registrar, Deputy Registrar, Senior SubRegistrar and Sub-Registrar of Land Registration;
- (w) "Reclassification Premium" means a 'premium' charged and realized by the state from the owner for change of land use from agricultural to intended non-agricultural purpose;
- (x) "residential area" or "housing colony" or "township project" means an area having residential plot or group houses or flats or groups of plots, etc. along-with other essential facilities or amenities and also includes residential plots or flats or houses being developed by developers for further sale to interested persons;
- (y) "reclassification" means change of land use from agricultural purpose to intended non-agricultural purpose and "reclassified land" means land for which permission under this Act is granted for use for non-agricultural purpose;
- (z) "reclassification-cum-transfer" means reclassification of the agricultural land for intended non-agricultural purpose and subsequent transfer of the land;
- (za) "transferee" under this Act means a person to whom an agricultural land has been transferred after reclassification to an intended non-agricultural purpose;
- (zb) "tourism activities" means and include hotels, wayside amenities, camping site with furnished tented accommodation, a resort, an amusement park, a safari park developed with the permission of the Forest Department, an aerial ropeway established under the prevailing rules and regulations, a Health Spa, Golf Academy or Golf Course, an Art Gallery, handicrafts market and any other related activity declared as Tourism Activity by the Department of Tourism, Government of Assam, from time to time;

- Bar of agricultural land use or transfer for non-agricultural purpose without reclassification and permission
- (zc) "value of consideration" means the value of the land as mentioned on the Deed of Transfer of land.
3. No person shall use or transfer agricultural land for intended non-agricultural purposes without reclassification and permission in the manner as mentioned herein below :-
- (i) No agricultural land shall be put for intended non-agricultural purpose without the prior permission of the Deputy Commissioner. The Deputy Commissioner shall be competent to accord permission only after reclassification of the said land.
- (ii) No agricultural land shall be transferred for intended nonagricultural purpose without the prior permission of the Deputy commissioner. The Deputy Commissioner shall be competent to accord permission only after reclassification of the said land.
- (iii) The Deputy Commissioner shall examine the bonafides of applications received for issue of permission for reclassification' or reclassification-cum- transfer under clause (i) and (ii) of this section and issue the permissions only when he is satisfied that the permission has been sought for bonafide use of the land for non-agricultural purposes.
- (iv) No permission is required to be obtained from the Deputy Commissioner under this section, when an agricultural land not exceeding one *bigha* is intended to be used or transferred for construction of one's own dwelling house and when construction of the said structure is limited to two-storeys. In such cases the Deputy Commissioner may *suo motoor* on an application received from the owner or the transferee reclassify such land into residential class.
- Nature of land capable of reclassification
4. (1) Such land which is recorded as agricultural land but has already become unfit for agricultural purposes or where there has been no agricultural activity for at least ten years preceding the date of application for permission, shall only be reclassified or reclassified-cum- transferred for intended non-agricultural purposes with the prior approval of the Deputy Commissioner.
- (2) No agricultural land under cultivation during ten years preceding the date of application for permission as required under sub-section (1) of Section 5 shall be reclassified or reclassified- cum-transferred for non-agricultural purpose by the Deputy Commissioner without the prior approval of the State Government in the Revenue Department.
- (3) This section shall not apply when agricultural land not exceeding one *bigha* is used or reclassified or reclassified-cumtransferred for construction of one's own dwelling house and when construction of the said structure is limited to two- storeys.
- Procedure for land reclassification and reclassification-cum-transfer
5. (1) Any owner of agricultural land who intends to reclassify or reclassify-cum-transfer agricultural land for non-agricultural purpose under clause (i) and (ii) of Section 3 , shall make an application to the Deputy

Commissioner under whose jurisdiction the agricultural land is situated giving full particulars of his land and justification of the proposed reclassification or reclassification-cum-transfer as under Section 4, in such form and manner as may be prescribed.

- (2) An application under sub-section (1) of this section shall be accompanied by an affidavit duly sworn in by the owner of the land to the effect that the land proposed for reclassification or reclassification-cum-transfer shall be put to the permitted non-agricultural purpose within the stipulated period.
- (3) The Deputy Commissioner shall call for a report from the Circle Officer concerned immediately under whose jurisdiction the agricultural land or a part thereof is situated and after making such enquiries including field enquiries as may be necessary, the Circle Officer shall submit a report to the Deputy Commissioner with his recommendation within fifteen days from the date receipt of the order of the Deputy Commissioner calling for his report, in such form and manner as may be prescribed.
- (4) The Deputy Commissioner shall accord an 'in-principle approval or deny approval altogether for allowing reclassification or reclassification-cum-transfer as the case may be, within 30 (thirty) days of the receipt of the recommendations of the Circle Officer and while doing so shall take the opinion of a District Level Committee headed by himself with officials drawn from relevant district line departments as may be prescribed and/or take such expert advice that may be deemed necessary for arriving at a decision:

Provided that in case the total area intended to be reclassified-cum-transferred is above 50 *bighas*, the Deputy Commissioner shall accord his in-principle approval only with the prior permission of the Government in the Revenue Department in such manner as may be prescribed.

- (5) Before issuing an in-principle approval under sub-section (4) of this section, the Deputy Commissioner shall take the prior concurrence of the concerned Local Authority under whose jurisdiction the agricultural land falls with regard to the proposed non agricultural activity with the prevailing rules or regulations or byelaws of the Local Authority.
- (6) Once the in-principle approval for reclassification or reclassification cum transfer is accorded, it shall be mandatory on the part of the owner to remit the prescribed Reclassification Premium as specified under Section 6 within 30 (thirty) days from the date of receipt of the approval:

Provided that the Deputy Commissioner, for valid reasons, may extend the time for the payment of the Reclassification Premium for another 30 (thirty) days and during the interim period if the minimum zonal value of land in the area where the said land is located is enhanced,

then the owner shall pay the Reclassification Premium as assessed on such enhanced minimum zonal value of land.

- (7) The owner shall furnish the receipt or challan of payment of the Reclassification Premium at the rate as specified under Section 6 to the Deputy Commissioner who on being satisfied, shall issue a No Objection Certificate (NOC) in turn, for reclassification or reclassification-cum-transfer, as the case may be, and the Circle Officer shall reclassify such agricultural land into appropriate non-agricultural class and make necessary entries in the land records and where the land is meant for reclassification-cum-transfer, the Registrar of Land Registration shall register the Deed of Transfer after the reclassification by the Circle Officer.
- (8) No agricultural land shall be put to non-agricultural use without the payment of the prescribed Reclassification Premium by the owner.
- (9) No Agricultural Land shall be reclassified for non-agricultural purposes or reclassified-cum-transferred for non-agricultural purposes without the payment of the prescribed Reclassification Premium by the owner:

Provided that no Reclassification Premium as mentioned under subsection (8) and (9) of this section shall be charged and realized while an agricultural land not exceeding one *bigha* is used or reclassified or reclassified-cum-transferred for construction of one's own dwelling house and when construction of the said structure is limited to two-storeys.

Power to levy and collect Reclassification Premium.

6.

With effect from the date of commencement of this Act,-

- (i) every owner of agricultural land specified under both subsection (1) and (2) of Section 4 shall pay a Reclassification Premium at the rate of 10% of the prevailing minimum zonal value in respect of the said agricultural land in that area in respect of reclassification or at the rate of 15% of the prevailing minimum zonal value for the said agricultural land in that area in respect of reclassification-cum-transfer, before issue of the No Objection Certificate (NOC) by the Deputy Commissioner, under sub-section (7) of Section 5:

Provided that in the case of the value of consideration for reclassification-cum-transfer is more than the prevailing minimum zonal value for the said agricultural land, the 15% Reclassification Premium applicable shall be assessed on the value of consideration and charged accordingly.

- (ii) For the purposes of this section, the minimum zonal value of the land shall be fixed in such manner as may be prescribed.

7.

In addition to the Deputy Commissioner as authorized under this Act, Government may by notification in the Official Gazette, authorize any

Authority Competent to reclassify and reclassify cum Transfer

- other officers to be competent to pass order in respect of the lands situated within his territorial jurisdiction for reclassification of lands from agricultural purpose to non-agricultural purpose, or reclassification-cum-transfer of agricultural land for non-agricultural purpose.
- Penalty 8.
- (1) If any agricultural land mentioned under sub-section (1) of Section 4 is put to non-agricultural purpose without obtaining the permission as required under clause (i) of Section 3, the land shall be deemed to have been reclassified into nonagricultural purpose and upon such deemed reclassification, the Deputy Commissioner shall impose and realize a fine equal to two times the Reclassification Premium chargeable while according No Objection Certificate (NOC) under sub-section (7) of Section 5 for 'reclassification' under clause (i) of Section 6 and in such manner as may be prescribed.
- (2) If any agricultural land mentioned under sub-section (2) of Section 4 is put to non-agricultural purpose without obtaining the prior permission as required under that section and that of the Deputy Commissioner as required under clause (i) of section 3, the land shall be deemed to have been reclassified into non-agricultural purpose and upon such deemed reclassification, the Deputy Commissioner with the approval of the Government in the Revenue Department shall impose and realize a fine equal to five times the Reclassification Premium chargeable as specified under clause (i) of section 6. while issuing No Objection Certificate (NOC) under sub-section (7) of Section 5, in such manner as may be prescribed.
- (3) The owner of the land shall pay the fine so imposed under sub-sections (1) and (2) of this Section in such manner as may be prescribed.
- (4) After the due date, if any Reclassification Premium or penalty imposed under this Section remains unpaid, it shall be recovered from the owner as an arrear of land revenue under the Bengal Public Demand Recovery Act, 1913.
- Provisions 9. relating to agricultural land already put to non-agritural use
- Mandatory 10. establishment of the approved non-agricultural activity within three year.
- (1) Where a No Objection Certificate (NOC) for reclassification is accorded by the Deputy Commissioner under sub-section (7) of Section 5, it shall be mandatory for the owner to establish the approved non-agricultural activity within a period of three years from the date of reclassification of the said land in the land records or where such a No Objection Certificate (NOC) is accorded for reclassification-cum-transfer, it shall be mandatory for the transferee to establish the approved non-agricultural activity within a period of three years from the date of registration of the Deed of Transfer:

Bengal Act
3 of 1913

Provided that the Deputy Commissioner, for reasons beyond the control of the owner or the transferee, may extend the aforesaid period of three years for establishing the non-agricultural activity by another two years and the cumulative period for establishing the approved non-agricultural activity in no case shall exceed a maximum period of five years including the initial three years period.

- (2) If the owner or the transferee fails to establish an approved non-agricultural activity within the period as mentioned in sub-section (1) of this section, the Deputy Commissioner, on the expiry of the said period including the extended period, if any, shall impose a penalty upon the owner or the transferee at a rate equal to ten times the Reclassification Premium that was paid on the land by the owner or transferee before issuing reclassification or reclassification-cum-transfer, as the case may be, in accordance with Section 6 and shall deny further transfer of the said land for a five years starting from the date of expiry of the approved 3 or 5 years period accorded under sub-section (1) of this section :

Provided that the Government in the Revenue Department may, for reasons beyond the control of the owner or the transferee, relax the aforesaid ban on further transfer from five years to two years in appropriate cases.

- (3) Nothing in this section shall restrict the right of the Banks or Financial Institutions to recover any unpaid monies from an owner or transferee as per the existing procedures and laws applicable to the Banks or Financial Institutions in the event of the said land being mortgaged for securing loans towards establishing the intended non-agricultural activity:

Provided that in the event of any land being disposed of by the Bank or Financial Institution, the Deputy Commissioner before according No Objection Certificate (NOC) for transfer, shall realize from the transferee (buyer) any penalty amount that might be due on the said land that has been duly charged in accordance with the provisions of sub-section (1) of this section and remained unpaid.

Restriction on
change of
approved non-
agricultural activity

- 11 (1) No owner or transferee shall change non-agricultural activity in respect of which a No Objection Certificate (NOC) has been issued by the Deputy Commissioner under sub-section (7) of Section 5 to another non-agricultural activity without the prior permission of the Deputy Commissioner.
- (2) The Deputy Commissioner for reasons to be recorded in writing, may accord permission under sub-section (1) upto a period of one year from the date of reclassification of the land in land records or from the date of registration of the Deed of Transfer in case the land has been reclassified-cumtransferred.

Restriction on
transfer of land
approved for
establishing non-
agricultural activity

12. (1) Pending establishment of the approved non-agricultural activity, no owner or transferee shall transfer his land and no No Objection Certificate (NOC) for such transfer shall be accorded by the Deputy Commissioner except in accordance with the provisions under Section 10.

- (2) Once an approved non-agricultural activity is established, there shall be no bar on further transfer of such land, provided the owner or transferee shall obtain a certificate of establishment of the approved non-agricultural activity from the Deputy Commissioner in such manner as may be prescribed.
- High Power Committee 13. (1) There shall be a High Powered Committee headed by the senior most Secretary of the Revenue Department with members drawn from various other departments including such experts as the Government considers necessary and nominate to the Committee for regulating and monitoring reclassification and reclassification-cum-transfer of agricultural lands for non-agricultural purposes and for prevention of indiscriminate reclassification or reclassification-cum-transfer.
- (2) The Committee shall meet at least once in every six months.
- (3) The Committee shall review from time to time the district-wise agricultural land reclassified and reclassified-cum-transferred for non-agricultural purposes.
- (4) The 'Committee shall have the power, in the public interest, to order for moratorium on reclassification and reclassification-cum-transfer of agricultural lands for non-agricultural purposes in a particular area for such period as it may deem necessary and also rationalize the quantum of agricultural land that can be reclassified and reclassified-cum-transferred for non-agricultural purpose from time to time in any district or in the entire state.
- Furnishing of timely report by the Deputy Commissioner 14. (1) The Deputy Commissioner shall furnish to the Government in the Revenue Department, a quarterly report in the prescribed format with all the necessary information with regard to the quantum of the agricultural land reclassified and reclassified-cum-transferred for non-agricultural purposes in the district.
- (2) The Deputy Commissioner of every district shall maintain an up-to-date Information Technology (IT) enabled Management Information System (MIS) showing the quantum of agricultural land reclassified and reclassified-cum-transferred for non-agricultural purposes on a quarterly basis.
- Power of the State Government 15. (1) Notwithstanding anything contained in this Act, the Government in the Revenue Department, in the public interest, may, by notification in the Official Gazette, restrict or prohibit the establishment of any non-agricultural activity in any area within the state.
- (2) In order to protect the interests of the cultivators cultivating in the agricultural lands in the vicinity of the lands wherein a non-agricultural activity has been either proposed or established, the Government in the Revenue Department or the Deputy Commissioner may order for such alterations to the nature of the non-agricultural activity including and not limited to the site or building plan, as may be considered necessary and

the owner or transferee shall be duty bound to make necessary alterations to the nature of the non-agricultural activity as ordered by the Government or the Deputy Commissioner, as the case may be.

(3) While ordering for any alterations under sub-section (2) of this section, the Government in the Revenue Department or the Deputy Commissioner may seek such expert opinion as deemed necessary for arriving at a decision.

(4) The Deputy Commissioner, in the public interest, may make recommendations for ensuring the right-of-way and for providing proper drainage for prevention of floods or water stagnation in the area where a non-agricultural activity is intended or established and the owner or transferee shall be duty bound to give effect to all such recommendations.

(5) In case the owner or transferee fails to comply with the provisions of sub-sections (2), (3) and (4) of this Section, the Deputy Commissioner may revoke the No Objection Certificate (NOC) issued under sub-section (7) of Section 5 of this Act for establishing the non-agricultural activity or direct closure of the non-agricultural activity, after service of a notice in such manner as may be prescribed.

(6) If the general public of the area or the village where the non-agricultural activity is intended to be established, express any grievance with regard to the proposed non-agricultural activity, the Deputy Commissioner shall admit the grievance and dispose of the same in such manner as may be prescribed. **Assam Act XV of 1957.**

Act not to apply to certain lands

16. Nothing in this Act shall apply to,-

(a) lands falling within the jurisdiction of the Municipal Corporations and the notified Municipal Boards or Town Committees under the Assam Municipal Act, 1956;

(b) lands owned or held by the State Government or the Central government or their Agencies including Corporations so long as the land is used for official purposes and not used or transferred for commercial purposes;

(c) lands owned or held by a local authority and used for any community purposes so long as the land is not used or transferred for commercial purposes;

(d) lands under Tea cultivation in the state;

Assam Act VIII of 1936.

(e) lands used for religious or charitable purposes and other public utilities or amenities as defined under the Act;

(f) lands used for Aquaculture and Animal Husbandry including Poultry and Duckery ;

(g) land used for construction of dwelling house to the extent exempted

under this Act ;

(h) lands of an Industrial Zone notified under Section-3A of the Assam Land Revenue Reassessment Act, 1936 ;

(i) lands used for such other purposes as may be notified by the Government from time to time.

Appeal 17. Any person aggrieved by an order of the Deputy Commissioner may file an appeal before the Government in the Revenue Department within sixty days from the date of receipt of such order by the owner or the transferee and the decision of the Government thereon shall be final and binding on all concerned.

Act to override other laws 18. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or any custom or usage having the force of law or contract or judgment, decree or order of a court or any other authority.

Power to give directions 19. For the purposes of giving effect to the provisions of this Act, it shall be competent for the Government to issue such directions as they may deem fit to any officer, authority or persons subordinate to the Government.

Bar of jurisdiction 20. Save as otherwise expressly provided in this Act, no Court shall entertain any suit, or other proceeding to set-aside or modify, or question the validity of Reclassification Premium charged and realized under various sections of this Act or fines imposed and realized or penalties imposed or order or decision made or passed by any officer or authority under the Act or any rules made there under, or in respect of any other matter falling within its scope.

Protection of action taken in good faith 21. No suit or other proceeding shall lie against the Government or an officer or employee of the Government for anything which is done or intended to be done in good faith under this Act or under the rules made there under.

Power to remove difficulties 22. If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, as occasion arise, by an order in the Official Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary to remove such difficulty.

- Power to make rules
- 23.(1) The Government may, by notification published in the Official Gazette, make rules for carrying out all or any of the purposes of this Act.
- (2) Every rule made under this section shall be laid as soon as may be after it is made before the Assam Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Assam Legislative Assembly agree in making any modification in the rule or the Assam Legislative Assembly agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

S. M. BUZAR BARUAH,
Secretary to the Government of Assam,
Legislative Department, Dispur.

GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT (SETTLEMENT) DEPARTMENT
ASSAM SECRETARIAT (C) : DISPUR
GUWAHATI - 6

No. RSS.2058/2016/7

Dated Dispur, the 29th December, 2016.

OFFICE MEMORANDUM

Sub : Regarding period of lease of land allotted to different agencies under Industries & Commerce Deptt. to entrepreneurs / industrial houses.

It has been reported by Industries & Commerce Deptt. about the difficulties being faced by the various agencies under Industries & Commerce Deptt. viz. AIDC, AIIDC, ASIDC & Commissioner, Industries & Commerce in respect of the land allotted to them due to the shorter lease period provided for by the Revenue & D.M. Deptt. circular, which has allowed leasing out of such land situated within industrial areas / industrial estates to entrepreneurs / industrial houses by the agencies for a period of 20 years only with a provision of renewal thereafter.

It has further been pointed out by the Deptt. that Govt. of India as well as Bank, Financial institutions require a longer lease period for mortgaging the lease hold interest of the land by the entrepreneurs / industrial houses. The Deptt. has therefore, requested that the various agencies under the Deptt. be allowed to lease out such land initially for 30 years, with provision for further extension for another 30 years.

After consideration of all aspects connected with the matter and keeping in mind the objective of industrial growth and investment through promotion of entrepreneurs and industrial houses in the State as well as taking into account the question of viability of the projects of such entrepreneurs / industrial houses and to make them workable and to facilitate financial institutions lending fund to entrepreneurs / industrial houses, it is decided to allow leasing out initially of land allotted to Commissionerate of Industries & Commerce, AIDC, ASIDC, AIIDC, (the PSUs under Industries & Commerce Deptt.) situated within the industrial areas / industrial estates to entrepreneurs / industrial houses by Commissioner of Industries & Commerce, AIDC, AIIDC, ASIDC for a period of 30 years with the option of renewal of another 30 years thereafter on the condition that the land will remain for industrial purpose.

It is further made clear that the industrial units / entrepreneurs would not be allowed to mortgage the land to financial institutions or any third party, as the ownership of the land will continue to remain with the Revenue & D.M. Deptt.

Sd/- P.K. Tiwari, IAS
Principal Secretary to the Govt. of Assam,
Revenue & D.M. Department.

**GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT (S) DEPARTMENT
ASSAM SECRETARIAT, DISPUR
GUWAHATI - 6**

No. RSS. 1991/2016/1

Dated Dispur, the 10th January, 2017.

OFFICE MEMORANDUM

Subject : Eviction of encroachers.

Preservation and protection of Govt. land and land reserved for specific purposes especially VGRs and PGRs, wet land and land under Tribal Belt & Block is one of the major responsibilities of the officials of Revenue & D.M. Department, Assam. It has come to the notice of Govt. that large area of Govt. khas land, VGRs, PGRs, Tribal Belt & Blocks etc., are under encroachment. The unchecked encroachment of Govt. land by the encroachers has reduced the area which was reserved in the interest of public and ecological balance.

2. The **Assam Land Records Manual** provides the mechanism to keep the record of Government land and encroachment thereon.

Rule 18(2) of the **Settlement Rules under Assam Land and Revenue Regulation, 1886** provides that encroachment on Govt. khas land or waste land or estate over which no person has acquired the right of a proprietor, land holder or settlement holder or any land that has previously been reserved, roads or road-side land or for the grazing of village cattle or for other public purposes shall be removed forthwith by the Deputy Commissioner.

Rule 18(3)(a)(i) of the Regulation provides that in all other cases, ejection shall be preceded by publication of a notice in the manner as prescribed in the rule requiring the occupant to vacate the land specified in the notice within 15 days of publication of the notice on the land concerned or in a prominent place in the vicinity thereof.

The power to remove encroachments has also been delegated to the Circle Officers vide Govt. Notification No. RLR. 162/2008/25, dated 06.02.2010.

3. Para 6.1 of **Land Policy, 1989** underlines the need for preservation and protection of the existing VGRs and PGRs for use by the members of public for the purpose for which those were constituted and removal of encroachments, if any there from.

Para 6.2 of the Land policy also provides that a block of **Govt. land ranging from 5 bighas to 15 bighas**, subject to availability in each village should be reserved as an open space for environmental ecology and be kept free from encroachment.

4. The Hon'ble Supreme Court vide its Judgment in Civil Appeal No.1132/2011 *(a) SLP (C) No. 3109/2011 (Jagpal Singh -Vs- The State of Punjab & Others)* ordered that all State Governments should prepare scheme for eviction of illegal un authorized occupants on village common lands and these must be restored to Gram Sabha / GP for the common use of the village. Regularization should only be permitted in exceptional cases e.g. where lease has been granted to landless labourers, members of ST/SC Tribes or where there is already a school, dispensary or other public utility on the land.

In January, 2011, in Civil Appeal No. 436/2011 arising out of SLP (C) No.20203/2007 (**State of Jharkhand & Others -Vs- Pakur Jagaran Manch**) with Civil Appeal No. 437/2011 arising out of SLP (C) No. 20636/2007 (**Rocky Murmu -Vs- Pakur Jagaran Manch**), it was ordered that whenever the gochar in a village is de-reserved and diverted to non-grazing use, simultaneously or at least thereafter the State should make available alternative land as gochar, in a manner and to a extent that the gochar continues to be not less than 5% of the total extent of the village.

It has been made amply clear by the Apex Court for the protection of village common lands, particularly VGRs and PGRs.

5. Tribal Belt & Blocks are compact areas created for those classes of people who on account of their traditional way of life and educationally and material disadvantages are vulnerable to this possession from the land by non-tribals.

Section 165 (1) under **Chapter-X** of the Assam Land and Revenue Regulation, 1886 provides that in case of unsettled land under Tribal Belt & Blocks, any person, who without authority has encroached upon or occupied land, it shall be liable to ejection forthwith.

Section 165 (2) of the Regulation provides that in case of annually settled land, persons other than settlement-holders, if found in occupation thereof, are also be liable to ejection forthwith.

Section 165 (3) of the Regulation provides that in case of periodically settled land, person who have entered into occupation without valid authority from the land-holder, or whose entry or occupation is or has come about in a manner, inconsistent with the provisions of Chapter X, shall be liable to eviction, after service of one months notice.

6. There are instances of some tea gardens encroaching upon ceiling surplus and Govt. khas land. That apart, many tea gardens have diverted their tea land for non-tea purposes while the land was settled with them specifically for the purpose of cultivation of tea. This is in contravention of the Land Policy and various Govt. decisions arrived at from time to time in respect of tea cultivation in the State. Diversion of tea land for non-tea purpose implies that the tea garden has land surplus to its requirement i.e. excess land not utilized for tea purposes which renders it liable for acquisition under the Assam Fixation of Ceiling on Land Holdings Act, 1956 (as amended).

7. Section 3 of the **Assam Land Grabbing (Prohibition) Act, 2010** states that **land grabbing in any form** is unlawful and any act connected with or arising out of land grabbing shall be a cognizable offence under the Code of Criminal Procedure, 1973 and punishable under this Act.

Section 4(1) of the Act provides that no person shall commit or cause to be omitted land grabbing.

Section 4(2) of the Act provides that no person shall, on or after the commencement of this Act, continue to be in occupation, otherwise than as a lawful tenant, of a grabbed land belonging to the Govt., State Govt. undertaking, local authority, religious or charitable institution or endowment including a wakf, or other private person.

Section 7 of the Act provides that there shall be a Special Tribunal for the purpose of enquiry into any alleged act of land grabbing and **trial of cases in respect of the ownership and title to or lawful possession of the land grabbed** and the Court of District and Sessions Judge having jurisdiction over the area shall be Special Tribunal for the purpose of this Act and shall include Additional District and Sessions Judge having jurisdiction over the area.

Rule 6 (1) framed under the Act provides that application filed before the Special tribunal may be referred for local inspection or verification or both by the Revenue Circle Officer having jurisdiction over the area or by any other Officer of the Govt. authorized by the Special Tribunal.

Rule 6 (2) of the Act provides that Revenue Circle Officer or any other Officer authorized by the Special Tribunal to whom the application has been referred shall make or cause to be made an inspection or verification or both, as soon as may be practicable and submit full and complete report **within two weeks** from the date of receipt of order on the following grounds :

- (i) The correctness of the statements made in the application;
- (ii) The facts relating to ownership, actual possession and use of the land concerned; and
- (iii) Such other particulars and information as may be useful to the Special Tribunal to arrive at a correct decision on the claims made in the application.

8. There may be instances of Govt. land allotted to Government or non-Government organizations left un-utilized or not used within a period of 3 years from the date of handing over possession for the purpose for which it was allotted. As per Govt. Circular No. RSS.47/89/6 dated 03.10.1989, such land is also to be reverted back to the Govt. in the Revenue & D.M. Department.

9. All the Circle Officers shall, therefore, prepare an Eviction Plan in the format enclosed with the O.M. and take all necessary steps to carry out the eviction operations.

Deputy Commissioners shall review if the Eviction Plan has been prepared exercising due diligence and extend all necessary assistance to the Circle Officers in carrying out the eviction operations.

10. It must be ensured that Village Land Management and Conservation Committees and Ward Disaster Management Committees are mobilized to protect the land from coming under encroachment again.

Sd/- P.K. Tiwari, IAS
Principal Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo No. RSS.1991/2016/1-A

Dated Dispur, the 10th January, 2017.

Copy to :

1. P.S. to the Hon'ble Chief Minister, Assam for kind appraisal of the Hon'ble Chief Minister.
2. P.S. to Hon'ble Minister of State, Revenue & D.M. Department for kind appraisal of the Hon'ble MoS.
3. All Commissioner of Divisions for information.
4. All Deputy Commissioners / Sub-Divisional Officers (Except BTAD, KAAC / NCHAC) for information and necessary action.
5. P.S. to the Chief Secretary, Assam for kind appraisal of the Chief Secretary.
6. P.S. to the Principal Secretary, Revenue & D.M. Department for kind appraisal of the Principal Secretary.
7. P.S. to the Commissioner & Secretary to the Hon'ble Chief Minister, Assam for kind appraisal of the Commissioner & Secretary.
8. P.S. to the Commissioner & Secretary, Revenue & D.M. Department for kind appraisal of the Commissioner & Secretary.
9. The Secretaries, Revenue & D.M. Department for kind information.
10. All Joint Secretaries / Deputy Secretaries / Under Secretaries, Revenue & D.M. Department for information.
11. All Superintendents, Revenue & D.M. Department for information.

By order etc.,

Joint Secretary to the Govt. of Assam.

Eviction Plan

Part-A

(Details of land under encroachment from Village Land Bank)

District :
Revenue Circle :
Name of Villages :

1. Type of Government Land :
(Govt. Khas/VGR/PGR/Road-side Reserve/River-side Reserve/Reserved for Govt. scheme or project, ceiling surplus land (including land of tea estate made ceiling surplus) / Govt. land allotted to an agency, but diverted for other purpose).

2. Area under encroachment :

3. Nature of encroachment :

Nature	Area	No. of Encroachers
Total		

4. Encroaches who are indigenous/landless persons with no land at all.

Flood erosion affected		SC		ST		Others	
		No.	Area	No.	Area	No.	Area

5. Encroaches who are indigenous landless persons with some land but less than 8 Bigha.

Flood/erosion affected		SC		ST		Others	
		No.	Area under encroachment	No.	Area under encroachment	No.	Area under encroachment

6. No. of encroaches other than Indigenous landless persons :

Nature of encroachment	No. of encroaches	Area under encroachment

Part- B

(Plan for Eviction)

Nature of encroachment to be removed	Area	No. of encroachches	Time-frame	Manpower required	Equipments required	Nature of apprehension of Law & Order problem	Requirement of Police Force	Requirement of fund
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Signature of Deputy Commissioner /

Addl. Deputy Commissioner

Signature of Circle Officer

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT (S) DEPARTMENT
ASSAM SECRETARIAT, DISPUR
GUWAHATI-6

No. RSS.1991/2016/2

Dated Dispur, the 7th February, 2017.

From : Shri P. K. Tiwari, IAS,
Principal Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

To : Commissioner & Secretaries,
All Administrative Departments

All Deputy Commissioners

All Sub-Divisional Officers (Civil)

Sub : **Implementation of Schemes on Govt. land - regarding.**

Sir,

In inviting a reference to the subject cited above, I am directed to say that it has come to the notice of the Govt. in the Revenue & D.M. Deptt. that some Departments are implementing Schemes on Govt. land without prior approval of the Govt. in the Revenue & D.M. Deptt. There have been cases where such schemes are seen implemented even on VGR and PGR land in spite of Hon'ble Supreme Court's judgement in Civil Appeal No.1132/2011 @ SLP (C) No. 3109/2011 (Jagpal Singh -Vs- The State of Punjab & Others) regarding eviction of illegal unauthorized occupants from village common lands.

You are, therefore, requested to ensure that no Govt. scheme is implemented on Govt. land without prior approval of the Deputy Commissioner in cases where he is competent to allot Govt. land and the prior approval of the Govt. in Revenue & D.M. Deptt. in all other cases.

It may be noted that implementation of any scheme on VGR / PGR without prior approval of Govt. in Revenue & D.M. Deptt. may invite contempt of Hon'ble Supreme Court's judgement mentioned above.

Sd/- P.K. Tiwari, IAS
Principal Secretary to the Govt. of Assam,
Revenue & D.M. Department.


Memo No. RSS.1991/2016/2-A

Dated Dispur, the 7th February, 2017.

Copy to :

1. P.S. to the Hon'ble Chief Minister, Assam for kind appraisal of the Hon'ble Chief Minister.
2. P.S. to the Hon'ble Minister of State, Revenue & D.M. Department for kind appraisal of the Hon'ble MoS.
3. S.O to the Chief Secretary, Assam for kind appraisal of the Chief Secretary.
4. P.S. to the Principal Secretary, Revenue & D.M. Department for kind appraisal of the Principal Secretary.
5. P.S. to the Commissioner & Secretary to the Hon'ble Chief Minister, Assam for kind appraisal of the Commissioner & Secretary.
6. P.S. to the Commissioner & Secretary, Revenue & D.M. Department for kind appraisal of the Commissioner & Secretary.
7. The Secretaries, Revenue & D.M. Department for kind information.
8. All Joint Secretaries / Deputy Secretaries / Under Secretaries, Revenue & D.M. Department for information.

By order etc.,


Joint Secretary to the Govt. of Assam,
Revenue & D.M. Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT (SETTLEMENT) DEPARTMENT
ASSAM SECRETARIAT (C): DISPUR, GUWAHATI-6

No.RSS.2058/2016/10

Dated Dispur the 21st February, 2016

OFFICE MEMORANDUM

Sub: Regarding Leasing out of land allotted to different agencies under Industry & Commerce Department and Mortgaging of such land by Entrepreneurs/Industrial Houses etc.

It has been reported by the Industries & Commerce Department that some major problems which ensued out of bar enforced in the last paragraph of Office Memorandum No.RSS.2058/2016/7 Dated.29.12.2016 on the agencies under the Industries & Commerce Department from issuing NOC to Lessee Industrial Units for mortgage of land to Bank Financial Institutions or to any third party has created confusion for both Financial Institutions and also agencies like AIDC, etc.

After careful consideration of all the aspects connected with the matter and keeping in mind the objective of industrial growth and investment through promotion of entrepreneurs at industrial houses in the State, the Governor of Assam is pleased to partially modify the aforesaid Office Memorandum No. RSS.2058/2016/7 Dated.29.12.2016 by deleting the last paragraph of the Office Memorandum.

However, leasing out and registration of lease deed with the private parties/industrial units of the land allotted by Govt. to Commissionerate of Industries & Commerce, AIDC, AIIDC or ASIDC etc. including the conditions for mortgage of lease hold rights over such land to Banks/Financial Institutions by Lessee Entrepreneurs/industrial houses shall be governed by the Government Circular No.RSS.1370/2010/160 Dated 09.10.2013. except point no.3(c) of the Circular in respect of maximum period of lease. The maximum lease period will be governed by Govt. circular No. RSS.2058/2016/7, Dated 29.12.2016.

Sd/-

(Rajesh Prasad, IAS)

Commissioner & Secretary to the Govt. of Assam
Revenue & Disaster Management Department

Memo No.RSS.2058/2016/10-A

Dated Dispur the 21st February, 2016

Copy for information to :

1. PPS to Hon'ble Chief Minister, Assam for kind appraisal of the Hon'ble Chief Minister, Assam.
2. PS to Minister of State, Revenue & DM Department for kind appraisal of the Hon'ble Minister of State, Revenue & DM Department, Assam
3. P.S. to the Additional Chief Secretary, Industries & Commerce Department, Assam for kind appraisal of the Additional Chief Secretary. his has the reference to the letter No.CI.09/2016/Pt/22 Dtd.15/11/2017.
4. PS to Principal Secretary to the Govt. of Assam, Chief Minister's Secretariat, Dispur.
5. All Deputy Commissioners (Except the Districts under Autonomous Council)
6. All Officers of the Revenue & DM Department, Dispur.

Sd/-

Deputy Secretary

GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT (\$) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6

No. RSS.1386/2013/3

Dated Dispur, the 2nd June, 2017.

From : Shri Rajesh Prasad, IAS,
Commissioner & Secretary to the Govt. of Assam,
Revenue and D.M. Department.

To : 1) The Deputy Commissioner (All),
.....
2) The All Sub-Divisional Officers (Civil),
.....
(except BTAD and Hill Districts).

Sub : Proposal of allotment / settlement of land, permission for sale of Grant /
Tea periodic Patta land etc.

Ref. : (1) No.RSD.16/82/Pt./5 dated 15-06-1988,
(2) No.RSS.158/93/1 dated 12-03-1993 &
(3) No.RSS.1386/2013/2 dated 26-12-2013.

Sir / Madam,

It has been observed that in many occasions proposals of allotment /
settlement of land / land acquisition proposals / permission for sale of Grant / Tea
periodic Patta land etc. are not received from DCs / SDO(C)s under their signatures with
specific comments.

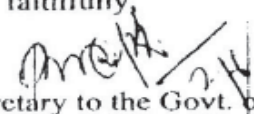
The Department has already issued a number of circulars from time to time
requesting the DCs / SDO(C)s to send such proposals to the Department under their
signatures with specific comments.

I am directed to request you to send all such proposals which require
approval of the Govt. in the Revenue & D.M. Deptt. with specific comments under your
signature. Any such proposal sent under the signature of any subordinate officer will not
be considered by the Govt.

Further, all the proposals should be addressed only to the senior most
Secretary (at present Commissioner & Secretary) of the Department.

The matter may be treated as **Most Urgent**.

Yours faithfully,


Commissioner & Secretary to the Govt. of Assam,
Revenue & D.M. Department.

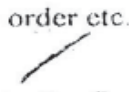
Memo No. RSS.1386/2013/3-A

Dated Dispur, the 2nd June, 2017.

Copy to :

1. All Commissioners of Division, Lower Assam Division / Upper Assam
Division / North Assam Division / Central Assam Division / Hills & Barak
Valley Division for information.
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati -
32 for information.

By order etc.,


Joint Secretary to the Govt. of Assam,
Revenue & D.M. Department.

: : : : : :

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

ECF No.12126/2017/18

Dated Dispur, the 23rd June, 2017

From : Shri R. Prasad, IAS
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

✓ To : 1) All Deputy Commissioners,
(Except BTAD, Karbi Anglong and Dima Hasao Districts)

.....
2) The Sub-Divisional Officer (Civil).
.....

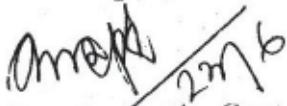
Sub : Submission of land allotment / settlement proposals with views /
recommendation of the LAC.

Sir,

I am directed to say that it has been observed that land allotment / settlement proposals in some cases are sent to the Govt. in anticipation of approval of the Land Advisory Committee, which makes it difficult for proper appreciation on such proposals at Government level.

You are, therefore, requested to send proposal for allotment / settlement of land to the Govt. only after obtaining the views / recommendation of the LAC enclosing the proceedings of the meeting of the LAC or attested copy of the resolution thereof.

Yours faithfully,


Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

Q

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT (S) DEPARTMENT
ASSAM SECRETARIAT (C) : DISPUR
GUWAHATI-6

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 17th November, 2017

ECF No. 44517/2017/3 : The Governor of Assam is pleased to notify the existing toll free numbers i.e. 1070 and 1079 in ASDMA Control Room in CM Block, Dispur and existing toll free number 1077 in 27 Districts in DC Office (DDMA) as Revenue Help-line in the State HQ as well as in the District HQ respectively for disposing of Revenue related matters primarily encroachment over Govt. land.

Sd/- (Rajesh Prasad, IAS)
Commissioner & Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo ECF No. 44517/2017/3-A

Dated Dispur, the 17th November, 2017

Copy to :

1. Principal Secretary to the Hon'ble CM, Assam for kind information.
2. All Deputy Commissioners..... for information and necessary action.
3. The Director, DIPR, Dispur, Guwahati – 6 for wide publicity through print & electronic media .
4. SPC , ASDMA for information & necessary action
5. P.S. to Minister of State, Revenue & D.M. Department for kind appraisal of Hon'ble Minister of State.

By order etc.,

Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT: SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 26th March, 2018

ECF No. 31465

No. RDM- 15014/21//2017-LS-REV/9 - The Governor of Assam is pleased to fix the settlement premium @ Rs. 1000/- per Bigha for settlement of land with the existing small tea gardens and also for the future small tea gardens, having registration with Tea Board of India / Directorate of Tea, Assam and having extent of land up to 30 Bighas.

The land settled shall not be transferred by way of sale, mortgage, lease, gift etc., for the next 10 (ten) years from the date of issue of settlement order or from the date of taking over possession whichever is later.

Further, the land settled specifically for cultivation of tea shall not be diverted for purpose other than tea cultivation. In case of alienation of tea land by way of sale / gift etc., prior approval of Government in Revenue & D.M. Department is mandatory.


Sd/- (Rajesh Prasad, IAS)
Commissioner & Secretary to the Govt. of Assam
Revenue & D.M. Department

Memo No RDM- 15014/21//2017-LS-REV/9-A
Copy to:

Dated Dispur, the 26th March, 2018

1. The Deputy Commissioners (Except BTAD & Hill Districts)..... for information & necessary action.
2. The Chairman, Tea Board of India, 14, B.T.M. Sarani (Brabourne Road) Kolkata 700 001 for information.
3. The Director of Tea, Assam, Dispur, Guwahati – 6 for information.
4. P.S. to the Hon'ble Minister of State, Revenue & D.M. Department for kind appraisal of Hon'ble MoS.
5. P.S. to the Principal Secretary to the Chief Minister, Assam for kind appraisal of Principal Secretary.
6. P.S. to the Addl. Chief Secretary to the Govt. of Assam, Revenue & D.M. Department for kind appraisal of Addl. Chief Secretary.
7. P.S. to the Commissioner & Secretary to the Govt. of Assam, Revenue & D.M. Department for kind appraisal of Commissioner & Secretary.
8. P.S. to the Secretary to the Govt. of Assam, Revenue & D.M. Department for kind appraisal of Secretary.
9. P.S. to the Addl. Secretary to the Govt. of Assam, Political (Cabinet Cell) Department for kind appraisal of Addl. Secretary.
10. The Joint Secretary / Deputy Secretary to the Govt. of Assam, Revenue & D.M. Department for information.

By order etc.,


Deputy Secretary to the Govt. of Assam
Revenue & D.M. Department

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR : GUWAHATI-6

No. ECF No. 700/2017/42

Dated Dispur, the 13th April, 2018

From : Kumar Sanjay Krishna, IAS
Additional Chief Secretary to the Govt. of Assam,
Revenue & DM Department, Dispur, Guwahati-6.

To : 1) The Deputy Commissioner (All),
.....

2) The Sub Divisional Officer (C),
.....

Sub : Re-examination/Submission of allotment/settlement proposals as per check list.

Sir/Madam,

A number of proposals for allotment/ settlement of land to individuals in urban areas have been received in this Department over past few years and have been awaiting disposal for a variety of reasons, the common reasons being the non adherence to the provisions of existing norms and guidelines set by different executive instructions issued by the Department. As the present status of the proposed land as well as the applicants might have changed by this time, it has become necessary that the old proposals be re-examined in the light of Govt. instructions issued from time to time.

Considering the above, check lists have been prepared adhering to all the necessary norms and aspects set by different executive instructions required for settlement of land to individuals, institutions, NGOs/Societies, small tea growers etc(copy enclosed) which can be helpful while re-examining the earlier proposals and also submitting new proposals to the Government.

The lists of old proposals which require re-examination are being sent to you shortly. You are requested to re-examine the proposals, in consonance with the enclosed check lists and submit report along with dully filled in check list after discussing the proposals in the SDLAC.

The reports should reach the Department within a month from the date of receipt.

Encls : As stated above.

Yours faithfully,
Sd/-

(Kumar Sanjay Krishna, IAS)
Additional Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo No. ECF No. 700/2017/42-A

Dated Dispur, the 13th April, 2018

Copy for information to :

- 1) P.S. to Hon'ble Minister of State, Revenue & D.M. Department, Assam.
- 2) P.S. to Principal Secretary to Hon'ble Chief Minister, Assam.
- 3) P.S. to Commissioner & Secretary, Revenue & D.M. Department, Assam.

By order etc., 18

(D. Saud, ACS)

Deputy Secretary to the Govt. of Assam
Revenue & D.M. Department.

Check list for Allotment / Settlement of land for individual.

1	Petition of the petitioner. (to be signed by both the applicant and spouse if the applicant is married).	
2	Court Fee whether properly affixed as per Court fee Act.	
3	Present and permanent Address of the Petitioner. (In prescribed affidavit).	
4	Whether citizen of India. (supporting documents - present and pre 1971 to be enclosed)	
5	Occupation of the petitioner.	
6	Landed property of the petitioner and his family (if any) within the State.	
7	Affidavit / Self-Declaration as per Model format.	
8	Whether landless, if so how. (Specific comment from CO/DC).	
9	Schedule of land and area under occupation.	
10	Period of possession specifying the nature of possession alongwith the status as per Village Land Bank.	
11	Report of LR Staff.	
12	Two copies of Chitha of the proposed land.	
13	Two copies of trace map of the proposed land clearly highlighting the propose land road / riverside reservation etc. (if any).	
14	Provision of road/drain whether kept while preparing the proposal.	
15	Whether the proposed land falls under VGR / PGR / Wet land / CS land / Khas Govt. land / NR. Govt. land / Green Belt area / reserved for Govt. Departments / Ancient Monuments / Reserved for other purposes. RF/PRF/Un-classed Forest land/ under Wild Life Sanctuary or any land barred for allotment/settlement by a judicial pronouncement or any Central or State Legislation.	

16	Whether the proposed land falls within 10 KM radius from the periphery of GMDA / GMC or within the periphery of 3 KM from other TCs/ MBs / Revenue Town of the state.	
17	Specific comment on roadside / riverside reservation (if any, alongwith provision kept for road / drain wherever necessary).	
18	Specific View / Comment of Circle Officer / SDO(C) / ADC / DC with recommendation and signature.	
19	Zonal valuation / current market value of the proposed land and assessment of settlement premium as per standing Govt. Circular.	
20	Whether the petitioner is differently able / SC / ST / OBC / Ex-Servicemen / Widow / Others.	
21	SDLAC Recommendation.	
22	Photograph of the proposed land alongwith the house (if any) over it duly Signed by the Applicant, LM, CO and Countersigned by DC/ADC.	
23	Whether the proposed land is Safe for habitation considering vulnerability towards erosion, landslide etc.	
24	The proposal should be sent to Govt. under the signature of DC with recommendation or any other comments.	

Signature of Lot Mandal / SK

Signature of Circle Officer

Signature of DC / ADC / SDO(C)

Check List For Allotment / Settlement of land for NGO / Society

1	Petition of the NGO / Society.	
2	Whether the society is a 'Non Profit Organization'.	
3	Why is the Organization formed ?	
4	Activity for the last Three years.	
5	Balance Sheet (Audit report) Total Bank Balance and last three years audited account of the applicant NGO.	
6	Why so much land is necessary- Justification thereon.	
7	Registration details.	
8	Names of the Board of Directors and Members of office bearers of the organization.	
9	The present profession of the members of the NGO.	
10	Actual assessment of the requirement of land.	
11	Valid Registration Certificate, MoA.	
12	Project profile.	
13	Time frame for execution of the project.	
14	Source of funding.	
15	Two copies of Chitha of the proposed land.	
16	Two copies of trace map of the proposed land.	
17	Report of LR Staff.	
18	Specific view of Circle Officer / ADC / DC.	
19	Site Plan for the proposed land.	
20	Resolution of the Sub-Divisional Land Advisory Committee (SDLAC).	
21	Views of Concerned line Department.	
22	Specific View of Deputy Commissioner on the proposal with special reference to provisions of the Assam Land Policy, Ceiling Act and Executive instructions issued from time to time.	

23	Provision of road/drain.	
24	Whether the proposed land falls under VGR / PGR / Wet land / CS land / Khas Govt. land / NR. Govt. land / Green Belt area / reserved for Govt. Departments / Ancient Monuments / Reserved for other purposes. RF/PRF/Un-classed Forest land/ under Wild Life Sanctuary or any land barred for allotment / settlement by a judicial pronouncement or any Central or State Legislation.	
25	Whether the proposed land falls within 10 KM radius from the periphery of GMDA / GMC or within the periphery of 3 KM from other TCs / MBs / Revenue Town of the state.	
26	De-reservation proposal of PGR / VGR under special circumstance and in tune with the order of Hon'ble Supreme Court.	
27	Period of possession specifying the nature of possession.	
28	Whether the roadside / riverside land is reserved.	
29	Whether the proposed land is free from encroachment.	
30	Whether there are valuable trees / minerals on the land.	
31	Status / Availability of land as per Village Land Bank.	
32	Zonal valuation of the proposed land.	
33	Whether premium is assessed as per standing Govt. Circular.	

Signature of Lot Mandal / SK

Signature of Circle Officer

Signature of DC / ADC / SDO(C)

Check List For Allotment / Settlement of land for Educational Institution.

1	Petition of the Petitioner.	
2	Two copies of Chitha of the proposed land.	
3	Two copies of trace map of the proposed land.	
4	Whether the institution is private / public .	
5	Report of LR Staff.	
6	Specific view of Circle Officer / ADC / DC.	
7	Essentiality report / Inspection Report with specific recommendation.	
8	Report as per Right to Education Act-2009 for educational institution.	
9	Whether the proposed land is outside roadside/riverside reservation.	
10	Provision of road / drain and other safety condition.	
11	Whether the proposed land falls under VGR / PGR / Wet land / CS land / Khas Govt. land / NR. Govt. land / Green Belt area / reserved for Govt. Departments / Ancient Monuments / Reserved for other purposes. RF/PRF/Un-classed Forest land/ under Wild Life Sanctuary or any land barred for allotment/settlement by a judicial pronouncement or any Central or State Legislation.	
12	Whether the proposed land falls within 10 KM radius from the periphery of GMDA / GMC or within the periphery of 3 KM from other TCs/ MBs / Revenue Town of the state.	
13	Period of possession specifying the nature of possession.	
14	Whether the roadside land is reserved.	
15	Whether the proposed land is free from encroachment.	
16	Whether there are valuable trees / minerals on the land.	
17	Whether the proposed land falls under Tribal Belt / Block.	
18	Why the institution / organization should not arrange land for its use on its own.	

19	Protection of Village Common Lands, Particularly VGR and PGR.	
20	Status / Availability of land as per Village Land Bank.	
21	Zonal valuation of the proposed land.	
22	Whether premium is assessed as per standing Govt. Circular.	
23	SDLAC recommendation.	
24	Views of concerned line department.	
25	Area of land to be allotted as per existing norm of the Education Department and Assam Non-Government Educational Institutions (Regulation and Management) Act, 2006.	
26	Opening permission and recognition of the School (if any).	

Signature of Lot Mandal / SK

Signature of Circle Officer

Signature of DC / ADC / SDO(C)

Check List For Allotment of land for Govt. Institution.

1	Requiring Department's letter.	
2	Two copies of Chitha of the proposed land.	
3	Two copies of trace map of the proposed land.	
4	Report of LR Staff.	
5	Specific view of Circle Officer / ADC / DC.	
6	Whether the proposed land is outside roadside/riverside reservation.	
7	Provision of road / drain and other safety condition.	
8	Whether the proposed land falls under VGR / PGR / Wet land / CS land / Khas Govt. land / NR. Govt. land / Green Belt area / reserved for Govt. Departments / Ancient Monuments / Reserved for other purposes. RF/PRF/Un-classed Forest land/ under Wild Life Sanctuary or any land barred for allotment/settlement by a judicial pronouncement or any Central or State Legislation.	
9	De-reservation proposal of PGR / VGR under special circumstance and in tune with the order of Hon'ble Supreme Court.	
10	Whether the roadside land is reserved.	
11	Whether the proposed land is free from encroachment.	
12	Whether there are valuable trees / minerals on the land.	
13	Status / Availability of land as per Village Land Bank.	
14	SDLAC recommendation.	

Signature of Lot Mandal / SK

Signature of Circle Officer

Signature of DC / ADC / SDO(C)

**GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT(C)DISPUR
GUWAHATI - 6**

ECF No. 63914/2018/1

Dated Dispur, the 21st June, 2018

From : Shri Rajesh Prasad, IAS,
Principal Secretary to the Govt. of Assam,
Revenue & D.M. Department.

To : The Deputy Commissioner (Except the Districts under Autonomous Council)

Sub : Leasing out of land / properties by ATDC - regarding.

Sir,

In inviting a reference to the subject cited above, I am directed to say that Assam Tourism Development Corporation Ltd. (ATDCL) owns and operates a number of tourism properties such as Hotels, Tourist Lodges, Wayside Amenities, Motels, Restaurants etc. across the State. In order to develop and promote tourism in the State by further developing these properties through lease cum development model, ATDCL has proposed to select private sector participants for development of these Tourism Properties through renovation / up-gradation / modernization.

Revenue & D.M. Department, after consideration of all aspects of the matter and with a view to create an atmosphere of infrastructure development for tourism purpose by making the land readily available, has decided to allow leasing out of land allotted to ATDCL to private sector participants by the ATDCL as is granted to Industry & Commerce Department and its PSUs on following terms and conditions:

- (a) In case of mortgage of such land to the Bank / Financial Institutions by the private sector participants (i.e. Lessee) with prior permission of the concerned authority under ATDCL (i.e. Lessor), for the purpose of taking loan / financial assistance etc., the mortgage will be restricted to the lease hold right only and the Bank / Financial Institutions will have a limited right to utilize the land till expiry of the lease period on failure of the private sector participants to settle the loan / financial assistance.
- (b) Under no circumstances, ownership of the land will be transferred to any party without the approval of the Government in Revenue & D.M. Department.
- (c) The maximum period of lease shall be for a period of 30 years with a provision of renewal of another 30 years thereafter.
- (d) The land so leased should be utilized for tourism purposes only. In case of transfer of ownership of the tourism unit or taking over of the tourism unit by Bank/Financial Institutions also for remaining period of lease, the land can be used only for tourism purposes.

The above conditions amongst others should be incorporated in the lease deed with the private sector participants.

You are, therefore, requested to ensure adherence to the above conditions while issuing NOC for registration of such lease agreements between ATDCL and Private Sector Participants for land allotted by the State Government for the purpose of tourism development.

Yours faithfully,


Principal Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo ECF No. 63914/2018/1-A

Dated Dispur, the 22nd June, 2018

Copy to:

1. P.S. to the Addl. Chief Secretary, Revenue & D.M. Department for kind appraisal of Addl. C.S.
2. P.S. to the Principal Secretary to the Chief Minister, Assam for kind appraisal of Principal

- Secretary.
3. P.S. to the Commissioner & Secretary, Tourism Department for kind appraisal of Commissioner & Secretary.
 4. The Managing Director, Assam Tourism Development Corporation Limited, Asom Paryatan Bhawan, A.K. Azad Road, Paltan Bazar, Guwahati – 8 for information.

By order etc.,

(D. Saud, ACS)

Deputy Secretary to the Govt. of Assam,
Revenue & D.M. Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTEMT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

No. ECF.69366/2018/358

Dated Dispur, the 4th August, 2018

From : Shri Rajesh Prasad, IAS,
Principal Secretary to the Govt. of Assam,
Revenue & D.M. Department.

To : The Deputy Commissioner (Except the Districts under Autonomous Council)

Sub : **Leasing out of land / properties by Guwahati Biotech Park – regarding.**

Sir,

In inviting a reference to the subject cited above, I am directed to say that Guwahati Biotech Park (GBP), a joint initiative of Department of Science & Technology, Govt. of Assam and Department of Biotechnology, Govt. of India is located in Amingaon, Kamrup over a plot of land measuring 21 Acres out of which 44B – 01K – 11L is settled land and 20B – 0K – 0L is allotted land. GBP intends to develop the Business Enterprise Zone (BEZ) through leasing out the developed plot to large scale enterprises in biotechnology for 30 years which is renewable on satisfaction / payment of annual ground rent, lease premium and any other charges as applicable at the time of renewal.

Revenue & D.M. Department has already allowed Industries & Commerce Department and its PSUs, Tourism Department and its Undertakings to lease out land to private parties for 30 years with option for renewal upto another 30 years vide Circular No. RSS. 2058/2016/10, dated 21.02.2018 and ECF No. 63914/2018/1, dated 18.06.2018 respectively.

The Department, after consideration of all aspects of the matter and with a view to promote biotech entrepreneurs, biotech startup companies and setting up of biotech and allied industries and also for generating employment, has decided to extend the similar benefits to Science & Technology Department and its Agencies as is given to Industries & Commerce Department and Tourism Department on the following terms and conditions:

(a) In case of mortgage of such land to the Bank / Financial Institutions by the private sector participants (i.e. Lessee) with prior permission of the concerned authority under Science & Technology Department or its Agencies / Undertakings (i.e. Lessor), for the purpose of taking loan / financial assistance etc., the mortgage will be restricted to the lease hold right only and the Bank / Financial Institutions will have a limited right to utilize the land till expiry of the lease period on failure of the private sector participants to settle the loan / financial assistance.

(b) Under no circumstances, ownership of the land will be transferred to any party without the approval of the Government in Revenue & D.M. Department.

(c) The maximum period of lease shall be for a period of 30 years with a provision of renewal of another 30 years thereafter.

(d) The land so leased should be utilized for biotechnology related purposes only. In case of transfer of ownership of the any unit or taking over of the unit by Bank/Financial Institutions also for remaining period of lease, the land can be used only for biotechnology related purposes.

The above conditions amongst others should be incorporated in the lease deed with the private sector participants.

You are, therefore, requested to ensure adherence to the above conditions while issuing NOC for registration of such lease agreements between Science & Technology Department and its Agencies and Private Sector Participants for land allotted / settled by the State Government for biotechnology related purposes.

Sd/- (Rajesh Prasad, IAS)
Principal Secretary to the Govt. of Assam
Revenue & D.M. Department.

Memo No. ECF.69366/2018/358-A

Dated Dispur, the 4th August, 2018

Copy for information to:

1. The Chief Executive Officer, Guwahati Biotech Park, Technology Complex, IIT Guwahati, Guwahati – 39.
2. P.S. to the Addl. Chief Secretary to the Govt. of Assam, Revenue & D.M. Department for kind appraisal of Addl. C.S.
3. P.S. to the Principal Secretary to the Chief Minister, Assam for kind appraisal of Principal Secretary.
4. P.S. to the Commissioner & Secretary to the Govt. of Assam, Science & Technology Department for kind appraisal of Commissioner & Secretary.

By order etc.,

(D. Saud, ACS)

Deputy Secretary to the Govt. of Assam,
Revenue & D.M. Department

**GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT(C) DISPUR
GUWAHATI – 6**

ECF No. 78013/2018/17

Dated Dispur, the 21st September, 2018

From : Shri Kumar Sanjay Krishna, IAS,
Additional Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department.

To : The Deputy Commissioner (Except the Districts under Autonomous Council)

Sub : **Leasing out of land / properties to Assam Cancer Care Foundation for setting up of Cancer Care Centres – regarding.**

Sir,

In inviting a reference to the subject cited above, I am directed to say that a MoU was signed by Government of Assam with Tata Trusts with a goal to downstage and reduce the incidence of common detectable cancers thereby reducing mortality. A non-profit company in the name of "Assam Cancer Care Foundation (ACCF)" has been formed with representatives from Government of Assam and Tata Trusts that will invest in the strengthening of cancer control services. The Health & Family Welfare Department, Assam has proposed for providing land to the Assam Cancer Care Foundation for setting up of Cancer Care Centres on lease basis for 30 years.

Revenue & D.M. Department has already allowed Industries & Commerce Department and its PSUs, Tourism Department and its Undertakings to lease out land to private parties for 30 years with option for renewal upto another 30 years vide Circular No. RSS. 2058/2016/10, dated 21.02.2018 and ECF No. 63914/2018/1, dated 18.06.2018 respectively.

The Department, after consideration of all aspects of the matter and with a view to provide equitable, affordable and quality healthcare to the cancer patient of the State , has decided to allow Health & Family Welfare Department and its Agencies to give land parcels on lease to Assam Cancer Care Foundation on the following terms and conditions:

(a) Under no circumstances, ownership of the land will be transferred to any party without the approval of the Government in Revenue & D.M. Department.

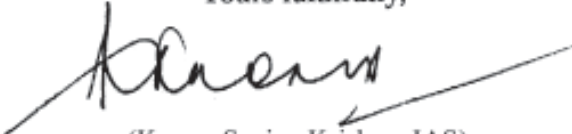
(b) The maximum period of lease shall be for a period of 30 years with a provision of renewal of another 30 years thereafter.

(c) The land so leased should be utilized for cancer care related purposes only.

The above conditions amongst others should be incorporated in the lease deed.

You are, therefore, requested to ensure adherence to the above conditions while issuing NOC for registration of such lease agreements between Health & Family Welfare Department and its Agencies and Assam Cancer Care Foundation for land allotted by the State Government for cancer care related purposes.

Yours faithfully,



(Kumar Sanjay Krishna, IAS)
Addl. Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department.

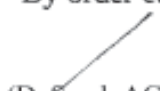
Memo ECF No. 78013/2018/17-A

Dated Dispur, the 21st September, 2018

Copy to:

1. P.S. to the Principal Secretary to the Chief Minister, Assam for kind appraisal of Principal Secretary.
2. P.S. to the Principal Secretary to the Govt. of Assam, Revenue & Disaster management Department for kind appraisal of Principal Secretary.
3. P.S. to the Principal Secretary to the Govt. of Assam, Health & Family Welfare Department for kind appraisal of Principal Secretary.

By order etc.,



(D. Saud, ACS)
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 28th January, 2019

No.RDM-15011/283/2018-LS-REV-4 : Whereas the Government of Assam has notified the Assam Solar Energy Policy, 2017 to leverage solar energy potential of the State of Assam for augmenting the installed Solar power capacity by developing resources provisioned under State and Central Schemes, policies and programme.

Whereas the Government of Assam aims to fulfill its commitments under Sustainable Development Goals by promoting clean, accessible, affordable and equitable solar energy availability to ensure energy security for its citizens, as well as facilitate meeting of renewable energy obligations.

Whereas the State of Assam requires powers from every possible alternative source to meet the deficit and whereas the Solar Power Projects are sustainable and environment friendly and whereas the solar power can be consumed for a variety of purposes like residential commercial, industrial, irrigation facilities etc.

Whereas, the Department of Power, Government of Assam has requested the Revenue & Disaster Management Department for getting special exemption from the provision of the Assam Fixation of Ceiling on Land Holdings Act, 1956(Assam Act No.1 of 1957) and the Assam Agricultural Land(Regulation of Re-classification and Transfer for Non-Agricultural Purpose) Act,2015(Assam Act No. XXVI of 2015) in respect of land for the purpose of setting up of Solar Power Projects.

Therefore, in exercise of the provision of Section 16(i) of the Assam Agricultural Land (Regulation of Re-classification and Transfer for Non-Agricultural Purpose) Act, 2015, the Governor of Assam is pleased to exempt land used or intended to be used for Solar Power Projects duly approved by the APDCL from the purview of the Assam Agricultural Land (Regulation of Re-classification and Transfer for Non Agricultural Purpose) Act, 2015.

The land used or intended to be used for Solar Power Projects shall be re-classified before effecting any transfer/lease as per provisions of Section 3-A of the Assam Land Revenue Re-assessment Act, 1936(Assam Act VII of 1936) and the Assam Land Records Manual.

In case of transfer or leasing out of land for Solar Power Projects, the provisions of the Registration Act, 1908 and the Indian Stamp Act, 1889 shall be applicable.

The land so transferred/ leased out for setting up of Solar Power Projects shall be utilized only for Solar Power Projects within 3 years from the date of such transfer/ lease failing which the exemption under notification from application of the Assam Agricultural Land (Regulation of Re-classification and Transfer for Non-Agricultural Purpose) Act, 2015 shall be deemed to be withdrawn.

This notification shall come into force on the date of its publication in the official Gazette.

Sd-

(Aruna Rajoria, IAS)
Commissioner & Secretary to the Govt. of Assam
Revenue & D.M. Department.

Copy for information and necessary action to:-

1. The Director of Land Records & Surveys etc., Assam, Guwahari-32
2. The Director of Land Requisition Acquisition & Reforms, Assam, Rupnagar, Ghy-32
3. The Divisional CommissionerDivision.
4. The Deputy Commissioner (All). Except BTAD & Hills Districts.
5. The Staff Officer to the Chief Secretary, Assam, Dispur.
6. The Director, Printing & Stationary, Govt. Press, Bamunimaidam, Assam with a request to publish in the next issue of Assam Gazette.
7. The P.S. to the MoS, Revenue & DM Department, Assam
8. The P.S. to the Addl. Chief Secretary, Revenue & DM Department, Assam, Dispur.
9. The P.S. to the Addl. Chief Secretary, Power Department, Assam, Dispur.
10. The P.S. to the Principal Secretary to the Chief Minister, Assam.

By order etc.. 19.

Sd/-

(D. Saud, ACS)

Deputy Secretary to the Govt. of Assam
Revenue & D.M. (S) Department

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

No. ECF No.9476/2017/29

Dated Dispur, the 20th May, 2019

From : Shri Mukut Phukan, ACS
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

To : The Deputy Commissioner (Alt),
.....

Sub : Realization of land revenue of tea land – reg.

Ref. : 1. RSS. 351/91/339, dated 27.10.1999.
2. RSS. 351/91/Pt./82, dated 12.08.2008.
3. RLR. 110/2014/241, dated 03.12.2015.
4. Order dated 15.05.2014 passed by Hon'ble Gauhati High Court in WP (C) No. 2913/2011.

Sir,

In inviting a reference to the Notifications and order on the subject cited above, I am directed to say that Govt. vide Notification No. RSS. 351/91/Pt./82, dated 12.08.2008 enhanced the land revenue in respect of tea land @ Rs. 22/- only per Bigha in Brahmaputra Valley and Rs. 16/- only per Bigha in Barak Valley with effect from 01.07.2003. In the meantime, a WP (C) No. 2913/2011 was filed before the Hon'ble Gauhati High Court challenging the said Notification and vide order dated 15.05.2014, the Hon'ble Gauhati High Court quashed the Notification with a direction stating that 'if any enhanced land revenue / fine is already realized from the Tea Companies under this Notification, the same should either be refunded or be adjusted with future revenue dues. But this declaration will not foreclose the option of the Government to hike the rate of revenue for Tea Estate lands through due process, under the Re-assessment Act or any other permissible law.'

It has been reported by some Deputy Commissioners that some Tea Garden Authorities have expressed their inability to pay the enhanced rate as per the said Notification and have requested to adjust the land revenue already paid by them in the light of the Hon'ble High Court's order.

As per the instructions of the Hon'ble High Court, Govt. vide Notification No. RLR. 110/2014/241, dated 03.12.2015 revised the land revenue for tea land in Brahmaputra Valley @ Rs. 30/- only per Bigha and Rs. 25/- only per Bigha in Barak Valley.

The Secretary, Assam Branch Indian Tea Association (ABITA) has requested to entertain refund / adjustment applications made by Tea Estates for the period from 2003 to 2015 and refund / adjust the excess land revenue paid on account of factory land from 2003 to 2015.

In view of the above and after due consideration by the Government, since there is no provision for refund of revenue, it has been decided to realize / adjust land revenue dues from the Tea Estates upto 02.12.2015 as per Govt. Notification No. RSS. 351/91/339, dated 27.10.1999 and from 03.12.2015 onwards, as per the latest Notification No. RLR. 110/2014/241, dated 03.12.2015.

You are, therefore, requested to take necessary action for realization of land revenue in respect of tea land and adjust the excess revenue already paid by the Tea Companies on account of garden and factory land, as directed in the above para, as per existing procedure accordingly and report compliance.

Yours faithfully,

sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

Memo No.ECF No.9476/2017/29-A
Copy to :

Dated Dispur, 20th May, 2019

1. All Division Commissioners for information.
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati - 32 for information.
3. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati - 32 for information.
4. The Secretary, Assam Branch Indian Tea Association, 295, Mother Teresa Road, Guwahati - 781024 for information.
5. P.S. to the Additional Chief Secretary to the Govt. of Assam, Revenue & D.M. Department for kind appraisal of Addl. C.S.
6. P.S. to the Principal Secretary to the Chief Minister for kind appraisal of Principal Secretary.
7. P.S. to the Commissioner & Secretary to the Govt. of Assam, Revenue & D.M. Department for kind appraisal of Commissioner & Secretary.

By order etc.,

Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management (S) Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT: SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL): DISPUR
GUWAHATI-6

No. ECF No.106184/2019/8

Dated Dispur, the 20th May, 2019

OFFICE MEMORANDUM

Sub: Delegation of power to the Deputy Commissioners for allotment of Government land to various State Government Departments.

Government vide different executive instructions issued from time to time have elaborately laid down the various approving authorities regarding allotment / settlement of land. At present, Government approval is necessary for allotment / settlement of land to Government Departments both State and Central.

Government receives a number of proposals for allotment of Government land to different State Government Departments for various purposes. Moreover, some projects are also declared in the Annual State Budget every year which require allotment of land to the concerned Government Departments. Such proposals require early disposal for timely implementation of the Government projects.

In the greater interest of public and also for expeditious disposal of such proposals, Government in the Revenue & DM Department has decided to authorize the Deputy Commissioners of the districts to allot land to the extent of 8 bighas in rural areas to State Government Departments only for public purposes after recommendation of Sub-Divisional Land Advisory Committee.

Deputy Commissioners shall examine all such proposals in favour of State Government Departments adhering to the instructions laid down in Government Circulars issued from time to time. Deputy Commissioners shall inform Revenue & D.M. Department about every such allotment before handing over possession to the concerned State Government Department.

The land thus allotted to Government Departments shall be utilized within 3 years from the date of allotment for the purpose for which it is allotted failing which, the land shall automatically be reverted back to the Government in Revenue & D.M. Department.

Sd/- (Ashok Kr. Barman, ACS)
Addl. Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

Memo No. ECF No.106184/2019/8-A

Dated Dispur, the 20th May, 2019

Copy for information to :

1. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
2. All Secretaries to the Govt. of Assam, Revenue & D.M. Department, Dispur.
3. The Director of Land Requisition Acquisition & Reforms, Rupnagar, Guwahati-32.
4. All Deputy Commissioners,
5. All Joint Secretaries to the Govt. of Assam, Revenue & D.M. Department, Dispur.
6. All Deputy Secretaries to the Govt. of Assam, Revenue & D.M. Deptt., Dispur.
7. P.S. to Addl. Chief Secretary, Revenue & D.M. Department, Dispur.
8. P.S. to Principal Secretary to the Hon'ble Chief Minister, Assam, Dispur.
9. P.S. to Commissioner & Secretary, Revenue & D.M. Department, Dispur.

By order,
20.05.19

(Dhiraj Saud, ACS)
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT : SETTLEMENT BRANCH
ASSAM SECRETARIAT (CIVIL) : DISPUR
GUWAHATI-6

OFFICE MEMORANDUM

No. RSS.386/2019/13

Dated Dispur, the 27th August, 2019

Sub : Conversion of Nisf-Khiraj Land on alienation.

It has come to the notice of the Government that pattas which were assessed at half revenue (Nisf-Khiraj) have lost the characteristics of Nisf-Khiraj land due to its alienation. However, even after alienation from the original Pattadar the status of the Nisf-Khiraj lands are found to have remained same with the person in favour of whom the land is alienated.

It is, therefore, decided that henceforth on alienation of land to persons other than the legal heirs of the pattadar, the Deputy Commissioners of the Districts shall convert such Nisf-Khiraj Patta lands to Khiraj Patta land assessing at full revenue and correct the land records accordingly.

Sd/- (Kumar Sanjay Krishna, IAS)
Addl. Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo. No. RSS.386/2019/13-A

Dated, Dispur the 27th August, 2019

Copy to:-

1. The Commissioner, Lower Assam Division, Guwahati / Upper Assam Division, Jorhat / North Assam Division, Tezpur / Hills & Barak Valley Division, Housefed Complex, Dispur, Guwahati-6.
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Guwahati-32.
3. The Principal Secretary, Karbi Anglong Autonomous Council, Diphu / Dima Hasao Autonomous Council, Haflong / Bodoland Territorial Council, Kokrajhar.
4. The Director of Land Requisition Acquisition & Reforms, Assam, Rupnagar, Ghy-32.
5. All Deputy Commissioners / All Sub-Divisional Officer (C), Assam.
6. The Administrative Officer, Assam Board of Revenue, Panbazar, Guwahati-1.
7. The President / Secretary, All Assam Mouzadar Santha, Assam.
8. P.S. to Hon'ble Chief Minister, Assam, Dispur.
9. P.S. to Hon'ble Minister of State, Revenue & D.M. etc., Assam, Dispur.
10. P.S. to Addl. Chief Secretary, Revenue & D.M. Department, Assam, Dispur.
11. P.S. to Principal Secretary, Revenue & D.M. Department, Assam, Dispur.

By order etc.,

Sd/- (Dhiraj Saud, ACS)
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (S) Department.

GOVERNMENT OF ASSAM
REVENUE (REFORMS) DEPARTMENT :: DISPUR

Dated Dispur, the 19th September, 1998

NOTIFICATION

No. RRG.100/93/32 : In exercise of the power conferred by sub-section (2) of Section 160 of the Chapter-X of the Assam Land and Revenue regulation, 1886 (as amended), the Governor of Assam is pleased to include the indigeneous Nath (Yogi) community of the State of Assam in the list of protected classes of persons entitled to protection contemplated in sub-section (1) of the said Section of the Regulation.

Sd/- C. K. Das,
Commissioner & Secretary to the Govt. of Assam
Revenue Department, Dispur.

Memo No. RRG.100/93/32-A

Dated Dispur, the 19th September, 98

Copy forwarded for information and necessary action to:-

1. The Commissioner of Division.....
2. The Director of Land Records, Assam, Rupnagar Guwahati-32.
3. The Secretary to the Govt. of Assam, W.P.T. & B.C Department, Dispur.
4. The Under Secretary to the Govt. of Assam, Political (Cabinet Cell) Department, Dispur.
5. All Deputy Commissioners,.....
6. All the Sub-Divisional Officers
7. The Superintendent, Assam Govt. Press, Bamunimaidam, Guwahati-21 with the request to published the above mentioned notification in the next issue of the Assam Gazette and supply 30 spare copies to this Department.

By order etc.,

Sd/-
(B. Boruah)
Joint secretary to the Govt. of Assam
Revenue (Reforms) Department, Dispur.

GOVERNMENT OF ASSAM
REVENUE (REFORMS) DEPARTMENT
DISPUR

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 12 th March 2007.

No. RRG . 86 /2001/PT/3.– The Government of Assam is pleased to constitute a Committee with following members for expeditious disposal of Ceiling Surplus Land among the eligible Tea and Ex -Tea Garden community of Assam in every District (excluding BTAD & Hill Districts) with immediate effect.

- | | | |
|---|---|------------------|
| 1. Additional Deputy Commissioner, (Revenue). | - | Chairman |
| 2. Hon'ble Members of the Legislative Assemblies | - | Member |
| 3. Circle Officer of the concerned Revenue Circle | - | Member-Secretary |

The committee will inform Government about the progress in the matter bi- monthly.

Sd/-
S. Thadou,
Secretary to the Government of Assam,
Revenue (Reforms) Department.

Memo No. RRG. 86/2001/PT/ 3-A,

Dated Dispur, the 12th March/07.

Copy to :-

1. The P.S. to Minister, Revenue, Assam for information of Hon'ble Minister.
 2. The P.S. to Chief Secretary, Assam for information of Hon'ble Chief Secretary.
 3. The P.S. to Principle Secretary, Revenue for information.
 4. The Director of Land Records & Surveys, Assam, Roopnagar, Guwahati-32.
 5. The Director of Land Requisition Acquisition and Reforms, Assam, Roopnagar, Guwahati-32.
 6. All Deputy Commissioners,
 7. All Sub-Divisional Officer (C),
- He is requested to intimate all concerning Circle Officers.

By order etc.,

Sd/-
Deputy Secretary to the Government of Assam,
Revenue (Reforms) Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT. : : REFORMS BRANCH
ASSAM, SECRETARIAT (C) : DISPUR
GUWAHATI-6

No. RRG. 39/2001/Pt./117 :

Dated Dispur, the 3rd July, 2008.

From : Shri A. K. Barman, ACS,
Under Secretary to the Govt. of Assam,
Revenue & D. M. Department.

To : The Commissioner & Secy. to the Govt. of Assam,
Political Department, Assam Secretariat, Dispur.

Sub : Action taken under clause 11 of Assam Accord.

Ref : Minutes of discussion of the consultative committee of implementation of Assam
Accord No. IAA.70/2006/40-A. dtd. 23.4.2008.

Sir,

Referring to the subject cited above, I am directed to inform you that information relating to actual number of foreigners detected and immovable properties confiscated from the foreigners detected by Hon'ble Tribunals constituted in different districts are not available (district wise), in this Department.

Further, due to creation of new districts and Subdivisions, reports now obtained from different districts appears to be confusing.

In view of this position, I am directed to request you kindly to furnish details of foreigners detected, if available in your Department (district wise) or issue suitable instructions to the concerned authorities to furnish the same so as to verify the area of land confiscated from such detected foreigners under the provision of the Assam Alienation of Land (Regulation), Act, 1980.

Your's faithfully,

Sd/- A. K. Barman
Under Secretary to the Govt. of Assam,
Revenue & D. M. Department.

Memo No. RRG. 39/2001/Pt/117-A

Dtd. Dispur, the 3rd July, 2008.

Copy to :-

1. The Director General of Police (Border).
Srimantapur, Guwahati-5 for kind information and necessary action.
2. All Commissioners of Divisions for information.
3. All Deputy Commissioners for information and necessary action.

By order etc.,

Sd/-
Under Secretary to the Govt. of Assam,
Revenue & D. M. Department.

WT MESSAGE OE

- TO, (1) ALL DEPUTY COMMISSIONERS
(KAMRUP AND KAMRUP METROPOLITAN BY HAND)
(2) ALL SUB-DIVISIONAL OFFICERS (CIVIL)

INFO ALL COMMISSIONERS OF DIVISIONS

FROM REVENUE ASSAM

NO. RRG. 44/2007/5 DATED 5TH JANUARY 2009 (.) GOVERNMENT IS DEEPLY CONCERNED THAT MEETINGS OF SUB-DIVISIONAL LAND ADVISORY COMMITTEE AND CIRCLE LEVEL LAND ADVISORY COMMITTEE ARE NOT BEING HELD ON TIME AS A RESULT OF WHICH PROPOSALS FOR ALLOTMENT OF LAND FOR VARIOUS DEVELOPMENT PROJECTS ARE SUFFERING (.) IT HAS THEREFORE BEEN DECIDED THAT THE MEETING OF SDLAC AND CIRCLE LEVEL LAC MUST BE HELD AT LEAST ONCE IN EVERY QUARTER (.) PLEASE TAKE NECESSARY STEPS TO HOLD THE MEETINGS OF THE SUBDIVISIONAL LEVEL AND CIRCLE LEVEL LAND ADVISORY COMMITTEE MEETINGS ACCORDINGLY (.) THIS MAY PLEASE BE TREATED AS MOST URGENT (.) MSG ENDS (.)

Memo No. RRG 44/2007/5-A

Dated 5th January, 2009

Copy to :-

- (1) The O/C APRO, Dispur Guwahati-6. He is requested to transmit the above message immediately.

Memo No. RRG. 44/2007/5-A

Dated 5th January, 2009

Post copy in confirmation to :-

- (1) PS to the Hon'ble Minister, Revenue and Disaster Management Department, Dispur
(2) All Deputy Commissioners / Subdivisional Officers (Civil)

Sd/-
(R. K. Mazumder)

Joint Secretary
Revenue and Disaster Management Department.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT.
ASSAM SECRETARIAT (C),DISPUR,GUWAHATI-6.

NOTIFICATION
Dated Dispur, the 4th July, 2009

NO.RRG.46/2008/38 :- In supersession of order No.RLR.83/92/11 dated 18th October, 1993, the Governor of Assam is pleased to revise the annual-contingency payable to the Mouzadars appointed under provision of the ALRR, 1886 from Rs.2,000/- per annum to Rs. 12,000/- per annum with immediate effect.

Further, in supersession of earlier order No. RLR.76/80/152 dated 8th October, 1987, the Governor of Assam is pleased to revise the rates of commission payable on collection of Land revenue and local rates etc. as per ALRR, 1886 with immediate effect as follows-

i) Minimum floor rate	30 % of actual collection
ii) For 50 % to 74 % of collection against target	32 %
iii) For 75 % to 89 % of collection against target	33 %
iv) For 90 % to 99 % of collection against target	34 %
v) For 100 % of collection against target	35 %

Sd/-
(V. K. Pipersenia, IAS)

Principal Secretary to the Govt. of Assam
Revenue & D M Department,
Dispur,Guwahati-6.
Dated Dispur, the 4th July, 2009

Memo NO.RRG.46/2008/38

Copy to-

1. The Chairman, Assam Board of Revenue, Panbazar, Guwahati-1
2. The Principal Secretary to the Chief Minister, Assam, Dispur.
3. All Commissioner of Divisions, Assam.
4. The Principal AG (A&E), Assam, Guwahati-29.
5. The Director of Land Records & surveys etc., Assam
6. All Deputy Commissioners.
7. The Staff Officer to the Chief Secretary to the Govt. of Assam..
8. All Sub Divisional Officer (Civil).
9. The PS to the Hon'ble Minister, Revenue & Disaster Management Department, Dispur, Guwahati-6 for kind appraisal of the Hon'ble Minister.
10. The PS to the Principal Secretary to the Government, Revenue & Disaster Management Department, Dispur, Guwahati-6 for kind appraisal of the Principal Secretary.
11. The President / Secretary, All Mouzadars/ Association, Uzanbazar, Guwahati-1.

By order etc.

Deputy Secretary to the Govt. of Assam.
Revenue & D M Department,
Dispur,Guwahati-6.


2/7/09 G.H.Y.

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT: DISPUR: GUWAHATI

No. RRT. 30/2008/82

Dated Dispur, the 4th January, 2010

NOTIFICATION

Policy regarding unauthorised construction of places of religious nature on Government land, public streets, public parks or other public places etc.

As directed by Hon'ble Supreme Court in Special Leave Petition (C) No. 8519/2006 Union of India Vs. State of Gujarat and Others, the Government of Assam is pleased to formulate the following policy in regard to the unauthorised construction of religious nature on Government land, public streets, public parks or other public places etc:-

1. No religious structures will be allowed to come up on Government and without prior allotment/ settlement of such land by the Government for that purpose.
2. All Revenue Circle Officers will be personally responsible if any unauthorised construction of religious nature comes up on Government land after the issue of this policy. Any unauthorised structure of religious nature which comes up after the issue of this policy will be treated as encroachment under Rule 18(2) of Rules under Assam Land and Revenue Regulation, 1886 (as amended) and would be dealt with as such. All Revenue Circle Officers will be held responsible if they fail to demolish such structures within twenty days of construction.
3. All unauthorised constructions of religious nature which are in existence prior to the issue of this policy will be listed by Deputy Commissioners and a district-wise list would be submitted by each Deputy Commissioner to the Government within one month of issue of this notification for case by case review. The following committee will review each case on the basis of the report of the Deputy Commissioner :-

- | | |
|---|--------------|
| i) Chief Secretary, Assam, | – Chairman , |
| ii) Principal Secretary, Revenue & DM Department | – Member |
| iii) Principal Secretary, Home & Political Department | – Member |
| iv) Deputy Commissioners of the concerned District | – Member |
| v) Superintendent of police of the concerned District | – Member |
| vi) Joint Secretary, Revenue & D.M. Department | – Secretary. |

4. This policy Will come into force with immediate effect.

Sd/-
(P. C. Sharma)
Chief Secretary to the Government of Assam

Copy to :-

1. Principal Secretary to Chief Minister, Assam
2. All Additional Chief Secretaries / Principal Secretaries / Commissioners & Secretaries / Secretaries to the Government of Assam.
3. Principal Secretary, Home & Political Department to bring these instructions to the notice of Director General of Police, Assam and all IGPs, all DIGPs and all SPs.
4. Principal Secretary, Panchayat & Rural Development Department to circulate these instructions to all panchayati Raj Institutions.
5. Commissioner & Secretary, Urban Development Department to circulate these instructions to all local bodies.
6. Commissioner & Secretary, Guwahati Development Department to circulate these instructions to all local bodies.
7. Commissioner & Secretary, General Administration Department for necessary action.
8. All Divisional Commissioners. They are directed to ensure the compliance of these instructions by all DCs / SDOs under them.
9. All Deputy Commissioners / Sub Divisional Officers for compliance. They should communicate these instructions to all Revenue Circle Officers and ensure periodic review and compliance.
10. PS to Minister, Revenue & Disaster Management, Assam.

By orders etc.

Sd/-

(V. K. Pipersenia),

Principal Secretary to the Government of Assam
Revenue & Disaster Management Department.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 155 দিশপুৰ, বুধবাৰ, 25 মে, 2011, 4 জেঠ, 1933 (শক)
No. 155 Dispur, Wednesday, 25th May, 2011, 4th Jyaistha, 1933 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 24th May, 2011

No. LGL. 140/2005/21:— The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. XII OF 2011

(Received the assent of the Governor on 8th March, 2011)

**THE ASSAM STATE ACQUISITION OF LANDS
BELONGING TO RELIGIOUS OR CHARITABLE
INSTITUTION OF PUBLIC NATURE
(AMENDMENT) ACT, 2011**

(130)

AN

ACT

further to amend the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959.

Preamble

Whereas it is expedient further to amend the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959, hereinafter called the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Sixty-second year of the Republic of India as follows :—

Short title, extent and commencement

1. (1) This Act may be called the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature (Amendment) Act, 2011.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of section 8

2. In the principal Act, in section 8, in sub-section (7),

(i) for clause (b), the following shall be substituted, namely :—

“(b) In case of grants in aid of recurring nature, the amount of annuity shall be enhanced by 100%, subject to minimum of Rs. 3,000 in respect of all religious institutions, whose perpetual annuity was originally determined under this Act, with effect from the date of coming into force of Amendment Act.”

(ii) for clause (c), the following shall be substituted, namely :—

“(c) The rate of annuity fixed under clause (b) of sub-section (7) of this section shall be applicable for all the religious institutions in existence on the date of coming into force of the Amendment Act, which may be re-fixed by the Government at an interval of every 10 years from the date of coming into force of this Amendment Act or such other earlier times as may be determined by the Government from time to time.”

MOHD. A. HAQUE,

Secretary to the Government of Assam,
Legislative Department, Dispur.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 410 দিশপুৰ, শুক্ৰবাৰ, 18 নবেম্বৰ, 2011, 27 কাৰ্ত্তিক, 1933 (শক)
No. 410 Dispur, Friday, 18th November, 2011, 27th Kartika, 1933 (S.E.)

GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT :: LEGISLATIVE BRANCH

NOTIFICATION

The 18th November, 2011

No. LGL. 84/2009/12 :- The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

ASSAM ACT NO. XXI OF 2011

(Received the assent of the President on 28.10.2011)

THE ASSAM LAND GRABBING (PROHIBITION) ACT, 2010

**AN
ACT**

to prohibit the activity of land grabbing in the State of Assam.

Preamble

Whereas there are organized attempts on the part of certain lawless persons operating individually and in groups to grab, either by force or by deceitful means or otherwise, lands whether belonging to the Government, a Public Sector Undertaking, a local authority, a religious or charitable institution or endowment, including a wakf or any other private persons or a site of historical monuments etc;

And, whereas it is necessary to arrest and curb immediately such unlawful activities of land grabbing;

And whereas public order is adversely affected by such unlawful activity of land grabbers.

It is hereby enacted in the Sixty-first Year of the Republic of India as follows :-

Short title,
application and
commencement.

- 1 (1) This Act may be called the Assam Land Grabbing (Prohibition) Act, 2010.
- (2) It extends to the whole of Assam except the Autonomous districts of Karbi Anglong, Dima Hasao and the Bodo Land Territorial Council Area:

Provided that the Government may, by notification in the official Gazette, extend the operation of this Act to the aforesaid areas also with the consent of the concerned Autonomous Councils as and when considers necessary.

(3) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

(4) It applies to all lands situated within the limits of Guwahati Municipal Corporation established under the Guwahati Municipal Corporation Act, 1969 and the Municipalities and Town Committees declared as such under the Assam Municipal Act, 1956 and also applies to the rural areas of Assam save and except the Autonomous Districts of Karbi Anglong, Dima Hasao and the Bodo Land Territorial Council Area.

Assam
Act
No. I
of
1973
Assam
Act
No.
XV of
1957

2. In this Act, unless the context otherwise requires,—

(a) "Government" means the State Government of Assam;

Definitions.

(b) "Land" includes right in or over land, benefits to arise out of land and buildings, structures and other things attached to earth or permanently fastened to anything attached to earth and includes standing trees and crops ;

(c) "Land belonging to private person" . means any land belonging to,-

(i) a private individual; or

(ii) an evacuee;

The value or the extent of which or the nature of the evil involved shall be of substantial nature or in the interest of justice required ;

(d) "land grabber" means a person or a group of person who occupy or attempt to occupy with or without the use of force, threat, intimidation and deceit, land over which he or they have no ownership, title or physical possession and includes any person who gives financial aid to any person or group of . persons for taking up illegal possession of land over which he or they have no ownership or title and for construction of unauthorized structures thereon, . or who abets the doing of any of the above mentioned acts, and also includes the successors-in-interests;

(e) "land grabbing" means every activity of land grabber to occupy or attempting to occupy with or without the use of force, threat, intimidation and deceit, any land (whether belonging to the Government, a Public Sector undertaking, a local authority, a religions or charitable institution or endowment, including a wakf or any other private person) over which he. or they have no ownership, title or physical possession, without any lawful entitlement and with a view to illegally taking possession of such land or creating illegal tenancies or lease or licence, agreements or by constructing unauthorised structures thereon for sale or hire or use or occupation of such unauthorised structures and the term "grabbed land" shall be construed accordingly;

(f) "person" includes a group or body of persons, an association, a local authority, institution or a religious or charitable institution or endowment whether incorporated or not;

(g) "prescribed" means prescribed by rules made under this Act;

(h) "Special Tribunal" means a Court of the District and Sessions Judge, having jurisdiction over the area, and includes the Additional District and Sessions Judge;

(i) "Special Court" means a Special Court constituted under Section 14 of this Act;

(j) "Unauthorized Structures" means any structure constructed under the Guwahati Municipal Corporation areas without express permission in writing of the Gauhati Municipal Corporation or the Guwahati Metropolitan Development Authority constituted under the Guwahati Municipal Corporation Act, 1969 and the Guwahati Metropolitan Development Authority Act, 1985, respectively, and elsewhere without the express permission of the authority concerned, or except in accordance with any law for the time being in force in the area concerned.

Assam
Act No.
I of
1973
Assam
Act No.
20 of
1987

Land
Grabbing to
be unlawful

3. Land grabbing in any form is hereby declared unlawful and any act connected with or arising out of land grabbing shall be a cognizable offence under the Code of Criminal Procedure, 1973 and punishable under this Act.

Act 2
of 1974

Prohibition of
land grabbing

4. (1) No person shall commit or cause to be committed land grabbing.

(2) No person shall, on or after the commencement of this Act, continue to be in occupation, otherwise than as a lawful tenant, of a grabbed land belonging to the Government, State Government undertaking, local authority, religious or charitable institution or endowment including a wakf or other private person.

- (3) Whoever contravenes the provisions of sub-section (1) or sub-section (2) shall be guilty of an offence punishable under this Act and on conviction, be punished with imprisonment for a term not less than two years, which may extend to five years and with fine which may extend to twenty five thousand rupees.
- Penalty for other offence in connection with land grabbing.
- 5 Whoever, with a view to grabbing land in contravention of the provisions of this Act or in connection with any such land grabbing ,-
- (a) sells or allots, or offers or advertises for sale or allotment, or has in his possession for the purpose of sale or allotment, any land grabbed;
- (b) instigates or incites any person to commit land grabbing;
- (c) uses any land grabbed or causes or permits knowingly to be used, for purpose connected with sale or allotment; or
- (d) causes or procures or attempts to procure any person to do any of the above mentioned acts shall, on conviction be punished with imprisonment for a term not less than two years which may extend to five years and with fine which may extend to twenty five thousand rupees.
- Offences by companies.
6. (1) If the person committing an offence under this Act, is a company the company as well as every person in charge of and responsible to, the company for the conduct of its business at the time of commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that nothing in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

- (2) Notwithstanding anything contained in sub-section (1) above, where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation :— For the purpose of this section—

- (a) "Company" means any body corporate and includes a firm or other association of individuals, and
- (b) "director" in relation to a firm means a Partner in the firm.

Special
Tribunal

7. There shall be a Special Tribunal for the purpose of enquiry into any alleged act of land grabbing and trial of cases in respect of the ownership and title to or lawful possession of the land grabbed and the court of District and Sessions Judge having jurisdiction over the area shall be the Special Tribunal for the purposes of this Act and shall include Additional District and Sessions Judge having jurisdiction over the area.

Special
Tribunals and
their powers
and functions.

8. (1) Every Special Tribunal shall have power to try all cases arising out of any alleged act of land grabbing, or with respect to the ownership and title to, or lawful possession of the land grabbed whether before or after the commencement of this Act.
- (2) The Special Tribunal may, either suo-moto, or on application made by any aggrieved person or any officer or authority, take cognizance of and try every case arising out of any alleged act of land grabbing, or with respect to the ownership and title to or lawful possession of, the land grabbed, whether before or after the commencement of this Act and pass such orders (including orders by way of interim directions) as it deems fit.
- (3) The Special Tribunal, for the purpose of taking cognizance of the case, consider the location, or extent or value of the land alleged to have been grabbed or of the substantial nature of the evil involved in the interest of justice required and any other relevant matter involved in the case:

Provided that the Special Tribunal shall not take cognizance of any such case without hearing the petitioner or the aggrieved person, as the case may be.

- (4) Notwithstanding anything contained in the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973 any case in respect of an alleged act of land grabbing or the determination of questions of title and ownership to or lawful possession of, any land grabbed, under this Act shall, subject to the provisions of this Act, be triable in the Special Tribunal:

Act: 5
of 19
Act: 2
of 19

Provided that if in the opinion of the Special Tribunal, any application filed before it is prima facie frivolous or vexatious, it shall reject such application without any further enquiry.

- (5) The Special Tribunal shall, by notification to be affixed in the office premises of the Special Tribunal, office notice Boards of the Deputy Commissioner's office and the office of the concerned Circle office under whose jurisdiction the land alleged to have been grabbed is situated, specify the fact of taking cognizance of the case under this Act. Such notification shall state that any objection which may be received by the Special Tribunal from any person including the custodian of evacuee property within the period specified therein will be considered by it :

Provided that where the custodian of the evacuee property objects to the Special Tribunal taking cognizance of the case, the Special Tribunal shall not proceed further with the case in regard to such property :

Provided also that the Special Tribunal shall cause a notice of taking cognizance of the case under this Act served on any person known or believed to be interested in the land, after a preliminary enquiry to satisfy itself about the person likely to be interested in the land. Any objection received by the Special Tribunal from any person within the period specified will be considered by it.

- (6) Notwithstanding anything contained in the Code of Criminal Procedure, 1973, it shall also be lawful for the Special Tribunal to frame charge and try all offences punishable under this Act, if in the opinion of the Special Tribunal it is so necessary after delivery of its decision and order in the Civil liability where prima-facie it appears to the Special Tribunal that a particular person or a group of persons are responsible. for commission of an offence of land grabbing punishable under this Act.
- (7) Every finding of the Special Tribunal in a trial under this section with regard to any alleged act of land grabbing, ownership and title to, or possession of the land grabbed shall be conclusive proof of the fact of land grabbing, and of the persons who committed such land grabbing, and every Judgement of the Special Tribunal with regard to the determination of title and ownership to or lawful possession of any grabbed land shall be binding on all persons having interest in such land.
- (8) Every case under sub-section (1) shall be disposed of by the Special Tribunal as far as possible within a period of twelve months from the date of institution of the case before it and a proceeding under sub section (6) shall be disposed of as far as possible within a period of six months from the date of framing of the charges against the person or persons responsible for alleged commission or abetment of the offence punishable under this Act.

- (9) It shall be lawful for the Special Tribunal to pass such order as it may deem fit in the interest of justice. It may award compensation in terms of money for wrongful possession of the grabbed land which shall not be less than an amount of equivalent to the market value of the land so grabbed as on the date of the order and the profits accrued from the land, payable by the land grabber to the owner of the grabbed land and may direct redelivery of possession of such land to its rightful owner. The amount of compensation and profits, so awarded and cost of redelivery, if any, shall be recovered as an arrear of land revenue in case the Government is the owner, or as a decree of a Civil Court in any other cases. It may also impose such punishment to a land grabber for Commission of any offence punishable under this Act.

Special
Tribunal to
have the
powers of the
Civil Court
and the Court
of Session

9. Save as expressly provided in this Act, the provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973, in so far as they are not inconsistent with the provisions of this Act, shall apply to the proceedings before the Special Tribunal *mutatis mutandis* and for the purpose of the provisions of the said enactment, Special Tribunal shall be deemed to be a Civil Court, or as the case may be, a Court of Session and shall have all the powers of a Civil Court and a Court of Session and the person conducting a prosecution before the Special Tribunal shall be deemed to be a Public Prosecutor.

Act 5 of
1908
And Act
2 of
1974

Procedure to
be followed
by Special
Tribunal

10. (1) Save as otherwise provided in this Act, a Special Tribunal shall, in the trial of case relating to any alleged act of land grabbing, or with respect to the ownership and title to, or lawful possession of the land grabbed, whether before or after the commencement of this Act, which involves civil liability, follow the procedure prescribed in the Code of Civil Procedure, 1908 and in the trial of cases relating to alleged offence of land grabbing involving punishment prescribed under this Act, follow the procedure of the Code of Criminal Procedure, 1973.

Act 5
of
1908

Act
2 of
1974.

(2) After taking cognizance of a case under sub-section (2) of section 8, the Special Tribunal shall try and dispose of the civil liability at first and decide and pass order as to the title, ownership and lawful possession of the grabbed land whether before or after the commencement of this Act as it deems fit. After completion of the civil proceeding, if the Special Tribunal decides and pass order that the land in question has been grabbed, the Special Tribunal may order that the possession of the land be restored to the person whose land has been grabbed after evicting the land grabber or any other person who may be in possession of the land, if necessary by use of such force as may be required for the purpose :

Provided that execution of the order for restoration of the possession of the grabbed land shall not be made till expiration of the period of appeal provided under section 13 of the Act. If within a reasonable time after the expiry of the appeal period no order of stay of execution has been received from the Special Court or produced before the Special Tribunal by any of the parties to the case, the Special Tribunal shall proceed for execution of its order and simultaneously frame charge against the land grabber to prosecute him for the alleged act of land grabbing:

Provided further that in the event of preferring an appeal from the order of the Special Tribunal before the Special Court where stay of execution of the order has been made by the Special Court, the Special Tribunal shall not further proceed in the proceeding to prosecute the land grabber till final disposal of the appeal by the Special Court :

Provided also that after hearing the appeal, if the Special Court decides the appeal against the alleged land grabber, in that event charge for prosecution against the land grabber shall be framed by the Special Tribunal and proceed with the criminal proceeding for prosecution of the land grabber.

- (3) The evidence admitted during the civil proceeding may be made use of while trying the criminal proceeding in addition to the additional evidence adduced by the parties in the criminal proceeding.
- (4) Any person, accused of land grabbing or the abetment thereof before the Special Tribunal, shall be a competent witness for the defence and may give evidence on oath in disproof of the charge made against him, or any person charged together with him in the criminal proceeding :

Provided that he shall not be called as a witness except on his own request in writing or his failure to give evidence shall be made a subject of any comment by any of the parties or the Special Tribunal or give rise to any presumption against himself or any person charged together with him at the same proceeding.

- (5) The Special Tribunal shall, before passing an order under this Act give to the land grabber an opportunity of making his representation or of adducing evidence, if any, in this regard, and consider every such representation and evidence.
- Burden of proof 11. Where in any proceeding under this Act, a land is alleged to have been grabbed, and such land is prima-facie proved to be the land owned by the Government or by a private person, the Special Tribunal shall presume that the person who is alleged to have grabbed the land is a land-grabber and the burden of proving that the land has not been grabbed by him shall be on such person.
- Transfer of Cases 12. Any case pending before any Court or other authority immediately before coming into force of this Act which involves any act of land grabbing, shall stand transferred to the Special Tribunal within whose jurisdiction the alleged grabbed land is situated.
- Appeal 13. (1) Any person, aggrieved by the Judgement and order (not being an interlocutory order) of the Special Tribunal, may prefer an Appeal before the Special Court on any question of law or of fact. Notwithstanding anything to the contrary contained in the Limitation Act, 1963, an appeal under this section shall be preferred it within a period of sixty days from the date of passing of the Judgement and order by the Special Tribunal.
- (2) Separate Appeal shall lie against the respective Judgement and order of the Special Tribunal passed in respect of the civil proceeding as well as in criminal proceedings respectively under this Act and the period of sixty days shall be reckoned from the respective date of Judgement and order passed in each of the proceedings.

Act No.
XXXVI
of 1963.

- (3) The Special Court shall dispose of the appeal within a period of six months from the date of filing the appeal and forward a copy of the order to the concerned Special Tribunal under whose jurisdiction the grabbed land is situated for their taking necessary action, if any.

Constitution
of the
Special
Court

14. (1) The Government shall, for the purpose of entertaining and disposal of appeals arising out of any Judgement and order of the Special Tribunal, by notification published in the Official Gazette, constitute a Special Court for the whole of the State of Assam.

- (2) A Special Court shall consist of a Chairman and two other members to be appointed by the Government.

- (3) The Chairman shall be a person who was or has been a Judge of the High Court and of the other two members, one shall be a person who was or has been a District and Sessions Judge (hereinafter referred to as Judicial Member) and other shall be a person who was or has been a member of the Indian Administrative Service holding or has held a post not below the rank of Secretary to the Government with Special Knowledge or experience in revenue matters (hereinafter referred to as Revenue Member) :

Provided that the appointment of a person who was a Judge of the High Court as the Chairman or a District and Sessions Judge as a member respectively of the Special Court shall be made after consultation with the Chief Justice of the Gauhati High Court :

Provided further that where a sitting Judge of the High Court is to be appointed as a Chairman such appointment shall be made after nomination by the Chief Justice of the Gauhati High Court with the concurrence of the Chief Justice of India.

(4) The salary and allowances of the Chairman and the members of the Special Court shall be such as may be prescribed.

(5) No person shall be retained as a Chairman of the Special Court after he has attained the age of sixty five years and as a member after he has attained the age of sixty two years.

(6) The Chairman or other members shall hold office as such for a term of 3 (three) years from the date on which he enters his office:

Provided that the Government may re-appoint the Chairman or any other members after expiry of the original term of three years unless such Chairman or member has not attained the age of sixty five years or sixty two years respectively :

Provided further that while making re-appointment of Chairman or any other member, the provisions provided under the provises of sub-section (3) shall be followed.

(7) The quorum to constitute a meeting of the Bench of the Special Court shall be two.

Special
Court to
make
regulations.

- 15 (a) The Special Court may, by notification published in the Official Gazette, make regulations, not inconsistent with the provisions of this Act or the rules made thereunder relating to the procedure to be followed for the conduct of the cases and for regulating the manner of taking decisions.

(b) The Special Court may cause a public notice of the substance of such regulations for the information of the general public.

(c) All regulations made by the Special Court under this section shall, as soon, as may be after they are made, be laid before the Assam Legislative Assembly while it is in session, for a total period of not less than fourteen days, which may be comprised in one session or two or more successive sessions and shall unless some later date is appointed, take effect from their publication in the Official Gazette subject to such modification or annulments as the Assam Legislative Assembly may, during the said period agree to make, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

Special Court to have the powers of the Civil Court and the Criminal Court.

16. Save as expressly provided in the provisions of the Code of Civil Procedure, 1908 and the Code of Criminal Procedure, 1973, in so far as they are not inconsistent with the provisions of this Act, shall apply to the proceeding before the Special Court *mutatis mutandis* and for the purposes of the provisions of this Act, the Special Court shall be deemed to be a Civil Court, or as the case may be, a Criminal Court and shall have all the powers of a Civil Court and a Criminal Court competent to hear and dispose of Appeal. The persons conducting a prosecution before the Special Court shall be deemed to be a Public Prosecutor.

Act 5
of 1908
and Act
20 f
1974

Staff of the Special Court

17. (1) The Chairman of the Special Court may appoint officers and other employees required to assist the Special Court in the discharge of its functions under this Act.

	(2) The categories of officers and other employees who may be appointed under sub-section (1), their salaries allowances and other conditions of service, and the administrative powers of the Chairman of the Special Court shall be such as may be prescribed, after consultation with the Chairman.	
Persons acting under the Act to be public servants.	18. Any person acting under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.	
Protection of persons acting in good faith.	19. No suit, prosecution or other legal proceeding shall lie against any officer or employees of the Special Court or any officer of the Government for anything which is in good faith done, or intended to be done under this Act or the rules made there under.	Act, 45 of 1860
Prohibition of alienation of grabbed land.	20. Any transaction relating to an alienation of a grabbed land or any part thereof by way of sale, lease, gift, exchange, settlement, surrender, usufructuary mortgage or otherwise, or any partition effected or a trust created in respect of such land which has taken place whether before or after the commencement of this Act shall, except, ordered by the Special Court or Special Tribunal, be null and void.	
Functions under certain Acts to continue.	21. Notwithstanding anything contained in this Act, the Assam Board of Revenue constituted under the Assam Board of Revenue Act, 1962 and Officers authorised under the Assam Land and Revenue Regulation, 1886 and the Rules framed thereunder, the Assam Fixation of Ceiling on Land Holding Act, 1956, the Assam (Temporarily Settled Areas) Tenancy Act, 1971, shall continue to discharge their functions under the respective Act.	Assam Act 21 of 1962 Regulation 1 of 1886 Assam Act 1 of 1957 Assam Act 23 of 1971

Power to
make rules.

22. (1) The Government may, by notification in the Official Gazette, make rules for carrying out all or any of the purposes of this Act.

(2) All rules made by the State Government under this Act shall, as soon as may be after they are made, be laid before the Assam Legislative Assembly, while it is in session, for a total period of not less than fourteen days which may be comprised in one session or two or more successive sessions, and shall, unless some later date is appointed, take effect from the date of their publication in the Official Gazette subject to such modifications or annulments as the Legislative Assembly may, during the said period agree to make, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

MOHD. A. HAQUE,
Secretary to the Govt. of Assam,
Legislative Department, Dispur.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং ৪ দিশপুৰ, শুক্ৰবাৰ, ২৭ জানুৱাৰী, ২০১২, ৭ মাঘ, ১৯৩৩ (শক)

No. 8 Dispur, Friday, 27th January, 2012, 7th Kartika, 1933 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE & D.M. DEPARTMENT :: REFORMS BRANCH
NOTIFICATION

The 27th January, 2012

No. RRT. 66/2011/Pt /297.— In pursuance of order of the Hon'ble Supreme Court of India dated **21st November, 2011** passed in SLP(C) No. (S) 30721-30723/2011 with Contempt Petition (Civil) No. 440-442 of 2011 (Riju Prasad Sarma etc. -vs- State of Assam & others) and in exercise of powers conferred by sub-section (1) of Section 30 of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959 (Assam Act. IX of 1961), the Governor of Assam is hereby pleased to make the following rules for carrying out the elections of Ex-officio Secretary and elected members of the Managing Committee in respect of Sri Sri Maa Kamakhya Temple, as contemplated by Section 25 A of the said Act, namely:—

- Short title and commencement 1. (1) These rules may be called the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature (Election of Managing Committee of Sri Sri Maa Kamakhya Temple) Rules, 2012.
- (2) They shall come into force on the date of their publication in the Official Gazette.
- Definitions 2. In these rules, unless the context otherwise requires.-
- (a) “ Act” means the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959 (Assam Act IX of 1961);

- (b) "Devotee" means the persons, who are or whose ancestors were residing permanently in revenue village Kamakhya since last 50 years or more, despite inclement conditions with full devotion to the goddess Maa Kamakhya and who is entitled to attend at, or is in the habit of attending the performance of worship or service in the Maa Kamakhya Temple or who is entitled to partake, or is in the habit of partaking, in the benefit of the distribution of gifts thereat;
- (c) "Temple" means the temple of Sri Sri Maa Kamakhya as popularly known and situated on the Nilachal Hill of the city of Guwahati which is used as a place of public religious worship;
- (d) "Bor Deuries" means the Devotees constituting the traditional Bor Deuries Samaj of the Temple;
- (e) "Managing Committee" means the Managing Committee of the Temple as contemplated under section 25 A of the Act;
- (f) "Schedule" means the Schedule appended to these rules.
- Constitution of Electrol College 3. The electors for the election to the post of Ex- officio Secretary shall be from the Bor Deuries of the Temple and for other five members, shall be from the Devotees.
- Qualification of electors 4. The electors shall,—
- (i) belong to Bor Deuries and Devotees respectively as mentioned in rule 3;
- (ii) be above 18 (eighteen) years of age on the date of filing application for inclusion of names;
- (iii) be a citizen of India;
- (iv) practice Hinduism as his religion;
- (v) not be of unsound mind; and
- (vi) be an elector in the electoral roll prepared under rule 6.
- Qualification for contesting as a candidate for the post of Ex officio Secretary and other members 5. For contesting as a candidate for the post of Ex- officio Secretary and the members of the Managing Committee, he shall,—
- (i) be an elector from Bor Deuries for contesting for the post of Ex-officio Secretary;
- (ii) be a Devotee of Goddess Maa Kamakhya for contesting for the post of members;
- (iii) be above 18 (eighteen) years of age on the date of filing application under rule 6;

- (iv) be a citizen of India ;
- (v) practice Hinduism as his religion;
- (vi) not be of unsound mind;
- (vii) be an elector as under rule 3.
- Preparation of rolls. 6. (1) The Deputy Commissioner, within seven days from the date of electoral publication of these rules, shall publish in his office Notice Board the list of electors already prepared by the Bor Deuries and published by the Deputy Commissioners in connection with the election of Dolois, for the purpose of preparation of the list of electors for the election of Ex-officio Secretary of the Managing Committee of the Temple, inviting claims and objection from the Bor Deuries within fifteen days from the date of publication of the said list in the office Notice Board. After scrutiny of the claims and objections received by the Deputy Commissioner within the stipulated period, the Deputy Commissioner shall prepare and publish the final electoral roll within fifteen days from the last date of receipt of objection.
- (2) The Deputy Commissioner, within seven days from the date of publication of these rules, shall issue notice inviting applications as per Schedule I from the Devotees and for inclusion of names in the respective electoral roll for the election of members of the Managing Committee within 15 days from the date of publication of the notice. The Bor Deuries shall be eligible to apply for inclusion of their names in the electoral roll to be prepared for election of members as well. After scrutiny of the applications and after making such enquiries as he may deem fit and proper, the Deputy Commissioner shall prepare and publish the draft electoral roll within fifteen days from the last date of receipt of application for the election of the members of the Managing Committee, inviting objections, if any, from the Devotees in respect of the draft electoral roll. Objection, if any, received within the stipulated period from the Devotees, shall be heard and disposed of by the Deputy Commissioner within fifteen days from the last date of receipt of objection. After disposing of the objections, the final electoral roll shall be published within fifteen days from the last date of disposal of objections.
- Publication of list of polling stations 7. The Deputy Commissioner shall draw up a list of Polling Stations within seven days from the date of publication of the final electoral rolls and publish the same in some conspicuous place of the Temple and the Notice Board of his office. The Deputy Commissioner shall draw up and publish the list of polling stations clearly indicating the Serial nos of voters falling within the jurisdiction of a particular polling station to cast their vote.
- Manner of conduct of election 8. (i) The Deputy Commissioner shall issue a notification with regard to election to the post of Ex-officio Secretary and five members of the Managing Committee to be elected from amongst the Bor Deuries for

the post of Ex-officio Secretary and from the Devotees for the post of members mentioning the date of filing of nomination, scrutiny of nomination papers, withdrawal of nomination, date of poll and date and place of counting and declaration of results. The notification shall be issued as per Schedule II. The candidates shall collect the nomination forms from the office of the Deputy Commissioner. The nomination Form shall be as per Schedule III.

- (ii) The Deputy Commissioner shall receive nomination to the post of Ex-officio Secretary and members of the Managing Committee separately in the nomination Form as prescribed under clause (i) above.
- (iii) The Deputy Commissioner shall make scrutiny of the nomination papers received by him within the date fixed for the purpose, on the date fixed for scrutiny in presence of the candidates. The names of the candidates whose nomination papers are found to be valid in all respects shall be published by the Deputy Commissioner as draft list of candidates contesting for the election for the post of Ex-officio Secretary and members of the Managing Committee. The incomplete and defective nomination papers shall be rejected by the Deputy Commissioner.
- (iv) After publication of the draft list of contesting candidates, the candidates who are willing to withdraw their candidature shall inform the Deputy Commissioner in writing about the withdrawal of his nomination paper within the date fixed for the purpose.
- (v) After expiry of the date of withdrawal of the date of nomination paper by the candidates, the Deputy Commissioner shall publish the final list of contesting candidates.
- (vi) The poll shall be held on dates and time as fixed by the Deputy Commissioner. Every elector shall cast votes to five candidates for electing five members of the Managing Committee from amongst the candidates whose name appear in the Ballot paper given to him during election, Casting of votes to more than five candidates shall invalidate the ballot paper and the same shall not be considered for counting.
- (vii) The counting shall be held on the date and at such time and place as fixed by the Deputy Commissioner and results shall be declared immediately after the completion of counting.
- (viii) The Deputy Commissioner shall declare five candidates to be elected as members of the Managing Committee securing highest number of votes in descending order contesting for the post of members.

Constitution of 9
the Managing
Committee

After declaration of the results of the election, the Deputy Commissioner shall notify the constitution of the Managing Committee as contemplated under section 25 A of the Act.

SCHEDULE I

[See rule 6]

Application for inclusion of name in voter list of Devotee.

To, The Deputy Commissioner,
Kamrup (Metro), Guwahati.

Sir,

I request that my name be included in the electoral roll for Devotee of Sri Sri Maa Kamakhya Temple relating to election to member for the Managing Committee under Section 25 A of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959 (Assam Act IX of 1961).

1. My name in full Sex
2. My father's name
3. House No
4. Street
5. Village / Town
6. District

I hereby declare to the best of my knowledge and belief that I am a Devotee of Sri Sri Maa Kamakhya temple under Rule 2 (b) of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature (Election of Managing Committee of Sri Sri Maa Kamakhya Temple) Rules, 2012.

Place

Date

Signature or thumb impression.

SCHEDULE II
[See rule 8(i)]

NOTICE OF ELECTION TO THE POST OF * EX OFFICIO SECRETARY/ MEMBER OF
MANAGING COMMITTEE OF SRI SRI MAA KAMAKHYA TEMPLE

Notice is hereby given that _

(1) an election is to be held for * Ex -officio Secretary / Member of the Managing Committee under section 25 A of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959 (Assam Act IX of 1961) .

(2) nomination papers may be delivered by a candidate to the Deputy Commissioner, Kamrup (Metro) or to any other officer authorized by him in this regard at between 11 AM to 3 PM on any day (other than public holiday) not later than the

(3) forms of nomination paper may be obtained at the place and times aforesaid;

(4) nomination paper will be taken up for scrutiny aton at

(5) notice of withdrawal of candidature may be delivered by the candidate at before 3 PM on the

(6) In the event of the election being contested, the poll will be taken on at between the hours of and counting will be held on at and result will be declared immediately after completion of counting.

Place

Deputy Commissioner,
Kamrup (Metro) district.

Date

* Score out the word / words not applicable.

SCHEDULE-III
[See rule 8 (i)]
NOMINATION FORM

PART-I

Election for the post of * Ex officio Secretary / Member of the Managing Committee under section 25 A of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature Act, 1959 (Assam Act IX of 1961).

I nominate Srias a candidate for election to the post of * Ex officio Secretary / Member of Managing Committee of Sri Sri Maa Kamakhya Temple.

Candidate's name

Father's name

His postal address

His name entered at Sl. No. of the electoral roll prepared in respect of * Bor Deuries / Devotees.

My name is entered at Sl. No. of the electoral roll prepared in respect of * Bor Deuries/ Devotees .

[The proposer should be an elector having his name in the electoral rolls of Bor Deuries for the post of Ex-officio Secretary and in the electoral roll of Devotees for the election of members.]

Date

Signature of proposer

PART-II

I, the candidate mentioned in Part-I assent to this nomination and hereby declare—

(a) that I am a devotee of Sri Sri Maa Kamakhya temple under Rule 2 (b) of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature (Election of Managing Committee of Sri Sri Maa Kamakhya Temple) Rules, 2012.

(b) that my name and father's / mother's / husband's name have been correctly spelt out in the electoral role prepared in respect of * Bor Deuries / Devotees

Date

(Signature of Candidate)

PART-III

To be filled by Deputy Commissioner, Kamrup (Metro) or his authorized officer and to be attained in the office)

Serial No. of nomination paper

This nomination was delivered to me at my office at (hour) on

..... (date) by the * candidate / proposer

Date.....

Deputy Commissioner, Karmrup (Metro)
or his authorized officer.

PART-IV

Decision of Deputy Commissioner, Kamrup (Metro) Accepting or Rejecting the nomination paper.

I have examined this nomination paper in accordance with rule 8(iii) of the Assam State Acquisition of Lands Belonging to Religious or Charitable Institution of Public Nature (Election of Managing Committee of Sri Sri Maa Kamakhya Temple) Rules, 2012 and decide as follows :-

Date.....

Deputy Commissioner, Kamrup (Metro)
or his authorized officer.

PART-V

Receipt of Nomination Paper and Notice of Scrutiny
(To be handed over to the person presenting the Nomination Paper)

Serial No. of nomination paper

The nomination paper ofcandidate for election for the post of * Ex officio Secretary / Member of the Managing Committee of Shri Shri Maa Kamakhya Temple was delivered to me at my office at (hour) on(date) by* candidate / proposer.

All nomination papers will be taken up for scrutiny at (hour) on (date) at (Place)

Date

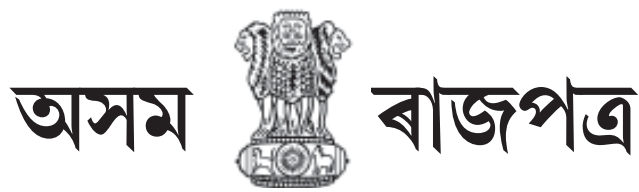
Deputy Commissioner, Kamrup (Metro)
or his authorized officer.

N.B. For the purpose of Ex-officio Secretary, the candidate and proposer should be from the Bar Deuries whose name appear in the- respective electoral list of Bor Deuries.

*Score out the word / words not applicable.

Sd/-
P. K. Bora,
Joint Secretary,
Revenue & D. M. Department,
Dispur, Guwahati-6.

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অসম ৰাজপত্ৰ
THE ASSAM GAZETTE

অসাধাৰণ
EXTRAORDINARY
প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত
PUBLISHED BY THE AUTHORITY

নং 90 দিশপুৰ, সোমবাৰ, 5 মাৰ্চ, 2012, 15 ফাগুন, 1933 (শক)
No. 90 Dispur, Monday, 5th March, 2012, 15th Phguna, 1933 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE (REFORMS) AND DISASTER MANAGEMENT DEPARTMENT
DISPUR

NOTIFICATION

The 5th March, 2012

No. RRT. 17/2009/94.— In exercise of the powers conferred by sub-section (3) of Section 1 of the Assam Land Grabbing (Prohibition) Act, 2010 (Assam Act No. XXI of 2011), the Governor of Assam is hereby pleased to appoint the 1st day of April, 2012 as the date on which the said Act shall come into force in the whole of the State of Assam except the Autonomous District of Karbi-Anglong, Dima-Hasao and the Bodo Land Territorial Council Area.

This notification shall come into force on the date of its publication in the Official Gazette.

V. K. PIPERSENIA,

Principal Secretary to the Govt. of Assam,
Revenue & D. M. Department.
Dispur.

GOVERNMENT OF ASSAM
REVENUE (REFORMS) & DISASTER MANAGEMENT DEPARTMENT, ASSAM
SECRETARIAT (C), DISPUR, GUWAHATI-6.

ORDERS BY THE GOVERNOR OF ASSAM

NOTIFICATION

Dated Dispur, the 1st August, 2013

No. RRT. 269/94/290:— In partial modification of all earlier orders relating to terminal year of Settlement in different Districts of Assam, which will expire on 30th September, 2013 and in conformity with the provisions of Rule 1 (e) read with Rule 48 (b) and Rule 64 (e) of the Assam Land & Revenue Regulation, 1886, the Governor of Assam is pleased to extend the period of settlement upto 30th September, 2018 both rural and town areas (excluding the areas currently under settlement or re- settlement operation) and all lands in the General Registers entered during the last Settlement/ re-settlement operation of the concerning districts and continues to be so till date and all subsequent settlement made for different purposes including tea lands under kheraj lease in rural and town areas.

Sd/- (S. K. Das), ACS
Deputy Secretary to the Govt. of Assam
Revenue(Reforms) & D.M. Department,
Dispur, Guwahati-6.

Memo No. RRT. 269/94/290-A

Dated Dispur, the 1st August, 2013

Copy for information and necessary action to:—

1. The Commissioner,
2. The Director of Land Records & Surveys, Assam, Rupnagar, Guwahati- 32.
3. The Deputy Commissioner,
4. The Director of Land Requisition, Acquisition and Reforms, Assam, Rupnagar, Guwahati- 32.
5. The Sub Divisional Officer (Civil)
6. P.S. to the Hon'ble Minister, Revenue & DM Department, Dispur, Ghy-6.
7. P.S. to the Additional Chief Secretary, Revenue & D. M. Deptt., Dispur, Ghy-6.
8. P.S. to the Commissioner & Secy. to the Govt. of Assam, Revenue & DM Deptt.
9. The Superintendent of Govt. Press, Bamunimaidam with a request to publish the same in the official Gazette. 100 (one hundred) copies of the same may kindly be sent to the Revenue & D. M. Department.

By order etc,

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue (Reforms) & D. M. Department,
Dispur, Guwahati-6.

(1)

GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
DISPUR, GUWAHATI-06

ORDERS BY THE GOVERNOR

NOTIFICATION

No. RRG. 86/2001 /pt-I/3

Dated Dispur the 10th September, 2013

In supersession of this Department's notification No.RRG.86/2001/ pt/3, dated 12/03/2007, the Governor of Assam is pleased to reconstitute circle wise Committee for expeditious disposal of Ceiling Surplus Land among the eligible Tea and ex-Tea garden community of Assam in every district (Excluding sixth schedule districts) with immediate effect and until further order.

1. Addl. Deputy Commissioner (Revenue) - Chairman
2. Hon'ble MLA/MLAs (of the concerned Circle) - Member (s)
3. A representative of Tea Labour Union to be
nominated by the Deputy Commissioner - Member
4. Revenue Circle Officer (of the concerned circle) - Member-Secretary

Concerned Member - Secretary will convene the meeting of the Circle wise Committee in consultation with the Addl. Deputy Commissioner (R) & Chairman. The Committee will inform Government about the progress in the matter bi- monthly.

This cancels this department's notification No. RRG. 86/2001/pt-I/2, Dated 4th Sept., 2013.

Sd/-

Commissioner & Secy. to the Govt. of Assam
Revenue & D.M. Department.

Memo No. RRG. 86/2001/pt-I/2 -A

Dated Dispur the 10th Sept., 2013

Copy for information to :-

1. P.S. to the Hon'ble Minister, Revenue & D.M. Deptt., Dispur, Ghy-6.

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(2)

2. P.S. to the Parliamentary Secy., Govt. of Assam, Revenue & D.M. Department.
3. P.S. to the Chief Secretary, Assam, Dispur, Ghy-6.
4. P.S. to the Addl. Chief Secretary, Revenue & D.M. Deptt., Dispur, Ghy-6
5. P.S. to the Principal Secretary to Hon'ble Chief Minister, Assam.
6. P.S. to the Commissioner & Secretary, Labour and Employment Department.
7. P.S. to the Commissioner & Secretary, Revenue & D.M. Deptt., Dispur, Ghy-6.
8. The Director of Land Records & Survey, Assam, Rupnagar, Ghy-32.
9. The Director of Land Requisition Acquisition & Reforms, Rupnagar, Ghy-32
10. All Deputy Commissioner, Assam (other than district under 6th Schedule Areas). They will please notify such circle level Committees in respect of their district mentioning the names of concerned Hon'ble MLA/MLAs. They will also send copies of such notification to all concerned Members including MLA/MLAs. Deputy Commissioner will also please nominate one Tea Labour union representative of the district/circle for the Committee.
11. All Sub-Divisional Officers (Civil).

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue (Reforms) & D.M. Department.

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