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NOTIFICATION

No.K.12011/7/2022-REV-SWD, the 7th August, 2024: WHEREAS the Department of Land Revenue & Settlement, Govt. of Mizoram is allocated the subject matter of "All matters pertaining to land acquisition" under the Government of Mizoram (Allocation of Business) Rules,2019 and the department is competent to issue instructions, orders, notifications, etc. pertaining to land acquisition.

AND WHEREAS the term or word "Land" under any land acquisition law of the Union of India or the State of Mizoram or under Section 3(b)of the National Highways Act,1956 (in short N.H Act,1956) and Section 3(p) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,2013 (in short the RFCTLARR Act,2013) is defined as ("land" includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth] which implies that structures, assets, crops, fruits, trees, etc. attached to the earth should be assessed for compensation.

AND WHEREAS any land acquisition is undertaken under the provisions of the N.H Act,1956 which is subsuming with the Fourth Schedule of the RFCTLARR Act,2013 vide Section 105 (3) that determination of compensation in accordance with the First Schedule; Second and Third Schedules being beneficial to the affected families; shall apply to the cases of land acquisition under the enactments in the Fourth Schedule as the case may be; which includes; amongst other 13(thirteen) numbers of enactments; the National Highways Act,1956 at serial number 7 of the Fourth Schedule for assessment of compensation under the RFCTLARR Act,2013.

AND WHEREAS Village Councils/Local Councils are not authorized under land revenue law(s) of the State of Mizoram to allot Agriculture or Garden Passes of land except for House Passes for residential purpose in those village perimeters which are not declared or notified by Land Revenue & Settlement Department, Govt.of Mizoram from time to time as Revenue Village under Revenue Circle or Revenue Sub-Division or Revenue District. The claim for land value or earth value on the basis of Land Passes issued by the Village Council or Local Council for agriculture or garden shall not be assessed. However, value of properties such as structures, assets, crops, fruits, trees, etc. attached to the earth should be assessed for compensation.

NOW, THEREFORE, the Land Revenue & Settlement Department, Govt.of Mizoram hereby clarify and ascertain that Section 30 (1) of the RFCTLARR Act,2013 stipulated that *'the Collector having determined the total compensation to be paid,shall, to arrive at the final award impose a "Solatium" amount equivalent to one hundred percent(100%) of the compensation amount';* and hence; the Collector or Competent Authority for Land Acquisition shall impose a Solatium of one hundred percent(100%) of the compensation amount on preparation of 3G award for acquisition of land for payment under N.H.Act,1956.

Dr. H. Lalthlangliana
Secretary to the Govt. of Mizoram.

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