



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

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No. 417 Dispur, Friday, 4th October, 2013, 12th Asvina, 1935 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE (REFORMS) & D. M. DEPARTMENT
ASSAM SECRETARIAT (C), DISPUR, GUWAHATI-6

NOTIFICATION

The 20th September, 2013

NO. RRT. 17/2009/165.- In exercise of powers conferred by sub-section (1) of Section 22 of the Assam Land Grabbing (Prohibition) Act, 2010 (Assam Act No. XXI of 2011), the Governor of Assam is hereby pleased to make the following rules, namely :-

- | | |
|------------------------------|--|
| Short title and commencement | 1. (1) These rules may be called the Assam Land Grabbing (Prohibition) Rules, 2013.
(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 Land Grabbing (Prohibition) Act, 2010 (Assam Act No. XXI of 2011);
(b) "Chairman" means the Chairman of the Special Court;
(c) "Form" means the form appended to these rules;
(d) "Lot Mandal" means a mandal holding the charge of a "Lot" in a Revenue Circle;
(e) "Member" means the Member of the Special Court; |

- (f) "Presiding Officer" means the concerned District and Sessions Judge including the Additional District and Sessions Judge of the District designated as the Special Tribunal under section 7 of the Act;
- (g) "Registrar" means the Registrar of the Special Court;
- (h) "Revenue Circle Officer" means a Revenue Circle Officer holding the charge of a Revenue Circle;
- (i) "Village" means the Revenue Village;
- (j) Words and expressions used in these rules and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the Act.
- Procedure for making application before the Special Tribunal 3. (1) Every application to be made before the Special Tribunal under sub-section (2) of section 8 of the Act, shall be in Form I and shall be duly signed and verified by the applicant.
- (2) Every such application shall be presented, in person or by an authorized agent or by an Advocate, to such officer of the Special Tribunal as may be authorized in this behalf by the Presiding Officer of the Special Tribunal.
- (3) On receipt of the application, the officer receiving the application shall give a receipt acknowledging the receipt of the application and immediately register the case in the case Register maintained for the purpose and record the case number on the application so received for presenting the same before the Presiding Officer for taking cognizance of the case in accordance with the provisions of the Act.
- Court Fee 4. Every application / petition and other representation filed before the Special Tribunal and also appeals preferred / filed before the Special Court shall be filed affixing such court fee stamp of the amount as may be required in case of an application filed before a Judicial Court under the Court Fees Act, 1870 (Act No. VIII of 1870) as applicable in the State of Assam.
- Procedure of the suo-moto action by the Special Tribunal 5. Where a Special Tribunal desires that any case should be taken cognizance of suo-moto under sub-section (2) of section 8 of, the Act, it may record a statement of facts within its knowledge and information and register a case and issue notice to the alleged land grabbers, aggrieved persons and such other persons as may be deemed necessary, to appear before the Special Tribunal and make their representation for necessary hearing for taking cognizance of the case and to decide the same in accordance with the provisions of the Act.
- Verification of application 6. (1) Every application filed under sub section (2) of section 8 of the Act or every case taken cognizance of suo moto by 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 Government authorized by the Special Tribunal in this behalf.

- (2) The Revenue Circle Officer or any other Officer authorized by the Special Tribunal to whom the application has been referred under sub-rule (1), shall make or cause to be made an inspection or verification or both, as soon as may be practicable and shall submit a full and complete report within two weeks from the date of receipt of order with reference to revenue records and facts on ground as to the following:-
 - (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.

- (3) The Revenue Circle Officer or any other Officer authorized by the Special Tribunal to whom the application has been referred, shall also furnish copies of the extracts of the Government records including chitha and /or jamabandi to show Village, Mouza, Dag No., Patta No., trace map along with the report, before the Special Tribunal.

- (4) A copy of the report may be furnished by the Special Tribunal to the applicant, respondents and other persons, if any, having interest in the land free of cost.

7. The Special Tribunal shall, after taking cognizance of the case under the Act, give notification in Form-II as required under section 8(5) of the Act.

Notification
of taking
cognizance
of a case

- | | |
|--|---|
| Notice to persons interested in land. | 8. The Special Tribunal shall give notice in Form-III to the persons known or believed to be interested in the land. |
| Notice to the land grabber | 9. The Special Tribunal shall, after taking cognizance of the case, give notice to Land Grabber in Form-IV. |
| Filing of written representation | 10. The respondent or interested party may, and if so directed by the Special Tribunal shall, file written representation before the Special Tribunal within a period of fourteen days from the date of receipt of notice or such extended time as the Special Tribunal may grant in this behalf. |
| Withdrawal of the case from the Special Tribunal | 11. A petition for withdrawal of a case pending before any Special Tribunal shall be made before the Special Tribunal accompanied by an affidavit stating the reasons of the withdrawal of the application. Notice of the withdrawal accompanied by the withdrawal petition shall be served on the respondents and other interested parties before hearing of the matter by the Special Tribunal and passing order in this regard. |
| Procedure for delivery of possession | 12. The Special Tribunal shall communicate its final decision or order to the parties concerned and take appropriate steps for execution of the order in accordance with the procedure as provided in the Code of Civil Procedure, 1908 (Act V of 1908) as authorized in the Act. |
| Appeal | <p>13. (1) An appeal under section 13 of the Act shall be preferred in the form of a Memorandum signed by the appellant and his advocate and presented before the Registrar. The Memorandum shall set forth concisely and under distinct heads, the grounds of objection to the order appealed against and the precise relief sought for.</p> <p>(2) The memorandum of appeal presented shall be accompanied by as many authenticated copies on plain paper, of the memo of appeal, and order of the Tribunal as there are respondents to be served and four such copies in addition, for Court record, besides the certified copy of the order as required to be filed under order XLI-Rule-I of the code of Civil Procedure, 1908, (Act V of 1908).</p> |

(3) When an appeal is presented after the expiry of the period prescribed by the Act, it shall be accompanied by an application supported by an affidavit stating the facts on which the appellant relies to satisfy the Court that he had sufficient cause for not preferring the appeal within the period specified. If the Special Court sees no reasons to reject the application, without issue of notice to the respondents, notice shall be issued to the respondents and the matter shall be finally decided by the Special Court **before it proceeds to deal with the appeal.**

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|--|-----|--|
| Procedure of hearing Applications/ Appeals. | 14. | The Code of Civil Procedure shall mutatis mutandis apply to the hearing of applications I appeals before the Special Court so far they are not inconsistent with the provisions of the Act and the rules made thereunder. |
| Seals and Emblem | 15. | <p>(1) There shall be an official seal of the Special Tribunal in respect of each District containing the name of the Special Tribunal as "..... (name of the district) Land Grabbing Cases Special Tribunal" and the name of the place with the National Emblem at the centre of the seal. Similarly, there shall be an official seal in respect of the Special Court containing the name of the Special Court as "The Land Grabbing Cases Special Court, Assam" with the name of the place, where the Special Court is situated and the National Emblem at the centre of the seal.</p> <p>(2) There shall be separate seals for the Presiding Officers of the Special Tribunal of each District and for the Chairman and Members of the Special Court containing the respective designations and the name of the Special Tribunal and the Special Court, as the case may be.</p> |
| Salary and allowances of Chairman and Member of the Special Court. | 16. | (1) In case of appointment of the Chairman of the Special Court from a sitting Judge of the High Court, he shall be entitled to his salary and the allowances which is admissible to a sitting Judge of the High Court . |

(2) In case of appointment of a retired Judge of the High Court as Chairman of the Special Court, he shall be entitled to his Salary and Allowances of a sitting Judge of the High Court minus pension.

(3) In case of appointment of the Judicial Member of the Special Court from a sitting District and Sessions Judge, he shall be entitled to the salary and allowances which is admissible to a sitting District and Sessions Judge.

(4) In case of appointment of retired District and Sessions Judge as Judicial Member of the Special Court, he shall be entitled to the Salary and Allowances which is admissible to a sitting District and Session Judge minus pension.

(5) In case of appointment of the Revenue Member of the Special Court from a serving officer of the Indian Administrative Service, he shall be entitled to the salary and allowances, which is admissible to a serving officer of the Indian Administrative Service in the corresponding rank.

(6) In case of appointment of a retired officer of Indian Administrative Service as Revenue Member, he shall be entitled to the Salary and allowances which is admissible to a serving 'member of the Indian Administrative Service in the corresponding rank minus pension.

FORM-I
[The Assam Land Grabbing (Prohibition) Rules, 2013]
[See-rule 3(1)]
Application Form

To

The Special Tribunal (District Judge and Sessions Judge)

1. Full Name of the
Applicant
2. Father's /
Husband's name
3. Address
Village/Town
P.O.
District
4. Name(s) of the
respondent (s) Name
with father's /
husband's name Father's / husband's name
5. Address of the
respondent (s) Village/Town
P. O.
District
6. Name of the
village/
Municipality /
Corporation
7. Name of the
Revenue Circle
8. Name of the
District
9. Classification of
land
10. Detailed
specification of Dag No.
land Patta No.
Village
Mouza
P.S.
District
Area of land

11. Extent of interest
12. Boundaries or
dag no. of
adjacent lands
- | | |
|-------|--------------------|
| North | Patta No. |
| | Dag No. |
| | Type of Land |
| South | Patta No. |
| | Dag No. |
| | Type of Land |
| East | Patta No. |
| | Dag No. |
| | Type of Land |
| West | Patta No. |
| | Dag No. |
| | Type of Land |
13. Value of Land
14. Whether there
are any house or
structures on the
land;
If so, to whom
they belong;
How they were
acquired;
15. A concise
statement of all
relevant facts as
to the claim and
provision under
which it is
preferred; (if
necessary, extra
sheet may be
added)
16. Summary of the
evidence
proposed to be
adduced;

- 17. True copies of the documents duly attested relied upon;
- 18. Other relevant particulars to identify the property;
- 19. Any other particulars which the applicant intends to furnish:

I hereby declare to the best of my knowledge and belief that the information and particulars furnished above and its enclosures are full, complete and correct.

Place:

Date:

Signature of the applicant

FORM-II
[The Assam Land Grabbing (Prohibition) Rules, 2013]
[See rule 7]

NOTIFICATION

The Special Tribunal has taken cognizance of the case filed by Sri/Smti. Son / daughter / wife of Sri / Late of Village / Town of Mouza It is alleged that the land belonging to as specified in the Schedule below is grabbed by Sri I Smti. Son / daughter / wife of Sri / Late of Village / Town of Mouza in the District of

Notice is hereby given to whomsoever it may concern including the custodian of evacuee property that if any person intends to file any objection, he may submit his objections if any, before the Special Tribunal on or before the day of for its consideration.

If no objections are received by the Special Tribunal within the stipulated time as mentioned hereinabove, it shall be presumed that there are no objections **for proceeding further** and the case will be preceded accordingly.

THE SCHEDULE

Name of the owner of the land	Village in which it is located	Revenue Circle and District in which it falls	Dag No. and Patta No. of the alleged land	Boundaries of the land	Extent of the land	Remark
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Place :-

Signature :-

Date :-

Designation :-

Form-III

[The Assam Land Grabbing (Prohibition) Rules, 2013]

[See rule 8]

NOTICE

To,

Sri / Smti

Son / daughter / wife of Sri /

Late

Village / Town

Ward No. (in case of town)

Street

P. O.

P. S.

District

Whereas a case No. being has been registered before this Special Tribunal and the case has been taken cognizance of by this Special Tribunal;

And whereas, the Special Tribunal, after preliminary hearing / inquiry has considered that you are interested / likely to be interested in the subject matter of the case, for which your appearance in the case before the Special Tribunal is necessary;

Notice is hereby given to you to appear personally or through your authorized legal representative / attorney / advocate / pleader, to submit your written representation / objection to the case before the Special Tribunal on at 10.00 AM in the interest of disposal of the case; otherwise, the case shall be decided ex-parte.

Place :-

Signature :-

Dater :-

Designation :-

(173)

Form-IV
[The Assam Land Grabbing (Prohibition) Rules, 2013]
[See rule 9]

NOTICE

To,
Sri / Smti

Son / daughter / wife of Sri /

Late

Village / Town

Ward No. (in case of town)

Street

P. O.

P. S.

District

Whereas a case No. being has been registered before this Special Tribunal and the case has been taken cognizance of by this Special Tribunal;

And whereas, the Special Tribunal, after preliminary hearing / inquiry has considered that you are alleged to have been involved in the case of the alleged land grabbing for which you are required to appear before this Special Tribunal for your defence in the case;

Notice is hereby given to you to appear personally or through your authorized legal representative / attorney / advocate / pleader, to submit your written representation / objection to the case before the Special Tribunal on at 10.00 AM in the interest of disposal of the case; otherwise, the case shall be decided ex-parte.

Place :-

Signature :-

Dater :-

Designation :-

Sd/-
S. C. DAS,
Additional Chief Secretary,
Revenue & D.M. Department.

Guwahati :- Printed and Published by the Dy. Director (P & S), Directorate of Ptg. & Sty. Assam,
Guwahati-21 E.O.G No. 833 - 100 + 200 - 4 - 10 - 2013.

GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
ASSAM SECRETARIAT © DISPU R, G UWAHATI-06

NOTIFICATION

No. RRG. 6/2014/13

Dated Dispur, the 14th July, 2014

The Governor of Assam is pleased to constitute a High Power Committee with the following members to examine the requirement of a new Legislation in place of Assam Land & Revenue Regulations, 1886 or suggest necessary amendments in different sections in ALRR, 1886 in view of the changed circumstances.

- | | | | |
|----|---|---|----------|
| 1. | Justice (Retd.) K.N.Saikia,
Gauhati High Court. | - | Chairman |
| 2. | Commissioner & Secretary/ Secretary
Revenue & D.M. Department | - | Member |
| 3. | Director, Land Records & Surveys etc. Assam
Rupnagar, Ghy- 32. | - | Member |

The Committee may co-opt additional one or two member/members if it considers necessary.

Sri Ashok Kumar Barman, ACS, Deputy Secretary to the Government of Assam, Revenue & D.M. Department will act as Secretary to the Committee.

The terms of reference of the Committee shall be as below:—

1. The Committee will examine the relevance and effectiveness of the Assam Land & Revenue Regulation (ALRR), 1886 with respect of present day land Administration in the State in view of the changed circumstances due to pressure on land, growth of population, industrialization etc.
 - a) In pursuance of the terms of reference at Sl. 1, if the Committee decides on the necessity of a new Legislation to replace the ALRR 1886, then the Committee shall recommend the Draft New Legislation.
 - b) Alternatively, the Committee may suggest necessary amendments required in Assam Land and Revenue Regulations, 1886 to meet the changed circumstances.

The Committee will submit its report within 6 (six) months. The logistic support to the Committee will be provided by the Director, Land Records & Surveys etc. Assam.

Sd/-
(S. C. Das, IAS)
Additional Chief Secretary
Revenue & D. M. Department

Copy to:–

1. The Commissioner, Upper Assam Division, Jorhat, North Assam Division, Tezpur, Lower Assam Division, Guwahati-1. Hills & Barak Valley Division, Housefed Complex, Last Gate, Dispur, Ghy- 6.
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Ghy-32.
3. The Director of Land Requisition Acquisition and Reforms, Assam, Ghy-32.
4. All Deputy Commissioners
5. All Settlement Officers
6. The Principal, Assam Survey & Settlement Training Institute, Dakhingaon, Ghy.
7. P.S. to Chief Minister, Assam, Dispur.
8. P.S. Minister, Revenue & D.M. Department, Dispur.
9. P.S. to Chief Secretary to the Govt. of Assam, Dispur.
10. P.S. to Chairman, Assam Board of Revenue
11. P.S. to Addl. Chief Secretary to the Govt. of Assam, Revenue & DM Deptt.
12. P.S. to Commissioner & Secretary to the Govt. of Assam, Revenue & DM Department.

By order etc,

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue (Reforms) & D.M. Department

Dispur, Guwahati-06

**GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
DISPUR, GUWAHATI-06**

No. RRG. 101/2013/38

Dated Dispur the 10th March, 2015

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

To : The Deputy Commissioner (All) (except BTAD/KAAC/DHAC)
.....

Sub : **Stopping of all manual processes with regard to Dharitree.**

Sir,

You are aware, that Dharitree was launched way back in the year 2009. On receiving the feedback that it was not being used in some Circle Offices, training programmes were organized for Circle Officers and Addl. Deputy Commissioners. The issue was discussed with Deputy Commissioners in two rounds of video-conferences. Detailed training programmes were also chalked out to address the capacity gaps of SKs, Lot mandals etc. Besides funds have also been provided to meet the operation and maintenance cost of computer & peripherals. District Dharitree teams have been constituted to help the Circle level revenue staff to smoothly run Dharitree.

All these measures were intended to ensure that all the Circle Offices will start using Dharitree in toto and stop carrying out the functions manually which can be handled through Dharitree .

It has therefore been decided that no Circle Officer will undertake any of the activities manually for which there is provision of the Dharitree with effect from 1st April, 2015. If any instance of violation of this direction comes to the notice, Disciplinary proceeding will be initiated against Circle Officers concerned.

If this direction cannot be complied with for some unavoidable reasons beyond the control of Circle Officer or yours, the fact must be reported to the Revenue & D.M. Department latest by 10th of April, 2015.

Yours faithfully,

Sd/- P. K. TIWARI,
Commissioner Secretary to the Govt. of Assam,
Revenue & D.M. Department.

Memo No. RRG. 101/2013/38-A

Dated Dispur the 10th March, 2015

Copy to:-

1. P.S. to Addl. Chief Secretary, Revenue & D.M. Department, Dispur, Ghy-6.
2. The Commissioner of Land Records & Survey etc., Assam, Rupnagar, Ghy-32.
3. State Informatics Officer, NIC, Dispur.
4. Senior Technical Director, NIC, Dispur.
5. All District Informatics Officers (except BTAD / KAAC/DHAC).

By order etc.,

Sd/-
Commissioner Secretary to the Govt. of Assam
Revenue & D.M. Department.

(177)

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPTT, REFORMS BRANCH
ASSAM SECRETARIAT (C), DISPUR
GUWAHATI-6

No. RRG. 130/2014/6

Dated Dispur, the 21st April, 2015

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

To : 1. All Deputy Commissioners
2. All Settlement Officers

Sub : Issue of Periodic Patta in favour of allotment certificate holders straight way without issuing Annual Patta in rural areas for residential and ordinary cultivation only.

Sir,

In supersession of earlier decisions, I am directed to say that after due consideration of various aspects, the State Government has decided to issue Periodic Patta in favour of the eligible allotment certificate holders straight way without issuing Annual Patta as per present practice in rural areas (outside the area of 3 K.M. of Municipal Town / Revenue Town and outside the area of 10 K.M. from GMC) for residential purpose and ordinary cultivation only, if found in continuous possession for more than 3 years and used for the purpose for which the land was allotted. No fee or any amount is to be realized for the same.

You are, therefore, requested kindly to take immediate necessary steps for issue of periodic pattas against the allotment certificates as mentioned above.

Yours faithfully,

Sd/- S. C. DAS,

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

Memo No. RRG.130/2014/6-A

Dated Dispur, the 21st April, 2015

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 Director of Land Requisition Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.
4. All Sub-Divisional Officers (Civil),.....
5. P.S. to Hon'ble Chief Minister, Assam, Dispur.
6. P.S. to Hon'ble Minister, Revenue, Assam, Dispur.
7. P.S. to Addl. Chief Secretary, Assam, Revenue & D.M. Deptt., Dispur, Guwahati-6.
8. P.S. to Commissioner & Secretary, Revenue & D.M. Deptt., Dispur, Guwahati-6.

By order etc.

Sd/-

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

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

No. RRG.130/2014/7

Dated Dispur, the 2nd May, 2015

OFFICE MEMORANDUM

Sub : Conversion of Annual Patta Land into Periodic Patta in rural areas for residential and ordinary cultivation only.

In supersession of earlier decisions in this regard, the State Government has decided to convert Annual Patta Land into Periodic Patta in rural areas (outside the area of 3 K.M of Municipal Town/ Revenue Town and outside the area of 10 K.M from GMC) for residential purpose and ordinary cultivation only without waiting for application from the pattadars for conversion of the land or deposition of conversion fee by them subject to fulfilment of other conditions as per Rule 105 of Assam Land Records Manual. The amount of conversion fee for the said land should be realized as arrear land revenue if the A.P holders did not deposit the conversion fee at the time of conversion.

Sd/-

Commissioner Secy. to the Govt. of Assam,
Revenue & DM Department.

Memo No. RRG.130/2014/7-A

Dated Dispur, the 2nd May, 2015

Copy to:-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/ North Guwahati 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 Director of Land Requisition Acquisition & Reforms, Assam ,Rupnagar, Guwahati -32.
4. All Deputy Commissioners / Sub-Divisional Officers (Civil),
5. P.S to Hon'ble Chief Minister, Assam, Dispur.
6. P.S to Hon'ble Minister, Revenue, Assam, Dispur.
7. P.S to Addl Chief Secretary, Assam, Revenue & DM Deptt., Dispur, Guwahati -6.
8. P.S to Commissioner & Secretary, Assam, Revenue & DM Deptt., Dispur, Guwahati -6.

By order etc.

Sd/-

Commissioner & Secy. to the Govt. of Assam,
Revenue & DM Department.

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

ORDERS BY THE GOVERNOR OF ASSAM
NOTIFICATION

Dated Dispur, the 22nd June, 2015

No.RRG.46/2008/Pt/06: In partial modification of earlier order No. RRG.46/2008/38 dated 4th July, 2009; the Governor of Assam is pleased to fix the rates of Commission payable on collection of Land Revenue and Local rates etc. as per ALRR, 1886 with immediate effect as follows:

Sr no	Revenue collection	Commission payable
1.	Minimum floor rate (Upto 49%)	30% upon total collection
2.	If the collection is 50% or more but less than 75% against demand	32% upon total collection
3.	If the collection is 75% or more but less than 90% against demand	33% upon total collection
4.	If the collection is 90% or more but less than 100% against demand	34% upon total collection
5.	100% collection against demand	35% upon total collection

Sd/-

(S. C. Das, IAS)

Additional Chief Secretary to the Govt. of Assam
0 000 Revenue & D.M. Department,
Dated Dispur, the 22nd June, 2015

Memo No.RRG.46/2008/Pt/06-A

Copy to:-

- 1 The Chairman, Assam Board of Revenue, Panbazar, Guwahati-1.
- 2 The Additional Chief Secretary to the Chief Minister, Assam, Dispur.
- 3 All Commissioners of Divisions, Assam.
- 4 The Principal, Accountant General (A&E), Assam, Guwahati-29.
- 5 The Director of Land Records & Surveys etc., Assam, Rupnagar, Ghy-32.
- 6 All Deputy Commissioners.
- 7 The Staff Officer to the Chief Secretary to the Govt. of Assam.
- 8 All Sub-Divisional Officers (Civil).
- 9 The P.S. to the Hon'ble Minister, Revenue & DM Department, Dispur, Guwahati-6 for kind appraisal of the Hon'ble Minister.
- 10 The PS to the Commissioner & Secretary to the Govt. of Assam, Revenue & DM Department, Dispur, Ghy-6 for kind appraisal of the Commissioner & Secretary.
- 11 The Supdt., Assam Govt. Press, Bamunimaidam, Guwahati. He is requested to publish this in the next issue of Assam Gazette and supply 30 copies to this Department.

By order etc,

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

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT (C), DISPUR, GHY-6.

No. RRG. 56/2015/16

Dated Dispur the 4th September 2015

ORDER

The Governor of Assam is pleased to order that in the districts, where no Gaonburhas have been appointed, the concerned Lot Mandai shall function as Member Secretary of Village Land Management and Conservation Committee (VLMCC) till the appointment of Gaonburhas.

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

Memo No. RRG.56/2015/16-A

Dated Dispur the 4th September 2015

Copy to:—

1. The Director of Land Records & Surveys etc., Assam, Rupnagar Ghy-32 for information.
2. The Deputy Commissioners (All), for information and necessary action.
3. Joint Secretary, Revenue & D.M. Department for information.
4. Deputy Secretary, Revenue & DM Department for information.
5. Under Secretary, Revenue & DM Department for information..
6. P.S. to the Commissioner & Secretary, Revenue & D.M. Deptt. for kind appraisal of Commissioner & Secretary.

By order etc.,

Sd/-
Joint secretary to the Govt. of Assam
Revenue & D. M. Department,
Guwahati-06.

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**GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
DISPUR, GUWAHATI-06**

ORDERS BY THE GOVERNOR

NOTIFICATION

No: RRG.86/2001/pt-II/8

Dated Dispur the 10th June, 2016

In supersession of this Department's notification No.RRG.86/2001/ pt-I/3, dated 10/9/2013, 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 leading citizen from the Tea and ex-tea garden Community of the circle 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/3, Dated 10/9/2013.



(D. K. Sarma, IAS)
Commissioner & Secy. to the Govt. of Assam
Revenue & D.M. Department


Dated Dispur the 10th June, 2016

Memo No. RRG.86/2001/pt-II/3-A

Copy for information to:-

- 1) P.S. to the Hon'ble Minister, Revenue & D.M. Deptt., Dispur, Ghy-6.
- 2) P.S. to the Chief Secretary, Assam, Dispur, Ghy-6.
- 3) P.S. to the Addl. Chief Secretary, Revenue & D.M. Deptt., Dispur, Ghy-6
- 4) P.S. to the Principal Secretary to Hon'ble Chief Minister, Assam.
- 5) P.S. to the Principal Secy., Govt. of Assam, Revenue & D.M. Department.
- 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 Committee 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.,


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

**GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
ASSAM SECRETARIAT(C) DISPUR, GUWAHATI-06**

**ORDERS BY THE GOVERNOR
NOTIFICATION**

Dated Dispur, the 5th July, 2016

No: RRG.49/2006/9 : In supersession of all previous Government Orders and Notification issued from this Department, the Governor of Assam is pleased to reconstitute the sub-Divisional Land Advisory Committee for all the sub-Division with following members with immediate effect and until further order.

- | | |
|---|---------------------|
| 1. Deputy Commissioner / Sub-Divisional Officer (Civil) | - Chairman |
| 2. Additional Deputy Commissioner (Revenue) /Sr. E.A.C. | - Member -Secretary |
| 3. Minister/ Ministers of State from the sub-Division or their nominee. | - Member |
| 4. Member of Parliament concerned or their nominee | - Member |
| 5. Member of Legislative Assembly concerned | - Member |
| 6. Circle officers of the sub-Division | - Member |
| 7. Chairman Zila Parishad | - Member |
| 8. Chairman Municipality (if any) | - Member |


Sd/- (D. K. Sarma)
Commissioner & Secretary to the Govt. of Assam
Revenue & D.M. Department.

Memo No. RRG.49/2006/9-A
Copy to:-

Dated Dispur, the 5th July, 2016

1. P.S. to Minister of State, Revenue & DM etc., Assam, Dispur.
2. P.S. to all Minister / Minister of State (independent charge) for information of Minister.
3. P.S. to Addl. Chief Secretary to the Govt. of Assam, Revenue & DM Department.
4. P.S. to Commissioner & Secretary to the Govt. of Assam, Revenue & DM Department.
5. The Deputy Commissioner, _____ for information and necessary action. He is requested to inform all Member concerned.
6. The Sub-Divisional Officer (Civil), _____ for information and necessary action. He is requested to inform all Member concerned.
7. The Deputy Director, Assam Govt. Press, Bamunimaidam, Ghy-21. He is requested to publish this in the next issue of Assam Gazettee and supply 10 copies to this Department.

By order etc.,


Joint Secretary to the Govt. of Assam

**GOVERNMENT OF ASSAM
REVENUE AND DISASTER MANAGEMENT DEPARTMENT,
DISPUR, GUWAHATI-06**

No. RRG.97/2016/70

Dated Dispur, the 20th February, 2017

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

To : 1. Deputy Commissioner (All)
(Except BTAD & Autonomous Hill Dist).

2. Sub-Divisional Officer (Civil) (All)
(Except BTAD & Autonomous Hill Dist).

3. Circle Officer (All)
(Except BTAD & Autonomous Hill Dist).

4. Sub-Registrar (All)
(Except BTAD & Autonomous Hill Dist).

Sub : Implementation of Integrated Land Records
Management System (ILRMS).

Sir/Madam,

This is to inform you that the ILRMS has been decided to be rolled out as per the following schedule :

1. 21-02-2017 - Kamrup (Rural) and Kamrup (Metro).
2. 24-02-2017 - Dibrugarh and Sivasagar.
3. 01-03-2017 - Goalpara and Bongaigaon.
4. 06-03-2017 - Jorhat and Nalbari.
5. 10-03-2017 - Remaining Districts having inter-connectivity.

The phase-wise roll-out has been worked out keeping the need to observe and sort out site-specific connectivity and server speed related issues. There may also be the need to address some software related hiccups too as we make a complete departure from manual/offline system of record keeping.

I would like to draw your attention to the following issues at this moment :

1. Despite repeated instructions some of the Circle officers continued to use manual system instead of Dharitree. With online system in place, this must not happen.
2. Certain processes, like conversion and Reclassification, have not been done through Dharitree in many offices. It is now mandatory to work only through ILRMS.

3. ILRMS provides for processing and disposal of Conversion, Reclassification and appeals in Mutation and Partition cases in DC Offices online. DCs should prepare the team of officers and assistants to do the job and ensure that no manual handling of these matters happens after the roll-out.

4. It is quite possible that there is mismatch in the land records available online and the records maintained offline for a variety of reasons. ILRMS provides, therefore, for the verification of the offline records and necessary updation in the records available online, and makes this verification and updation mandatory before any petition for record correction is disposed of. This process of incremental verification and updation will ensure that there are no mistakes in record updation and the land records are in complete sync with the ground situation over a period of time.

5. G2C part of ILRMS will be possible to be rolled out only after the formality of security audit is completed. It is expected to be in place by 30th March, 2017. Till then, features of online application or payment will not be activated and online system of revenue collection will also become functional after that only.

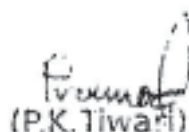
6. Online system of NOC for Reclassification or Transfer of immovable property is a new feature. The Templates for Application and NOC provided in the ILRMS will necessitate seeking some additional information from applicants. This should be publicised adequately.

7. A Dash Board with MIS reports and useful graphics have been prepared as part of the web portal. It is possible now to monitor day to day status of Mutation, Partition, Conversion, Reclassification, NoCs, and registration of Deeds through the Dash Board. Please use it extensively.

8. Do share your suggestions regarding improvement in the software or portal, so that we are in the best of shapes by the time G2C part is launched with facilities of online payment and SMS gateway.

You are requested to take necessary follow-up action to ensure the smooth and seamless transition from manual/offline system to the online system.

Yours faithfully,



(P.K. Tiwari)

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

Memo No. RRG.97/2016/~~to~~-A Dated Dispur, the 20th February, 2017

Copy to :

1. Divisional Commissioner (All)
2. The Director of Land Records & Surveys etc., Assam Rupnagar,
Guwahati-32.
3. State Informatic Officer NIC, Assam.
4. All the Officers of Revenue & Disaster Management Department *D. Sand. ACS*
5. Shri Hemant Saikia, Shri Devajit Bhattacharya and Shri Vidyut
Gohain, NIC, Assam.
- 6 S.O. to Chief Secretary, Assam.
7. P.P.S to Hon'ble Chief Minister, Assam.
8. P.S to Hon'ble Minister of State, Revenue & Disaster
Management Department.


(P.K. Tiwari)

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

**GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
DISPUR, GUWAHATI-06**

No: RRG.12/2012/1

Dated Dispur the 31st October, 2017

Office Memorandum

Subject:- Declaration of Services under Revenue and DM Department as per provision of the Section 4 of the Assam Right to Public Services Act, 2012.

With a view to provide the delivery of public service to the eligible citizens within stipulated time limit the following service of Revenue and Disaster Management Department has been identified as notified service under section 4 of the Assam Right to Public Services Act, 2012.

Issuance of No Objection Certificate for Transfer of Immovable Property

An important service which is provided by the Deputy Commissioner for transfer of Immovable property under section 21(A) of Indian Registration Act,1908.

Eligibility Criteria

Any one in whose name figures in jamabamdi/Record of Right or his/her legal heir/successor or his/her Registered power of attorney holder is eligible to apply online from anywhere including D.C. office/CO Office/PFC/CSC or offline in the Deputy Commissioner offices where Integrated Land Records Management System (ILRMS) is not functioning for transfer of immovable property.

Procedure

1. NOC can be applied online from anywhere. Only the person whose names are in the Chitha can apply for transfer of immovable property. Required document and photograph can be scanned and submitted online. In the online submission of application the Applicant must fill all the required field in the Application and must upload the entire required document. At the time of submission of the application the applicant set by the user will be the user id and password for the applicant for the application. The applicant can see the status, reply objection and even download the NOC online using the application no. as user id and password that is set by the applicant
2. The submitted application is automatically forwarded to the Branch Officer. The Branch Officer will verify the application, can raise Objection and Reject the Application. On being satisfied the BO will forward the application to the concerned Circle Officer. If BO raises objection, the application, the applicant will receive a SMS regarding the objection.
3. On receiving the application from BO, the Circle Officer will verify it at his level. The Circle Officer can also raise objection. On being satisfied the Circle Officer will forward the application to the respective Lat Mondal.

4. The Lot Mandal will login to the system and can view the complete application along with the attachment. He will submit his report online by opening the online form. On submission of LM report the application will automatically be forwarded to the Circle Officer.
5. The Circle Officer will verify the LM report and will forward it to the Branch Officer after giving his remarks.
6. On receiving the application from the Circle Officer the Branch Officer of the concerned DC Office will verify the CO's and LM's report. The BO has the right to send the CO's report back to Circle Officer for a fresh report. The BO will then forward the application to the Additional Deputy Commissioner for final approval and issue of NOC.
7. The ADC will verify the Application , can see LM's report ; CO's report and BO's decision. ADC can also raise objection on the Application.
8. The ADC will then approve the application which he is entitled to approve and the rest application which he cannot approve, will forward to the District Level Committee or Deputy Commissioner.
9. The ADC will generate the approved list of NOC and upload it to the system so that the Applicant can download the NOC for immovable property from the site from anywhere.
10. The DC will login to the system and approve the applicant whom he can approve and the rest of the application he will forward to the State Revenue Department for further necessary action. The DC has the right to reject any application forwarded to him.
11. The Application approved by the State Revenue Department then goes back to Deputy Commissioner who forwards it to ADC for generating the NOC and upload in to the system.
12. NOC can also be applied offline in the standard format as mentioned below before the Deputy Commissioner concerned where "Integrated Land Records Management System" (ILRMS) is not functioning.
13. On receiving the application from the applicant, the Deputy Commissioner or an officer assigned by him for this purpose will send it to concerned Circle officer for detailed report. The Circle officer will seek detailed report from the Concerned Lot Mandal/Supervising Kanungo. After scrutiny of the report, the Circle officer will forward the application with his specific views to Deputy Commissioner for granting /rejecting the said petition. The Deputy Commissioner will take all material on record in to the account and pass an order either granting or not granting the NO Objection Certificate.

The Deputy Commissioner or Circle Officer shall have the right to call the transferor or transferee for his personal hearing if need be within the period during which this service is to be provided and this will not be a reason for exceeding the time limit for providing the service.

14. The State Revenue Department will be able to monitor the District wise status report of the districts under ILRMS on line about the Applications received, approved and reject. Similarly, DCs also will be able to monitor the status of his District.
15. Time period of this service required for Circle Officer is 5 (five) days, for LM and SK's report is 10(ten) days and disposal of petition in DC's office is 15(fifteen) days.

Documents to be annexed as per Application

1. Court Fee
2. Photograph of Buyer and Seller.
3. Declaration of Consideration. In case of Flat value of both Flat area and apportionment of Land.
4. Up-to-date Revenue Receipt (Khajana Rashid)
5. Citizenship of Purchaser (Certified copy of Voter list/ Passport etc.).
6. Land Patta (if available).
7. Affidavit of Buyer and Seller or Power of Attorney Holder.
8. Photo ID of Buyer and Seller.
9. Power of Attorney Copy (if the Seller is a Attorney Holder)
10. Pattadar to submit affidavit in favour of POA Holder.
11. Authority/ NOC of Co-partner in case of flat.
12. NOC from Co-pattadar.
13. GMC/GMDA/Municipality/ Town Committee receipt/ occupancy certificate in case of flat.
14. PAN/ TAN Card.

User Charge: Rs 500/(Five hundred only) in rural areas, Rs 1000/(One thousand only) in urban areas other than Guwahati, Rs2500/(Two thousand five hundred only) in case of Guwahati.

Citizen Charter: At Appendix-A

Form: At Annexure-I


Sd/-

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

Copy for information and necessary action to:-

- 1) The Chairman, Assam Board of Revenue, Panbazar, Guwahati-1.
- 2) The Principal Secretary to the Autonomous Council (KAAC/ DHAC/ BTC)
- 3) All Commissioner of Divisions.
- 4) The Director of Land Records & Surveys etc., Assam, Rupnagar, Ghy-32.
- 5) The Inspector General of Registration, Assam, Rupnagar, Ghy-32.
- 6) Deputy Commissioner (All Districts)/ Settlement Officers.
- 7) The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Ghy-32.
- 8) All Sub-Divisional Officers (Civil).
- 9) All Circle Officers.
- 10) All Sub-Registrars.

By order etc.,


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

Sl. No.	Certified public service	Designation of the designated public servant	Stipulated time limit for providing the service. (in days)	Designation of the Appellate Authority	Time limit for disposal by the Appellate Authority	Designation of Reviewing Authority	Time limit for disposal by the Reviewing Authority	Documents to be enclosed along with the Application for issuance of No Objection Certificate	Users Charge
1	Issue of No Objection Certificate for transfer of Immoveable property.	Deputy Commissioner/ to be nominated by Deputy Commissioner	Total 30 days if no objection is filed. (10 days for Circle Officer, 10 days for LM & and 10 days for DC Office)	Commissioner of Divisions	Thirty days	Revenue & DM Department, Govt. of Assam	Thirty days	<ol style="list-style-type: none"> 1. Court Fee 2. Photograph of Buyer and Seller 3. Declaration of Consideration . In case of Flat area and apportionment of Land 4. Up-to-date Revenue Receipt (Khajana Rashid). 5. Citizenship of Purchaser (Certified copy of Voter list/passport etc.) 6. Land Patta (if available) 7. Affidavit of Buyer and Seller or Power of Attorney Holder. 	Rs 500/(Five hundred only) in rural areas , Rs 1000 /(One thousand only) in urban areas other than Guwahati , Rs2500/(Two thousand five

						8. Photo ID of Buyer and Seller. 9. Power of Attorney copy (if the Seller is a Attorney Holder). 10. Pattadar to submit affidavit in favour of POA Holder. 11. Authority/NO C of Co-partner in case of flat. 12. NOC from Co-pattadar. 13. GMC/GMDA/ Municipality/T own. Committee receipt/occupancy certificate in case of flat. 14. PAN/TAN Card.	hund red only) in case of Guw ahati
--	--	--	--	--	--	---	--

Format for application for NOC for Transfer of Immovable Property

* Tick mark the correct option wherever applicable (✓).

Name of District District:	<input type="text"/>												
Name of the Sub Division :	<input type="text"/>												
Name of the Circle:	<input type="text"/>												
*Application for NOC for transfer of :	<table border="1"> <tr> <td>Land</td> <td>Flat</td> </tr> </table>	Land	Flat										
Land	Flat												
*Types of Transfer of Immovable Property:	<table border="1"> <tr> <td>Sale</td> <td>Lease</td> <td>Mortgage</td> <td>Gift</td> </tr> </table>	Sale	Lease	Mortgage	Gift								
Sale	Lease	Mortgage	Gift										
* Transfer of Immovable Property from:	<table border="1"> <tr> <td>Agriculture</td> <td>Residential</td> <td>Commercial</td> <td>Industrial</td> </tr> <tr> <td align="center" colspan="4">TO</td> </tr> <tr> <td>Agriculture</td> <td>Residential</td> <td>Commercial</td> <td>Industrial</td> </tr> </table>	Agriculture	Residential	Commercial	Industrial	TO				Agriculture	Residential	Commercial	Industrial
Agriculture	Residential	Commercial	Industrial										
TO													
Agriculture	Residential	Commercial	Industrial										
Present Land Class:	<input type="text"/>												
Land Class after issue of NOC:	<input type="text"/>												

Name of the Applicant:	<input type="text"/>												
Father's Name of the Applicant:	<input type="text"/>												
Mother's Name of the Applicant:	<input type="text"/>												
Present Address of the Applicant (with PIN):	<table border="1"> <tr> <td>House No. / Road</td> <td><input type="text"/></td> </tr> <tr> <td>Vill / Locality</td> <td><input type="text"/></td> </tr> <tr> <td>City / Town</td> <td><input type="text"/></td> </tr> <tr> <td>Dist :</td> <td><input type="text"/></td> </tr> <tr> <td>PIN:</td> <td><input type="text"/></td> </tr> </table>	House No. / Road	<input type="text"/>	Vill / Locality	<input type="text"/>	City / Town	<input type="text"/>	Dist :	<input type="text"/>	PIN:	<input type="text"/>		
House No. / Road	<input type="text"/>												
Vill / Locality	<input type="text"/>												
City / Town	<input type="text"/>												
Dist :	<input type="text"/>												
PIN:	<input type="text"/>												
Permanent Address of the Applicant (with PIN):	<table border="1"> <tr> <td align="center" colspan="2">(Same as present address)</td> </tr> <tr> <td>House No. / Road</td> <td><input type="text"/></td> </tr> <tr> <td>Vill / Locality</td> <td><input type="text"/></td> </tr> <tr> <td>City / Town</td> <td><input type="text"/></td> </tr> <tr> <td>Dist :</td> <td><input type="text"/></td> </tr> <tr> <td>PIN:</td> <td><input type="text"/></td> </tr> </table>	(Same as present address)		House No. / Road	<input type="text"/>	Vill / Locality	<input type="text"/>	City / Town	<input type="text"/>	Dist :	<input type="text"/>	PIN:	<input type="text"/>
(Same as present address)													
House No. / Road	<input type="text"/>												
Vill / Locality	<input type="text"/>												
City / Town	<input type="text"/>												
Dist :	<input type="text"/>												
PIN:	<input type="text"/>												
Contact Details :	<table border="1"> <tr> <td>Land Line No.</td> <td><input type="text"/></td> </tr> <tr> <td>Mobile No.</td> <td><input type="text"/></td> </tr> <tr> <td>e-mail ID</td> <td><input type="text"/></td> </tr> </table>	Land Line No.	<input type="text"/>	Mobile No.	<input type="text"/>	e-mail ID	<input type="text"/>						
Land Line No.	<input type="text"/>												
Mobile No.	<input type="text"/>												
e-mail ID	<input type="text"/>												

contd to next page.....

Details of Seller :Name of Mouza: Name of Village: Patta Type: Patta No. Name of Pattadar: Name of Seller (in English) : *Gender : Male Female OthersFather's Name of the Seller : Mother's Name of the Seller :

Present Address of the Seller (with PIN):

House No. /

Road

Vill / Locality City / Town Dist : PIN:

Permanent Address of the Seller (with PIN):

 (Same as present address)House No. /

Road

Vill / Locality City / Town Dist : PIN: *If Seller / Transferer is other than
land owner Yes No

(if yes, then)

Name of Attorney Holder Power of Attorney No. and Date Issued Sub Registrar Office

Contact Details :

Land Line No. Mobile No. e-mail ID PAN AADHAAR No. (Optional)

*Agriculturist or Non-Agriculturist:

 Agriculturist Non- Agriculturist

(If Non- Agriculturist, then)

State
profession:

contd to next page....

*If the land proposed to be sold / transferred falls in Tribal Block/Belt:

Yes	No
-----	----

(If Yes, then)

Name of Block / Belt:	
-----------------------	--

*Is there any recorded tenants in the Applied Land:

Yes	No
-----	----

(If yes, then)

Name of Tenants :	
Father's Name :	
Khatian No.:	

Whether the seller will be landless after selling the plot of land:

Yes	No
-----	----

Any other land held in the State:

Yes	No
-----	----

(If yes, then)

District				
Revenue Circle:				
Mouza:				
Village:				
Patta No.				
Dag No.				
Land Area	Bigha:		Katha	
	Lessa/Chatak		Ganda	

contd to next page...

Details of Land Schedule:

Details of land to be sold/ donated by the seller/ transferrer:

	Patta No.	<input type="text"/>	
	Dag No.	<input type="text"/>	
	Land Class	<input type="text"/>	
	Area of land to be sold / donated:		
	Bigha	<input type="text"/>	Katha <input type="text"/>
	Lessa	<input type="text"/>	
	Are	<input type="text"/>	Sq Feet <input type="text"/>
	Acre	<input type="text"/>	
	Boundary of the Proposed Plot of Land:		
	North	<input type="text"/>	South <input type="text"/>
East	<input type="text"/>	West <input type="text"/>	

*If any existing construction exist in the proposed plot of land

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

(If yes, then)

Describe the existing construction :	<input type="text"/>
--------------------------------------	----------------------

Consideration Amount :

Total land value	<input type="text"/>
Flat / Existing construction value	<input type="text"/>
Total Consideration Amount	<input type="text"/>
(Total land value + Flat value or value of existing Construction)	

*If Land Revenue has been paid in full (attach Proof)

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

(If yes, then)

State the year:	<input type="text"/>
-----------------	----------------------

*If the Land proposed to be sold / transferred has been mortgaged for any purpose, details thereof (attach Proof):

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

* If the Land proposed to be sold/ transferred is involved in any litigation:

<input type="checkbox"/> Yes	<input type="checkbox"/> No
------------------------------	-----------------------------

(If yes, then)

Name of Court:	<input type="text"/>
Case No. :	<input type="text"/>
Case Date:	<input type="text"/>
Name of Pattadar:	<input type="text"/>
Name of Appellate Pattadar:	<input type="text"/>

contd to next page.....

*Purpose for which the Land is transferred /
sold:

Agriculturist	Non - Agriculturist (If Non-Agriculturist, then)
---------------	---

Specify the Purpose for non-agriculture purpose :				
The Category of Land as per section of AARR Act 2015	<table border="1"> <tr> <td>1. Unutilised for last 10 years</td> </tr> <tr> <td>2. Others</td> </tr> <tr> <td>3. Barren Land</td> </tr> </table>	1. Unutilised for last 10 years	2. Others	3. Barren Land
1. Unutilised for last 10 years				
2. Others				
3. Barren Land				

Purpose of Transfer:

--

Whether Lease:

Yes	No
-----	----

(If yeas, then)

Proposed Term inYears:	
------------------------	--

contd to next page....

Entry of Buyer:

Name of Purchaser / Transferee (in Assamese):

Father's Name of the Purchaser / Transferee (in Assamese):

Mother's Name of the Purchaser / Transferer (in Assamese):

Name of the Purchaser / Transferee:

*Gender :

Male	Female	Others
------	--------	--------

Present Address of the Purchaser / Transferee (with PIN)

House No. / Road	<input type="text"/>
Vill / Locality	<input type="text"/>
City / Town	<input type="text"/>
Dist :	<input type="text"/>
PIN:	<input type="text"/>

Present Address of the Purchaser / Transferee (with PIN)

<input type="text"/>	(Same as Present Address)
House No. / Road	<input type="text"/>
Vill / Locality	<input type="text"/>
City / Town	<input type="text"/>
Dist :	<input type="text"/>
PIN:	<input type="text"/>

Contact Details of the Purchaser / Transferee:

Land Line No.	<input type="text"/>
Mobile No.	<input type="text"/>
e-mail ID	<input type="text"/>

PAN / TAN:

AADHAAR No. (Optional)

*If He/She belongs to the designated category for purchasing Land if it belongs to Tribal Block

Yes	No
-----	----

(If yes, then)

Name of the designated community:

* Agriculturist or Non-Agriculturist:

Agriculturist	Non- Agriculturist
---------------	--------------------

(If Non -Agriculturist, then)

Enter Profession:

Total Area of Land held in the State:

Bigha	Katha	Lessa
<input type="text"/>	<input type="text"/>	<input type="text"/>

contd to next page....

Mention details of land held in State: (if applicable)

District	<input type="text"/>		
Revenue Circle	<input type="text"/>		
Mouza	<input type="text"/>		
Village	<input type="text"/>		
Patta No.	<input type="text"/>		
Dag No.	<input type="text"/>		
Land Area:	Bigha	<input type="text"/>	Katha <input type="text"/>
	Lessa/ Chetak	<input type="text"/>	Ganda <input type="text"/>

Place:

Date: *

We certify that the information provided above and the documents attached as documentary proof are correct and complete in every respect and We have submitted this application in full knowledge.

Signature
Transferor / Buyer

Signature
Transferee / Seller

GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
DISPUR, GUWAHATI-06

No: RRG.12/2012/pt/2

Dated Dispur the 31st October, 2017

Office Memorandum

Subject:- Declaration of Services under Revenue and DM Department as per provision of the Section 4 of the Assam Right to Public Services Act, 2012.

With a view to provide the delivery of public service to the eligible citizens within stipulated time limit the following service of Revenue and Disaster Management Department has been identified as notified service under section 4 of the Assam Right to Public Services Act, 2012.

Issuance of No Objection Certificate for Reclassification of land and Reclassification cum Transfer

An important service which is provided by the Deputy Commissioner for reclassification of land / reclassification cum transfer under The Assam Agricultural land(Regulation of Reclassification and transfer for non-agricultural purpose)Act, 2015.

Eligibility Criteria

Only patta holders can apply for reclassification and reclassification cum transfer. Applicants can be multiple co pattadars of same patta. In one application, applicants can apply for a single patta only. Multiple patta is not allowed in one application. No power of attorney holder can apply. There can be only one land schedule for same patta and multiple dags. No part dag area is allowed to reclassify. In case of part reclassification the part must be partitioned in Dharitree and only then NOC for reclassification / and reclassification cum transfer can be obtained. This is applicable for land above 1(one) bigha.

Procedure

1. Any owner of agricultural land who intends to reclassify or reclassify-cum-transfer agricultural land for non-agricultural purpose 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 .
2. An application 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.

Before issuing an in-principle approval 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.

5. 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 Premiums 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.

6. 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.
7. In case if the total area intended to be reclassified-cum-transferred is above 50 bighas, the Deputy Commissioner shall send the proposal to Govt and shall accord his in-principle approval only after getting approval of Government in the Revenue Department .

Documents to be annexed as per Application

1. Court Fee
2. Photograph of Buyer and Seller.
3. Declaration of Consideration. In case of Flat value of both Flat area and apportionment of Land.
4. Up-to-date Revenue Receipt (Khajana Rashid)

5. Citizenship of Purchaser (Certified copy of Voter list/ Passport etc.).
6. Land Patta (if available).
7. Affidavit of Buyer and Seller or Power of Attorney Holder.
8. Photo ID of Buyer and Seller.
9. Power of Attorney Copy (if the Seller is a Attorney Holder)
10. Pattadar to submit affidavit in favour of POA Holder.
11. Authority/ NOC of Co-partner in case of flat.
12. NOC from Co-pattadar.
13. GMC/GMDA/Municipality/ Town Committee receipt/ occupancy certificate in case of flat.
14. PAN/ TAN Card.

User Charge: Rs.(a) Up to first 3 Bighas: @ Rs 2000/(Rupees two thousand only).

(b) More than 3 Bighas up to 10 Bighas : @Rs 50/(Rupees fifty only)per additional bigha.

(c) More than 10 Bighas up to 50 Bighas : @Rs 100/(Rupees one hundred only) per additional bigha.

(d) Above 50 bighas :@ Rs 150/(Rupees one hundred fifty only) per additional bigha.)

Citizen Charter: At Appendix-A

Form: At Annexure-I

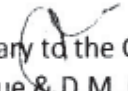
sd/-

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

Copy for information and necessary action to:-

- 1) The Chairman, Assam Board of Revenue, Panbazar, Guwahati-1.
- 2) The Principal Secretary to the Autonomous Council (KAAC/ DHAC/ BTC)
- 3) All Commissioner of Divisions.
- 4) The Director of Land Records & Surveys etc., Assam, Rupnagar, Ghy-32.
- 5) The Inspector General of Registration, Assam, Rupnagar, Ghy-32.
- 6) Deputy Commissioner (All Districts)/ Settlement Officers.
- 7) The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Ghy-32.
- 8) All Sub-Divisional Officers (Civil).
- 9) All Circle Officers.
- 10) All Sub-Registrars.

By order etc.,


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

Sl. No	Certified public service	Designation of the designated public servant	Stipulated time limit for providing the service. (in days)	Designation of the Appellate Authority	Time limit for disposal by the Appellate Authority	Designation of Reviewing Authority	Time limit for disposal by the Reviewing Authority	Documents to be enclosed along with the Application for Issuance of No Objection Certificate	Users Charge
1	Issue of No Objection Certificate for Re-classification and reclassification cum transfer	Deputy Commissioner/ to be nominated by Deputy Commissioner	Total 30 days if no objection is filed. (10 days for Circle Officer, 10 days for LM & and 10 days for DC Office)	Commissioner of Divisions	Thirty days	Revenue & DM Department, Govt. of Assam	Thirty days	<ol style="list-style-type: none"> 1. Court Fee 2. Photograph of Buyer and Seller 3. Declaration of Consideration, in case of Flat area and apportionment of Land 4. Up-to-date Revenue Receipt (Khajana Rashid). 5. Citizenship of Purchaser (Certified copy of Voter list/passport etc.) 6. Land Patta (if available) 7. Affidavit of Buyer and Seller or Power of Attorney Holder. 8. Photo ID of Buyer and Seller. 9. Power of Attorney copy (if the Seller is a Attorney Holder). 10. Pattadar to submit affidavit in favour of POA Holder. 11. Authority/NOC of Co-partner in case of flat. 12. NDC from Co-pattadar. 13. GMC/GMDA/Municipality/Town Committee receipt/occupancy certificate in case of flat. 14. PAN/TAN Card. 	<p>(a) Up to first 3 Bighas: @ Rs 2000/(Rupees two thousand only).</p> <p>(b) More than 3 Bighas up to 10 Bighas : @Rs 50/(Rupees fifty only)per additional bigha.</p> <p>(C) More than 10 Bighas up to 50Bighas @ Rs 100/(Rupees hundred) per additional bigha.</p> <p>(d) Above[†] 50bighas @ Rs 150 (one hundred fifty only) per additional bigha.</p>

Application for NOC for Reclassification / Reclassification-cum-transfer

1. Name of purchaser / transferee (in Assamese) :
2. Fathers name of purchaser / transferee (in Assamese) :
3. Mother name of purchaser / transferee (in Assamese) :
4. Gender :
5. Present Address of Purchaser/ transferee :
House No./Road: Village/ Locality:
City/ Town : PIN :
Contact No.: email ID :
PAN/TAN No: Adhar No.(if any) :
6. Permanent Address of Purchaser/ transferee
House No./Road: Village/ Locality:
City/ Town : PIN :
Contact No.: email ID :
PAN/TAN No: Adhar No.(if any) :
7. Basic details of land for re-classification/ reclassification-cum-transferee:
Type of reclassification
Name of district :
Name of Sub-Division :
Name of Circle :
Name of Mouza :
Name of Village :
Dag No. :
Class of land :

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

No.RRG.49/2006/24

Dated Dispur, the 24th January, 2018

From : Shri M.P. Sharma, ACS
Secretary to the Govt. of Assam,
Revenue & Disaster Management Department

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

Sub : **Guidelines for the Sub-Divisional Land Advisory Committee**

Sir,

With reference to the subject cited above, I am directed to inform you that in the context of present day challenges being faced while administering land matters and also keeping in mind the changing scenario, it is felt that the Sub-Divisional Land Advisory Committee(SDLAC) should have much bigger role to play in the matter of land resource management and administration. For convenience of the SDLAC, a guideline has been placed below highlighting upon which the committee can act and guide the District/Sub-Divisional administration in dealing with matters relating to land revenue administration.

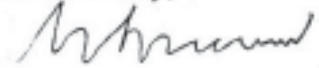
1. The Deputy Commissioners/ Sub-Divisional Officers (Civil) should hold SDLAC meeting at least once in every month.
2. Presence of two-third majority of the members shall form the quorum of the SDLAC meeting.
3. The agenda of the SDLAC meeting should be prepared well in advance of the scheduled date of the meeting and circulated to all the members of the Committee 7-days ahead of the meeting.
4. The allotment/settlement proposals which are thoroughly checked and found to be complete in all respect as per standing Government Circulars, provisions of Acts/Rules/Land Policy etc. should only be included in the agenda of the meeting for discussion.
5. It is to be ensured before including any proposal of allotment/settlement in the agenda that the particulars of the land proposed are updated in land records and relevant entries are made in the Village Land Bank through the online MIS portal of the Department.
6. The agenda should include in addition to allotment/settlement matters, other major issues on land revenue administration like encroachment over all types of Government land and eviction, preparation and updation of Village Land Use Plan and Village Land Bank, protection and preservation of important and crucial land masses like water bodies/ecological sites/archaeological and historical sites etc, reclassification of agricultural land, land acquisition issues, matter related with land erosion in the District and other such important issues on land which deserves attention.
7. In each SDLAC meeting, the action taken report on the action points of the previous meetings should also be discussed/reviewed.
8. The Chairman shall also place before the Committee for appraisal, the list of allotment/settlement cases against which orders for allotment/settlement were previously issued but the allotted/settled lands have been found unutilized for 3 years or more by the allottee from the date of issue of such orders before

reverting back the land to the Government and correcting land records accordingly.

9. The Chairman of the Committee should also place before the Committee the Circle wise lists of land less people regularly updated at the Circle level for the purpose of scrutiny and approval from the Committee.
10. The Member Secretary of the SDLAC should be personally responsible for placing all the previously approved proposals lying in the Branch before the Deputy Commissioner for taking further follow up actions as per existing procedures laid down in Government Land Policy, Act/Rule and different Circulars.
11. A copy of the minutes of the SDLAC meeting should be sent to all the members of the Committee and also to the Government within 7-days from the date of holding such meeting.

You are requested to ensure necessary action for compliance of the above guidelines.

Yours faithfully,



(M.P. Sharma, ACS)

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

Memo No. RRG.49/2006/24-A

Dated Dispur, the 24th January, 2018

Copy to :

- 1) Director of Land Records & Surveys etc, Rupnagar, Guwahati-32 for information and necessary action.
- 2) PS to Minister of State, Revenue & DM Department, Dispur for kind appraisal of the Hon'ble Minister.
- 3) PS to Commissioner & Secretary to the Govt. of Assam, Revenue & DM Department, Dispur.

By order etc.,



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

**GOVERNMENT OF ASSAM
REVENUE (REFORMS) & DISASTER MANAGEMENT DEPARTMENT
ASSAM SECRETARIAT (C), DISPUR, GHY-6.**

No. RRT.6/2018/3

Dated Dispur the 14th May, 2018

OFFICE MEMORANDUM

It has been observed that weaker sections of the society are vulnerable to lose their land to the land grabbers. The victims file complaints of land grabbing or forceful occupation with the police or the Deputy Commissioner only in few cases praying for getting back their land. In most cases, the victims, who are poor, elderly persons, widows, physically ill persons, cannot physically resist such acts of financially sound land grabbers or pursue through legal complications for getting justice.

Hence, Government has constituted a District Level Co-ordination Committee for Kamrup (Metro) District to facilitate and co-ordinate among the victims and police/ district administration and facilitate quick disposal of such cases filed by victims with the following members.

- | | |
|---|------------------|
| 1. The Deputy Commissioner, Kamrup (Metro)- | Chairman |
| 2. The Addl. Deputy Commissioner (Revenue) Kamrup(Metro)- | Member Secretary |
| 3. The Deputy Commissioner of Police
(East Zone, West Zone, Central Zone & Crime Branch) | Member |
| 4. The Circle Officer
(Azara, Chandrapur, Dispur, Guwahati and Sonapur Rev. Circle) | Member |
| 5. The Government pleader Kamrup(Metro) | Member |

Functions of the Committee:

1. The Committee shall sit once in a month to review the petitions.
2. The Committee shall ensure co-ordination between police and district administration and facilitate early disposal of such cases.
3. The Committee shall facilitate prompt submission of the requisite reports by the concerned Revenue authorities and review pendency of the Cases on monthly basis.
4. Whenever any case of land grabbing or forceful occupation of land is filed before the District Administration/ Police, the Committee shall provide necessary guidance and assistance to the victims.
5. The Committee shall give wide publicity by holding awareness meetings and through print and electronic media about constitution of such Committee for the greater benefit of the common people.

Sd/- Kumar Sanjay Krishna, IAS
Addl. Chief Secretary to the Govt. of Assam
Revenue & D.M. Department.

Dated Dispur the 14th May, 2018

Memo No. RRT.6/2018/3-A

Copy forwarded for information and necessary action to :-

1. The Principal Secretary to the Hon'ble Chief Minister, Assam
2. The Deputy Commissioner, Kamrup (Metro).
3. The Addl. Deputy Commissioner (Rev.), Kamrup (Metro).
4. The Commissioner of Police, Guwahati.
5. The Deputy Commissioner of Police (East Zone, West Zone, Central Zone and Crime Branch).
6. The Circle Officer (Azara, Chandrapur, Dispur, Guwahati and Sonapur Rev. Circle).
7. The Govt. Pleader.
8. P.S. to Minister (MOS), Revenue, Dispur.
9. P.S. to Addl. Chief Secretary, Revenue & DM Deptt., Dispur.
10. P.S. to Commissioner & Secretary, Revenue & DM Department, Dispur.
11. P.S. to Secretary, Revenue & DM Deptt., Dispur.

By order etc

(Dhiraj Saud, ACS)
Deputy Secretary to the Govt. of Assam
Revenue & D.M. Department,

GOVERNMENT OF ASSAM
REVENUE & DISASTER MANAGEMENT DEPARTMENT
JANATA BHAWAN: DISPUR
GUWAHATI-06

No.RRG.154/2015/62

Date Dispur, the 23rd July 2018

OFFICE MEMORANDUM

1. Citizen-centric of the system of governance and active citizen engagement in the functioning of the government are critical to the quality of governance. Revenue administration and management of land resources are no exception to it. Acknowledging the importance of citizen engagement in bringing about efficiency and transparency in the functioning of Revenue & Disaster Management Department and conservation of precious land resources, it has been decided to constitute Village Land Management and Conservation Committee(VLMCC) in every revenue village of the State as per the norms laid in the paragraphs below:

2. **Composition of the VLMCC:**

The VLMCC shall consist of following persons:

i.	Ward member of the Gram Panchayat from the Village, or One of the resident of the village elected by Gram Sabha, if the ward member representing the Revenue village is not from the village or there are more than one ward member in the village	Chairperson
ii	Ward member/ members representing the village (if he/she is not the Chairperson/ Chairpersons of the Committee)	Member,
iii	Lot Mandal in whose Lot the Village falls	Member
iv	Village level Extension Worker of Agriculture Department in Charge of the Village	Member
v	Village level Extension Worker of Veterinary & Animal Husbandry in Charge of the Village	Member
vi	Field level staff of Forest Department.	Member
vii	Head Teachers of the Government Elementary & Secondary School	Member
viii	10 Persons from the Village elected in Gaon Sabha Meeting	Member
ix	Gaon Burha.(in case, Gaon Burah is not able to read or Write, one educated person will be elected as co-secretary in the Gram Sabha meeting)	Member Secretary

3. **Eligibility Criteria for membership of the VLMCC:**

- (i) The person concerned should be citizen of India and an Ordinary resident in the Village.
- (ii) He/ She should be sound mind and health.
- (iii) He/ She should not have been charge-sheeted or convicted in connection with any crime.
- (iv) He/she should not have defaulted on payment of Land revenue or any Government dues.

4. **Role & Responsibilities of VLMCC:**

4.1 VLMCC shall function as the guardian of the land resources of the village, which include Village Grazing Reserve (VGR), professional Grazing Reserve (PGR), Wetlands (Rivers, Rivulets, streams, ponds, tanks, natural water channels marshes, swamps and depressed areas waterlogged for significant part of the year), vegetative cover (forest and agro-forestry on Government Land), Hills and ecological sites, and archaeological remains or sites.

4.2 It will carry out following functions in this regards:

- i) To keep vigil on the land resources of the village and mobilise public opinion against any unauthorised encroachment thereon or any activity harmful to their existence and report to the Circle Officer of the Revenue Circle.
- ii) To assist in and monitor the preparation and updation of Village Land bank (A Dag-wise Record of all types of Government Land in the Village).
- iii) To assist in and monitor the preparation and updation of Village Knowledge bank (A systematic record of the critical land and natural resources of the village)
- iv) To assist in and monitor the preparation and updation of Village Master Plan for Disaster Management.
- v) To undertake awareness generation activities on the importance of conservation of land resources.
- vi) To assist in preparation of plan of action for the conservation and development of VGRs and PGRs.
- vii) To assist in and monitor the implementation of Village Master Plan for Disaster Management.

5. Assistance to be provided to VLMCCs:

To facilitate the VLMCC in carrying out these functions, the Circle Officer shall take following steps:

- i) No proposal for de-reservation of any VGR or PGR or any other reserved category of land and diversion thereof for any other purposes shall be finalised without placing it in the meeting of the VLMCC.
- ii) The VLMCC shall have only advisory/ recommendatory role in this regard, but it should be clearly mentioned in the proposal for de-reservation/diversion for other purposes of reserved category of land if it has been recommended by at least 50% of the members of the VLMCC having participated in the meeting.
- iii) Village Land Bank, Village Knowledge Bank and Village Master Plan for Disaster Management shall be prepared in collaboration with the VLMCC and the copy of resolution adopted by VLMCC in this regard shall be kept in the Circle Office.
- iv) Gaon Burah shall be responsible for convening the meetings of VLMCC with the approval of Chairperson and keeping record of the proceedings of the VLMCC meetings.
- v) Capacity Building programme for the VLMCC members shall be organised periodically.
- vi) Village Land Bank, Village Knowledge Bank and Village Master Plan for Disaster Management shall be digitised and updated on the Knowledge Management Portal of ASDMA.
- vii) Prompt action should be taken to remove encroachment on the Government Land on receiving report from the VLMCCs and if Forest Department or some other department is required to take action, the matter should be referred to them.
- viii) VLMCC shall be involved in mapping and management of wetlands, Hills, ecological sites etc. and any report of threat to the natural resources received from VLMCCs shall be acted on promptly.

6. Quorum and periodicity for VLMCC meeting:

- i) No meeting shall be held without the presence of at least 50% of the Members (both official and Non official)
- ii) Gaon Burah shall obtain the specimen signature of all the members and a copy of that shall be kept in the Circle Office.
- iii) Meetings should be held as and when necessary, but ideally the VLMCC should meet at least once every month.
- iv) A copy of the resolution adopted by the VLMCC must be sent to the Circle Office.

7. Tenure of VLMCC:

- i) The tenure of VLMCC shall be 3 years from the date of constitution. It can, however, be dissolved before that if it is found that it has not been discharging its functions properly. Deputy Commissioner/ S.D.O. (Civil) is authorised to take action on receiving the report from Circle Officer to this effect after conducting local enquiry.
 - ii) An elected individual member of the committee may also be removed if it is found that he/she has ceased to fulfil any of the eligibility criteria mentioned in Paragraph 3 and/ or have abstained from more than one third of the meetings of the VLMCC in a year.
8. Deputy Commissioner and Sub-divisional Officers (Civil) are directed to ensure that the process of formation of VLMCCs is completed by 31st August 2018 and the proposal for two days training of the members of VLMCCs is submitted to Revenue & Disaster Management Department, Govt. of Assam latest by 15th September 2018.
 9. District Heads of Forest, Agriculture, Veterinary & Animal Husbandry, PHE, Irrigation, Soil Conservation, Social Welfare, Industries & Commerce, Health & Family Welfare, P&RD, PWD Building & NH, PWD Rural Road, Education, Power and Water Resource Departments should be action involved in the constitution of the VLMCCs, training of their members and monitoring of their functioning.
 10. Circle officer shall furnish Annual Report on the functioning of the VLMCCs to the Deputy Commissioner/ S.D.O. (Civil) with a copy each to Director of Land Records, Divisional Commissioner and Chief Executive Officer, ASDMA.
 11. Divisional Commissioner shall review the functioning of VLMCCs regularly.


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

No.RRG.154/2015/ 62-A
Copy to:

Date Dispur, the 23rd July 2018

1. The P.P.S to Chief Minister, Assam for kind appraisal of Hon'ble Chief Minister.
2. The P.S to Minister of State, Revenue & D.M department for kind appraisal of Hon'ble Minister.
3. The S.O to the Chief Secretary, Assam for kind appraisal of the Chief Secretary.
4. P. S to the Addl.Chief Secretary/ Principal Secretary/ Commissioner Secretary, Forest/ Agriculture/ A.H.& Veterinary/PHE/ Irrigation/ Soil Conservation/ Water Resource Department/Social Welfare/Industries& Commerce/Health& Family Welfare/Panchayat& Rural Development/PWD Building &NH/PWD Rural Roads/Education/Power Department.
5. The Chief Executive Officer, Assam State Disaster management Authority, Dispur.
6. All Divisional Commissioners.
7. The Secretaries, Revenue & D.M department.
8. The Director of Land Records & Survey etc. Assam Rupnagar, Guwahati-32.
9. All Deputy Commissioners.
10. All Joint Secretary of Revenue & Disaster Management Department.
11. All Deputy Secretary of Revenue & Disaster Management Department.
12. All Sub Divisional Officers (Civil).
13. All Circle Officers.

By orders etc.

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

GOVERNMENT OF ASSAM
REVENUE (REFORMS) & D.M. DEPARTMENT
ASSAM SECRETARIAT(C) DISPUR, GUWAHATI-06

ORDERS BY THE GOVERNOR
NOTIFICATION

Dated Dispur, the 24th September, 2018

No: RRG.269/94/Pt/17 : In partial modification of all earlier orders relating to terminal year of settlement in different districts of Assam, which will expire on 30th September, 2018 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, 2023 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/- Kumar Sanjoy Krishna, IAS
Addl. Chief Secretary to the Govt. of Assam
Revenue & D.M. Department.

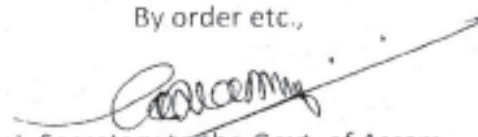
Memo No. RRG.269/94/Pt./17-A

Dated Dispur, the 24th September, 2018

Copy for information and necessary action to:-

1. The Commissioner,
2. The Director of Land Records & Surveys etc., Assam, Rupnagar, Ghy-32.
3. The Deputy Commissioner *(All)*
4. The Director of Land Requisition Acquisition and Reforms, Assam Rupnagar, Guwahati-32.
5. The Sub Divisional Officer (Civil)
6. P.S. to Hon'ble Minister, Revenue & DM Department, Dispur.
7. P.S. to Additional Chief Secretary, Revenue & D.M. Department, Dispur.
8. P.S. to Principal Secretary, Revenue & DM Department, Dispur.
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.,


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

**GOVERNMENT OF ASSAM
REVENUE (REFORMS) & DM DEPARTMENT**

No: No RRG 95/2018/ 12

Dated Dispur the 22nd February 2019

From: U. Hazarika IAS
Secretary to the Government of Assam

To: The Deputy Commissioner
Kamrup (Metropolitan) District

Sub: Clarification on transfer of tenanted land by the land lord

Ref: Yours letter No KRM(M)-207/2018/39 dated 9th January 2019

Sir,

In inviting a reference to the subject quoted above, I am directed to say that the matter of transfer of landholder's right over tenanted land is to be looked upon with reference to the relevant provision in the Assam Land & Revenue Regulation 1886 and the Assam (Temporarily Settled Areas) Tenancy Act 1971. It may be noted that under Section 9 of the Assam Land and Revenue Regulation 1886 a land holder has permanent, heritable and transferable rights of use and occupancy over his holding. This right has not been curtailed by the Tenancy Act rather kept intact by laying down the sub Section (19) in Section 3 where it is categorically stated that "land holder or proprietor etc all have the same meaning as that of the Assam Land and Revenue Regulation. The section reads as below:

"[3(19) The following words shall have the same meaning as is assigned to them in the Assam Land and Revenue Regulation, 1886 (1 of 1886), or the Rules framed thereunder"

"estates", "temporarily-settled-estate", "land revenue", "proprietor" "land holder", "settlement-holder", "periodic lease", "special cultivation", "ordinary cultivation"]"

As such, a landholder's transferable right has not been annihilated by the enactment of the Assam (Temporarily Settled Areas) tenancy Act 1971. However, it may be noted that in such transfers, the landholder transfers only his title over the land while the possessory/occupancy right remains with the existing recorded tenant. If the existing recorded tenant is not found in possession, it is the duty of the Deputy Commissioner to enquire into the matter and ascertain that no deviations have been done than what has been incorporated in the Chapter IX and also conditions laid down in Section 61 of the Assam (Temporarily Settled Areas) tenancy Act 1971.

While allowing transfer of the tenanted land, it should invariably be ensured that the nominated attorney is specifically empowered to deal with the tenanted land i.e. for the specific performance of all the duties of a landholder by the Attorney in respect of the recorded tenants. Over and above, regular verification regarding 1) authenticity of the pattaders who have nominated the attorney, 2) possession of the land by the recorded tenant, 3) clearance of the dues by the pattders, 4) current use of land and 5) if any tenants have been evicted from the land in question should also be invariably made.

Yours faithfully


(U. Hazarika IAS)

Secretary to the Government of Assam
Revenue (Reforms) & D M Department

Memo No: No RRG 95/2018/ 12-A

Dated Dispur the 22nd February 2019

Copy to:

1. PS to Additional Chief Secretary to the Government of Assam, Revenue & DM Department. For kind appraisal of the Additional Chief Secretary.

2. File No RRT 33/2018 for reference.


(M Pitukan, ACS)

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

OFFICE MEMORANDUM

No: RRG.44/2018/57

Dated Dispur the 3rd August, 2019.

Sub: Regarding proper use of the services of DEOs for Computerization of Land Records.

It has been brought to the notice of the Government from time to time that the services of the data entry operators (DEOs) have been misused on various occasions at various levels including at the Circle level. Government would like to make it clear that the data entry operators are not Government servants and they are engaged temporarily only for the purpose of entry of data pertaining to land records into the specified system. This and only this is the purpose for which they are engaged. Hence, their services shall not be used for any other purposes.

In many Revenue Circles, the data entry works have already been completed and there is confusion on where to use the services of these DEOs. Some Circle Officers are found to have been using them almost like land records staff. They are even found to have been handling land records for giving effect to various changes in the land records and also reporting to the Circle Officers for issuing various certificates. Handling of land records is an inherent function of an LM and under no circumstance this should be allowed to be handled by any other person. The DEOs will perform their entrusted tasks of data entry under the strict supervision of the concerned LM/LMs. Each LM shall be made responsible for getting only the data entry done by the DEOs and thereafter once verification is done their services should be dispensed with. LMs have already been adequately trained to handle digitized data and their training should be updated by the DIOs in phase manner. If any LM feels he is still not comfortable with the system, he may in written request for another round of training which shall be immediately arranged for by the DC concerned. The training must go on till the LMs/ SKs are not completely well versed with the system. Under Assam Land Records Manual, the LMs are custodians of the land records of their lots and they shall be held responsible for any deviation found to the original entry in any records which shall be viewed seriously and proceeded with departmental action. Such deviation should be reported to the higher authority immediately.

It may be noted that these DEOs are not trained to handle the land records and therefore they do not know as to how to handle each land records which is a technical issue. Land records are not just books written from first page to last page - these have their roots in the field and other related records prepared simultaneously. Any distortion in the land records entry is bound to distort the location and shape of the field. Thus, in the process of such misuse of services of DEOs, grievous errors have been committed in land records on various occasions. There are also occasions when the LM and CO's have allowed the DEOs to use their user ID and passwords. There are number of cases going on in the Judicial Courts where it has been detected that either Circle Officers or Lot Mandal's have been found using their Log-in IDs passwords on the dates when they were actually on leave or on field duty. This proves that their Log-in IDs were misused.

In view of what has been stated above, the Deputy Commissioners are directed to take adequate measures so that such misuse is not repeated. Occurrence of such events should be dealt sternly.

Sd/- Kumar Sanjay Krishna, IAS,

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

Scanned by CamScanner

Memo No: RRG.44/2018/57-A

Dated Dispur the 3rd August, 2019.

Copy to:

1. All the Commissioners of the Divisions for kind information.
2. The Director of Land Records & Survey etc., Assam, Rupnagar, Ghy-32, for kind information.
3. The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Ghy-32, for kind information.
4. (All) Deputy Commissioners for kind information.
5. (All) Settlement Officers for kind information.
6. (All) Sub-Divisional Officers for kind information.

By orders etc.


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

Scanned by CamScanner

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE (LR) DEPARTMENT : : : : : LAND ACQUISITION BRANCH

N O T I F I C A T I O N

Dated Dispur, the 22nd August, 1991.

NO. RLA. 231/91/3 : In exercise of the Powers conferred by Sub-Section (1) of Section 3 of the Assam Land (Requisition and Acquisition) Act, 1964, (Assam Act XV of 1964), as amended, the Governor of Assam is pleased to declare Deputy Commissioners, Additional Deputy Commissioners and Sub-Divisional Officers of all the plains Districts/Sub-Divisions of Assam as person authorised under the said Act within their respective jurisdiction.

Sd/- R.N.Muhuri,
Commissioner & Secretary to the Govt. of
Assam, Revenue Department, Dispur-6

Memo No. RLA. 231/91/3-A, Dated Dispur, the 22nd August, 1991

Copy forwarded to :-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/North Assam Division, Tezpur/Hills and Barak Valley Division, Dispur.
2. The Director of Land Records, Assam, Bamunimaidan, Guwahati-21.
3. The Director of Land Requisition Acquisition and Reforms, Assam, Guwahati-1.
4. The Publisher, Assam Government Press, Bamunimaidan, Guwahati-21 for publication in the Assam Gazette.
5. The Deputy Commissioner, _____.
6. The Sub-Divisional Officer, _____.
7. Revenue (Settlement) Department/Revenue (Reforms) Department.

By Order etc.,

22/8/91
Deputy Secretary to the Govt. of
Assam, Revenue (L.R) Department

GOVERNMENT OF ASSAM
REVENUE (L.R.) DEPARTMENT : : : LAND ACQUISITION BRANCH.

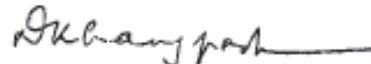
ORDERS BY THE GOVERNOR

NOTIFICATION
Dated Dispur, the 15th July, 1993.

NO.RLA.81/93/5 : In exercises of the powers conferred by Section 3(c) of the Land Acquisition Act, 1894, as amended and under Section 4(A) of the Assam Land (Requisition & Acquisition) Act, 1964 as amended, the Governor of Assam is pleased to authorise the Sub-Divisional Officers of all Sub-Divisions other than Headquarters Sub-Division to perform the functions of Collector under the provisions of the aforesaid two Acts, within their respective jurisdiction, subject to Executive Instruction under L.A. Act, 1894.

Needless to mention that the Deputy Commissioners and Collector within their respective jurisdiction under the provision of L.A. Act, 1894 as amended and the Assam Land (Requisition & Acquisition) Act, 1964.

This supersedes all other Government notifications /orders in this respect including the Government order NO.RLA.231/91/3 dated 22nd August, 1991.



(D.K.Gangopadhyay)
Spl.Commissioner & Spl.Secretary to the
Government of Assam, Revenue Department.

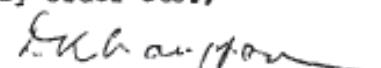
Memo.No.RLA. 81/93/5-A

Dated Dispur. the 15th July, 1993.

Copy forwarded to the :-

1. The Commissioner, Lower Assam Division, Guwahati/Upper Assam Division, Jorhat/North Assam Division, Tezpur/Hills & Barak Valley Division, Dispur.
2. The Director of Land Records, Assam, Bamunimaidan, Guwahati-21.
3. The Director of Land Requisition Acquisition & Reforms, Assam, Guwahati-1.
4. The Director, Assam Govt. Press, Bamunimaidan, Guwahati-21 for publication in the Assam Gazette.
5. The Deputy Commissioner _____
6. The Settlement Officer _____
7. The Sub-Divisional Officer _____
8. Revenue (Settlement) Deptt./Revenue (Reforms) Deptt.


By order etc.,


Spl.Commissioner & Spl.Secretary to the
Government of Assam, Revenue Department.
Dispur, Guwahati-6.

-00000-

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
DISPUR

No. RLA. 75/2005/Pt.-II/215

Dated Dispur, the 25th Jan/2008

From : Shri S. R. Islam, ACS,
Joint Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department, Dispur

To : 1. The Commissioner

2. The Deputy Commissioner

3. The Sub-Divisional Officer (c).....

4. The Director, Land Requisition, Acquisition and Reforms, Assam, Guwahati

Sub : Fixation of Valuation of Tea Bushes on land acquired for public purpose.

Ref. : This Department letter No. RLO. 20/72/9 dtd. 12-9-1972 and RLA. 317/87/234
dtd. 22-11-1989.

Sir,

With reference to the letters cited above, I am directed to say that after careful examination of governing factors, like cost of fresh plantation, average yield average sale price, and annual net profit from tea bushes etc. for determining compensation for tea bushes under the Krishnamurthy Formula, the Governor of Assam is pleased to fix following rates of compensation of tea bushes on land acquired for public purposes, with immediate effect :-

Rs. 33.00 for tea bushes of age between 1 to 5 years
Rs. 50.00 for tea bushes of age between 6 to till live.

You are requested to take necessary action accordingly.

Yours faithfully,

Sd/- S. R. ISLAM
Joint Secy. to the Govt. of Assam,
Revenue & D.M. (L.R.) Deptt.

Memo No. RLA. 75/2005/Pt.-II/215-A

Dated Dispur, the 25th Jan/2008

Copy to :-

1. The Staff Officer to Chief Secy., for appraisal of C.S. Assam.
2. The Secy. to the Govt. of Assam, Finance Deptt.
3. The Secy. to the Govt. of Assam, Forest Deptt.
4. The Secy. to the Govt. of Assam, Agriculture Deptt.
5. The Chief Conservator of Forest, Assam Rehabari, Guwahati.

By order etc.,

Sd/-
Joint Secy. to the Govt. of Assam,
(Revenue & D. M. (L.R.) Deptt.

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR,
GUWAHATI-6.

No. RLA. 292/2010/71

Dated Dispur, the 30th April, 2011.

From : Shri D. Das, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

To : (1) The Principal Secretary,
.....
(2) The Deputy Commissioner,
.....
(3) The Sub Divisional Officer (C),
.....
(4) The Land Acquisition Officer,
.....

Sub. : Applicability of Income Tax towards compensation received by the land owners for the land acquired under the Land acquisition Act and other rehabilitation grants as well.

Ref. : F. No. SRA. 24011/1 /2009-LRD dtd. 13-04-2011 received from the Director (Land Reforms), Govt. of India, Ministry of Rural Development, Deptt. of Land Resources, (Land Reforms Division), New Delhi.

Sir,

With reference to the subject cited above, I am directed to forward herewith a photocopy of the Circular under reference received from the Director (Land Reforms), Govt. of India, Ministry of Rural Development, Deptt. of Land Resources, (Land Reforms Division), New Delhi, which will speak for itself and to request you to kindly take necessary action accordingly.

Yours faithfully,

Sd/- D. DAS
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (L.R.) Department,
Dispur, Guwahati-6.

No. RLA. 292/2010/71-(A)

Dated Dispur, the 30th April, 2011.

Copy for information to :-

The Director, (Land Reforms), Govt. of India, Ministry of Rural Development, Deptt. of Land Resources, (Land Reforms Division), 'G' Wing, NBO Building, Nirman Bhawan, New Delhi-11.

By order etc.

Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (L.R.) Department,
Dispur, Guwahati-6.

F. No.24011/1/2009-LRD
Government of India
Ministry of Rural Development
Department of Land Resources
(Land Reforms Division)

'G' Wing', NBO Building,
Nirman Bhawan, New Delhi-110011
Dated the 13th April, 2011

CIRCULAR

To,

Shri V. K. Pipersenia,
Principal Secretary,
Revenue Department,
Government of Assam,
Dispur, Guwahati-781006, (Assam)

Subject : Applicability of Income tax towards compensation received by the land owners for the land acquired under the Land Acquisition Act and other rehabilitation grants as well.

Sir,

I am directed to say that the Government is giving special attention to the issue of people getting displaced on account of development projects and, therefore, has been contemplating to amend the Land Acquisition Act, 1894 and also bring up rehabilitation and resettlement statute. However, it has been brought to the notice that the people who are getting compensation, are getting charged towards income tax and TDS of 10.3% is being deducted from the source. It appears that LA Collectors are often not fully aware of details of taxation laws and erroneously subject land owners who have their lands acquired to taxation they are exempt from.

2. This Department had taken up the matter, on the issue of tax being collected on the compensation awarded under the Land Acquisition Act with the Department of Revenue, Ministry of Finance, and Government of India.
3. The Revenue Department, Ministry of Finance, have explained the provisions of Income Tax Act 1961 (Act) in this regard with respect to land acquisition compensation as under :
 - i) All the transfers of the land including the compulsory acquisition of land, come under one category only, i.e. "land transfers".
 - ii) Lands are categorized into two categories, i.e., agricultural and non-agricultural lands.
 - iii) Agricultural lands are further sub-divided into two categories, i.e., rural and urban. Urban agricultural lands are those agricultural lands which are situated within the limits of municipality or at a notified distance of (maximum 8 kms. radius) of their boundaries.
 - iv) There is no tax liability on the transfer of rural agricultural lands.
4. The income by way of capital gain arising to an individual or a Hindu undivided family, on compulsory acquisition of an urban agricultural land is exempt from taxation after the 1st day of April, 2004 subject to the following conditions :-
 - (i) The land during the period of two years immediately preceding the date of transfer, should have been used for agricultural purposes by such Hindu undivided family or individual or a parent of his;

(220)

- (ii) The transfer should be by way of compulsory acquisition under any law, or the consideration for the transfer should be determined or approved by the central Government or the Reserve Bank of India. [section 10 (37)]
5. On the transfer of urban agricultural land, other than that mentioned in Para 4 above, capital gain tax is levied. However no tax is deducted at source on transfer of urban agricultural lands. Owners of Urban Agricultural Land in these cases can take benefits available under the following provisions to reduce their tax liability :-
- (i) There is no tax liability, if the amount of capital gains (up-to Rs.50 lakhs) is invested in the REC Bonds or NHAI Bonds at any time within a period of 6 months after the date of such transfer. [Section 54EC]
- (ii) If the entire capital gains arising from the transfer of land an agricultural land is invested for the purchase of any other agricultural land within a period of two years from the date of transfer, there is no tax liability. [Section 54B]
- (iii) In case the owner Is an Individual or a Hindu undivudual family and if a residential house is purchased within a period of two-years or a residential house is constructed within the period of three years from the date of the acquisition, with the entire consideration received, then there is not tax liability. [Section 54F]
6. Capital gain tax is to be paid if none of the above options are exercised, however, taxation will be based on gain on indexed amount of original cost of the asset in the cases where the asset has been held for a period of three years more immediately preceding the date of transfer.
7. The transfer of non-agricultural lands is liable for taxation. However, as per the provisions of section 194 LA of the Act, there is no applicability of Tax deduction at Source (TDS) in cases where the consideration received is less than 1 lakh rupees. However, if the consideration received is more than Rs. 1 lakh, tax at the rate of ten percent is deducted as TDS.
8. The owners of non-agricultural land can also avail the reliefs shown at 'Para No.5 (i) & (iii) In case of transfer of non-agricultural. land.
9. Further, a project affected person can make an application under Section 197 of the Act to his Assessing Officer and obtain a certificate for lower rate of deduction or no deduction in appropriate cases.

You are, accordingly, requested to kindly see that matter as above are brought into notice of all officers connected with land Acquisition and inform them to take adequate care so as not to put farmers and other land owners into unnecessary taxation, if they are exempt from it as per above clarification of Department of Revenue, Ministry of Finance, Government of India.

Yours faithfully,

Sd/-
(Charanjit Singh)
Director (Land Reforms)
Telefax. 011-23062456

Copy forwarded to :

- (1) The Ministry of Finance, Shri Vivek Anand Ojha ,Under secretary (Department of Revenue), Central Board of Direct Taxes (TPL) with reference to their note No. 149/5/2011/-SO (TPL) dated 28-3-2011.
- (2) The Secretary, Ministry of Railways, Rail Bhawan, New Delhi.
- (3) The Secretary Ministry of Shipping Road Transport & Highways, Department of Road Transport & Highways, Transport Bhawan, Parliament street, New Delhi.

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.

No. RLA.134/2003/Pt./216

Dated Dispur, the 15th March, 2013.

From : Shri D. Das, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

To : 1) The Principal Secretary, BTAD, Kokrajhar/Dima Hasao Autonomous Council, Haflong.
2) The Deputy Commissioner, Kamrup/Kamrup (M)/Bongaigaon/Barpeta/Cachar/
Morigaon/Nalbari/ Nagaon.

Sub : Deduction of income tax at source from compensation for land acquired for National
Highway– East-West Corridor.

Ref : Letter No. KRA. 33/2011/763 Dtd. 21-1-2011 of the Deputy Commissioner, Kamrup,
Amingaon.

Sir,

With reference to the above, I am directed to say that views of the Judicial Department, Govt. of Assam was sought for on the matter of deduction of TDS at source in payment of compensation in connection with acquisition of land for National Highway Authority of India. Judicial Deptt. has viewed that such a deduction at source is mandatory as per Section 194 LA of the Income Tax Act, 1961 and there is no provision in the Act for waiver, exemption or relaxation.

Therefore, you are requested to kindly take necessary action in the matter accordingly.

Govt. Circular No. RLA. 134/2003/Pt/ 186 Dtd. 12.04.2007 issued to the Deputy Commissioner, Barpeta and other concerned DCs in this regard stands withdrawn.

Yours faithfully,

Sd/- D. DAS
Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

Memo. No. RLA.134/2003/Pt./216-A

Dated Dispur, the 15th March, 2013.

Copy to :-

1. The S.O. to the Chief Secretary, Assam, Dispur, Guwahati-6.
2. The Chief General Manager, NHAI, RO-Guwahati, 4th Floor NEDFi House near Assam Secretariat, G. S. Road, Dispur, Guwahati-6.

By order etc.,

Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

(222)

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.

No. RLA. 216/2010/122

Dated Dispur, the 24th June, 2013

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

To : The Deputy Commissioner & Collector
.....
The Sub-Divisional Officer (Civil) & Collector
.....

Sub : Procedure for acquisition of land for projects of Ministry of Defence.

Sir,

I am directed to say that Director, Office of the Principal Director, Defence Estates, Ministry of Defence, Eastern Command vide his D.O. No. AS/678/ACQ/L6- 7/VOL.II/52 Dtd.12/6/2013 (copy enclosed) have intimated that Defence Estate Officer is the only authorized person on behalf of the Ministry of Defence to place demand with the Collector for initiating land acquisition proceedings for Defence purposes after obtaining sanction from the Govt. of India, Ministry of Defence. It has further been intimated that there have been cases where legal complications have arisen due to initiation of land acquisition proceedings by the Collector before issue of Govt. sanction by the MoD.

You are therefore, requested to initiate land acquisition proceedings for Defence purposes only after receipt of a formal proposal from the Defence Estate Officer concerned. You are further requested to furnish particulars of land and assets, revenue details and tentative cost of land to the Defence Estate Officer/Board of Officers when approached to enable them to process the land acquisition proposals for obtaining sanction from the Govt. of India, Ministry of Defence.

Yours faithfully,

Sd/- S. C. DAS
Addl. Chief Secretary to the Govt. of Assam
Revenue & D. M. Department.

Memo. No. RLA.216/2010/122-A

Dated Dispur, the 24th June, 2013.

Copy to :-

The Director, Office of the Principal Director, Defence Estates, Ministry of Defence, Eastern Command, 13, Camac Street, Kolkata-700017.

By order etc,

Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

Sauvik Majumdar, IDES

Director

Dear Shri Das,

Kindly refer to our discussions held in your chamber on 5th June 2013 on the subject of the acquisition projects of the Ministry of Defence in Assam.

2. I would like to thank you for sparing your precious time for the above meeting at a short notice and also for positively addressing the issues discussed during the meeting.
3. As I have brought to your notice during the meeting, for initiating the acquisition proceedings for the Ministry of Defence, the Defence Estates Officer is the only authorized person on behalf of the Ministry of Defence to place the demand with the Collector. Before doing so, Defence Estates Officer is required to first obtain the Govt. sanction from the Govt. of India, Ministry of Defence.
4. As per the standing instructions issued by the Ministry of Defence, for obtaining the Govt. sanction, a Board of Officers is required to be convened by the local military authority, which is required to obtain, among other details, the NOC from the State Govt., the details of lands and assets, revenue details and the approximate cost of land and to include the same in its proceedings. However, the function of such Board of Officers is limited to collection of information and submission of its recommendations to the competent authority only. The decision to acquire any land can only be taken by the Ministry of Defence and the same is communicated to the Collector by the Defence Estates Officer after issue of Govt. sanction. The proceedings under the Land Acquisition Act 1994, which starts with the issue of notification under Section 4 (1) may accordingly start thereafter.
5. Hence, publication of Section 4(1) notification, as might have been insisted upon by some revenue authorities prior to issue of NOC from the State Govt. will result in initiating the land acquisition proceedings before issue of necessary sanction by the Ministry of Defence and the same will not be in order. In fact, there have been cases where legal complications have arisen due to initiation of land acquisition proceedings by the Collector before issue of Govt. sanction by the MOD.
6. Since the NOC of the State Govt. and the revenue details with cost estimates are central to the recommendations of the Board of Officers and constitute the basic information on which the decision to acquire or otherwise of a land is taken by the Govt. of India Ministry of Defence, I would request you to kindly issue necessary instructions to the District Collectors to furnish the information to the Defence Estates Officers/ Board of Officers to enable them to process the land acquisition proposals for obtaining sanction from the Govt. of India Ministry of Defence.
7. In this connection, I am enclosing a copy of the GOI MOD letter No. 11011/1/92/D (Lands) dated 04th February 1992 for your information which lays down the guidelines to process the land acquisition proposals for the Ministry of Defence. This gives an idea about the relevance of the data requested in this context.
8. During the discussions, you have kindly agreed to our request to issue the necessary instructions in this regard to the Collectors concerned. I would request you to kindly expedite the same as a number of land acquisition proposals are now under progress with both the Army and the Air Force and due to the security requirements there is an emergent need to process the cases at the earliest.

With Reagrds

Your sincerely

Sd/-

(SAUVIK MAJUMDAR)

Shri S. C. Das, IAS
Additional Chief Secretary, Govt. of Assam,
Department of Revenue & D. M. Assam Secretariat,
Dispur, Guwahati-781006

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No. 11011/1/92/D (Lands)
Government of India,
Ministry of Defence,
New Delhi, the 4th February, 1992

To,
The Chief of Army Staff,
The Chief of Naval Staff,
The Chief of Air Staff,
The Chief of Controller Research and Development (s),
Ministry of Defence,
The Director General, Ordnance Factories,
The Director General, Defence Estates.

Subject : Processing and Finalisation of land Acquisition cases.

Sir,

- 1.1 Government receive proposals, from time to time, for the upward revision of the cost of acquisition of land, the administrative sanctions for which had been issued several years earlier. The time taken to complete acquisition of land and the escalation in the financial effect are considerable in almost every case.
- 1.2 Various factors which contribute to such time and cost-over-runs have been examined. It has been decided to enforce the following measures, with immediate effect, to streamline the processing of land acquisition cases. The measures to be adopted at each important stage of processing and finalisation by the User Organisations/Service Hqrs/DGDE/Ministry of Defence, including the Financial Division, are brought out hereunder.

Assessment of Necessity

- 2.1 (i) As far as possible, additional land requirements should be met out of the existing available/surplus Defence land holdings at various stations, including that in the custody of the sister Services/Departments at the required location, and even through suitable relocation of the proposed units/projects. In case the locational factors are inflexible, and the land costs are high the land requirement should be assessed on the most stringent basis, notwithstanding the fact that a larger holding may be justified with reference to the prescribed scales.
(ii) Proposals for acquisition of land should be moved only after the necessity for the total project has received Government approval.

Board Proceedings

- 3.1 (i) The Board proceedings should ensure that the determination of the quantum of land required and its location/identity as well as nature of ownership (agricultural/residential/Industrial or Private/State) are fully varified and have a reasonable degree of finality.
(ii) Whenever requirement of land for specific technical purposes such as special storage/repair facilities/installation of equipments/specialised training etc. is projected, the purpose, nature, size and location of land requirement should be assessed carefully and the complete basis of the projected land requirement clearly explained.

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(iii) The latest applicable land norms should be strictly adhered to, while drawing up proposals. In case the norms for a particular purpose are not prescribed, the basis of determination of the quantum of land and the choice of location should be clearly brought out in the Board Proceedings.

(iv) The Board-Proceedings should contain clearly drawn up site plan and the Revenue survey particulars of the land proposed to be acquired.

(v) The Board Proceedings should contain the type and extent of the assets/structures standing on the land proposed to be acquired (buildings, tubewells, trees, etc.) for which compensation has to be paid. The Board Proceedings should contain, item-wise, the cost of land and the assets thereon and also the basis for estimating the cost and the date(s) to which the estimated cost pertains.

4.1 (i) Once the Board Proceedings are finalised, the proposal for land acquisition should be submitted to Government as expeditiously as possible along with recommendations/observations of Service HQr. and DGDE. If subsequent to the finalisation of Board Proceedings the plot(s) of land(s) to be acquired require to be varied for any reason, fresh Board Proceedings should be drawn up and submitted explaining the modifications made, to facilitate issuance of revised sanction.

(ii) Every proposal shall contain the Certificate of Willingness of the State Govt (i.e. NOC) to proceed with the acquisition, alongwith the period of validity of such Certificate.

(iii) Where it is proposed to invoke the Urgency Clause, under Section 17 of the land Acquisition Act, the specific reasons justifying the same shall be explained in detail that the time of seeking the administrative sanction indicating the time-schedule of the construction programme on the land to be acquired.

(iv) To facilitate quick processing of land acquisition proposals by the concerned agency including Ministry of Defence, specific and clear information/data of the issues in the enclosed check-list (Annex-I) shall be furnished. If any other information/data is considered relevant or pertinent to a particular land acquisition Proposal, the same shall also be furnished at the time of seeking administrative sanction.

Cost-Estimates

5.1 (i) The Board Proceedings shall indicate the estimates of cost of land, and assets/structures, trees, etc. thereon, on a realistic basis, as on the date of finalisation of the Board Proceedings. At the time of preparation of estimates the sale statistics for the three previous years as well as the latest sales data should be considered. If the latest sale data in respect of a particular category of land, in a particular area, shows a marked variation with the sale data in respect of the preceding three years the reasons for such variation should be ascertained and explained in the Board proceedings.

(ii) The administrative sanction should reflect the estimated market value of the land and assets market value of the land and assets thereon on a realistic basis as on the likely date of publication of Notification under section 4(1) of the land Acquisition Act. For this purpose, a maximum time-lag of 12 months between the date of administrative sanction and the date of publication of Notification under section 4(1) of the land Acquisition Act, may be anticipated. On this basis the market value may be estimated by escalating the value indicated in the Board Proceedings as per para. 5(i) above, at 12% per annum, upto one year beyond the date of administrative sanction.

(iii) The full financial implication of every land acquisition proposals shall be projected as per following details :-

- (a) Market value, separately for the land and the assets/structures thereon, assessed on the basis outlined above.
 - (b) Additional compensation at 12 % per annum, as per Section 23(1-A) of L.A. Act, for a maximum period of 36 months from the date of Notification under Section 4(1) *ibid*.
 - (e) Solatium at 30% of market value under Section 23(2) *ibid*.
 - (d) Contingency of 2% of market value to cover the administrative cost of Notification, etc.
 - (iv) If the Urgency Clause under Section 17 *ibid* is proposed to be invoked, then the total financial implication should be revised accordingly.
 - (v) The administrative sanction should indicate the estimated cost of each element mentioned in sub-paras. (iii) to (iv) above separately.
 - (vi) In addition, if the disturbance allowance payable due to the fifth element under Section 23(1) *ibid* or if the rehabilitation grant, if any payable, can be estimated on a reasonable basis, then the same should be projected with the details thereof, at the time of obtaining administrative sanction. However sanctions for such payments shall require to be secured separately.
- 6.1 In the case of State Govt. lands which may be offered at a pre-determined price, the likelihood of further escalation if any, and liability of payment towards any other charges should be clearly brought out at the time of seeking the administrative sanction.
- 7.1 At the time of submission of the case for administrative sanction, the time schedule proposed for acquisition, with or without invoking the urgency Clause, and the likely requirement of cash-flow and availability of budget provisions should be brought out.
- 8.1 Provisions of funds should be made on the basis of realistic assessment of the likely time by which the awards would be finalised.

Notification under L.A. Act.

- 9.1 As the market value of the land is determined with reference to the date of publication of the Notification, under Section 4(1) of L.A. Act., the timelag between the issuance of the administrative sanction and the date of publication of the said Notification should be brought down to the minimum and should not, normally, exceed 12 months. For the purpose, immediately after issuance of the administrative sanction, the Service/User Organisation should provide the concerned field officer of DGDE with maps identifying the exact location and alignments of lands to be acquired. The size, Identity, location or alignment of the lands should not be changed after issuance of administrative sanction, excepting correction of clerical or drawing errors. If any other change is considered necessary, fresh sanction of the Govt. should be taken.
- 10.1 Systematic efforts should be made to expedite action on the part of the State Government authorities under Section 6,9,11 and 17 of the Land Acquisition Act, as applicable with a view to expediting the final declaration of Awards. If intervention of Ministry of Defence or the Service HQs is considered necessary, such intervention should be sought well in time.
- 11.1 In cases of land acquisition estimated to cost more than Rs. 1 crore, efforts should be made to obtain negotiated awards under Section-11(2) of the Land Acquisition Act in case such negotiated awards are likely to be advantageous to the interest of the Government. Prior approval of Government should, however, be secured before opting for negotiated awards.

Payment of Compensation

- 12.1 Once Awards are announced, compensation should be paid without delay subject to confirmation

by the service Head quarters of the continued requirement of the land and with the approval of the competent authority.

- 13.1 The Local Military Authority/the Service HQrs/Organisation should maintain constant liaison with DGDE and his formations to ascertain the progress or important cases so that realistic budget provisions can be made well in time.
14. 1 Wherever possible, efforts should be made to obtain draft Awards well in advance of the date of declaration of the final Awards so that adequate time is available for processing proposals for payment of compensation.
- 15.1 If the final compensation amount awarded exceeds the amount provided in the administrative sanction by more than 10% the revised approval of the appropriate authority shall be secured, explaining in detail each factor contributing to the escalation before the compensation is deposited. The check list enclosed as Annex-II shall be used for this purpose.

Monitoring and Review

- 16.1 Each service Hqrs/Department/Concerned Organisation shall undertake a quarterly review of the progress of their land acquisition cases which involve acquisition of more than fifty acres of land an estimated acquisition cost of more than Rs. 1 crore. For this purpose the concerned Serve Hqrs/Department/Organisation shall obtain from DGDE information in the format at Annex-III. The outcome of the review shall be furnished to the Ministry (to the undersigned, by name) within 45 days of the end of the relevant quarter. Report for quarter ending 31st March 1992 and for the full year 1991-92 shall be furnished to the Ministry by 15th May, 1992.
- 17.1 Besides the aforesaid quarterly reviews, the DGDE shall undertake monthly review of all pending cases and advise the Ministry of cases in which time bound decisions are required. Based on the monthly reports of DGDE and the quarterly reports to be furnished by the Service Hqrs/Department/Organisation, the Ministry will decide whether proceedings in regards to any pending case deserve to be dropped, for given reasons. If so, the Ministry will promptly inform the concerned State Government that further action may be taken in the case.
- 18.1 Instructions on the above lines may be issued to all subordinate formations/organisations under your control.
- 19.1 This issues with the concurrence of the Ministry of Defence (Finance) vide their u.o. No. 160/Dir (Fin/Works)/92 dated 30-1-92.

Yours faithfully,

Sd/-

(RANGAN DUTTA)

Joint Secretary to the Govt. of India

Copy for necessary action to :-

1. JS (Air)/JS/(Navy)/JS (OF)
2. Addl. FA (C)/Addl. FA (J)/Addl. FA (K)/Addl. FA (R).
3. Others concerned.

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.

No. RLA. 216/2010/123

Dated Dispur, the 24th June, 2013.

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

To : The Director,
O/o. the Principal Director, Defence Estates,
Ministry of Defence, Eastern Command,
13, Camac Street, Kolkata-700017.

Sub : Regarding obtaining NOC from Collector for acquisition of land for projects of Ministry of
Defence.

Ref : Your D.O. No. AS/678/ACQ/L6-7/VOL. II/52 Dtd.12/6/2013

Sir,

With reference to the above, I am directed to say that Collectors are duty bound to acquire land for public purposes as requested by Central Govt.

As far as acquisition of land for Defence purpose is concerned, Deputy Commissioners & S. D. O. (C)s have been instructed by the State Govt. vide letter No. RLA. 216/2010/122 Dtd. 24/6/2013 to provide basic information like particulars of land & assests, approximate cost of land etc. to Defence Estate Officer/Board of Officers when approached to enable them to process the land acquisition proposals for obtaining sanction from the Govt. of India, Ministry of Defence.

Regarding objections etc. anticipated from the concerned pattadars in connection with acquisition of land for Defence purpose, concerned Defence Estate Officer/Local Army Authority may obtain information informally from the concerned Colletor, as it would not be possible for Collector to give a formal NOC without Notification.

Yours faithfully

Sd/- S. C. DAS

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

Memo. No. RLA. 216/2010/123 -A

Dated Dispur, the 24th June, 2013.

Copy to :-

The Deputy Commissioner/Sub-Divisional Officer (Civil)

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

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

No. RLA. 134/2003/Pt-V/505

Dated Dispur, the 3rd September, 2013.

From : Shri D. Das, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

To : 1) The Principal Secretary to the Govt. of Assam,
Panchayat & Rural Development Department,
Dispur, Guwahati-6.
2) The Commissioner & Secretary to the Govt. of Assam,
Urban Development Department, Dispur, Guwahati-6.

Sub : Restriction on construction activities in a corridor of 150 M (75 M from centre line from the existing Highway on either side).

Sir,

I am directed to enclose herewith a copy of Govt. instruction issued from the Revenue & D.M. Department vide letter No.RSS.222/2002/5 dated 13/06/2002 to all Deputy Commissioners and Sub-Divisional Officers (Civil) for taking necessary action in the matter of imposing restriction on construction activities in a corridor of 150 M (75 M from centre line from the existing Highway on either side) and to request you to kindly issue necessary instructions accordingly to Municipal Boards/ Town Committees and Panchayati Raj Institutions not to issue any permission within the proposed area, if necessary, by amending the buildings permission Bye-Laws.

Yours faithfully

Sd/- D. DAS

Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

Memo. No. RLA. 134/2003/Pt-V/505-A

Dated Dispur, the 3rd September, 2013.

Copy to :-

- 1) All Divisional Commissioners.
- 2) All Deputy Commissioners.

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

(230)

GOVERNMENT OF ASSAM
FINANCE (BUDGET) DEPARTMENT
DISPUR

ORDERS BY THE GOVERNOR

No. BB. 6526 A/2013/01

Dated Dispur, the 22nd October, 2013.

NOTIFICATION

In pursuance of Clause 3 of Article 166 of the Constitution of India and all powers enabling on this behalf, the Governor of Assam is pleased to insert one more exception below Treasury Rules 7 (2) of Treasury Rules and Subsidiary Orders as follows :

(f) In the case of Contingency Charges received by the DCs and SDO (C)s for Land Acquisition cases, to defray the following Contingency Expenditure related to that particular Land Acquisition purpose only, on condition that the unspent balance if any, after the L.A. process is over, will be deposited to the Government Account through Treasury Challan.

A.

1. Office Stationeries
2. Advertisement Bills pertaining to L. A. Notifications/ Declarations etc.
3. Hiring/Requisition of vehicles for survey etc.
4. POL for the vehicles used for survey, field visit etc.
5. Charges of Videography.
6. Contingency Expenditure on Court Cases.
7. Procurement of Survey Instruments.
8. Minimum Office Furnitures in the L. A. Branches.
9. Consumables for Printer/Computer etc.

The following items of expenditure to be Incurred by DCs and SDO (C)s subject to approval of Divisional Commissioner.

- B.
1. Photocopier Machine for the L. A. Branches.
 2. Computer with Printer and Other Accessories for L. A. Branches.

Sd/-

Additional Chief Secretary to the Govt. of Assam,
Finance Department.

Memo No. BB. 6526 A/2013/01-A

Dated Dispur, the 22nd October, 2013.

Copy to :

1. The Principal Accountant General, Assam, Maidamgaon, Beltola, Guwahati-781029
2. All Administrative Departments, Dispur.
3. All Deputy Commissioners & Sub-Divisional Officers (C).
4. All Sr. F.A./ F. A./ Sr. F. A. O./ F. A.O Treasury Officers.
5. The Deputy Director, Printing & Stationery, Assam, Govt. Press, Bamunimaidam, Guwahati-781021 for publication in the next issue of Assam Gazette.

By order etc.,

Sd/-

Officer on Special Duty
Finance (Budget) Department.

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

No. RLA. 134/2003/Pt.-V/517

Dated Dispur, the 8th November, 2013.

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

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

Sub : **Acquisition of land and timely correction of land records thereof.**

Sir,

I am directed to say that it has come to the notice of the Govt. that correction of land records are not done promptly consequent upon acquisition of land for public purposes which have given rise to a lot of complications later on. There are even instances of some pattadars claiming compensation for land acquired during 1962-64 for construction of National Highways in the ongoing construction works of 4-laning of National Highways as a result of non-correction of land records after acquisition of land in 1962-64.

The genuineness or otherwise of such claims cannot be ascertained as the land records do not reflect correction of land records for acquisition of land though, the land of such pattadars are being used for National Highways since long or for the reason of non-availability of the old L.A. Cases in the offices of the D.Cs & S.D.Os. There may also be some cases where pattadars are required to pay land revenue for their land even though they had parted with the possessions of their land.

Therefore, it is impressed upon all DCs and SDOs to see that record corrections are promptly done immediately after taking possession of land in L.A. Cases by the Requiring Departments so that pattadars cannot take advantage making undeserving claims for compensation of their acquired land in future. Timely correction of land records would also prevent illegal transfer subsequently of such land. Further, the pattadars will not be put to undue harassment requiring them to pay land revenue even after parting away possessions of their land due to acquisition if the correction of land records in offices of Circle Officers/DCs and SDO (C)s are done.

I am, therefore, to request you to kindly take steps for correction of records of all L.A. Cases after taking over of the possession of land under L.A. proceedings.

Yours faithfully

Sd/- S. C. DAS

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

Memo. No. RLA.134/2003/Pt.-V/517-A

Dated Dispur, the 8th November, 2013.

Copy to :-

- (i) The Commissioner, Lower Assam Division, Guwahati / Upper Assam Division, Jorhat/Northern Assam Division, Tezpur/Hills & Barak Valley Division, Housefed Complex, Dispur, Guwahati-6.
- (ii) The Commissioner & Special Secretary, PWD (Roads), Dispur, Guwahati-6.
- (iii) The Commissioner & Special Secretary, PWD (Building & N.H.), Dispur, Guwahati-6.
- (iv) The Director, Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.
- (v) The Chief General Manager (Tech), National Highways Authority of India, Regional Office, Guwahati, NEDFI House, 4th Floor, G.S. Road, Dispur, Guwahati-6.

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

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

No. RLA. 189/2013/8

Dated Dispur, the 11th November, 2013.

From : Shri D. Das, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

To : The Deputy Commissioner
.....
The Sub-Divisional Officer (Civil)
.....

Sub : Regarding Contingency expenditure to be incurred in connection with Land Acquisition cases.

Ref : Finance (Budget) Deptt.'s Notification No. BB. 6526A/2013/01 dtd.22/10/2013.

Sir,

With reference to the above, I am directed to forward herewith a copy of the Notification under reference issued by the Finance (Budget) Deptt., Assam which will speak for itself, for favour of your kind information and necessary action.

Yours faithfully
Sd/- D. DAS
Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

Memo. No. RLA. 189/2013/8-A

Dated Dispur, the 11th November, 2013.

Copy to :-

The Commissioner, Lower Assam Division, Guwahati / Upper Assam Division, Jorhat/Northern Assam Division, Tezpur/Hills & Barak Valley Division, Housefed Complex, Dispur, Guwahati-6.

By order etc.,
Sd/-
Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.

No. RLA. 300/2013/47

Dated Dispur, the 1st February, 2014.

From : Shri D. Das, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & Disaster Management (LR) Department.

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

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

Sub : Regarding Section 114(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013.

Sir,

With reference to the above, I am directed to say that the Judicial Department, Govt. of Assam, has furnished views on the above provision of Section 114(2) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation & Resettlement Act, 2013 in connection with continuation of L.A. proceedings already initiated under the L.A. Act, 1894 and in different stages pending completion as follows :-

"The Department may dispose of all pending Land Acquisition Proceedings initiated under the Repealed Act, 1894 strictly in accordance with the provision of Section 24 of the Repealing Act, i.e. the new Act, 2013".

You are requested kindly to take necessary action in the light of above observation.

Further, you are also requested not to send any fresh L.A. proposal to the Govt. under the Repealed Act, 1894.

Yours faithfully

Sd/- D. DAS
Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

GOVERNMENT OF ASSAM
PUBLIC WORKS BUILDING & NH DEPARTMENT
NATIONAL HIGHWAY BRANCH
DISPUR, GUWAHATI-6.

No. CNH. 59/2013/Pt./7

Dated Dispur, the 9th June, 2014.

To,

- 1) The Chief Engineer, PWD (NH Works),
Assam, Chandmari, Guwahati-3.
- 2) The Chief Engineer, PWD (Building)
Assam, Chandmari, Guwahati-3.

Sub : Updating of Land Records of all Land taken over by this Department regarding.

Sir,

I am directed to inform you that in a High Level Meeting with the Chief Secretary, Assam the matter of updating of land records for the land taken over by this Department has been discussed, It appears that some times the land records of Government acquired lands remain to be corrected/updated in Revenue Department records and as a result on few occasions it has created lot of inconvenience to the Government. It has become imperative that this Department should take initiative for updating the land records of the lands handed over to this Department by the Revenue Authority.

It is therefore, requested to instruct all concerned Executive Engineers of your respective jurisdiction to take necessary steps so that the land records are updated in the respective land record offices for lands which are taken over by the concerned Executive Engineers of this Department.

The matter is extremely urgent and action taken may be intimated.

Yours faithfully

Sd/-

Under Secretary to the Govt. of Assam
P.W. (Highway) Department.
Dispur, Guwahati-6

Memo No. CNH.59/2013/Pt./7-A

Dated Dispur, the 9th June, 2014.

Copy to :-

- 1) The S. O. to the Chief Secretary, Govt. of Assam, Dispur for favour of kind information.
- 2) The P.S. to the Additional Chief Secretary to the Govt. of Assam, Revenue & D. M. Department, Dispur for favour of kind appraisal of Additional Chief Secretary.
- 3) The Superintending Engineer, PWD, Guwahati NH Circle/Nalbari NH Circle/Dibrugarh NH Circle for favour of information & necessary action.
- 4) The Superintending Engineer, PWD, Guwahati Building Circle-I/Guwahati Building Circle-II/Tezpur Building Circle/Jorhat Building Circle/Silchar Building Circle/Kokrajhar Building Circle for favour of information & necessary action.

By order etc.,

Sd/-

Under Secretary to the Govt. of Assam
P.W. (Highway) Department.
Dispur, Guwahati-6.

(235)

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

No. RLA.134/2003/Pt.-VII/63

Dated Dispur, the 25th June, 2014.

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

To : All Deputy Commissioner,
.....

All Sub-Divisional Officer
.....

Sub : Acquisition of land and timely correction of land records thereof.

Sir,

I am directed to enclose herewith a copy of letter received from the Under Secretary to the Govt. of Assam, P.W. (Highway) Deptt. vide No. CNH. 59/2013/Pt./7 dated 09-06-2014 regarding updating of land records for the land taken over by the Department.

The letter has mentioned that sometimes land acquired for the Department remains to be corrected/ updated resulting in lot of inconveniences to the Govt.

Regarding correction of land records for land acquired for public purposes, this Deptt.'s instruction to all DCs and SDOs issued earlier vide letter No. RLA.134/2003/Pt.-V/517 dated 08-11-2013 (copy enclosed) may be referred to.

You are once again requested to kindly take steps for correction of records of all L.A. Cases after taking over of the possession of land under L.A. proceedings.

Yours faithfully

Sd/- S. C. DAS

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

Memo No. RLA. 134/2003/Pt.-VII/63-A

Dated Dispur, the 25th June, 2014.

Copy to :-

1. The Commissioner & Special Secretary to the Govt. of Assam, Public Works (Building and National Highways) Department, Dispur Guwahati-6 for favour of kind information.
2. The Staff Officer to Chief Secretary, Assam, Dispur, Guwahati-6 for kind appraisal of the Chief Secretary.

By order etc.,

Sd/-

(D. Das, ACS)

Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্ব দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 295 দিশপুৰ, মঙ্গলবাৰ, 23 ডিচেম্বৰ, 2014, 2 পূহ, 1936 (শক)
No. 295 Dispur, Tuesday, 23rd December, 2014, 2nd Pausa, 1936 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE & D.M. (L.R.) DEPARTMENT: : LAND ACQUISITION BRANCH

NOTIFICATION

The 22nd December, 2014

No. RLA-300/2013/Pt-II/7.— Whereas sub-section (1) of Section 26 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) (hereinafter referred to as "the said Act) the Collector has to determine the market value of the land to be acquired;

And whereas, as per sub-section (2) of Section 26 of the said Act, the market value calculated as per sub-section (1) of Section 26 of the said Act shall be multiplied by a factor as specified in the First Schedule of the said Act;

And whereas, as per the First Schedule of the said Act, the manner of determination of value of land in case of rural areas is 1.00 (one) to 2.00 (two) which is based on the distance of project from Urban area, is to be notified by the appropriate Government;

And whereas, as per sub-clause (i) of clause (e) of Section 3 of the said Act, the Government of Assam is an appropriate Government in relation to the land situated within the territory of the State of Assam; and

Now, therefore, in exercise of the powers conferred under sub-section (1) and (2) of Section 26 read with First Schedule of the said Act, and of all other powers enabling on its behalf, the Government of Assam hereby notifies that when the land to be acquired is situated in rural area, the factor by which the market value as calculated by the Collector as per sub-section (1) of Section 26 of the said Act, will be **equal to 1.5 (one and half times)** if the radial distance of the land is up to 10 Km. from urban area and **equal to 2 (two times)** if the radial distance of the land is beyond 10 Km. from urban area.

S. C. DAS,

Addl. Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department, Dispur.

Guwahati :- Printed and Published by the Dy. Director (P & S), Directorate of Ptg. & Sty. Assam, Guwahati-21.
Ex. Gazette No. 589-300+10-23-12-2014

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.

No. RLA. 157/2014/4

Dated Dispur, the 10th September, 2014.

From : Shri D. Das, ACS,
Deputy Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department.

To : The Deputy Commissioner,
Kamrup/Kamrup (M)/Cachar/Jorhat/Dibrugarh/Dhemaji/Tinsukia/Nagaon/Dhubri/Sonitpur/
Barpeta.

Sub : **Correction of land records pertaining to Defence land.**

Ref. : Letter No. 701/Misc/RD/DE/2013 dtd.26/08/2014 received from the Director General, Govt. of India, Ministry of Defence, Directorate General Defence Estates, Delhi Cantt.

Sir,

With reference to the above, I am directed to forward herewith the copy of the letter under reference along with its enclosure and to request you to kindly take necessary action for correction of land records of land acquired / transferred / allotted for defence purpose, which have still remained not corrected in the revenue records pertaining to your district. You should, however, verify the records before effecting mutations.

Yours faithfully
Sd/- D. DAS

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

Memo No. RLA.157/2014/4-A

Dated Dispur, the 10th September, 2014.

Copy to :-

- 1) The Director General, Govt. of India, Ministry of Defence, Directorate General Defence Estates, Raksha Sampada Bhawan, Ulaanbaatar Marg, Delhi Cantt-110010. It is informed that there is already instruction of the Govt. of Assam for correction of land records of land acquired for public purposes (Copies of letter No. RLA. 134/2003/Pt-V /51 7 dtd.8/11/2013 and RLA. 134/2003/Pt-VII/63 dtd. 25/6/2014 are enclosed herewith).
- 2) The Defence Estate Officer, Guwahati/ Jorhat/Tezpur. Kindly refer to the letter No. 701/Misc/RD/DE/2013 dtd.26/08/2014 along with its enclosure received from the Director General, Govt. of India, Ministry of Defence, Directorate General, Defence Estate, Delhi Cantt.(Copy enclosed). They are requested to submit details of such defence land alongwith connected papers/ orders, which are not corrected still in the revenue records,to the concerned DCs to facilitate correction.

By order etc.,

Sd/- D. DAS
Deputy Secretary to the Govt. of Assam
Revenue & D.M. (LR) Department.

RAVI KANTA CHOPRA

Director General

Dear Shri Khosla,

This is regarding mutation of Defence land measuring about 10430044 acres in revenue records in favour of Government of India Ministry of Defence.

2. The Ministry of Defence owns an area measuring 25,493.314 acres of land in the State of Assam. The unmutated land, which constitutes about 40.91% of the total defence land holding in Assam, is located in 10 districts viz Cachar, Jorhat, Dibrugarh, Tinsukia, Dhemaji, Nagaon, Sonitpur, Kamrup, Barpeta and Dhubri. Area-wise distribution of the unmutated land is given in the Annexure.
3. Out of the unmutated defence land measuring 10,430.044 acres, 6,918.724 acres fall under the jurisdiction of Defence Estates Officer, Guwahati, 1,899.111 acres under Defence Estates Officer, Jorhat and 1,612.209 acres under Defence Estates Officer, Tezpur. The DEOs have been pursuing this matter regularly with the District Revenue authorities but in vain.
4. Of late, vacant defence lands have become increasingly prone to encroachments due to their vast spread and intermittent nature of use. The problem is compounded when the land is not mutated in the name of Ministry of Defence in the revenue records and is erroneously of fraudulently allotted defence land often challenge the ownership right of Government in the courts and, in the absence of attestation of mutation, it becomes difficult for the Defence Estates Officers to prove the title of land. Presently, Ministry of Defence is faced with this serious problem in a number of cases giving rise to complex litigation and huge concomitant expenditure.
5. In view of the foregoing, shall request you to kindly pass suitable directions to the revenue authorities concerned to mutate the defence lands, in the revenue records, in favour of Government of India, Ministry of Defence. It will help if you also fix a timeframe for this exercise.

Yours sincerely,
(Ravi Kant Chopra)

Shri Jitesh Khosla,
Chief Secretary,
Government of Assam,
Assam Sachivalaya, Block C, 3rd Floor,
Dispur, Guwahati-781006.

PENDING MUTATION OF DEFENCE LAND IN ASSAM STATE

Total Defence Land in the State (in acres)	Total Defence Land not mutated in State Revenue Records (in acres)	% of land not mutated	Name of DEO/ADEO		District-wise details of Defence Land not mutated in State Revenue Records	
					District	Defence Land not mutated in State Revenue Records (In acres)
25,493.314	10,430.044	40.91%	Guwahati	1	Kamrup	5,745.466
				2	Cachar	1,173.258
				Total		6,918.724
			Jorhat	3	Jorhat	797.811
				4	Dibrugarh	714.758
				5	Tinsukia	0.490
				6	Dhemaji	29.620
				7	Nagaon	355.432
				Total		1,899.111
			Tezpur	8	Sonitpur	1.023
					Kamrup	150.206
				9	Barpeta	383.710
				10	Dhubri	1,077.270
			Total		1.612.209	

GOVERNMENT OF ASSAM
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.

No. RLA. 349/2008/59

Dated Dispur, the 12th November, 2014.

From : Shri S. C. Das, IAS,
Addl. Chief Secretary to the Govt. of Assam,
Revenue & D. M. (LR) Department, Dispur.

To : 1. All Deputy Commissioners

2. All Sub Divisional Officers (Civil)

Sub : **Regarding preparation of zirat statement in connection with Land Acquisition cases.**

Sir,

I am directed say that, it has come to the notice of the Govt. that illegal and corrupt practices have been adopted by some officials of DC's offices in preparation of zirat lists in connection with Land Acquisition cases which have resulted in misuse of Govt. money and filing of Court cases.

In some cases the no. of trees, houses and other items attached to the land proposed to be acquired have been highly exaggerated and value of zirats also seen to have been inflated.

While determining the market value of buildings and other assets attached to the land to be acquired, the services of competent engineer and any other specialists in the relevant field such as agriculture, horticulture, sericulture forestry etc. as may be considered necessary by you, should be used.

While making survey / enumeration of the assets over the land proposed for acquisition, the representatives of Requiring Deptt. should also be requested to be present on such joint survey/enumeration.

In order to avoid/check such malpractices on the part of the officials concerned, I am to request you to carefully scrutinize the Estimates and compensation/zirat statements as to its fairness.

Yours faithfully

Sd/- S. C. DAS

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

Memo No. RLA. 349/2008/59-A

Dated Dispur, the 12th November, 2014.

Copy to :-

The Principal Secretary,

Bodoland Territorial Autonomous Council/ North Cachar Hills Autonomous Council/ Karbi Anglong Autonomous Council.

By order etc.,

Sd/-

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

(241)

**REVENUE & DISASTER MANAGEMENT (L.R.) DEPARTMENT
ASSAM SECRETARIAT (CIVIL)
DISPUR, GUWAHATI-6**

NOTIFICATION

No. RLA. 300/2013/Pt.-II/152.– dated 15th October, 2015– Whereas the provisions relating to rehabilitation and resettlement under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) (hereinafter referred to as "the said Act") shall apply in cases where, a private company purchases land, equal to or more than such limits in rural areas or urban areas, as may be prescribed by the appropriate Government, through private negotiation with the owner of the land in accordance with the provisions of Section 46 of the said Act as provided under clause (a) of sub-section (3) of Section 2 of the said Act;

And whereas the appropriate Government has to fix the 'limit or ceiling' for purchase of land through private negotiation by any person other than the specified persons, exceeding which the payment of Rehabilitation and Resettlement cost under the said Act will be required as provided under Section 46 of the said Act;

And whereas, as per sub-clause (i) of clause (e) of Section 3 of the said Act, the Government of Assam is an appropriate Government in relation to the land situated within the territory of the State of Assam; and

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (3) of section 2 read with Section 46 of the said Act, and of all other powers enabling in its behalf, the Government of Assam hereby fixes 100 Bigha (13.5 hectares) of land in urban area and 600 Bigha (80 hectares) of land in rural area as the limits or ceiling, beyond which provisions of rehabilitation and resettlement shall apply In all purchases of land through private negotiation under the said Act.

Sd/- S.C. Das, IAS

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

Memo No. RLA. 300/2013/Pt-II/ 152-A

dated the 15th October, 2015

Copy for information to :

1. The Commissioner, Lower Assam Division, Guwhati/ North Assam Division, Tezpur/ Upper Assam Division, Jorhat/ Hills & Barak Valley Division, Guwahati-6.
2. The Principal Secretary, Bodoland Territorial Council, Kokrajhar/ Karbi Anglong Autonomous Council, Diphu/ N.C. Hills Autonomous Council, Halflong.
3. The Deputy Commissioner,.....
4. The Sub-Divisional Officer (Civil),.....
5. The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Guwahati-32
6. The Director, Printing & Stationery, Assam, Bamunimaidam, Guwahati- 21. He is requested to publish copy of the Notification No. RLA. 300/2013/Pt-II/152 dated 15/10/2015 in the Extra Ordinary Gazette and send 50 copies of the same to the Revenue & D.M. Department.
7. The Staff Officer to the Chief Secretary, Assam, Dispur, Guwahati-6
8. P.S. to the Hon'ble Chief Minister, Assam, Dispur, Guwahati-6
9. P.S. to the Hon'ble Minister, Revenue & D.M. etc., Dispur, Guwahati-6.
10. P.S. to the Addl. Chief Secretary to the Govt. of Assam, Revenue & D.M. Department, Dispur, Guwahati-6.

By order etc.,

Sd/-

Deputy Secretary to the Government of Assam,
Revenue & D.M. (L.R.) Department.

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

No. RLA. 216/2010/146

Dated Dispur, the 30th March, 2015.

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

To : All Deputy Commissioners

Sub : Procedure for Transfer of Defence Land for Public utilities and Public infrastructure projects.

Ref. : Letter No. 11015/2/2012/D (Lands) dated 11-03-2015.

Sir,

I am directed to forward herewith a copy of the letter No.11015/2/2012/D(Lands) dated 11-03-2015 along with enclosure received from the Director, Govt. of India, Ministry of Defence, regarding the procedure for Transfer of Defence Land required for projects related to creation / up-gradation of Public infrastructure / utilities to be followed by Central Government Departments / State Governments and Organizations under their control as also local bodies for favour of your information and necessary action.

Sd/-

S. C. DAS,

Addl. Chief Secretary to the Govt. of Assam,
Revenue & D.M. Department, Dispur.

Memo No. RLA. 216/2010/146-A

Dated Dispur, the 30th March, 2015.

Copy for information to :

- (1) The Director, Govt. of India, Ministry of Defence, New Delhi.
- (2) The Commissioner, Lower Assam Division, Guwahati -1 / North Assam Division, Tezpur / Upper Assam Division, Jorhat / Hills & Barak Valley Division, Dispur.
- (3) The Principal Secretary, B.T.C, Kokrajhar / N.C. Hills Autonomous Council, Haflong/Karbi-Anglong Autonomous Council, Diphu.
- (4) All Administrative Departments of the Assam Secretariat.
- (5) All Officers, Revenue & D.M. Department, Assam along with a copy of the letter under reference.

By order etc.,

Sd/-

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

(243)

No. 110152/2012/D (Lands)
Government of India
Ministry of Defence

To

- (i) All Secretaries of the Ministries/Departments
- (ii) All Chief Secretaries of the States & UTs

Sub : **Procedure for Transfer of Defence Land for Public utilities and Public infrastructure projects.**

Sir,

The Ministry of Defence has been receiving requests for Defence land from Central Government departments, State Governments and organisations controlled by it as also local bodies, for execution of projects related to creation/up-gradation of public infrastructure/utilities. Keeping in view the operational requirement of our Armed Forces no defence land is normally permitted to be transferred for non-defence use. However, as an exception to this policy, requests for Defence land received from Central Government departments, State Governments and organisations controlled by it as also local bodies, for execution of projects related to creation/up-gradation of public Infrastructure/utilities are considered on the merits of each case. Such transfers are normally considered on the basis of exchange of equal value land to be provided by the Indenting Authority. However, where the Indenting Authority is neither a land owning authority nor does it have an arrangement with the State UT governments for providing land for the project and is therefore unable to provide equal value land, transfer is considered on payment of current market value. Land is also given on lease/license with premium and rent being fixed on the basis of nature of the project.

2. Some Central Government departments and State Governments have raised the issue of delays in transfer of Defence land/grant of working permission which is adversely affecting their projects. In this connection it has been noted that many of the projects for which Defence land was being sought had been undertaken without prior consultation with the Ministry of Defence. Subsequently Local Military authorities report security or functional constraints in providing land which takes time to resolve. In addition, it has been noted that requests for Defence land is invariably made to the Local Military Authorities /DE Officials without any intimation to MoD. As such the Ministry becomes- aware of such requests only after considerable delay has occurred in processing the cases at the local level.

3. The procedure for processing requests for providing defence land for Public utilities and Public infrastructure has therefore been reviewed. All Central Government Departments/State Governments and Organisations under their control as also local bodies will now be required to follow the following procedure for indenting for defence land required for projects related to creation/up-gradation of public infrastructure/utilities such as roads, flyovers and road over bridges; airports, railway lines and metro rail projects; petroleum, gas, water, telecommunications infrastructure except Mobile Towers, electricity and sewerage pipe-lines, etc.

- (a) All Indenting Authorities (IAs). seeking transfer of Defence land for public infrastructure/utilities will carry out prior consultation with the Ministry of Defence through their administrative ministries/ respective State Governments. The IAs will submit proposals containing information as mentioned in the format annexed to the Ministry of Defence at the preliminary/planning stage for 'in principle' approval with a copy to concerned Land

Managing Authority (viz Army, Navy, Air Force, DGDE etc). Once approved 'in principle' a detailed proposal will have to be sent again for final approval for working permission or transfer of land, as the case may be.

- (b) All proposals for transfer of defence land for public infrastructure/utilities whether at the in-principle approval stage or at the final approval stage, will be sent by the indenting Central Ministry /Department / State Government to the concerned Joint Secretary in the Ministry of Defence i.e. the Joint Secretary dealing with the land managing agency concerned. When the project is to be executed by a PSU, Autonomous Body of the Central Government or State Government, local bodies and PPP concessionaire, the proposal will be routed through the concerned administrative Central Ministry/Department or the State Government.
 - (c) At the 'in principle' approval stage, Ministry of Defence will examine in consultation with the user Service/Department/Organisation and DG DE, if the proposed transfer of land will have any adverse security implication and if the land is required for any sensitive purpose or essential function or it can be spared. In case, the transfer of defence land in question has adverse security implications or the land is being used/planned to be used for a sensitive purpose or an essential function and the installations located thereon cannot be shifted for security or functional reasons, the Indenting Authority will be advised to change the location/alignment of the public infrastructure/utility for which the land is required. Likewise, the IA will also explore viable alternatives which would obviate the need for defence land. The IA will also specify if it or the concerned Government is willing/able to fully or partly provide equal value land in exchange and if so the possible locations. If after this exercise it is found that land has to be provided, 'in principle' approval will be given by this Ministry so that the Indenting Authority can finalise the project proposal and send a formal request for working permission or transfer of land, as the case may be.
 - (d) MOD shall accord or deny 'in principle' approval within 03 months of receipt of the preliminary proposal from the Indenting Authority, after the case has been presented by both the Indenting Authority and the user Service/Department/Organization of MOD under whose occupation/management the land is placed. 'In principle' approval shall specify the mode of transfer of defence land.
 - (e) After issue of 'in principle' approval, the indenting agency would send a firm proposal for working permission or transfer of land, as the case may be, within 6 months of the grant of 'in-principle' approval to the indenting Central Ministry/Department/State Government to the concerned Joint Secretary in the Ministry of Defence i.e. the Joint Secretary dealing with the land managing agency concerned with a copy to concerned Land Managing Authority (viz Army, Navy, Air Force, DGDE etc.) for further processing the case failing which the approval would be deemed to have been cancelled. MOD shall accord working permission/final approval expeditiously but not, later than 08 months of receipt of the formal proposal from the Indenting Authority, after issue of 'in principle' approval.
4. All proposals received prior to the issue of this letter or are in process with MoD or LMA will be processed expeditiously preferably within a period of 8 months in accordance with the existing policy on transfer of defence land if there are no security and functional constraints, without requirement of 'in principle' approval.

5. Attention is also invited to the (following with respect to the general policy with regard to transfer of Defence land :
- i) Defence land is generally not declared surplus and is normally transferred only for public infrastructure/utility projects on the basis of exchange of equal value land and the merits of each case. However, in the case of linear projects where the Indenting Authority is neither a land owning authority nor does it have an arrangement with the State/ UT governments for providing land for the project and is therefore unable to provide equal value land transfer is considered on payment of current market value of the land and the assets existing thereon.
 - ii) Land may be transferred for Public infrastructure/utility projects by the Ministry after satisfying itself that it can be alienated without compromising the essential functions of the user service or by making suitable alternative provisions to enable the user agency to carry on with its essential functions smoothly.
 - iii) Land will be considered for transfer only for, projects being implemented by Central Government Departments, State Governments and Organisations under their control as also by Local bodies. In the case of PPP projects transfer of Defence land will be considered only where the ownership of the land will remain with the Government.
 - iv) The mode and terms of transfer of land for such projects would depend, essentially, upon the nature of the project, purpose being served, rights sought in the land proposed for transfer, time frame of the requirement i.e. permanent, long term or short term.
 - v) For all cases in which defence land is proposed to be transferred or alienated formal approval of the Cabinet will be sought.

Yours faithfully,

(Vijay Agrawal)
Director
T.No.011-23013173

Format of Application for transfer of land

1.	Name of the organization and address	
2.	Status of organization (a) Central Government (b) Central Government Undertaking / Enterprise (c) Autonomous body of Central Government (d) State Government (e) State Government Undertaking / Enterprise (f) Autonomous body of State Government (g) Private institution / body (h) Any other to be indicated	
3.	Extent of land required for transfer (a) Area in acre / hectare (b) Survey number (c) Name of village / taluka / district (d) Sketch / site plan with boundaries	
4.	Purpose for which the land is required and its importance from National/Regional perspective.	
5.	Details of the public infrastructure/utility project for which land is required.	
6.	Timelines for completion of the public infrastructure/utility project and the indicative date for transfer of land to indenting authority.	
7.	Efforts made to obtain the land from alternative sources such as State Government / private parties.	
8.	Undertaking to provide equal value land suitable to Services by the Indenting Authority or; Undertaking that Indenting Authority is neither a land owning authority nor does it have an arrangement with the State/ UT governments for providing land for the project and is therefore unable to provide equal value land.	
9.	Undertaking to pay market value fixed by Ministry of Defence and right of MoD to reclaim / resume ownership of the land on payment of suitable compensation.	
10.	Recommendations of the competent authority of Ministry / Department of Central/State Government.	

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

No. RLA. 300/2013/Pt.-I/10

Dated Dispur, the 8th May, 2015.

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

To : 1. The Deputy Commissioner

.....

2. The Sub-Divisional Officers (Civil)

.....

Sub : **Acquisition of land in the State of Assam.**

Sir,

I am directed to state that for land acquisition in the State of Assam, the State Govt. will go by the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Even, in cases where land is acquired under the Assam Land (Requisition & Acquisition) Act, 1964, all benefits like additional compensation, rehabilitation to displaced persons and protection to land owners as provided under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 will be provided.

Yours faithfully

Sd/- S. C. DAS
Addl. Chief Secretary to the Govt. of Assam
Revenue & D. M. Department.

Memo No. RLA. 300/2013/Pt.-I/10-A

Dated Dispur, the 8th May, 2015.

Copy for information to :

- (1) The Commissioner, Lower Assam Division/ Upper Assam Division/ Northern Assam Division/ Hills & Barak Valley Division.
- (2) All Officers of the Revenue & D.M. Department, Assam

By order etc.,

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & D.M. (LR) Department.

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

NOTIFICATION

No. RLA. 300/2013/Pt.-IV/4 dated the 18th May, 2015– Whereas the appropriate Government has to specify an administrative cost for acquisition of land in the project site and out of project area lands, not exceeding the percentage of the cost of compensation, under paragraph (A) of sub clause (vi) of clause (i) of Section 3 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013) (hereinafter referred to as "the said Act");

And whereas, as per sub-clause (i) of clause (e) of Section 3 of the said Act, the Government of Assam is an appropriate Government in relation to the land situated within the territory of the State of Assam; and

Now, therefore, in exercise of the powers conferred by paragraph (A) of sub clause (vi) of clause (i) of Section 3 of the said Act, and of all other powers enabling in its behalf, the Government of Assam hereby specifies the administrative cost, which shall include establishment charges & contingency charges, for acquisition of land, including the land in the project site and out of project area lands as follows:

Amount of compensation	Establishment charges	Contingency charges
Upto Rs.5,00,000/-	@ 18%	@7%
Upto Rs.15,00,000/-	@ 15%	@5%
Upto Rs.50,00,000/-	@ 12%	@3%
Upto Rs.1,00,00,000/-	@8%	@2%
Above Rs.1,00,00,000/-	@5%	@1%

The amount shall be deposited with the Collector by the Requiring Body for whom land is to be acquired.

The Establishment charges and Contingency charges accrued at the revised rates during the process of land acquisition shall be deposited to the State Exchequer except for the amount allowed specifically by the Govt. to be spent by Collector out of the Contingency charges as per Finance Deptt.'s Notification No.BB.6526A/2013/01 dated 22/10/2013.

The Land Acquisition authority/Collector shall be allowed to incur reasonably up to Rs.5.00 (five) lakh out of the Contingency charges and the balance/unspent amount shall be deposited to the State Exchequer. In case of necessity to incur expenditure out of Contingency amount exceeding Rs.5.00 (five) lakh then prior approval of the Govt. in Revenue & D.M. Deptt. will have to be obtained for the expenditure of the amount beyond Rs.5.00 (five) lakh with proper justification.

This is issued with concurrence of Finance (EC-II) Deptt. vide U.O. No. FEC(II).482/2015 dated 08/05/2015.

Sd/-

(S. C. Das)

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

(249)

Memo No. RLA. 300/2013/Pt.-IV/4-A

Dated Dispur, the 18th May, 2015.

Copy for information to :-

1. The Commissioner, Lower Assam Division, Guwahati / North Assam Division, Tezpur / Upper Assam Division, Jorhat / Hills & Barak Valley Division, Guwahati - 6.
2. The Principal Secretary, Bodoland Territorial Council, Kokrajhar / Karbi Anglong Autonomous Council, Diphu / N.C. Hills Autonomous Council, Haflong.
3. The Deputy Commissioner,
4. The Sub-Divisional Officer (Civil),
5. The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.
6. The Director, Printing & Stationery, Assam, Bamunimaidam, Guwahati-21. He is requested to publish copy of the Notification No. RLA. 300/2013/Pt.-IV/4 dated 18/05/2015 in the Extra Ordinary Gazette and send 50 copies of the same to the Revenue & D.M. Department.
7. The S.O. to the Chief Secretary, Assam, Dispur, Guwahati-6.
8. Finance (EC-II) Department, Dispur, Guwahati-6.
9. P.S. to the Hon'ble Chief Minister, Assam, Dispur, Guwahati-6.
10. P.S. to the Hon'ble Minister, Revenue & D.M. etc., Dispur, Guwahati-6.
11. P.S. to the Addl. Chief Secretary, Revenue & D.M. Department, Dispur, Guwahati-6.

By order etc.,

Sd/-

Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.

**GOVERNMENT OF ASSAM
REVENUE & D.M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6.**

**ORDERS BY THE GOVERNOR
NOTIFICATION.**

No. RLA. 192/2017/30

Dated Dispur the 18th January, 2018

Whereas the areas on both sides of NH 37 from Jalukbari (Kamrup, Metro District) to Kukurmara (Kamrup District) & NH 31 from Jalukbari (Kamrup, Metro District) to Tihu (Nalbari District) have assumed significant importance in recent years for trade, commerce and industry.

Therefore, in exercise of power conferred under section 3-A of the Assam Land Revenue Re-Assessment Act, 1936 (Assam Act VIII of 1936), the Governor of Assam is pleased to declare the area within 1 KM beyond 500 meters on either side of National Highway 37 from Jalukbari (Kamrup, Metro District) to Kukurmara (Kamrup District) & NH 31 from Jalukbari (Kamrup, Metro District) to Tihu (Nalbari District) excluding tribal belts and blocks, wet lands, notified forest land, VGR, and PGR lands as "Industrial Zone" for the purpose of assessment of land revenue at enhanced rate as may be applicable.

It is decided to keep free from industries 500 (five) hundred meters of land on both sides of National Highway subject to the condition that there shall be relaxation for development of roads to provide access to the industry through the above mentioned 500 (five) hundred meters of land.

It is clarified that in case, part of a dag falls within the "Industrial Zone" the remaining part of the dag shall also be included in the "Industrial Zone".

In case any pattadar uses the land for agricultural / residential purpose, he/she may pay the land revenue at the existing rate if he/she so desires.

Industries related to the following activities shall not be eligible within the area of this "Industrial Zone" :-

- (1) All goods falling under Chapter 24 of the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986) which pertains to tobacco and manufactured tobacco substitutes.
- (2) Pan Masala as covered under Chapter 21 of the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986).
- (3) Plastic carry bags of less than 20 microns as specified by Ministry of Environment and Forests Notification No. S.O. 705 (E) dated 02.09.1999 and S.O. 698 (E) dated 17.06.2003
- (4) Goods falling under Chapter 27 of the First Schedule to the Central Excise Tariff Act, 1985 (5 of 1986) produced by petroleum or gas refineries.
- (5) Goods in respect of which only peripheral activities like preservations during storage, cleaning operation, packing, re-packing, labeling or re-labeling, sorting, alternation of retails sale price etc. takes place.
- (6) Coke.
- (7) Saw mill.

- (8) Tea Industry.
- (9) Galvanization, corrugation of sheet or both.
- (10) Marble and decorative stone cutting from slabs / sheets and polishing unit.
- (11) Paper cutting from roll paper.
- (12) Coal to washed coal, sized coal.
- (13) Conversion of plain rod to tor rod,
- (14) Refining and packaging of mustard oil.
- (15) Refining of engine oil.
- (16) Purification and or packaging of drinking water,
- (17) Production of cooked food, sweet meats and namkins, if the investment in plant and machinery in a unit is less than rupees five crores.
- (18) Conversion of coke to coal.

This notification shall come into force on the date of its publication in the Official Gazette

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

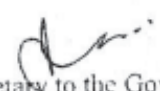
Memo No. RLA192 2017 30 -A

Dated Dispur the 18th January 2018.

Copy to:-

1. The Accountant General. (A&E), Assam, Maidamgaon, Beltola, Guwahati-29.
2. The Staff Officer to Chief Secretary, Assam, Dispur, Guwahati-6.
3. The Commissioner, Lower Assam Division, Panbazar, Guwahati-1/Barak Valley Division, Sitchar, Cachar/North Assam Division, Tezpur/Central Assam Division, Nagaon/Upper Assam Division, Jorhat.
4. The Deputy Secretary to the Govt. of Assam, Political Department (Cabinet Cell), Dispur, Guwahati-6.
5. The Deputy Commissioner (All),
.....
6. The Director of Land Records & Surveys etc, Assam, Rupnagar, Guwahati-32.
7. The Director of Land Acquisition, Requisition and Reforms, Assam, Rupnagar, Guwahati-32.
8. The Director of Information & Public Relation, Assam, Dispur, Guwahati-6.
9. The Director of Printing & Stationary, Assam, Govt. Press, Bamunimaidam, Guwahati-21 for publication in the next issue of Assam Gazette.
10. P.S. to Minister, Revenue & DM etc, Assam, Dispur, Guwahati-6.
11. P.S. to Principal Secretary, Revenue & D.M. Department, Dispur, Guwahati-6 for kind appraisal of Principal Secretary.
12. P.S. to Commissioner & Secretary, Revenue & D.M. Department, Dispur, Guwahati-6 for kind appraisal of Commissioner & Secretary.

By order etc,


Deputy Secretary to the Govt. of Assam,
Revenue & D.M. (LR) Department.



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY THE AUTHORITY

নং 167 দিশপুৰ, বুধবাৰ, 28 মাৰ্চ, 2018, 7 চ'ত, 1940 (শক)
No.167 Dispur, Wednesday, 28th March, 2018, 7th Chaitra, 1940 (S.E.)

GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
REVENUE & D. M. (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL) :: DISPUR

NOTIFICATION

The 8th March, 2018

No. RLA/192/2017/32.- Whereas the areas on both sides of NH 37 from Jalukbari (Kamrup, Metro District) to Kukumara (Kamrup District) & NH 31 from Jalukbari (Kamrup, Metro District) to Tihu (Nalbari District) have assumed significant importance in recent years for trade, commerce and industry,

Therefore, in exercise of power conferred under Section 3-A of the Assam Land Revenue Re-Assessment Act, 1936, (Assam Act VIII of 1936), the Governor of Assam is pleased to declare the area within 1 KM beyond 500 meters on either side of National Highway 37 from Jalukbari (Kamrup, Metro District) to Kukumara (Kamrup District) & NH 31 from Jalukbari (Kamrup, Metro District) to Tihu (Nalbari District) excluding tribal belts and blocks, wet lands, notified forest land, VGR, and PGR lands as "Industrial Zone" for the purpose of assessment of land revenue at enhanced rate as may be applicable.

It is decided to keep free from industries 500 (five) hundred meters of land on both sides of National Highway subject to the condition that there shall be relaxation for development of roads to provide access to the industry through the above mentioned 500(five) hundred meters of land.

It is clarified that in case, part of a dag falls within the "Industrial Zone" the remaining part of the dag shall also be included in the "Industrial Zone".

In case any pattadar uses the land for agricultural / residential purpose, he/she may pay the land revenue at the existing rate if he/she so desires.

Industries related to the following activities shall not be eligible within the area of this "Industrial Zone"

1. Plastic carry bags of less than 20 microns as specified by Ministry of Environment and Forests Notification No. S.O. 705 (E) dated 02.09.1999 and S.O. 698 (E) dated 17.06.2003
2. Coke .
3. Saw mill.
4. Coal to washed coal, sized coal.
5. Conversion of coke to coal.
6. Brick kiln.

This Department's earlier Notification No. RLA192/2017/30 Dated 18/01/2018 stands cancelled.

This Notification shall come into force on the date of its publication in the official Gazette.

RAJESH PRASAD,
Commissioner & Secretary to the Government of Assam,
Revenue & D.M. Department.

GOVERNMENT OF ASSAM
REVENUE (LR) DEPARTMENT
ASSAM SECRETARIAT (CIVIL), DISPUR
GUWAHATI-6

ORDERS BY THE GOVERNOR

NOTIFICATION

Dated Dispur, the 19th Nov' 05

No. RLR. 47/99/123.— Circle Officers, Circle officer (A) & Asstt. Settlement officer who have acquired proficiency in Survey & Settlement Training are hereby invested power under Section 50-54, 69-70 and 91 of the Assam Land Revenue Regulation, 1886 with immediate effect.

Sd/- P. C. Bhagawati,
Deputy Secretary to the Govt. of Assam,
Revenue (L.R) Department.

Memo. No. RLR. 47/99/123-A

Dated Dispur, the 19th Nov' 05

Copy forwarded for information and necessary action.

- 1) The Commissioner & Secretary to the Govt. of Assam, Personnel (A) Department, Dispur.
- 2) The Commissioner, Upper Assam Division, Jorhat/Lower Assam Division, Guwahati/North Assam Division, Tezpur/Hills & Barak Valley Division, Guwahati.
- 3) The Director of Land Records & survey, Assam, Rupnagar, Guwahati-32.
- 4) The Director of Land Requisition, Acquisition & Reforms, Assam, Rupnagar, Guwahati-32.
- 5) The Deputy Commissioner,
- 6) The Sub-Divisional Officer,
- 7) The P.S to Minister, Revenue, Assam, Dispur.
- 8) The P.S. to Addl. Chief Secretary, (Revenue) Assam, Dispur
- 9) The P.S. to Secretary to the Govt. of Assam, Revenue Deptt.
- 10) The Director of Printing & Stationery, Assam, Bamunimaidam, Guwahati-21 for publication of the Notification in the Assam Gazette.
- 11) All the Circle Officers/ Asstt. Settlement Officer/Circle Officer (A).

By order etc.,

Sd/-
Deputy Secretary to the Govt. of Assam
Revenue & D.M. (LR) Department.