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NOTIFICATION

No. C. 13031/5/2011-DCA(M), the 11th March, 2013. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act passed by the Mara Autonomous District Council and approved by His Excellency the Governor of Mizoram on 27th February, 2013 is hereby published for general information, namely :-

“THE MARA AUTONOMOUS DISTRICT COUNCIL
(NON-AGRICULTURAL LAND SETTLEMENT) ACT, 2011”.

P. Singthanga,
Secretary to the Govt. of Mizoram,
District Council Affairs Department.

AN

ACT

to provide for the better control and restriction of the allotment, occupation or use of land for residential and other non-agricultural purposes.

AND WHEREAS the power conferred by sub-paragraph (a) of paragraph 3 of the Sixth Schedule to the Constitution of India, the Mara Autonomous District Council is empowered to make regulations for the control and restriction of the allotment, occupation or use of land for residential and other non-agricultural purposes within the said Autonomous District;

NOW, THEREFORE, in exercise of the said powers and other powers enabling it in that behalf, the Mara Autonomous District Council is pleased to make the following Act in the Sixty- Second Year of the Republic of India as follows:-

CHAPTER – I

PRELIMINARY

**Short title, extent
and commencement.**

1. (1) This Act may be called the Mara Autonomous District Council (Non-Agricultural Land Settlement) Act, 2011.

- (2) It shall extend to the whole of the Mara Autonomous District area.
- (3) It shall come into force on its publication in the Mizoram Gazette.

Definitions.

2. In this Act, unless the context otherwise requires-
- (i) "Allotment Authority" means any Land Settlement Authority to which the allotment power of land is vested under section 7 or section 8 of this Act;
 - (ii) "Commercial or business activities" means the establishment of any market, heavy industry center, any motor vehicle terminal or station, any office or infrastructure of companies or firms, any commercial institution such as private commercial school or college and any other commercial or business activities of the like nature;
 - (iii) "District Council" means the Mara Autonomous District Council;
 - (iv) "Executive Committee" means the Executive Committee of the Mara Autonomous District Council;
 - (v) "Financial year" means the period of 12 months commencing on the first day of April;
 - (vi) "Government" means the Central Government or State Government;
 - (vi) "Governor" means the Governor of Mizoram;
 - (viii) "Land" means either vacant land or occupied land;
 - (ix) "Land Dispute" means any dispute on any land between or among two or more Land Settlement Holders or Lessee;
 - (x) "Land Dispute Court" means a Court established under section 32 of this Act;
 - (xi) "Land Lease" means a temporary rights of use or occupation of a specified portions of land granted to the holder of such lease for a specified period;
 - (xii) "Land Lease Certificate" means a certificate issued under section 17 of this Act;
 - (xiii) "Land Settlement Authorities" means such Authorities as mentioned in Chapter II of this Act to control and restrict the allotment, occupation or use of land for residential and other non-agricultural purposes;
 - (xiv) "Land Settlement Certificate" includes Temporary Land Settlement Certificate and Permanent Land Settlement Certificate;
 - (xv) "Land Settlement Holder" includes Permanent Land Settlement Holder and Temporary Land Settlement Holder;
 - (xvi) "Law enforced by the District Council" means any legislation of the Parliament or State Legislature enforced by the District Council with such modifications and amendment, if any;
 - (xvii) "Lessee" means the holder of Land Lease Certificate issued under section 17 of this Act;
 - (xviii) "Non-agricultural land" means any land which is not used for agricultural and allied purposes such as fishery, piggery, cattle rearing or the like;

- (xix) "Officers" means any Officer appointed by the Executive Committee under sub-section (1) of section 4, read with sub-section (5) of the same section;
- (xx) "Permanent Land Settlement Certificate" means a Land Settlement Certificate issued under section 16;
- (xxi) "Permanent Land Settlement Holder" means the holder of Permanent Land Settlement Certificate and who by virtue of such title enjoyed such rights as mentioned in sub-section (1) of section 23;
- (xxii) "Person" means and includes an individual, a company, firm, a Government Department or other association of persons;
- (xxiii) "Schedule" means Schedule appended to this Act;
- (xxiv) "Site" means any particular or specified area of land allotted for residential or other non-agricultural purposes;
- (xxv) "Surveyor" means any Surveyor appointed under section 5 of this Act;
- (xxvi) "Temporary Land Settlement Certificate" means a Land Settlement Certificate issued under section 15;
- (xxvii) "Temporary Land Settlement Holder" means the holder of a Temporary Land Settlement Certificate and who by virtue of such title enjoyed such rights as mentioned in sub-section (2) of section 23;
- (xxviii) "Village Council" means any Village Council constituted under the Lakher Autonomous District Council (Village Council) Act, 1974.

CHAPTER – II

LAND SETTLEMENT AUTHORITIES

- Executive Committee.** 3. Subject to the provisions of this Act, the Executive Committee shall be the Apex Land Settlement Authority and shall have the general power to control and direct the allotment, occupation or use of land for residential and other non-agricultural purposes.
- Officers.** 4. (1) Without prejudice to the provisions of section 3, the Executive Committee shall appoint Senior Land Settlement Officer and such number of Land Settlement Officers and Assistant Land Settlement Officers as it thinks necessary for the purpose of this Act.
- (2) For the purpose of this Act, all Land Settlement Officers and Assistant Land Settlement Officers shall subordinate to Senior Land Settlement Officer and all Assistant Land Settlement Officers shall subordinate to all Land Settlement Officers.
- (3) Subject to the general control and direction of the Executive Committee, Senior Land Settlement Officer shall either by himself or through Officers subordinate to him, exercise all powers and perform all functions relating to the superintendence and control of the occupation or use of land for residential and other non-agricultural purposes.

- (4) The Executive Committee or, if authorized by the Executive Committee, Senior Land Settlement Officer may specify the area or areas over which each Land Settlement Officer shall exercise jurisdiction.
- (5) Assistant Land Settlement Officer, if any, shall assist his/ her superior Officers if and when required by such superior Officers.
- (6) For the purpose of this Act, Senior Revenue Officer shall be deemed to be Senior Land Settlement Officer, each Revenue Officer shall be deemed to be each Land Settlement Officer and each Assistant Revenue Officer, if any, shall be deemed to be each Assistant Land Settlement Officer.

Surveyors.

- 5. For the purpose of this Act, the Executive Committee may appoint such number of Surveyors who shall perform such functions as may be directed and allotted to them by the Executive Committee or Officers appointed under sub-section (1) of section 4.

Village Council.

- 6. Subject to the provisions of this Act and subject to the general control and direction of the Executive Committee or Senior Land Settlement Officer, Village Council shall be Land Settlement Authority within its local jurisdiction.

CHAPTER – III

ALLOTMENT OF SITES

Allotment of sites by Village Council.

- 7. Subject to the provisions of this Act, a Village Council other than Village Council area which is declared as town area by the Executive Committee under this Act or any other law for the time being enforced by the District Council, may allot sites within its local jurisdiction.

Provided that such Village Council shall not allot any site for carrying any commercial or business activities.

Provided further that the Executive Committee may, at any time, by notification declare that any village or a particular locality is a protection area where allotment of sites shall be done by such Village Council only with the previous approval of the Executive Committee.

Provided also that the Executive Committee may, at any time, by notification declare any particular locality to be a town area and the allotment of sites shall be done under section 8 of this Act.

Allotment of sites by the Executive Committee, etc.

- 8.
 - (1) The Executive Committee may allot sites in all town areas.
 - (2) The Executive Committee may, in writing, authorize any Officer mentioned in Chapter II of this Act to allot sites in all or any particular area.
 - (3) The Executive Committee or any authorized Officer under sub-section (2) may allot sites for carrying any commercial or business activity within the Mara Autonomous District Council area.

- Area of site to be allotted.**
- (4) If any land is allotted by any authorized Officer under sub-section (2) or sub-section (3) it shall be subject to the confirmation by the Executive Committee.
9. (1) The allotment authority shall allot site in following manner:-
- (i) if the allottee is an individual, an area not less than 15ft x 15ft. (i.e. 225 Sq.ft.) but not exceeding 100ft x 100ft. (i.e. 10000 Sq.ft.), or
 - (ii) if the allottee is a Government Department, a company, firm or other associations of persons, such area as required by such Department, company, firm or associations subject to availability of the land.
- (2) No individual person shall, whether as a Land Settlement Holder/Lessee or a mortgagee with possession or otherwise, hold any land under this Act or any other law for the time being enforced by the District Council in excess of 100 ft x 100 ft. (i.e. 10000 Sq. ft.) in one holding.

Explanation.- For the purpose of this section, "Government Department" includes any Department under the Central Government or State Government or District Council.

- Allotment of sites at the public road side.**
10. (1) While allotting any site at the public road side, the Allotment Authority shall keep vacant certain portions of land between the allotted site and the public road as a "Reserved- Road-Side -Land" which may be used for the expansion of such public road or for such other public purposes.
- (2) The Allotment Authority shall make a Reserved -Road – Side- Land under sub-section (1) in the following manner-
- (i) if the public road is less than three meters width, the Allotment Authority shall reserve such portions of land on which at least four meters width of public road could be expanded between the allotted site and the existing public road,
 - (ii) if the public road is more than three meters width but less than six meters width, the Allotment Authority shall reserve such portions of land on which at least three meters width of public road could be expanded between the allotted site and the existing public road,
 - (iii) if the public road is more than six meters width but less than nine meters width, the Allotment Authority shall reserve such portions of land on which at least two meters width of public road could be expanded between the allotted land and the existing public road,
 - (iv) if the public road is more than nine meters width but less than twelve meters width, the Allotment Authority shall reserve such portions of land on

which at least one meter width of public road could be expanded between the allotted land and the existing public road.

- (3) Notwithstanding anything in sub-section (1) and sub-section (2), the Executive Committee may, at any time, by notification declare that no Reserve- Road- Side- Land need to be made for any particular public road.

Explanation.- For the purpose of this section, "public road" means any road on which any mechanically propelled vehicle could run or pass and includes any road constructed and maintained by the Central Government or State Government or District Council or Village Council.

Allotment of site at the side of or nearby any public well or any public water point or source of such public water point.

11. If any site is to be allotted at the side of or nearby any public well or any public water point or source of such public water point, the Allotment Authority shall keep at least fifty meters vacant land between the allotted site and such public well or such public water point or source of such public water point for the purposes of preserving clean and healthy water for public consumption.

Prohibition.

12. (1) No Allotment Authority shall allot any site to a non-tribal without the prior permission of the Executive Committee.
(2) For the purpose of obtaining permission under sub-section (1), the matter shall be put in the House of the District Council and it must be accepted by two third majority of the members present.

Explanation.- For the purpose of this section, the expression 'non-tribal' shall not include a company, firm or other associations of persons in which all the shareholders of such company or firm or, all the members of such other associations of persons, are tribal as an individual.

Unauthorized allotment.

13. (1) If any Allotment Authority allot any site to any person in contravention of the provisions of section 9, section 10, section 11 and section 12, every such allotment shall, to the extent of such contravention, be void and the allottee shall have no right and title over such void land.
(2) For the purpose of section 10, section 11 and section 12 the provisions of sub-section (1) shall not apply to any allotment which had been made before the commencement of this Act

CHAPTER - IV

ISSUE OF LAND SETTLEMENT CERTIFICATE OR LAND LEASE CERTIFICATE

Issue of Land Settlement Certificate or Land Lease Certificate.

14. When any site is allotted to any person under section 7 or section 8, the Allotment Authority shall issue Land Settlement Certificate or Land Lease Certificate to such person in such form and manner as provided in sections 15, 16 or 17.

Procedure for issue of Temporary Land Settlement Certificate or Land Lease Certificate.

15. (1) Any person intending or willing to occupy or use any vacant land for residential or other non-agricultural purposes may apply to the concerned Allotment Authority in the prescribed "Form -A" provided in the Schedule.
- (2) On receipt of an application under sub-section (1), the concerned Allotment Authority shall verify whether the land so applied for is a vacant land or not.
- (3) If the concerned Allotment Authority found that the land so applied for is a vacant land it shall take all such necessary measurement for the purposes of boundary description and shall attach the findings of such verification and such measurement in the prescribed "Form A-(1)" as provided in the Schedule.
- (4) After such verification and after taking such necessary measurement under sub-section (3) the concerned Allotment Authority may issue a Temporary Land Settlement Certificate to the applicant in the prescribed "Form A-(2)" as provided in the Schedule:
- Provided that such Temporary Land Settlement Certificate may be issued to such applicant only on payment of such fee as may be prescribed or imposed from time to time by the concerned Allotment Authority.
- Provided further that such Temporary Land Settlement Certificate shall be valid only for three years from the date of issue and shall be liable to be cancelled after the expiration of such prescribed period.
- Provided also that if such Temporary Land Settlement Holder continues to occupy or use such land after the expiration of such prescribed period or after such cancellation of such Temporary Land Settlement Certificate, the provisions of section 27 shall apply.

Procedure for issue of Permanent Land Settlement Certificate.

16. (1) After the expiration of one year from the issue of Temporary Land Settlement Certificate, a Temporary Land Settlement Holder may apply to the concerned Allotment Authority for the issue of Permanent Land Settlement Certificate in the prescribed "Form B" provided in the Schedule.
- (2) On receipt of an application under sub-section (1), the concerned Allotment Authority shall examine or scrutinize all the documents produced by the applicant and on satisfaction by such documents the concerned Allotment Authority may issue Permanent Land Settlement Certificate to such applicant in the prescribed "Form B-(1)" provided in the Schedule.
- Provided that such a Permanent Land Settlement Certificate may be issued to such applicant only on payment of such fee as may be prescribed or imposed from time to time by the concerned Allotment Authority.

Explanation.- In this sub-section, "document" means any document which is required by the concerned Allotment Authority in support of an application under sub-section (1).

Land Lease.

17. (1) The Allotment Authority may, instead of issuing Land Settlement Certificate to any company, firm, Government Department or any association of persons, issue Land Lease Certificate in the prescribed "Form-C" as provided in the Schedule.
- (2) If Land Lease Certificate is issued to any company, firm, Government Department or any association of persons, the rate of the land, the period of the Land Lease and the terms and conditions of the Land Lease may be prescribed in the Land Lease Certificate by the Allotment Authority.

Certain powers of Land Settlement Authority.

18. (1) The Allotment Authority shall define the boundary of the land so allotted and shall attach such boundary description in the Land Settlement Certificate or Land Lease Certificate.
- (2) Subject to the provisions of this Act, Senior Land Settlement Officer or any of his Subordinate Officer may direct any Surveyor or a group of Surveyors to take such verification or such necessary measurement under section 15 or to examine or scrutinize such documents under section 16 and to submit the findings of such verification or such measurement or such examination or such scrutiny within such period as may be prescribed by such directing Officer.
- (3) The Allotment Authority may classify or categorize the allotted land on the basis of the quality and purpose of such land and such classification or categorization may be shown or incorporated in the Land Settlement Certificate or Land Lease Certificate.
- (4) The Allotment Authority may also classify land value on the basis of its quality and purpose and such valuation may be shown in the Land Settlement Certificate or Land Lease Certificate.

Redemption.

19. (1) In any Land Settlement Certificate or Land Lease Certificate, if the boundary description of the land is larger than the figure description (numerical description) of the land area, such portions of land which is uncovered by the figure description but covered by the boundary description shall be expressed herein after as surplus/untaxed land.
- (2) If any Land Settlement Holder or Lessee has a surplus/untaxed land he/she may apply in writing to the Allotment Authority for redemption of such surplus/untaxed land.
- (3) On receipt of an application under sub-section (2) the Allotment Authority may verify and take necessary measurement and calculate the area of the surplus/untaxed land.
- (4) After taking such measurement and calculating such area under sub-section (3) the Allotment Authority may adjust

or make tally the figure of the land area and the boundary description of the land on payment of such redemption fee by the Land Settlement Holder or Lessee.

- (5) Redemption fee may be calculated on the basis of current land revenues or taxes payable per specified area of land as may be prescribed from time to time by the Allotment Authority.
- (6) The Allotment Authority may, instead of giving the surplus land to such Land Settlement Holder or to Lessee, declare such surplus land to be a vacant land.

Maintenance of Land Records.

20. The Allotment Authority shall maintain the records of all sites allotted by it to any person, company, firm or other associations of persons etc and such records may contain all the necessary requirements contained in the Land Settlement Certificate or Land Lease Certificate and such records shall be available at any time for inspection or ready reference during office hour.

Revenue Liability.

21.
 - (1) A Land Settlement Holder or a Lessee shall be liable to pay such amount as land revenue/tax each financial year as may be prescribed from time to time by the Allotment Authority.
 - (2) The Allotment Authority may prescribe land revenues/taxes on the basis of the quality and purpose or the land value of the land so allotted.
 - (3) The Allotment Authority may exempt any Land Settlement Holder or Lessee from paying land revenue/tax for a specified period as may be prescribed by the Allotment Authority.

CHAPTER – V

CONTROL OF OCCUPATION OR USE OF NON-AGRICULTURAL LAND

Persons entitled to occupy or use land.

22.
 - (1) On and from the commencement of this Act no person shall occupy or use any land without obtaining Land Settlement Certificate or Land Lease Certificate from Allotment Authority in the prescribed form and manner as provided in this Act.
 - (2) The Allotment Authority may recall any land holding certificate issued under any law for the time being enforced by the District Council and may compel such land holder to apply for fresh Land Settlement Certificate or Land Lease Certificate under this Act within such period as may be prescribed by the Allotment Authority.

Explanation I : The expression “ no person” in this section does not include a person who occupy or use any land with the permission of a Land Settlement Holder or Lessee.

Explanation II : A person who has obtained Land Settlement Certificate from a competent authority under any law enforced by the District Council before the commencement of this Act shall be deemed to have obtained Land Settlement Certificate under this Act.

Right of Land Settlement Holder or Land Lease Holder.

23. (1) A Permanent Land Settlement Holder shall have heritable and transferable right of occupancy, use or of sub-letting of his/her land subject to –
- (a) the payment of all revenues and taxes payable in respect of such land under any law made or enforced by the District Council, or
 - (b) the compliance of –
 - (i) such terms and conditions as incorporated in the Land Settlement Certificate, or
 - (ii) such other provisions of this Act, or
 - (iii) such other rules or regulations made or enforced by the District Council.
- (2) A Temporary Land Settlement Holder or Lessee shall have no right over his/her land except a right of occupancy or use of his/her land for the period for which it is issued subject to –
- (a) the payment of all revenues and taxes payable in respect of such land under any law made or enforced by the District Council, or
 - (b) the compliance of –
 - (i) such terms and conditions as incorporated in the Land Settlement Certificate or Land Lease Certificate, or
 - (ii) such other provisions of this Act, or
 - (iii) such other rules or regulations made or enforced by the District Council.
- (3) No Land Settlement Holder or Lessee shall convert his/her land to any other purpose other than the purpose mentioned in the Land Settlement Certificate or Land Lease Certificate without prior permission of the Allotment Authority.
- (4) No transfer of any right or title over any land shall be recognized or accepted by the Land Settlement Authority unless such transfer is registered in the office of Land Settlement Authority in such form and manner as prescribed from time to time by the Allotment Authority and no transfer of any right or title over any land shall be registered by Land Settlement Authority unless such transfer is supported by an Affidavit or a Document of Deed of such transfer.

Explanation .- For the purpose of this Act, such terms and conditions incorporated in Land Settlement Certificate or Land Lease Certificate shall be treated as law.

Restrictions of occupation or use of land.

24. (1) A Land Settlement Holder or a Lessee shall, while occupying or using such land, keep vacant at least two and half meters in each side of such land as a marginal boundary and out of such marginal boundary one meter of the outer part may be used for public purposes whenever necessary and the remaining one and half meter of the inner part shall be kept vacant as it is for the free flow of air and sun-light.
- (2) No Land Settlement Holder or Lessee shall construct or authorize any person to construct any building or infrastructure on his/her land so as to prevent the free flow of sun-light to his/her neighbouring land or building or infrastructure.
- (3) The provisions of sub-section (1) and sub-section (2) shall not apply to any land on which certain building or infrastructure had been constructed before the commencement of this Act.
- (4) Notwithstanding anything in sub-section (3), if any building or infrastructure which had been constructed before the commencement of this Act is for any reason dismantled or destroyed and for that reason such Land Settlement Holder or Lessee or any person authorized by such Land Settlement Holder or such Lessee is willing to reconstruct a new building or infrastructure on such land where the old building or infrastructure had been dismantled or destroyed, such Land Settlement Holder or Lessee or any person authorized by such Land Settlement Holder or such Lessee shall be bound by the provisions of sub-section (1) and sub-section (2).

Information to Land Settlement Authority.

25. (1) On and from the commencement of this Act a Land Settlement Holder or Lessee or any person authorized by such Land Settlement Holder or such Lessee who is willing to construct any building or infrastructure on such land shall, in writing, inform to Land settlement Authority his/her intention to do so.
- (2) On receipt of such information under sub-section (1) Land Settlement Authority shall take spot verification and shall prescribe, with the help of an expert, the actual land which may be covered by such building or infrastructure, the height of such building or infrastructure and the marginal boundary to be kept vacant in accordance with the provisions of this Act and, if any, rules made thereunder.

Explanation.- For the purpose of sub-section (2), the expression 'expert' shall mean any person who has completed Bachelor Degree in Civil Engineering or Construction Engineering or Bachelor of Architecture from any University recognized by the Central Government or the State Government.

CHAPTER – VI**MISCELLANEOUS PROVISIONS****Violation of certain provisions.**

26. If any person acts or omits to do any act in contravention of any provision of this Act or rules made thereunder, such person shall be deemed to violate such provision and such person shall be hereinafter known as Defaulter.

Violation of section 22.

27. (1) If any person occupies or uses any land without obtaining Land Settlement Certificate or Land Lease Certificate from Allotment Authority, the concerned Allotment Authority may evict such defaulter in the following manner:-
- (i) if such defaulter has not constructed any building or infrastructure in a permanent nature, the concerned Allotment Authority shall serve a notice to such defaulter to vacate such land within thirty days from the date of issue of such notice and if such defaulter does not comply or is unwilling to comply with such notice, the Allotment Authority may impose a fine not less than one thousand rupees and in case of continuing violation the Allotment Authority may impose an additional fine not less than one hundred rupees for each day during which such violation continues,
 - (ii) if such defaulter had constructed any building or infrastructure in a permanent nature, the concerned Allotment Authority shall serve a notice to such defaulter to vacate such land within sixty days from the date of issue of such notice and if such defaulter does not comply or is unwilling to comply with such notice, the Allotment Authority may impose a fine not less than two thousand rupees and in case of continuing violation the Allotment Authority may impose an additional fine not less than two hundred rupees for each day during which such violation continues.
- (2) The Allotment Authority may, instead of imposing such additional fine under clause (i) and clause (ii) of sub-section (1), make such order compelling such defaulter to apply for the allotment of such land within such period as may be prescribed in such order.
- (3) If such defaulter does not comply or is unwilling to comply with all actions taken by the Allotment Authority under clause (i) and clause (ii) of sub-section (1) and under sub-section (2), the Allotment Authority may use force or any other means whichever is convenient to evict such defaulter.
- (4) Notwithstanding anything in sub-section (1) and sub-section (3) if such defaulter, in compliance with an order

under sub-section (2), apply in the prescribed form and manner as provided in this Act for the allotment of such land, the Allotment Authority may issue a Temporary Land Settlement Certificate or Land Lease Certificate to such applicant in accordance with the provisions of this Act.

Violation of Section 23.

28. (1) If any person transfers or inherits any land having a Temporary Land Settlement Certificate or Land Lease Certificate, the concerned Land Settlement Authority shall serve a notice to such defaulter requiring such defaulter to appear and explain the matter before such Land Settlement Authority and if such Land Settlement Authority is not satisfied by such explanation or such objection, if any, such Land Settlement Authority may cancel such Land Settlement Certificate or Land Lease Certificate:
- Provided that such Land Settlement Authority may issue an order compelling such defaulter to apply for fresh allotment of such land and if such defaulter complied with such order, the provisions of section 15 or section 17 shall apply.
- (2) If a Permanent Land Settlement Holder has not paid such revenues and taxes within the prescribed period in respect of his/her land the concerned Land Settlement Authority shall serve a notice to such defaulter to pay all such revenues and taxes due from him with such arrears, if any, in accordance with the provisions of any law made or enforced by the District Council, within such period as may be prescribed in such notice, and if such defaulter does not comply or is unwilling to comply with such notice, such Land Settlement Authority may cancel such Land Settlement Certificate.
- (3) If any Land Settlement Certificate is cancelled under sub-section (1) and such defaulter does not apply for fresh allotment of such land, or if any Land Settlement Certificate is cancelled under sub-section (2), the provisions of section 27 shall apply.

Explanation .- For the purpose of this sub-section an heir who inherits such land from a person having a Permanent Land Settlement Certificate shall be deemed to be a Permanent Land Settlement Holder.

Violation of section 24(1), 24(2), 24(4) and section 25(1).

29. (1) If any person without giving any information under section 25 (1) constructs any building or infrastructure in contravention of the provisions of sub-section (1) and sub-section (2) of section 24, the concerned Land Settlement Authority shall serve a notice to such defaulter to observe and comply the provisions of sub-section (1) and sub-section (2) of section 24 within such period as may be prescribed in such

notice, and such Land Settlement Authority may enclose or incorporate the provisions of such sub-sections in such notice for general information.

- (2) If such defaulter is willing to comply with such notice, the provisions of sub-section (2) of section 25 shall apply.
- (3) If such defaulter does not comply or is unwilling to comply with a notice served under sub-section (1), the concerned Land Settlement Authority may cancel the Land Settlement Certificate of such defaulter after serving a notice of warning and if such Land Settlement Certificate is cancelled, the provisions of section 27 shall apply.

Official actions.

30. (1) If any action is taken under sections 27, 28 and 29 by Village Council, any person aggrieved by the actions of such Village Council may approach the Executive Committee or any Officer authorized in this behalf by the Executive Committee and the decision of the Executive Committee or such authorized Officer shall be final and it shall not be called in question in any Court of Law.
- (2) If any action is taken under sections 27, 28, and 29 by the Executive Committee or any Officer authorized in this behalf by the Executive Committee, such action shall be final and it shall not be called in question in any Court of Law.
31. Any person who has land dispute with any other person may approach Land Dispute Court in a proper manner.

Land Dispute Court.

32. (1) There shall be Land Dispute Court to be constituted by the Executive Committee who shall settle all land disputes within the District Council jurisdiction.
- (2) The Executive Committee shall appoint only qualified person holding a law degree from any recognized university by the State or Central Government and may prescribe such requirements such as experience, etc. before making appointment for the purpose of this Act.

Power to make rules.

33. (1) The Executive Committee may make rules for carrying out the purpose of this Act.
- (2) Every rule made by the Executive Committee under this Act shall be laid before the House of District Council for discussion and shall be accepted by simple majority of the members present.
- (3) After acceptance by such simple majority in the House of District Council, such rule or rules shall be submitted forthwith to the Governor for approval and after such approval by the Governor such rule or rules shall be published in the official Gazette of Mizoram and on such publication it shall have the force of law.

- Repeals and savings.**
34. (1) The Lakher District Council (House Sites) Act, 1973 is hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under the enactment repealed by sub-section (1) shall in so far as it is not inconsistent with the provisions of this Act, be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS & REASONS

The increasing needs of land from time to time for various purposes necessitate proper allotment of land in the Mara Autonomous District area. The uncontrolled and unrestricted allotment, occupation or use of land disturbed public road safety and also pollutes certain water consumed by the public. Besides, the uncontrolled and unrestricted construction of such large and high buildings or infrastructures at certain places prevent the free flow of air and sun-light to the neighboring land or building or infrastructure. Therefore, such uncontrolled and unrestricted construction seriously infringed the right of the victim in particular and the public in general.

At this situation, the Lakher District Council (House Sites) Act, 1973, could not provide sufficient laws for the control and restriction of the allotment, occupation or use of land for residential and other non-agricultural purposes.

In view of the above situation there is great need for the enactment of new laws which inter alia could provide better general laws for the control and restriction of the allotment, occupation or use of land for residential and other non-agricultural purposes in the Mara Autonomous District Council area.

The Bill seeks to achieve the above objects.

Executive Member
Land, Revenue and Settlement,
Mara Autonomous District
Council,
Siaha

SCHEDULE**FORM-A****MARA AUTONOMOUS DISTRICT COUNCIL
LAND REVENUE AND SETTLEMENT DEPARTMENT: SIAHA****NON-AGRICULTURAL TEMPORARY LAND SETTLEMENT CERTIFICATE/LAND
LEASE CERTIFICATE APPLICATION**

1. Name of applicant (in block letters)
2. Father's name
3. Husband's/Wife's name
4. Permanent address
5. Present address
6. Purpose for which it is applied
(Residential/Commercial/Residential cum Commercial/Shop)
7. Occupation/Profession
8. Community to which he/she belongs
9. Whether born in the MADC area or not?
10. Whether head of family or not?
11. Details of applicant's family members, if any :-

Sl. No.	Name	Aged	Occupation/Profession	Relationship with Head of Family

12. Description of location and boundary:-
 - (a) Name of Village Council to which the land is located
 - (b) Whether it is a reserved area or not?
 - (c) Tentative area of the land
 - (d) Actual location of the land
 - (e) Tentative boundary

Declaration/Confirmation:- I,, the applicant herein solemnly affirm and declare that the contents of the above application are true and correct to the best of my knowledge and belief. If anything mentioned herein above is found untrue or incorrect, I shall be responsible for it, and the Allotment Authority may cancel Certificate already issued to me.

Documents to be enclosed:-

- 1) Xerox copy of Voter/Electoral Identity Card
- 2) Xerox copy of Birth Certificate
- 3) Verification certificate duly signed by verificant
- 4) Residential Certificate issued by the concerned authority under Mara Autonomous District Council, Siaha

Date

Place

Signature:

Name :

FORM-A-(1)
MARA AUTONOMOUS DISTRICT COUNCIL
LAND REVENUE AND SETTLEMENT DEPARTMENT: SIAHA

**NON-AGRICULTURAL TEMPORARY LAND SETTLEMENT CERTIFICATE/LAND
LEASE CERTIFICATE / VERIFICATION CERTIFICATE
APPLICATION**

1. Questions to be answered by verificant:-

- (a) Whether the contents of the application form are true and correct?
- (b) Whether the land so applied for may be required by the public in the near future?
- (c) Whether the land so applied for is dangerous for construction of buildings or infrastructure?
- (d) Whether the applicant has any Land Settlement Certificate or Land Lease Certificate in his name?

If so, please fill up the table below:-

Sl. No.	VC area to which the land located	TLSC/PLSC/LLC No & Date	Whether utilized for the purpose or not

2. Free Hand Sketch Map

Declaration/Confirmation:- Verifications made above by me are true and correct to the best of my knowledge and belief and I shall be responsible for anything discovered to be untrue and incorrect.

Date

Signature

Name

Occupation

FORM – A(2)
MARA AUTONOMOUS DISTRICT COUNCIL
LAND REVENUE AND SETTLEMENT DEPARTMENT: SIAHA

NON-AGRICULTURAL TEMPORARY LAND SETTLEMENT CERIFICATE

Temporary Land Settlement Certificate No. of
 Shri/Smt. aged about years
 S/o, D/o, W/o..... resident of is granted
 this Temporary Land Settlement Certificate for the LAND specified in the table below for the purpose of
 with such terms and
 conditions and in the manner provided herein under:

Table

SI/No	Land Grade/ Class	Area in Sq. meter	Rate per Sq. meter	Land value	Revenue payable per annum	Premium	Remarks

Terms and Conditions:-

- 1) The holder of this Certificate shall pay the prescribed land revenue each financial year and this Certificate may be cancelled in case of non-payment of the prescribed land revenue/tax within the prescribed period.
- 2) The revenue shall at any time be increased or decreased by the Executive Committee in accordance with the Act and Rules as may be made and amended from time to time, or as the land may be re-classified by the Executive Committee or by Officer so authorized.
- 3) The Allotment Authority may impose appropriate amount as a fine or may cancel this Certificate in case of utilization of the land for any other purpose other than the purpose mentioned in the Certificate..
- 4) The land may be partly or wholly acquired by the District Council or Officer authorized by it for public purposes in accordance with the provisions of any law applicable in the District Council area.
- 5) The land can neither be transferred nor sublet to any other person.
- 6) Construction of any building or infrastructure within the land without the knowledge of Land Settlement Authority shall entail appropriate penalty in accordance with the provisions of any law applicable in the District Council area to the extent of cancellation of the Land Settlement Certificate as may deem fit and reasonable by the concerned authority.

Location of land:-

Description of boundary:-

Description in figure:

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| 1) Pillar No. to Pillar No., meters | 2) Pillar No. to Pillar No., meters |
| 3) Pillar No.to Pillar No., meters | 4) Pillar No. to Pillar No., meters |
| 5) Pillar No.to Pillar No., meters | 6) Pillar No. to Pillar No., meters |
| 7) Pillar No. to Pillar No., meters | 8) Pillar No.to Pillar No., meters |
| 9) Pillar No. to Pillar No., meters | 10) Pillar No.to Pillar No., meters |
| 11) Pillar No.to Pillar No., meters | 12) Pillar No.to Pillar No., meters |
| 13) Pillar No.to Pillar No., meters | 14) Pillar No.to Pillar No., meters |
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| 19) Pillar No..... to Pillar No....., meters | 20) Pillar No..... to Pillar No....., meters |
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| 23) Pillar No..... to Pillar No....., meters | 24) Pillar No..... to Pillar No....., meters |
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2. Description in words: Starting point :-

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2. Free Hand Sketch Map



Date

Place.....

Signature of Issuing Authority

With Seal

FORM-B
MARA AUTONOMOUS DISTRICT COUNCIL
LAND REVENUE AND SETTLEMENT DEPARTMENT : SIAHA

NON-AGRICULTURAL PERMANENT LAND SETTLEMENT CERTIFICATE APPLICATION

1. Name of applicant (in block letters)
2. Father's name
3. Husband's/Wife's name
4. Present address
5. Temporary Land Settlement Certificate No. and date
6. Purpose for which it is applied
(Residential/Commercial/Residential cum Commercial/Shop)
7. Detail name and addresses of all neighbouring land settlement holder, if any,
.....
.....
.....
8. Detail boundary description in figure and in words:
9. Documents to be enclosed/attached:-
 - a) Temporary Land Settlement Certificate
 - b) Tax Clearance Certificate
 - c) Residential Certificate issued by the concerned authority under Mara Autonomous District Council, Siaha.

Declaration/Confirmation:- I, the applicant herein above solemnly affirm and declare that the contents of this application are true and correct to the best of my knowledge belief. If anything is found untrue or incorrect, I shall be responsible for it and a Permanent Land Settlement Certificate already issued to me may be cancelled by the Allotment Authority.

Date

Signature :

Place.....

Name :

FORM – B(1)
MARA AUTONOMOUS DISTRICT COUNCIL
LAND REVENUE AND SETTLEMENT DEPARTMENT : SIAHA

NON-AGRICULTURAL PERMANENT LAND SETTLEMENT CERIFICATE
(See section 16)

No. _____ OF _____

This Certificate, setting the land prescribed hereunder as recorded in the General Register, is granted under section 16 of the Mara Autonomous District Council (Non-Agricultural Land Settlement) Act, 2011.

Name : _____
Father's Name: _____
Present Address : _____
Location Address : _____
Previous Regd. No. : _____

Serial No.	Grade	Area	Rate per Sq. meter (Rs.)	Revenue payable per annum (Rs.)
		Bigha		
		Sq. m		
		Sq. ft		
		Taken as () Bigha/Bighas for Revenue Assessment		

Description of Boundary with location:-

Approval Vide Letter No. _____ Date _____

The holder of this Certificate has entered into an agreement with the Mara Autonomous District Council to pay land revenue as shown above and thereby acquired the status of settlement holder under section 23 of the Mara Autonomous District Council (Non-Agricultural Land Settlement) Act, 2011. He is vested with the legal ownership of the land including all rights and interests arising out of such settlements subject to the Act, Rules, Terms and Condition made and amended by the Mara Autonomous District Council from time to time.

Date

Signature of Issuing Authority

Place.....

With Seal

TERMS AND CONDITIONS OF SETTLEMENT

- 1) The Land Settled with the holder of this Certificate is mainly for _____ and without previous permission of the Executive Committee or Officer authorized by it writing, the land shall not be utilized entirely for another purpose then specific herein.
- 2) The holder of this Certificate shall pay the prescribed land revenue each financial year and this Certificate may be cancelled in case of non- payment of the prescribed land revenue/tax within the prescribed period.
- 3) The revenue shall at any time be increased or decreased by the Executive Committee in accordance with the Act and Rules as may be made and amended from time to time, or as the land may be re-classified by the Executive Committee or by Officer so authorized.
- 4) The Allotment Authority may impose appropriate amount as a fine or may cancel this Certificate in case of utilization of the land for any other purpose other than the purpose mentioned in the Certificate.
- 5) The land may be partly or wholly acquired by the District Council or Officer authorized by it for public purposes in accordance with the provisions of any law applicable in the District Council area.
- 6) The land cannot be transferred, either in part or in whole, to any other person without the prior permission of the Allotment Authority.
- 7) Construction of any building or infrastructure within the land without the knowledge of Land Settlement Authority shall entail appropriate penalty in accordance with the provisions of any law applicable in the District Council area to the extent of cancellation of the Land Settlement Certificate as may deem fit and reasonable by the concerned authority.

I undertake to abide by the above terms and conditions and put my signature in token thereof.

Signature of Settlement Holder

Signature of Issuing Authority

With Seal

Location of land:-


Description of boundary:-

1. Description in figure:

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| 1) Pillar No. to Pillar No., meters | 2) Pillar No. to Pillar No.,meters |
| 3) Pillar No.to Pillar No.,meters | 4) Pillar No. to Pillar No.,meters |
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3. Free Hand Sketch Map



The land is converted to PLSC No. of from TLSC No. of

Date

Signature of Issuing Authority

Place.....

With Seal

FORM – C
MARA AUTONOMOUS DISTRICT COUNCIL
LAND REVENUE AND SETTLEMENT DEPARTMENT : SIAHA
NON-AGRICULTURAL LAND LEASE CERIFICATE

Land Lease Certificate No.of
 In favour of Shri/Smt/M/S. aged about years S/o, D/o,
 W/o resident of is granted this Land
 Lease Certificate for the LAND specified in the table below for the purpose of
 and for a period ofWith such terms and conditions and in the manner provided
 herein under:

Table

SI/No	Land Grade/ Class	Area in Sq. meter	Rate per Sq. meter	Land value	Revenue payable per annum	Premium	Remarks

Terms and Conditions:-

- 1) The holder of this Certificate shall pay the prescribed land revenue each financial year and this Certificate may be cancelled in case of non- payment of the prescribed land revenue/tax within the prescribed period.
- 2) The revenue shall at any time be increased or decreased by the Executive Committee in accordance with the Act and Rules as may be made and amended from time to time, or as the land may be re-classified by the Executive Committee or by Officer so authorized.
- 3) The Allotment Authority may impose appropriate amount as a fine or may cancel this Certificate in case of utilization of the land for any other purpose other than the purpose mentioned in the Certificate.
- 4) The land may be partly or wholly acquired by the District Council or Officer authorized by it for public purposes in accordance with the provisions of any law applicable in the District Council area.
- 5) The land can neither be transferred nor sublet to any other person.
- 6) Construction of any building or infrastructure within the land without the knowledge of Land Settlement Authority shall entail appropriate penalty in accordance with the provisions of any law applicable in the District Council area to the extent of cancellation of the Land Lease Certificate as may deem fit and reasonable by the concerned authority.

Location of land:-

Description of boundary:-

2. Description in figure:

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3. Free Hand Sketch Map



Date

Signature of Issuing Authority

Place.....

With Seal