

LAND REVENUE ADMINISTRATION IN MIZORAM

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Master of Philosophy in Public Administration.**

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Certificate

Certified that Mr. Lalfakawma Varte, a student of M.Phil Programme in Public Administration, Mizoram University has prepared the present dissertation titled ‘Land Revenue Administration in Mizoram’. This is an original work of research which has not been used previously and which has not been submitted to any other University for any purpose. It covers the topic of research adequately.

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LIST OF ABBREVIATIONS

ASO	-	Assistant Settlement Officer
CADC	-	Chakma Autonomous District Council
CLR	-	Computerization of Land Records
CSS	-	Centrally Sponsored Scheme
GIS	-	Geospatial Information System
GPS	-	Global Positioning System
LADC	-	Lai Autonomous District Council
LDC	-	Lower Division Clerk
LSC	-	Land Settlement Certificate
MADC	-	Mara Autonomous District Council
MCS	-	Mizoram Civil Services
MIP	-	Mizoram Intodelh Project
MNF	-	Mizo National Front
NGO	-	Non-Governmental Organisation
NLRMP	-	National Lands record Modernisation Programme
NLUP	-	New Land Use Policy
RD	-	Rural Development
RoRs	-	Records of Rights
UDC	-	Upper Division Clerk
ULR	-	Updating of Land Records
VO	-	Voluntary Organisation
YMA	-	Young Mizo Association

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PREFACE

The present dissertation is divided into five chapters, titled, Introduction, Organisation of State Administration in Mizoram, Land Revenue Department – Structure and Function, Policies and Programmes relating to Land Revenue in Mizoram and Conclusion.

The first chapter is an introductory part, with discussing the nature of revenue system, and the scope of revenue administration. It also discusses briefly revenue system and administration from the Mughal period to contemporary concerning department of state government. The other issues that have emerged in the process of governance in our country and the present status of the administrative system of land revenue system with the management of its problems and need for its improvement. The scope of a study for land revenue administration, objectives and its methodologies are also indicated.

The second chapter briefly explains the organisation of state administration in Mizoram. This chapter analyses the inherent pressures and compulsions on the public administration system in India. The changing profile and role of state administration in policy processes changed different patterns of government administration. It also discusses the history and the present status of state administration in Mizoram, with the transaction of the business rules and allocation of business rules under the Government of Mizoram.

The third chapter is concerns with various functions of land revenue administration and department with its organisation structure of state revenue administration. The main functions and duties of land revenue department like revenue, settlement, records and reforms of the land are also revealed. The different duties and responsibilities of revenue and its functions from various levels are also highlighted.

The fourth chapter is concerns with its implementation and administration of different policies and programmes relating to land revenue administration in Mizoram. It suggests that the need to relocate political and economic power in the process of administration with the system and improvement of land revenue administration. Some relevance and interference of other policies and programmes outside the main functions or organisation of land revenue in Mizoram are also included.

The final chapter concludes the study and provides some suggestions for effective development of land revenue administration in Mizoram. Moreover, some remedial measure of land revenue administration in Mizoram is highlighted for its improvements.

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Chapter I

Introduction

Revenue administration is one of the oldest arms of the government existing from time immemorial in any country. The history of mankind is intimately associated with land relationship. Land revenue administration centered on collection of taxes and land revenue, which was the main source of revenue to rulers.

For purpose of revenue management, the State is divided into various districts, each in the charge of a Deputy Commissioner, also known as Collector indicating his responsibility for the realization of all Government revenues. The district is divided into a number of sub-division, which are further divided into Blocks and revenue Villages. During the Mauryan and Gupta periods, the revenue was collected by the paid officials, which resembled the present day Revenue Administration system. Sher Shah Suri (1540-45) started the process of Revenue Administration. It was continued and improved upon under the reign of the Mughal Emperor Akbar (1556-1605).¹

The Revenue Administration was systematized scientifically during British rule by introducing “Permanent settlement” by Corn Wallis - 1793 and Ryotwari system by Sir Thomas Munro - 1802.² The British inherited the institutional form of agrarian system from the Mughals. The British imposed super system over the existing pattern in tune with British customs and laws relating to land. During the British period, the

¹ Rao Umamaheswara, C., *Land Revenue Administration – A historical Outlook* (unpublished material), p..1-3

² Ibid., p..4

Revenue Department was the pivot of Administration. The Collector was the most important official at the district, around whom the entire administration revolved. After Independence, by enlarge, the same institutional structure has been adopted in the country with a few changes for better delivery of services.

The people living in the remote region of North East India, situated between Myanmar and Bangladesh were formerly known as Lushais are now called Mizos. The Lushais entered into their land during 1600-1700 A.D. from China through from Burma. The territory was not under the British rule in earlier and the Lushais were Independent tribes till the British annexed and proclaimed it as a part of dominions on the 6th September, 1895. The concept of absolute state ownership of lands was prevalent in the Lushai Hills during the Chief's rule. The Mizo Chief regarded himself as the absolute proprietor of all lands within his territorial jurisdiction (Lal ram). Initially, there was no proper system and administration of land revenue in mizo society. However, due to the annexation by the British, the colonial authorities introduced their policy, which was already in practice in other parts of the country.

Historically, all lands in Mizoram were vested in the Chief's of various clans is to be held in trust for villagers of that particular village. Land was allocated by the Chief or chief representatives (Upa te) – upon application by villagers. In the period of chieftainship, Village Chiefs did land revenue collection and implementing within their respective jurisdiction. However, after the end of chieftainship, government official under the supervision of Circle Officer carried it out. On the 1st April, 1898 the Lushai

Hills District was formed and placed under the administration of the Chief Commissioner of Assam. Prior to the advent of the British, each village would be having a Chief of its own who had absolute rights over the lands within his jurisdiction. The British followed a deliberate policy of minimum interference in the day-to-day affairs of the Mizos. They utilized the institution of Chieftainship solely for the purpose of maintenance of law and order. Subsequently, the territory was declared as excluded area under the Government of India Act, 1935.

In 1898, Col. J. Shakespear, the then Superintendent of the Lushai Hills District, formulated the Land Settlement Policy which envisaged that each Chief would get certain areas within which his people or subject could move about and cultivate land as they like. The whole territory of Lushai Hills district was divided into 16 circles with an officer in charge and one interpreter posted in each circle. The interpreter's duty was to facilitate smooth relations between the Chief and the Officer in-Charge of the circle.

After Independence, Mizoram became an Autonomous District of Assam under the 6th Schedule to the constitution of India. The name, The Lushai Hills District was changed into Mizo District and the Mizo District Council was formed on 25th April, 1952. Under this provision, the District Council got more power to make laws with respect to land revenue and administration.

By an Act called the Assam-Lushai District (Acquisition of Chief's Rights) Act, 1954 and as subsequently amended in 1955; chieftainship was abolished. The administration of chiefs was transferred to the jurisdiction of the Mizo District Council

with effect from 1st April, 1954 and to the Pawi-Lakher Regional Council (Established on 23rd April, 1953) with effect from 15th April, 1954. The power of the chiefs were transferred to the Village Council in 1955³. During the period of Mizo District Council, a number of Regulations, Acts and Rules had been framed for the administration of Land and Land Revenue. Such legislative measures still form the basis of Revenue Administration in Mizoram.

With the implementation of the North Eastern Areas (Re-Organisation) Act, 1971. Mizoram became a Union Territory on 21st January, 1972. Then, Mizoram was granted statehood on 20th February, 1987. The state is now divided into eight districts and twenty-three sub-divisions. The fundamental requirements of the Government are to protect the property rights of its citizen. To ensure this, it has to have documents, which record the particulars of the ownership of lands, and to collect the share of Government in the shape of Land revenue or tax/ fees in respect of use of land property. It was therefore imperative to survey and measure land, classify and revenue rates be fixed for the purpose of conferment of ownership rights to individuals or organizations etc. Thus, the Department of Land Revenue & Settlement was created on the 21st January, 1972 to take up such duties and responsibilities of survey, settlement and preparation of Land Records including collection of revenue/ taxes. The Land Revenue & Settlement Department was upgraded to Major Department with effect from 29th March, 1994. It is a quasi-technical department.

³ Thanhranga, H.C., *District Council in the Mizo Hills*, Aizawl, 2011, p. 28

The Land Revenue & Settlement Department has been performing different tasks like allotment of sites for housing, shop, stall, garden, fishery, farm, allotment of sites for NGO, VO and issue of Land Settlement Certificate and collect of taxes and revenue. Besides these, settlement of land disputes cases, court cases, compensation case, land rent, land acquisition etc are the main tasks of Revenue Department. Hence, proper land revenue administration has depended upon the organisational structure and functions of the revenue department under the state government of Mizoram. Therefore, it is one of the most important systems for the development and sources of finance for the state government.

Review of Literature

The land revenue administration in every state cannot remain the same and cannot be equated completely with others, due to cultural differences, customs and clans. In Mizoram, the land revenue administration is different from that of the other societies or state and it has a history of its own comparing with other state/society. A few articles, books, documents etc. have been published in relation to the origin, working, system and implementation. The scholar has undertaken reviews of literature in Land Revenue Administration in Mizoram, which are as follows -

H.C. Thanhranga (2007) in his book *District Council in the Mizo Hills (Updated)*, described the profile of Mizo Hills District, chieftainship, political and constitutional development and political parties in Mizoram. It also described the land

administration and the defunct of District Council government to a status of U.T. in Mizoram.

Emergence of Mizoram by P. Lalnithanga (2005) studied Mizoram during the crucial periods when vast changes were taking place in the Mizoram politically and administratively culminating in the ultimate emergence of Mizoram as a full-fledge state from that of a district under Assam.

Noman Ahmad Shiddiqi (1970) in his book *Land Revenue Administration Under the Mughals*, has examined revision of some fresh evidence, and some new problems, such as the nature of mughal land revenue demand, its magnitude, the institution of zamindari and the working of wizarat and its impact on the agrarian system in detailed. It makes a detailed study of land revenue administration in the first half of 18th century, which has provided better administration for land revenue in recent government.

Rajendra Jain (1978) in his book *State Finances in India*, analyses the setting of financial system, financial structure and public expenditure of the state governments. Moreover, its examine state financial resources in tax and non-tax revenue and resources transferred from the centre. On the other hand, it has dealt with responsibilities and role of state government with the duty of every person on the wheel of progress and development democratic planning.

Management of State Finances by Raj Kumar Sen and Asis Dasgupta (2006) has highlighted the government of a large number of states of India are facing serious financial problems. In the articles included in this volume, the authors have tried to

identify the causes behind the present financial problems and suggest remedial measures.

P.K. Bhargava (1984) in his book *Some Aspects of Indian Public Finances* analyses Indian public finance relating to tax system and Union-State financial relation. And examines the state need to raise resources and the problems of raising additional resources.

M.M Sury (2003) in his edited book *India; Central Government Budget*, explains the concepts and processes involved in the budgetary exercises and statistical information of the Government of India. It also explains the relatively technical aspects of the central budget with Parliamentary procedures and controls applicable with the interfaces between the central and state finances.

B.B. Dutta and M.N. Karna (1987) in their edited book *Land Relations in North East India*, provided some significant understanding of the nature and enormity of the problem of land relations in north east, In this volume the contributors from diverse background and academic decipline desire to see tribals developments according to their own genius. Land relation have to change radically to keep continuity with the egalitarian ethos of tribal traditions. And also includes two papers on Mizo society moving in relation to land ownership pattern.

Commendable though they are in their respective areas of study, these published works have not given a specific way to Land Revenue Administration in Mizoram.

Therefore, it is required to conduct research on the actual administration and implementation of land revenue for better development of land revenue system.

Research Problem

Land revenue is the principal asset of every society from the primitive to contemporary period. It is the compulsory requirement for developing the society by bringing about socio-economic change. The development and stability of a nation largely depend upon the good management and better system of land revenue administration. Mizoram is considered as a non-land record state in terms of Land Record Management. Land revenue and settlement helping planned economic development. Development programmes are based on efficient land revenue administration, which calls for the need to create accurate records with regular updating of such land records. The absence of correct and up-to-date land records of villages and towns has created problems for landowners, the majority of whom are led to unavoidable land disputes. There has also contributed to faulty implementation of Land Reform Programme. The Land Revenue & Settlement Department in Mizoram has conducted survey, settlement and preparation of land records in two methods, such as Piecemeal and village-wise or area-wise operation at various pockets in the state.

There has been a need to prepare the principles related to foundation of the revenue administration including its organization, duties, authority and responsibility of the personnel in order to carry out revenue policy with justice and impartiality and to collect other revenues with the least cost; to ensure better revenue collection; to provide

high quality services, to take necessary measures to ensure that taxpayers perform their obligations; and to work with the principles of transparency, accountability, participation, productivity, effectiveness, and satisfactory services for the citizens.

Land has always been a cause of disagreement between two individuals when they fight for ownership a uniform land revenue system cannot be made till there is consensus among people belonging to all regions. All that has to be said is that it should not be implemented until a consensus is reached. Beside these, because of historical and administrative factors, there are many problems in land revenue system and administration. Some of these factors include lack of proper maintenance of land record; land survey and land holding facilities; contour map survey and satellite imagery survey; periodic patta survey; computerization of land records; survey training institute etc. Therefore, it is important to study the various problems in relations to the growth of land revenue system and suggest measures for improvement.

Scope of study

The scope of the present study is concerned and pointed out that we have to make a brief historical study of land revenue administration from the time of the chieftainship system. Then, we have to study the developments in the land revenue systems during the British period in the pre-Independence period. Moreover, we concentrated on the land revenue administration in the Lushai Hills District under Assam after independence of India. The land revenue system during the Union Territory period in Mizoram is also analysed.

After the creation of separate state of Mizoram in 1987, the administrative structure, rules, regulations, practices etc. regarding land revenue administration in Mizoram are included and analysed under the present study. We also dealt with the major issues, concerns, problems and challenges face by land revenue administration in Mizoram and suggesting some remedial measures for the improvement of the system of land revenue administration in Mizoram from the light of our present study and research findings. Some of the developmental policies and programmes implemented in the field of land revenue administration are also analysed.

Objectives of study

The main objectives of study are as follows-

- To study the origin, development and organizational structure and the functions of land revenue administration in Mizoram
- To study the land revenue administration in Mizoram and the socio-economic development in the context of New Land Use Policy
- To study the various measures taken by the government for the improvement of land revenue administration in Mizoram and
- To find out the problems and to suggest measures improve to land revenue administration in Mizoram.

Research Questions

We have formulated the following research questions for the proposed study-

- Are the land records in Mizoram proper and adequate ?
- Have improper and inadequate land records led to under-development of land revenue administration ?
- How can the personnel and procedures be developed to contribute to better land revenue administration in Mizoram ?

Methodology

The study is based on both primary data and secondary data. Primary data will provide foundation for the proposed study. The primary data is collected through schedule, observation and interview of officials as well as the retired government officials associated with Land Revenue Department. Various schemes, projects and programmes taken up by the State Government will also be analysed for the present study. The secondary data have been collected from relevant books, journals, newspapers, handbooks, pamphlets; official records of the department concerned and related websites, other relevant published and unpublished sources.

The revenue system and land administration has faces many challenges before a proper land and systematic land administration. The organisation of human being has been associated with land relations. From the ancient period to contemporary period, it occupies the core centre in the administration. From the Mughal period to the present

administration of state government, the land revenue administration is the main function in government administration. The rules and regulation also been enacted according to the needs of the present administration. The today government of land Mizoram also adopted from it. The rules of the administrative system of land revenue and management need to improve for better administration. The scope of a study, methodology, research question, review of literature and objectives of the study are analysed to enhanced land revenue administration.

The analyses of inherent pressure and compulsion on the public administration system in India have changed the role and organisation of state administration in policy processes. The different patterns of government administration also discuss the history to the present status of state administration in Mizoram. The organisation of state administration in Mizoram smoothly functions with the transaction of the business rules and allocation of business rules under the Government of Mizoram.

The concerning of various functions from land revenue administration and department concerns has an organisation and administration. The main functions and responsibilities of land revenue department are revenue, settlement, records and reforms of the lands. The different duties and responsibilities of revenue and its functions from various levels also indicated the complexity and importance of land revenue administration.

The implementation and administration of different policies and programmes relating to land revenue administration in Mizoram can developed and enhanced its

function and administration. It can also improve that the need to relocate political and economic power in the process of land administration. Some relevance and interference of other policies and programmes outside its main functions and organisation of land revenue in Mizoram are also essentials for its enhancement.

The sensitive and specific study of land administration provides some suggestions for helpful development of land revenue administration in Mizoram. Moreover, some remedial measure will encourage for its improvements.

Chapter II

Organisation of State Administration in Mizoram

This chapter can be classified into two parts. Part one explains the organisation and of state government and its administration in Mizoram. With determining the present condition of Mizoram. Part two is prescribes the transaction and allocation of business rules from the state administration.

Mizoram was a part of the territory of the British India in 1891 though the administration of the villages was left to the local chieftains. After independence of India, Mizoram continued to be part of Assam. The district was carved out of Assam under the reorganization act of 1971 and raised to the status of a union territory on January 21, 1972. In 1987, Mizoram became the 23rd full-fledged state of the country. Mizoram is a mountainous region; it was one of the districts of Assam until 1972 when it became Union Territory.¹

Mizoram is a state with one of the highest literacy rates in India, situated on the extreme south of the northeastern India; it is a land of unending natural beauty with an array of flora and fauna. It has 40 seats of legislative assembly. One member each represents the state in the Lok Sabha and Rajya Sabha. Mizoram is situated between 21°58' & 24°35' north latitude and longitude- 92° 15' & 93° 29' east longitude.² The tropic of Cancer passes near the capital, Aizawl town. Under the British administration, Mizoram was known as Lushai Hills district. In 1954 by

¹ ICAR, Zonal Project Directorate(Zone-III),NE Region Disclaimer

² www.jewin.com, 10.11.2011

an Act of Parliament, the name was changed to Mizo Hills district. In 1972, when it was made into a union territory, it was renamed as Mizoram³.

Mizoram occupies an important strategic position having a long international boundary of 722 kms. It is one of the North-Eastern states of India and during this Census – 2011 data was collected throughout the state comprising of 8 districts, 26 RD Blocks (29 including parts), 23 towns and 719 inhabited villages. The provisional population of Mizoram as on 1st March 2011 has recorded as 1091014 consisting of 552339 males and 538675 female. With this population, it contributes 0.09 percent to the total population of the country and in terms of population; its rank is 29th among all states and union territories of the nation. The population density of Mizoram at 2011 Census is 52 persons per sq km against 42 persons per sq km recorded during 2001. The Mizoram has vast witnessed constitutional, political and administrative changes in recent years.⁴

The traditional chieftainship was abolished and the District and Regional Councils (created under the Sixth Schedule of the Constitution of India) gave a substantial measure of local control.⁵ Today the Lais, Maras, and the Chakmas have separate Autonomous District Councils. The Village Councils are the grassroots of democracy in Mizoram.

The state is bordering by Myanmar in the east and south and Bangladesh in the west, Mizoram occupies an area of great strategic importance in the northeastern corner of India. It has a total of 630 miles boundary with Myanmar and Bangladesh. Mizoram has the most variegated

³ Prasad, R.N., *Government and Politics in Mizoram*, New Delhi, 1986, p.29

⁴ Census of India, Director of Census Operations Mizoram, 201, p. 7

⁵ Thanhranga, H.C., *District Council in the Mizo Hills*, Aizawl, 2011, p. 28

hilly terrain in the eastern part of India. The hills are steep and are separated by rivers that flow either to the north or to the south creating deep gorges between the hill ranges. The average height of the hills is about 900 meters and has a pleasant climate. The climate condition of Mizoram also very pleasant and stable as comparing to other parts of the states.

Mizoram has not much early history recorded and believed that the Mizos migrated to this region hundreds of years ago. The tribal groups of Tibeto-Burmese race inhabited Mizoram. During the period 1750-1850 migrations led to settlements in the hills. The tribal groups were governed under a hereditary chieftainship. The Lushais are the most predominant tribe besides a few others like Panei, Lakher, Chakma and Riang. The Mizos are numerous families of tribes, closely knitted together by the common tradition, custom, and culture, mode of living, language and rites. They used to carry their primitive customs, culture and mode living in wherever they go and wherever they are. It is their purest origin, always calling and identifying as Mizos. The origin of the Mizos, like those of many other tribes in the North Eastern India is shrouded in mystery. The generally accepted as part of a great Mongoloid wave of migration from China and later moved out to India to their present habitat. They first settled in the Shan State and moved on to Kabaw Valley to Khampat and then to the Chin Hills in the middle of the 16th century. Mizo Hills were formally declared as part of the British-India by a proclamation in 1895. North and south hills were united into Lushai Hills district in 1898 with Aizawl as its headquarters.

In the administrative life of the past, each village was a unit of administration under a chief called *Lal*. The chiefs were the supreme ruler of each of their own jurisdiction. The chief elders helped the chief who controlled and regulated all aspects of the village life in accordance with the customary laws of the land; they assisted and advised the chief in the discharge of his

duties. The chief was the apex jurisdiction excluding the religious function, which was entrusted to a priest who was subject to the control of the chief. The tax structure and revenue system also controlled and paid to him by the people. After the British ruled over the country, the powers of the chief were reduced⁶. The chiefs were only an instrument at the hands of the British who curtailed the powers.

The process of the consolidated of the British administration in tribal dominated area in Assam started in 1919 when Lushai Hills along with some other hill districts was declared a Backward Tract under Government of India Act. The tribal districts of Assam including Lushai Hills were declared Excluded Area in 1935. So, the hills was excluded from the Government of India Reforms Act 1919 and the Act of 1935⁷. It was during the British regime that a political awakening among the Mizos in Lushai Hills started taking shape the first political party, the Mizo Common People's Union was formed on 9th April 1946. The Party was later renamed as Mizo Union. The Constituent Assembly of India set up an Advisory Committee to deal with matters relating to the minorities and the tribals. A sub-Committee, under the leadership of Gopinath Bordoloi was formed to advise the Constituent Assembly on the tribal affairs in the North East. The Mizo Union submitted a resolution of this Sub-committee demanding inclusion of all Mizo inhabited areas adjacent to Lushai Hills. However, a new party called the United Mizo Freedom (UMFO) came up to demand that Lushai Hills join Burma after Independence.

The Mizos came under the influence of the British Missionaries in the 19th Century. Now most of the Mizos are Christians. Mizo language has no script of its own. The missionaries

⁶ Thanhranga, H.C., *District Council in the Mizo Hills*, Aizawl, 2011, p. 27

⁷ Prasad, R.N., *Government and Politics in Mizoram*, New Delhi, 1986, p.290-292

introduced the Roman script for the Mizo language and formal education. Literacy in the state has grown rapidly, and Mizoram literacy at 88.8 per cent today, it is the second highest in the country. About 80 per cent of the people of Mizoram are engaged in agricultural pursuits. The main pattern of agriculture followed is Jhum or Shifting cultivation.

The entire Mizoram was a notified backward area and was categorised under 'No Industry District' in mid- 1970s. With the announcement of State Industrial Policy 1989, few modern small-scale industries have come up during the past decade. No major mineral deposits of economic importance have been located so far in the State. Consequently, the State's economy revolves around agriculture and traditional industries.

Lushai Hills District under the Assam:

The Mizos were lived in complete independence without foreign interference before the interferences of the foreign rulers. Chiefs of different clans ruled over separate hills and valleys with supreme authority and their administration was much like that of the Greek City-State of the past. Their territory or any part thereof had never been conquered or subjugated by their neighboring states. However, there had been border disputes and frontier clashes with their neighboring people that ultimately brought the British Government to the scene in 1844. The Mizo country was subsequently brought under the British political control in February, 1890 when a little more than half of the country was arbitrarily carved out and named Lushai Hills (Mizo District) and the rest of their land was parceled out of their hands to the adjoining people for the sole purpose of administrative convenience without obtaining their will or consent. The Mizo stood as a separated nation even before the advent of the British Government having a nationally distinct and separate from that of India. When British India was given a status by

promulgation of Government of India Act of 1935. The British Government having fully realized in the distinct and separate nationality of Mizo people and decided that they should exclude from the purview of the new constitution and they were accordingly classed as an 'excluded area' in terms of the Government Order, 1936. Their land was then kept under the special responsibility of the Governor-General-in-Council in his capacity of the Crown Representative; and the legislature of the British India had no influence whatsoever.

The Mizos had never been under the Indian Government and never had any connection with politics of the various groups of Indian opinion. The residents of Mizoram consist almost entirely of Scheduled Tribes (an official category embracing indigenous groups that fall outside the predominant Indian social hierarchy). These groups are loosely called Mizo, a local term meaning "highlanders."

The region initially was administered as the North Lushai Hills (in the province of Assam) and the South Lushai Hills (within the Bengal Presidency). In 1898, the region was united as the Lushai Hills District of Assam. The district was declared an "excluded area" in 1935,⁸ whereby the provincial legislature was stripped of its jurisdiction over the area. A responsibility for the district's administration was placed directly in the hands of the governor of Assam. Following India's independence from the British in 1947, the district remained a part of Assam.

The Lushai Hills district Advisory Council was formed there was no formal inauguration immediately. The first sitting on the Advisory Council was held on 16th August 1948 under the chairmanship of the Superintendent, L.L. Peter. The council has to discuss Draft Rules for the

⁸ Prasad, R.N., *Government and Politics in Mizoram*, New Delhi, 1986, p.37

constitution of the Lushai Hills District but there was a difficulty. The Mizo Union thought that the Superintendent was standing in the way of progress. Therefore, they wanted to get rid of him. They started agitation from 28th December 1948 throughout the Lushai Hills except in the far south of the Lushai Hills. The slogan of the Mizo Union was 'Led Peter go back'. Some of their leaders were arrested and sent to jail. ⁹

The agitation was called off S.N. Barkataki, I.A.S and Indian first Deputy Commissioner was posted at Aizawl in 1949. On 11th February, 1950 the second sitting of the Advisory council was held on 25th July, 1950 Bordoloi, Assam Chief Minister inaugurated the Lushai hills District Advisory Council at Aizawl. After the inauguration, the Advisory council held two more sitting and the Government of Assam abolished it on 12th November 1951¹⁰. The Lushai hills District council was inaugurated by Medhi, Chief Minister of Assam at Aizawl in 1952. The First General election to the District Council was held on 4th January 1952 and the first session of the District council was held on 23rd June 1952.¹¹

When the Lushai Hills was taken over by the British, the North Lushai Hills District was placed under Assam and the South Lushai Hills including under Bengal. Realizing the inhabitants of the north and south Lushai Hills were the same tribe, and they decided to amalgamate in the two districts into one. In the year 1898, the north and south Lushai Hills were amalgamated into one district and renamed as the Lushai Hills District, which was placed under the Chief Commissioner of Assam, with effect from 1st April 1898. Major J.Shakespeare was posted as the first Superintendent of the amalgamated Lushai Hills from the same date. The rules

⁹ Thanhranga, H.C., *District Council in the Mizo Hills*, Aizawl, 2011, p. 40

¹⁰ Ibid, p. 40

¹¹ Ibid, p. 41

also for the administration of the Lushai Hills were made applicable from the date of the amalgamation.

Under the provisions of the Sixth Schedule, the Mizo district Council was created in 1952 and the Pawi – Lakher Regional Council in 1953. Before the abolition of chieftainship in 1955, chiefs in the Mizo Hills were under the control of the Councils. The District Council was empowered to appoint Chiefs or headman when the chief died. With the abolition of chieftainship together with its rights and privileges in 1955, the power of chiefs was transferred to the Village Council in 1955.¹² The traditional hereditary chieftainship was abolished under the provision of the Assam Lushai Hills District (Acquisition of chief's Rights) Act, 1954. Their rights and interests of all the Mizo and the Pawi – Lakher Chiefs were acquired by the government with effect from the 1st April 1956 respectively. When the chieftainship was abolished, there were 309 chiefs, the administration of the land which was hitherto in the hands of the chief was then handed over to the Mizo District Council and the Pawi - Lakher Regional Council which were established under the provision of the Sixth Schedule to the constitution of India.

The Mizo history in the 18th and 19th century is marked by many instances of tribal raids and retaliatory amount of autonomy was accepted by the government and enshrined in the Six Schedule of the Indian Constitution. The Lushai Hills Autonomous District Council came into being in 1952 followed by the formation of Union Territory in July 1971. These bodies led to the abolition of chieftainship in the Mizo society. The British administered Mizoram as Lushai Hills district of Assam Province since its annexation in the closing decade of nineteenth century. It

¹² Thanhranga, H.C., *District Council in the Mizo Hills*, Aizawl, 2011, p. 28

was renamed as district of Mizo Hills within Assam State in 1954 and was declared as Mizoram, when it got the status of Union territory in 1972. The institution got a final blow after the enactment of The Lushai Hills (Acquisition of Chiefs rights) Act 1954. Establishment of Mizo District and abolition of Chieftainship: By an Act of the parliament called the “Lushai Hills District (Change of name Act) Act No.18 of 1954, the name of the “Lushai District” was changed to “Mizo District” with effect from April 29, 1954. The political status deprived the chiefs and their privileges.¹³ All the chiefs were compensated in cash for the loss of their power and tribute. The rights and interest of 259 Lushai, and 50 Pawi-Lakher chiefs were taken over by elected Village Councils. The post of the Superintendent had been abolished and the whole area was placed under the Deputy Commissioner; the Chief Executive members of the District and regional council. Since the voice of the people was very strong, the chiefs had no choice but to accept their fate calmly and be content with the compensation given to them. The acquisition of the chief’s right was certainly a bold and socialistic step taken by the Mizo Union keeping with the provision of the Democratic Indian constitution. The district administration was in the hand of the Mizo Union Party, who got majority in the District Council election held on April 5, 1952.

Union Territory of Mizoram:

The Mizos demanded the creation of separated state for the Mizos. In July 1971, the Government of India offered the status of Union Territory to Mizoram. By the end of 1971, the Central Government finalised the scheme of reorganisation of northeastern region. The sub-State of Meghalaya would become a full-fledged State and Union Territory of Manipur, Tripura would be given statehood. The Union Territories would come up namely Union Territory of Mizoram

¹³ Thanhranga, H.C., *District Council in the Mizo Hills*, Aizawl, 2011, p. 28

and Union Territory of Arunachal Pradesh. With this framework in this view, the North Eastern Areas (Reorganisation) Act was passed by Parliament in 1971.¹⁴ The Government of India has converted the Mizo Hills District Council into a Union Territory of Mizoram from 21st January 1972 along with the North Eastern areas under the North Eastern Areas Re-Organisation Act, 1971. The Union Territory of Mizoram was inaugurated by Indira Gandhi, the Prime Minister of India on 21st January at Aizawl.¹⁵

The elevation of Mizo District to the Union Territory status brought about a significance changes in administrative set up of Mizoram.¹⁶ Mizoram having now a government of its own for the first time, it become a necessary that it has everything of its own to run the administration. The inauguration of the Union Territory was followed by elections, which were held in the month of April 1972. The first Mizo Government came into existence with the Legislative Assembly of its own.¹⁷ It became crucial that the new government be equipped with the rudiments of requisite paraphernalia for the running of the government and administration. Different directorate had to be created and incumbents inducted to head them. At this time, there were departments already in existence since the Assam period and the staff of those departments were automatically brought over to their respective directorates.¹⁸ It was most difficult on the part of new government to set up a proper and regular administrative system right from the beginning straightaway. The District Council office and Council Hall had to be heavily renovated and altered to accommodate the new government. The Mizo Hills got the status of

¹⁴ Lalnithanga, p., *Emergence of Mizoram*, Aizawl, 2011, p. 33

¹⁵ Prasad, R.N., *Government and Politics in Mizoram*, New Delhi, 1986, p. 27

¹⁶ *Ibid*, p. 27

¹⁷ *Ibid*, p. 37

¹⁸ *Ibid*, p.38

Union Territory in January 1972 followed by its first 30-member Legislative Assembly election in April. Of the 27 elected members, Mizo Union won in 21 constituencies followed by Congress with six seats.¹⁹The important provision of the Act was that no Act of parliament in respect of religious or social practices of the Mizos; their customary law and their procedure, administration of civil and criminal justice involving decision according to the Mizos customary law, ownership and transfer of land and its sources would apply to the Union Territory of Mizoram, unless the Mizoram Legislative Assembly by a resolution so decided. In order to safeguard of the minority tribes, the act provided for the creation of three District Councils for the Pawis, the Lakhers and the Chakmas.²⁰

Mizoram as a separated State:

The Administration at the State level is the cutting edge of the public administration system in the country. Be it the issue of ration or electoral identity cards, procurement of food grains, implementation of development and upliftment schemes, supply of drinking water, mutation of land records, functioning of primary schools and healthcare centers or control of epidemics in the countryside, it is the instrumentalities of the State and District administration with which citizens have to interact.

Violence in Mizoram did not stop here despite its elevation from the status of District to Union Territory. The MNF were not prepared to accept anything less than statehood. Hence, a crisis bill was passed in the parliament in the year 1986 giving Mizoram statehood. The President of India also gave his assent on Mizoram statehood bill, on the 14th April 1986. The state bill

¹⁹ Prasad, R.N., *Government and Politics in Mizoram*, New Delhi, 1986, p.295

²⁰ *Ibid*, p. 289

thus became an act, but was not brought into force with immediate effect in anticipation of some political re-approachment between the central government and MNF chief, Mr. Laldenga. However, the expectation was not belied for long. After the 1986 signing of the Historic Memorandum of Settlement between the Government of India and the Mizo National Front, Mizoram was granted Statehood on February 20, 1987 (as per the Statehood Act of 1986). Mizoram became the 23rd State of the Indian Union. Statehood was a prerequisite to the implementing of the accord signed between the MNF and the Union Government on 30 June 1986. Laldenga, signed the document on the behalf of MNF, and the Union Home Secretary RD Pradhan on behalf of the Government, Lalkhama Chief Secretary of Mizoram, too signed the agreement.²¹ For administrative purposes, the State is divided into 8 districts, 26 Blocks and 29 sub-divisions. There are three Autonomous District Councils for ethnic tribes in the State of Mizoram under the Sixth Schedule of the Indian Constitution. These are, Chakma Autonomous District Council (CADC) for ethnic Chakmas in South-western Mizoram bordering Bangladesh, Mara Autonomous District Council (MADC) for Mara people.

The Chief Minister, who holds executive power in the state, is the elected head. The governor appoints the cabinet ministers on the advice of the Chief Minister. The administration and development for the state of Mizoram also depend on its own hands. The government function also determined and allocated according to the rule made by the allocation of business rule from the government of Mizoram.

²¹ Lalnithanga, p., *Emergence of Mizoram*, Aizawl, 2011, p. 120-122

Present Mizoram state administration:


Originally, the administration was administered with the head of the tribe or chief assisted by a council that ruled locally. After annexation by the British in the 1890s, it was administered as the Lushai Hills district of Assam. The colonial power introduced inner line regulation, restricting access to any outsiders. It was renamed as the district of Mizo Hills within Assam State in 1954 and in the same year the Young Mizo association was formed which is still an important institution in Mizoram.

Mizoram has 8 districts: Aizawl, Lunglei, Chhimituipui, Lawngtlai, Mamit, Kolasib, Serchhip and Champhai with 26 Block and 23 Sub - Division. It has 40 seats of legislative assembly and represented at the Parliament by two MPs, one in the Lok Sabha and the other in the Rajya Sabha. There are also three Autonomous District Councils (ADC) for ethnic tribes in Mizoram, namely Chakma Autonomous District Council (CADC) for ethnic Chakmas in South-Western Mizoram bordering Bangladesh, Mara Autonomous District Council (MADC) for Mara people in the Southern-most corner and Lai Autonomous District Council (LADC) for Lai people in Southeastern part of the state.

The detail and statistic condition of the present situation in Mizoram, and the area and population of the districts in Mizoram are shown in Table 1 and Table 2.

Table No. 1
Statistics of Mizoram

Coordinates (Aizawl): 23°22'N 92°00'E / 23.36°N 92.0°E / 23.36; 92.0	
Coordinates: 23°22'N 92°00'E / 23.36°N 92.0°E / 23.36; 92.0	
Capital	Aizawl
State Tree	Mesual Ferrea/Nahar (Herhse)
State Animal	Serow (Saza)
State Bird	Bartailed Pheasant (Vavu)
State Flower	Dancing Girl (Aiting)
Legislature	Unicameral (40 seats)
Parliamentary Constituency	1
High Court	Gauhati High Court
Area	
– Total	21,081 km ² (8,139.4 sq mi)
Area rank	24th
Population (2011)	
– Total	1,091,014
– Rank	27th

– Density	51.8/km ² (134/sq mi)
<u>Time zone</u>	<u>IST (UTC+05:30)</u>
<u>ISO 3166 code</u>	<u>IN-MZ</u>
<u>HDI</u>	 0.790 (medium)
HDI rank	2nd (2005)
<u>Literacy</u>	89.9% (2nd)
Official languages	<u>Mizo</u> , English

Source: mizoram.gov.in, 13.09.2011, Mizoram Wikipedia

Table No. 2
Districts of Mizoram

S.No	Districts	Area in Sq Km	Population	Headquarters
1.	Aizawl	3,576.31	339812	Aizawl
2.	Lunglei	4,538.00	137155	Lunglei
3.	Chhimituipui	1,399.90	60823	Saiha
4.	Lawngtlai	2,557.10	73050	Lawngtlai
5.	Mamit	3,025.75	62313	Mamit
6.	Kolasib	1,382.51	60977	Kolasib
7.	Serchhip	1,421.60	55539	Serchhip
8.	Champhai	3,185.83	101389	Champhai

Source: ICAR, Zonal Project Directorate (Zone-III), NE Region, 2011

The area of Mizoram is 21,087 Sq Kms, the state is bordering by Myanmar in the east and south, and Bangladesh in the west, Mizoram occupies an area of great strategic importance in the northeastern corner of India. It has a total of 630 miles boundary with Myanmar and Bangladesh. Mizoram has the most variegated hilly terrain in the eastern part of India. The hills are steep and are separated by rivers that flow to either the north or the south creating deep gorges between the hill ranges. The average height of the hills is about 900 meters. Mizoram is a mountainous region; the highest peak in Mizoram is the Phawngpui (Blue Mountain) with a height of 2210 meters. Mizoram has a pleasant climate; it is generally cool in summer and not very cold in winter. During winter, the temperature varies from 11 C to 21 C and in the summer, it varies from 20 C to 29 C. The entire area is under the direct influence of the monsoon. It rains heavily from May to September and the average rainfall in Aizawl is 208 cm.²²

Mizoram lags behind in comparison to the rest of the country, cottage industry and other small-scale industries play an important role in its current economy. Mizoram has no known mineral resources, which are commercially exploitable. Agriculture is the mainstay of the people of Mizoram. More than 70% of the total population is engaged in some form of agriculture. A large number of people living in rural areas carry out the age-old practice of Jhum cultivation annually. The climatic conditions of the state, its location in the tropic and temperate zones, and its various soil types along with well-distributed rainfall of 1900 mm to 3000 mm spread over eight to ten months in the year, have all contributed to a wide spectrum of rich and varied flora and fauna in Mizoram.

²² www.jewin.com, 10.11.2011

Mizoram is one of the most sparsely populated states of India. The population density decreases from north to south, owing primarily to a southward increase in humidity and temperature that renders the area less desirable for habitation. Aizawl is the state's only major city; large towns include Lunglei, in the eastern part of the state, and Champhai, in the south-central region. The great majority of Mizoram's population is several ethnic tribes who are either culturally or linguistically linked. These ethnic groups are collectively known as Mizos. Most of them are cultivators and the village functions as a large family. The majority (90.5%) of Mizos are Christians, migrated Hindus form a small minority (3.6%) and there are also around 8.3% Buddhists according to the 2001 census, mostly made up from Chakma settlers of Arakan origin. Muslims make up about 1.1%. In 1901, it was thought that literacy was only 0.9% but by 2005 census had reached 89%. Today Mizoram is second only to Kerala for literacy in India at 95%.

Mizoram is not self sufficient in power. Mizoram has a road network of around 4,000 km (2,500 mi) or minor or village roads and a small number of national highways. The village roads are primarily single lane or unmetalled tracks that are typically lightly trafficked. The State is connected to the Indian network through National Highway 54.

The hills are marvelously green, about 80 percent of the people of Mizoram are engaged in agricultural pursuits. The main pattern of agriculture followed is Jhum or Shifting cultivation. Agriculture is the mainstay of the economy of the state. The Jhum (shifting) cultivation of the state produces a number of varieties of agricultural products.

The food of the state differs from the rest of the country. People here are mostly non-vegetarian and prefer to eat meat. They had their own culture and tradition and belonging to

diverse ethnicity. The most popular of the dances is the Cheraw Dance. There are three main festivals (Kut) in a year, the three Kut are Chapchar Kut, Mim Kut and Pawl Kut. All the three festivals are connected with agricultural activities. The infrastructure of Mizoram remains limited, regular bus routes operate across the state, and some provide inter-state service.

The basic governmental structure of Mizoram, like that of most other Indian states, is determined by the national constitution of 1950. The governor, appointed by the president of India, is the head of state and is assisted by the chief minister, the Council of Ministers, and the unicameral Legislative Assembly (Vidhan Sabha). The state is divided into several administrative districts, each headed by a deputy commissioner. The High Court of Guwahati (Assam) serves for the state of Mizoram; and there is a permanent bench in Aizawl. Lower courts include district council and village courts.

The Government of Mizoram (Transaction of Business) Rules, 1987:

The organisation and administration of the state government are functions with the prescribe transaction and allocation of business rules in the state. The Mizoram State government Transaction of Business Rules, 1987 are the main procedure, which follow for the administration of the government of Mizoram.²³

The Transaction of Business Rules requires and explains the different terms of the government context and terms. The responsibilities of the government and their business rules are mentioned in the transaction rules. The top executive of the government are performed according to this rules.

²³ See Appendix - I

The Government of Mizoram (Allocation of Business) Rules, 1987:

The main functions of the Revenue Department as mentioned in the Government of Mizoram (Allocation of Business) Rules, 1987. The Allocation of Business Rules is also the routine of the government and systematic procedure of the administration.²⁴

The entire business of the government shall be transacted in the departments of the government as specified in the schedules and shall be classified and distributed among these departments as laid down therein. If the government may, from time to time make such addition or modifications in, the list of business allotted to each department as it thinks fit.

The government has the power to make the following rules for the smooth and effective function of the state administration. The different duties Transaction of Business Rules of various departments from the government of Mizoram are clearly defined in these rules as a schedule. The government and different functions of the departments are usually follows the allocation of this business rules. The revenue department and functions also indicated in the twentieth schedule. Therefore, it is the cornerstone of the government.

²⁴ See Appendix - II

Chapter III

Land Revenue Department – Structure and Functions

This chapter has been divided into three main sections. Section one brings out the main structure of Land Revenue organization with organisation chart. Second section traces the different organisation function of Land Revenue Department in Mizoram. Section three indicates the different functions of the Land Revenue in Mizoram.

Revenue administration is at the core of governance at district level. Historically it is one of the oldest systems of administration. It is concerned with mobilisation of resources for the development of the state & day-to-day administration. Collector is the head of the revenue administration at district level, i.e. District Collector or Deputy Commissioner. He is the guardian of law & order, friend philosopher & guide of the Panchayatiraj Institutions, (these are not implemented in the state of Mizoram) and Chief Executive of the Government at district level. He enjoys tremendous confidence of the people, who look to him for delivery of justice. He serves as the link between the people & the Government. He is the captain of the development team at the district level & coordinates and supervises all development, welfare programmed and revenue collection in the district.

The growth of Revenue Administration in the state has a historical analysis of ancient Indian Policy and the systems of government. The history of Land Administration dates back to the olden days of kings and kingdoms. From that period, land administration is considered as prime domain of the State.¹

¹ Rao, Umamaheswara, C., *Land Revenue Administration – A historical Outlook* (unpublished material), p. 3

Before the British annexed the territory of the then Lushai Hills in 1890, the traditional chief's with the assistance of his village elders in their respective territorial jurisdictions had a full power to administer revenue in their respective territories. After the abolition of Chieftainship in Mizoram, the administration of Land and Land Revenue then passed into the hands of the District Council. The Mizo District Council provided a number of Regulation, Act and Rules and it had been framed for the administration of Land and Land Revenue administration. Before the implementation of proper rules and regulations under the District Council Act, there was no proper land record and any other document in Mizoram. Therefore, the legislation of District Council in 1956 still forms the basis of Revenue Administration in Mizoram.

Mizoram was granted statehood on 20th February, 1987. The fundamental requirement of the Government is to ensure that having proper documents and records of the ownership of lands and to collect the share of Government in the shape of Land revenue or tax/ fees in respect of use of land property. Therefore, the Department of Land Revenue & Settlement was created on 21st January, 1972 to take up such duties and responsibilities of survey, settlement and preparation of Land Records including collection of revenue/ taxes and it was upgraded to Major Department with effect from 29th March, 1994. ²

The State of Mizoram have separate department of Land Revenue and having separate structure and functions according to the needs and requirement of its status and its people. The organisation and structure of Land Revenue and Settlement Department in Mizoram have two separate charts, i.e. Secretariat Chart and Department or Directorate Chart. Revenue Department

² Information brochure collected from Land Revenue and Settlement Department

is, perhaps, one of the oldest among 39 departments under the Government of Mizoram. It was declared a major department in 1993. It is a quasite-technical department.³

The Structure of the organisation of Land Revenue Administration in Mizoram:

A minister of Cabinet rank heads the Structure of Revenue Department Secretariat. Under the Secretary, Deputy Secretary, Under Secretary, Office Superintendent and a few members of clerical staff.

Organisation Chart of Land Revenue Department Mizoram (Secretariat and Directorate Establishment Wing), Existing Officers and Staff – Post wise - As on 26 - 9 – 2011, Chart I and Chart II -A.⁴

The Directorate of Revenue is manned by the officer from MCS (Selection Grade). Under the Director, they are Joint Director (Survey), Deputy Director, Deputy Director of Survey, Deputy Director (Admn.), Assistant Director of Survey (A), Assistant Director of Survey (Technical), Assistant Settlement Officer-II, Finance and Accounts Officer and Office Superintendent. There are a number of technical personnel and clerical staff.

Organisation Chart of Land Revenue Department Mizoram (Directorate with Different Branch/Wing), Existing Officers and Staff - Post wise - As on 26 - 9 – 2011, Chart II -B.⁵

There are 6 District Offices located in the headquarters of the following administrative districts - Aizawl, Lunglei, Champhai, Mamit, Kolasib, and Serchhip. Although a district office is to be headed by Assistant Settlement Officer-I, i.e., MCS officer of Sr. Grade, majority of the

³ Information brochure collected from Land Revenue and Settlement Department

⁴ Appendix - III

⁵ Appendix - IV

district offices are manned by the Assistant Settlement Officer-IIs, i.e., officers in the entry grade of MCS for the reasons best known to the Government in DP & AR.

Organisation Chart of Land Revenue Department Mizoram (Different 6 District), Existing Officers and Staff - Post wise - As on 26 - 9 – 2011, Chart III⁶

The Department of Land Revenue and Settlement has various levels of organisation and structure, these levels are very essentials for proper implementation and smooth functioning of land revenue administration. Moreover, they contributed for Land Revenue Department.

The functions of oraganisation of Land Revenue Administration in Mizoram:

The duties and responsibilities of different segments of the Department, such as the Secretariat, the Directorate and the District Office are as given below:-

State Level (Secretariat)

At the State level, all work relating to land and its administration are handled by the Revenue Department, which is headed by a Minister of Cabinet rank. Revenue Commissioner / Secretary, Deputy Secretary, Under Secretary and Office Superintendent also assist him with supporting ministerial staff.

⁶ Appendix - V

The role of Secretariat is policy formulation and decision-making. The Secretariat is responsible for assisting and tendering advice to the Minister in formulation of public policy. Below the Secretary are Deputy Secretary, Under Secretary, Superintendent and a number of clerical staff. The powers and duties of officers in the Secretariat are not clearly delineated in the Government of Mizoram (Transaction of Business) Rules, 1987 or under any other notifications. Briefly, the officers in the Secretariat are responsible towards extending fullest co-operation to the Minister in the discharge of his functions. They are entrusted for dealing with different files thus providing clerical support to the Government.

The different duties and function of the Administrative Department are as follows-

- 1) To formulate a policy of land and monitoring.
- 2) To make Act, Rules & Regulation, with the procedure of amendments for land administration.
- 3) Cabinet and administrative department decisions are required when the Department itself cannot finalize decisions.
- 4) Making notification for the department when not specified by the Act and rules.
- 5) To Shuffle and manage the administration of the department.
- 6) Revenue clearance is needed for huge projects like Industry or hydel project etc. covering larger area or which require a longer period. Notification should be issued if the project is completed and if not, De-notification should be issued.
- 7) Application must be forwarded to the Secretary to the government of Mizoram, Revenue Department if government, semi government or an organisation wants to acquire lands.

- 8) Taking responsibility to changes in purpose of allotment.
- 9) Representing department in any court cases, and appealing cases of Director's decision on dispute sites.
- 10) Approval of house site plan. and Declaration of station area.

Directorate level

At the Directorate level, the Director of Land Revenue & Settlement Department handles all work relating to Land and Land Revenue Administration. Directorate Office oversees the implementation of Land Reforms Programmed of the State. There is no separate staff for Revenue Administration, Survey, and Land Records. Director who is from M.C.S cadre of Selection Grade heads directorate Office. He is assisted by Joint Director (Survey), Deputy Director (MCS), Deputy Director of Survey, Deputy Director (Admn.), and Assistant Director, Assistant Director of Survey, Assistant Settlement Officer-II, Finance & Account Officer and Office Superintendent with other technical and non-technical supporting staff.

Directorate's main responsibility is implementation of policies and programmes made by the Government. These are given below-

- 1) Cross-checking/ re-verification of application for allotment of land for both agriculture and non-agriculture purpose received from the respective Deputy Commissioners before forwarding them to the Government for seeking for approval.

- 2) Initial verification, Survey and demarcation of lands for allotment to the government department, military and para-military forces, BRTF, etc. as well as allotment of lands to

organisations other than individuals like Churches, Voluntary organisations, Community Halls, Cemetery, etc.

3) The Director will remain the head of Department for purposes of control on budget requirement, inter-district transfer and posting, and for the purpose of supervision of the functioning of both of the district of office at Aizawl and Lunglei.

4) Cadastral Survey, plotting, preparation of Maps, etc. of land for the purpose of preparation of land records for the whole of Mizoram.

5) Survey and demarcation of Inter-State boundary with neighboring States; District, Sub-Division, Block, Villages (for the purpose of revenue administration), etc. boundary and settlement of disputes arising thereof.

Powers and duties of officers and employees in the directorate :-

Director is the Head of Department. He is responsible for execution of various policies and programmes formulated by the Government. He is assisted by a number of officers and staff.

The powers and duties of different functionaries in the Directorate are as given below:-

1. Joint Director of Survey. i/c of.

i) Over-all supervision of Technical Works/ Plan.

ii) Annual Plan/ Five Year Plan/ CSS/ Finance Commission.

iii) Matter relating of International/ State Boundary.

iv) Minor Works under Plan Scheme.

v) Land Reforms.

2. Deputy Director. i/c of.

i) Drawing and Disabusing officer.

ii) Framing of Acts/ Rules and Regulations.

iii) Court Cases/ Dispute Cases.

iv) Vehicle including P.O.L.

v) Rental Charges.

3. Deputy Director (Admn.). i/c of.

i) All Establishment matters.

ii) Pension Cases.

iii) Procurement of Furniture/ Equipments/ Stationery Articles.

iv) GPF/ GIS/ IF/ Pay Roll Saving.

v) Land & Building under Revenue Department

4. Asstt. Director of Survey (A). i/c of.

i) Supervision of Technical Works.

ii) Cadastral Survey/ Engineer Survey

iii) Road side Land Control.

iv) Maintenance of Technical Store/ Records.

5. Asstt. Director of Survey (T). i/c of.

i) Cadastral Field Operation.

ii) Inter State Boundary/ Town Area.

iii) House Site Plan.

iv) Technical Clearance.

6. Finance & Account Officer. i/c of.

i) Formulation of Annual Plan/ Five Year Plan/ CSS/ Finance Commission.

ii) Preparation of Budget Estimate/ Revised Estimate/ Supplementary Demand.

iii) Maintenance, Compilation and Consolidation of Accounts.

iv) Audit of Accounts and replies thereof.

v) Collection of Taxes.

vi) Advise the Department in all Financial matters.

7. Asstt. Settlement Officer-II. i/c of.

i) All cases of House Sites.

ii) All L.S.C. Cases.

iii) Allotment of Agricultural Lands & Settlement thereof.

iv) Conversion of Agricultural Land into House Site/ LSC.

8. Asstt. Director. i/c of.

i) Framing of Bills/ Regulations/ Rules and Amendment of Rules.

ii) Disputes Cases/ Court Cases, etc.

9. Superintendent. i/c of.

i) Supervision of all Works allotted to Staffs.

ii) Maintenance of Office Discipline/ Punctuality and Attendance.

iii) Giving guidance to Staff on Office procedures/ Rules and Regulations.

A. Ministerial Staff :

(Assistant/ UDC/ LDC).The Ministerial staff (clerks) are entrusted with dealing of office files and service records of the Officers and Staff.

B. Technical Staff :

1) Surveyors : The Surveyors are entrusted for demarcation of land for Government and private individuals by making specific boundary description for issue of House Site process and Land Settlement Certificates to land holders and also to make Land Records.

2) Cartographers & Tracers : The Cartographers are entrusted to draw the sketch maps of Land/ House Sites/ Gardens to every land holders for issue of complete certificates of Land Settlement.

3) Field Supervisors/ Field Asstt. : They are entrusted to collect Revenues/ Taxes from the Land Holders, etc. and to maintain such records in the Registers.

4) Drivers : Drivers are entrusted to look-after and drive the Government vehicles.

C. IV Grade Employees (Peon/ Chowkider/ Sweepers).

The IV Grade employees are mostly entrusted to clean the Office rooms and toilets and also to help the Officers and staff while doing office works.

D. Computer Operators :

They are entrusted to maintain office Records in the Computer Sets, etc.

Department Activities :

The activities of Land Revenue & Settlement Department may be broadly classified under three heads as :-

- (i) Activities under Non-Plan
- (ii) Activities under Plan Schemes
- (iii) Activities under Centrally Sponsored Scheme/ NEC Schemes

A. Activities under Non-Plan

(i) The citizens submitted application for allotment of land or settlement of land or settlement disputes. The surveyors conducted verification/ demarcation/ survey & settlement of such application.

(ii) Senior Surveyor or Team of Officers cross-check the survey reports as mentioned at Sl. No. (i) above.

- (iii) Preparation of Record-of-Rights or Land Records at office base on Field Reports.
- (iv) Issue of certificates to citizens
- (v) Assessment and collection of Land Revenue/ Taxes.

B. Activities under Plan Scheme

- (i) Conduct Cadastral Survey Operation of Agricultural lands of rural areas and Non-Agricultural lands especially, town lands.
- (ii) Conduct Aerial Cadastral Survey of Agricultural and Non-Agricultural Lands (Ground Survey)
- (iii) Conduct Summary Survey of Agricultural land (Non-Instrumental process)
- (iv) House Site Planning
- (v) Cater and improve human resources development in the field of surveying, mapping, settlement and preparation of Land Records and Land Information System.
- (vi) Construction of Office accommodation and Staff Quarters.
- (vii) Augmentation of the Land and Land Revenue Administration by modernisation of instruments/ furniture/ fixtures.

C. Activities under Centrally Sponsored Scheme/ NEC funded Scheme

- (a) Centrally Sponsored Scheme for Strengthening of Revenue Administration and Updating of Land Records (SRA & ULR) at 50:50 sharing basis.
- (b) Centrally Sponsored Scheme for Computerisation of Land Records at 100 % Central assistant.
- (c) Computerisation / Digitisation of Cadastral Maps at 90% assistant from N.E.C.

District

The District has been the most important unit of land and land revenue administration since January, 1972. The head of the district administration is designated as Deputy Commissioner. In the actual practice, the Assistant Settlement Officer-I for Aizawl and Lunglei Districts and Assistant Settlement Officer-II for other four districts viz. Champhai, Kolasib, Mamit & Serchhip are discharging the duty and responsibility of district level functionary.

The powers and duties of different districts are as given below:-

- 1) Initial Verification of applications for allotment of land to individuals for both agriculture and non-agriculture purposes. On submission of verification reports in prescribed forms by the Field Staff, an Officer not below the rank of the ASO-II will conduct spot verification and submit his report thereof before the applications are forwarded to the Directorate of the Department for further processing/ cross-Checking.
- 2) Conversion of House/ Garden Pass (periodic patta/ permit) into land settlement certificates.
- 3) Settlement and disposal of disputes over land including eviction of encroachers.
- 4) Transfer and posting of Revenue Staff within the District.
- 5) Removal of road-side encroachments including eviction of unauthorised occupants.
- 6) Examining application of housing site, shop and stall, agricultural land, land lease for public land.

- 7) Examining the application for conversion of house pass LSC, updating of land records.
- 8) To solve fresh cases of disputed site and preparation of district land record.
- 9) Making an assessment and collection of various taxes.

Village Level

The Village Council of a village forms the base of the land and land revenue administration. The Village Council has a power for allotment of land for House Site to the permanent resident of a village in the rural areas. There is no official at village level under Land Revenue & Settlement Department. Village Council is entrusted for assessment and collection of Land Revenue/ Taxes for some village within town areas.

Functions and Duties of Land Revenue Administration:

"Land" includes all lands either vacant or occupied. It shall include also benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth but shall exclude minerals, mineral oil, natural gas and petroleum. It also included in the State Reserved Forests, the soil of all Government and Public roads.⁷

There are two types of land administration in India – Single channel land administration and Two channel land administration. The four functions of land administrations such as land revenue, land settlement, land records and land reforms are confined within a single

⁷ The Mizo District Land and Revenue Rules, 1967 p. 1

administration i.e. the Directorate. Mizoram is one of the few State or Union Territories in India where Single land administration is used.⁸

Unlike the former channel, two channel land administration works for the technical work of land survey, land reform and land record functions under the Directorate while District Collector controls land revenue and land settlement from the Village level to District level.

1. Land Revenue

Land Revenue means any revenue assessed on an estate and includes other taxes assessed in lieu of land revenue. On the other hand, any revenue assessed on land holding and includes other taxes assessed on land and building.

Land Revenue fixed as in the last settlements of 1910-15 in the areas falling in the Ferozpur District which was a British territory at the time, is being realized even today as there has been no revised settlement thereafter. However, the State Government has imposed additional land revenue and few other cases from time to time. Land revenue is realized in two installments i.e. for Kharif in the month of January and for Rabi crops in the month of June. In the struggle for national independence, one of the most powerful weapons which was brought into play was the no rent campaign of the party. Indeed anything to do with the land provides not only an area of sensitiveness, but also an opportunity of introducing, or bringing into play, the tools and weapons of political, social and economic struggle and revelation.⁹

⁸ Information brochure collected from Land Revenue and Settlement Department

⁹ Khera, S.S., *District Administration of India*, 1979, New Delhi, p. 267

In some states, the area to be assessed is generally divided into a group of villages called the assessment circles, which are sufficiently homogeneous to admit of a common set of rates being used as a general guide in calculating the land revenue to be recovered. It is based in net-assets which, means estimated average annual surplus produce as ascertained after deduction of all the ordinary expenses of cultivation including payment, if any, which the land owner customarily bears whether in kind or cash, either in whole or in part in respect of water rates, maintenance of means of irrigation, maintenance of embankments, supply of seeds, etc. A rates also differ from assessment circle to another circle. Each circle has different rates and levied for different types of soils.

In Mizoram, land revenue is concerned with payment of taxes to the government as required by the Settlement Terms & Condition and Certificate. It consists of various taxes like Premium, land record fee, land revenue and different fees and taxes collected under the Revenue Department. Its major function is to make an assessment for collection of taxes. Most of these fees and taxes have to be paid at once, which does not require to be paid yearly. These fees and taxes are assessed in each land record unit with issuing a separate receipt and properly recorded.

Assessment:

Assessment has to be made from June to February on all taxes and fees, which have to be paid yearly. The issuing of Pass, LSC and Land Lease before 31st December can only be assessed. The new land records and modifications of the existing land records have to be informed for assessment to the concerned Revenue Branch. These new assessment lists have to be approved within the month of March and should needed to enter in a Computer.

Collection:

Collection has to be completed using approved assessment from 1st April to 15th March and should be deposited by using release order from 16th March to 31st March.

Defaulters:

The defaulters should be dealt with by the prescribe rules and regulations, and if necessary the Mizoram (Public Demand Recovery) Rules 2004 can be used. Taxes and fees collected from defaulters should be deposited within the month of May and should be booked under “Aerial Recovery”.

2. Land Settlement

Land Settlement means the settling of land under the Act and under the rules, either permanently or periodically with individual persons or society who have entered into an engagement with the government to pay land revenue, and includes survey, demarcation of boundary and classification preliminary to such settlement.¹⁰

After the abolition of chieftainship of Mizoram in 1954, the authorities over all lands were transferred within the jurisdiction of the government. The Executive Members under the District Council were given the authority to issue the ownership rights of land and assigned the duty of collecting taxes. The Village Council in each village has also given this power within their own jurisdiction. The then rules and regulations have continuously been in use till today were further added and amended with the requirements of the state.

¹⁰ The Mizo District Land and Revenue Rules, 1967 p. 2

Settlement can be defined as the recording of allocation of a particular land to private or to public within the parameter of rules and regulations. It is also called Record of Right, which consists of Temporary or Permanent Settlements. Besides these, up-dating of land record – Extension, Alteration, Mutation and cancellation are also included.

Different types of Land holdings and Settlements in Mizoram can be identified as under:

House Pass:

It is the rules permitting the construction of houses, which permission does not include selling, allotting and transferring. There are about 70 Notified towns in Mizoram. The permission in a notified town felt within the jurisdiction of the government while in Un-notified town it felt into the hands of Village Council.

Periodic Patta:

It includes land, which the government can issue for the purpose of agricultural field, farming, fisheries etc. However, it does not include the permission of selling and allotting of land.

Land Settlement Certificate (LSC):

It is the ownership right given by the government for the purpose of housing or agricultural land. It is also called Patta, which has a permit of selling, allotting, transferring and mortgaging of lands.

Land Lease:

It is a land issued by the government to organization, public and government not for the purpose of housing and agriculture for a limited period of time, which does not include the ownership rights.

Apart from all the mentioned of land holding and land settlement, those lands which are maintained with Temporary Pass, Provisional Pass or Un-authorised Pass which needed regularization are practices in most villages.

Village Council used to issue about 70% of the total land for one year to practice Shifting Cultivation in Mizoram, which ownership rights felt under the authority of the government.

Revenue Act does not cover all Public Roads and Reserved forests in Mizoram which taxes are not paid to the concerned department.

Land Ceiling:

Land Ceiling Act & Rules are not yet implemented in Mizoram. However, there is specified limit of not more than 1 bigha for Housing and not more than 30 bighas for Agricultural land.

Registration:

In some states, Property Registration and Stamp Act are included under Revenue Department while these are included under Law Department in Mizoram. Yet notification was issued to include Property Registration and Stamp Act under Revenue department, but it has not been implemented.

The Bengal Eastern Frontier Regulation Act of 1873 (V) extended to the Lushai Hills District, which forbids and dis-allowed the owning and acquiring of land and profit of land product in Mizoram.

3. Land Records

Land Records means survey records, revenue records and the records of rights maintained under the provision or for the purpose of the act. Land Records occupies a pivotal place in the Revenue Administration. It includes all matters relating to maintenance and preservations of record of rights and revenue registers. Maintenance of land records and the availability of easily accessible land information is one of the most important issues facing governance today. ¹¹

Land is a State subject in the Constitution, and the systems of land records management vary from State to State. It is depending upon their historical evolution and local traditions. Although these systems are diverse in form, they have an underlying unity of themes and objectives and they suffer from a largely common set of problems. Several departments are involved in managing land records in most of the States, and the citizen has to approach 3 to 4, or even more, agencies for complete land records, e.g., Revenue Department for textual records and mutations; Survey & Settlement (or Consolidation) Department for the maps; Registration Department for verification of encumbrances and registration of transfer, mortgage, etc.

Land Records is a generic expression and can include records such as, the register of lands, Records of Rights (RoRs), tenancy and crop inspection register, mutation register,

¹¹ mizoram.gov.in, 11.08.2011, Mizoram Wikipedia

disputed cases register, etc. It can also include geological information regarding the shape, size, soil-type of the land; and economic information related to irrigation and crops.

The history of land records is as old as the Indian civilisation. Maintenance of these records has gone through a process of evolution as it passed through various administrative systems and socio-economic compulsions. The present system of preparing and maintaining land records originated from the Moghul period and reached its scientific form during the British rule. All the subsequent efforts are largely revision with de novo preparations combined by newly accredited areas based on existing laws and rules. Land records are of great importance to contemporary socio-economic imperatives and their revision and updating are necessitated for capturing the essentials of changes in social dynamics.

The system of correction and updating of land records is very elaborate. The survey of mapping in India is known as cadastral survey.¹² Maps depicting land parcels (cadastral maps) are required to be updated through the process of survey and settlement operations. Most of the states including Mizoram government have not done any survey or settlement operations. Therefore, updating of records has suffered and they no longer represent the ground realities relating to ownership and possession. In December 1988, the Conference of Revenue Secretaries of States took cognisance of the poor state of land records and recommended immediate action.

Maintenance of land records as the basis for good administration, aimed at social justice through better implementation of rural development programmes. Systematic programmes would

¹² Khera, S.S., *District Administration in India*, New Delhi, 1979, p.261

be taken up for compilation and updating of land records for completion within a time framed. In states, where the backlog is heavy, aerial survey techniques may be employed for expeditious survey operations. Regular periodic updating of land records is essential in all state land revenue administration. Scientific survey of unmeasured land and recoding of rights of tenants and share-croppers are also required.

Planning and maintaining land records is a pre-requisite before any land reform policies can be successfully implemented. To achieve this, latest information technology is required for quicker storing, processing and retrieving of information database in land records. Therefore, computerisation of land records is very essential step to achieve all these goals.

The Conference of Revenue Ministers of states/UTs (1985) advocated that computerisation of land and crop-based data be taken up on a pilot project basis as a technology proving exercise in one Revenue Circle of each state and UT, as a Central sector scheme. The Ministry of Rural Development is providing funds to the state governments for site preparation, data entry work and for purchase of necessary furniture and other miscellaneous expenditure. In the 1999-2000 budget the provision under the scheme is Rs. 33.00 crore of which funds to the tune of Rs. 25.69 crore have already been released to the states of Andhra Pradesh, Karnataka, Kerala, Gujarat, Maharashtra, Manipur, Mizoram, Madhya Pradesh, Orissa, Punjab, Haryana, Jammu & Kashmir, Goa, Tamil Nadu and Pondicherry upto November 30, 1999 for undertaking pilot project on digitisation of cadastral survey maps, operationalisation of the scheme in 407 new tehsils and additional funds for on-going projects.

Under this programme, funds are released to state governments for purchase of hardware, software and other peripherals. Pilot projects for digitisation of cadastral survey maps have been

sanctioned in some states including Mizoram. To encompass the computerisation of land records in its entirety instead of just trying to deliver the text database, three parallel activities need to be done and digitisation of the cadastral maps.

Cadastral Survey, Summary Survey and demarcation of Piece-Meal for site application are the important system of land records in Mizoram. Those classes of land surveys, which are execute for the purpose of systematically recording land rights, producing registers of land holdings, or an inventor of land areas, land uses and classifications of determining tax assessment from the land are included. The system of cadastre in Mizoram is a combination of tax, real property and legal cadastre. The survey system is numerical, pictorial and positive methods.

The objective of land reform in Mizoram may be summarized as follows:-

- (i) To prepare a map of plot of land for each village, town or city showing their positions, boundaries and survey numbers.
- (ii) To identify and demarcate village boundaries.
- (iii) To obtain the numerical data viz. the measurement of the sides, diagonals and offsets and area and the qualitative data viz. type and number of crops grown, irrigation facilities available and quality of soils etc.
- (iv) To compile proper written records of rights of ownership and fix rates of land taxes.

Land record is necessary for making a proper land administration and has a power to measure in every land. A Land Pass or LSC should be needed to re-issue and without land record

and cadastral survey, the old LSC or Pass is invalid. Therefore, it is very important for the implementation of land record. The maintenance of land record is a principal function of district and state administration and essential to any system of land and revenue administration.¹³

4. Land Reforms

The Land Reform Process focused the areas on restitution, land tenure reform and land redistribution. Land reform usually refers to redistribution of land from the rich to the poor. More broadly, it includes regulation of ownership, operation, leasing, sales, inheritance of land and redistribution of land itself requires legal changes.¹⁴

India at independence inherited a semi-feudal agrarian system. The ownership and control of land was highly concentrated in the hands of a small group of landlords and intermediaries, whose main intention was to extract maximum rent, either in cash or in kind, from tenants. Under this, the tenant farmer had little economic motivation to develop farmland for increased production with no security of tenure and a high rent. The landowner was not particularly concerned about improving the economic condition of the cultivators. Consequently, agricultural productivity suffered, and the oppression of tenants resulted in a progressive deterioration of their well-being.

In the years immediately following India's independence, a conscious process of nation building considered the problems of land with a pressing urgency. In fact, the national objective of poverty abolition envisaged simultaneous progress on high productivity and equitable distribution. Accordingly, land reforms were visualized as an important pillar of a strong and

¹³ Khera, S.S., *District Administration in India*, New Delhi, 1979, p.264

¹⁴ Information brochure collected from Land Revenue and Settlement Department

prosperous country. India's first several five-year plans also allocated substantial budgetary amounts for the implementation of land reforms.

In an agrarian economy like India with great scarcity, and an unequal distribution of land, coupled with a large mass of the rural population below the poverty line, there are compelling economic and political arguments for land reform. It involves the changing of laws, regulations or customs regarding land ownership. Land reform may consist of government-initiated or government-backed property redistribution, generally of agricultural land. It can also refer to transfer of ownership from the more powerful to the less powerful: such as from a relatively small number of wealthy or noble owners with extensive land holdings (e.g., plantations, large ranches, or agribusiness plots) to individual ownership by those who work the land. Such transfers of ownership may be with or without compensation; compensation may vary from token amounts to the full value of the land.

Land can either serve as an essential asset for a country to achieve economic growth and social equity. Whereas the government-led land reforms had been imbued with some effort to attain equity, social justice, and dignity. Land reform views the process as more than the mere redistribution of land to the landless. The common characteristic of all land reforms is modification or replacement of existing institutional arrangements governing possession and use of land. Thus, while land reform may be radical in nature, such as through large-scale transfers of land from one group to another, it can also be less dramatic, such as regulatory reforms aimed at improving land administration.

Land reform is an important and integral part of the rural development programmes, better land or land revenue administrations and development for Mizoram. However, land reform

in Mizoram is not sufficient and not effective enough to face contemporary problems for the present situation for today government.

The major objectives of land reforms in India are as follows:

- (1) Restructuring of agrarian relations to achieve egalitarian social structure
- (2) Elimination of exploitation in land relations
- (3) Actualisation of the goal of land to the tiller
- (4) Improvement of socio-economic conditions of the rural poor by widening their land base
- (5) Increasing agricultural production and productivity
- (6) Utilisation of land and land restructuring according to a demand from the people
- (7) Redistribution of land by placing ceiling on future acquisition and exiting holdings and acquiring surplus areas above the ceilings, resettlement of landless agricultural workers and increasing the size of uneconomic holdings.
- (8) Making and amending Land Law with Updating computerization of land records

Therefore, the various functions of land administrations like Land Revenue, Land Settlement, Land Records and Land Reforms are interrelated for the better land administrations. None of these functions can be neglected and separated. The results of land administrations fully depended on the performances of all these four functions.

Compensation on account of damage of crops/ private properties by Security Forces:

As provided under clause 13(b) of the Memorandum of Settlement signed between the Government of India and Mizo National Front (MNF) on June 30th 1986, payment of rental charges for lands and buildings occupied by the Security Forces was taken up by the Government of Mizoram. Following the Government of Mizoram's proposal in this regard, the Government of India, Ministry of Home Affairs released an amount of Rs. 14,19,74,988/- for payment of rental charges on account of occupation of private lands by the Security Forces (Army as well as Para Military Forces) in Mizoram for the period from 1966–1986 vide No. 7/46/94 – Mz dated 28.3.1995. The sanction amount was fully disbursed.¹⁵

As per arrangement made between the Ministry of Home Affairs and the Ministry of Defence. The Ministry of Home Affairs and the Ministry of Defence in respect of lands occupied by the Para Military Forces and the Army respectively will pay a rental charges for the period beyond 1986. Accordingly, separate proposals for payment of rental charges beyond 1986 had been submitted to the concerned Ministries. This proposal was prepared and submitted by the Government of Mizoram without involving the representatives of the Ministry of Defence at any stage.

However, the Government of India, Ministry of Defence was not convinced about the genuineness of the exact area occupied by the Army in Mizoram. It may be pointed out that the Board of Officers during 1992-93 demarcated the area occupied by the Army in different locations in Mizoram, and also prepared a Blue Print was duly signed by the member of the Board of Officers and was also countersigned by Deputy Commissioner, Aizawl. Besides, the

¹⁵ Information from Secretariat of Land Revenue and Settlement

names of landowners were entered in the Blue Prints, there is no any other list of landowners jointly accepted by the government of Mizoram and the Government of India, Ministry of Defence other than those landowner names figured in the Blue Prints.

Without obtaining approval of Government of India, Ministry of Defence, the Government of Mizoram cannot make any addition or deletion of names to the list of landowners already mention in the Blue Prints. Therefore, the contention of the petitioners' names did not at all appear in the list of entitlement. The sanction released by the Government of India, Ministry of Defence was received by the State Government and released to the landowner whose names figured in the list of the landowner indicated in the Blue Prints, because there is no other list of landowner jointly accepted by these two governments. The question of exclusion or inclusion of names listed in the Blue Prints does not arise. Moreover, disbursement of money was done in the Directorate, Revenue as per Government Notification. Hence, the contention of the petitioners is entirely fabricated and without any evidence whatsoever.

Moreover, payment was to be made to those landowners whose names mentioned in the Blue Prints prepared by the Board of Officers during 1992–93. The present petitioners were not given payment, as their names did not figure in such jointly accepted documents. The reason why the Board of Officers 1992 – 93 did not mention their names in the Blue Prints is not the Government of Mizoram, Revenue Department.

The state government however has taken steps to look into the grievances of genuine landowners, whose lands were occupied by the Army. All the necessary steps will continue to be taken by the state government so that the genuine landowners may also receive the rental charges.

The Government of Mizoram is pleased to constitute a Task Force to look into the claims of rentals on account of occupation of private lands by the Army as well as Para Military Forces in Mizoram for the period from 1966. The Task Force need to have a fresh claims for occupation of private lands by the Army /Para Military Forces for the period from 1966 – 1986. This claims already submitted in respect of private lands occupied by Para Military Forces from 1686 – 1998. The Task Force after completion of its duties shall submit the reports and findings to the Government. After this, Director, Land Revenue & Settlement shall closely supervise the Task Force from the compensation to function in smoothly.¹⁶

The four main goals and objectives of land revenue department and revenue administration cannot be fulfilled and administered or implemented without the Act and Regulation passed by the government. Therefore, the main important Act and function for the revenue administration of the government are-

- 1) The Mizoram (Taxes on Land, Building and Assessment of Revenue) Act, 2004 (Act No.13 of 2004)¹⁷
- 2) The Mizoram (Land Survey and Settlement Operation) Act, 2003 (Act No. 4 of 2003)¹⁸
- 3) The Mizoram (Restriction on use of transferred Land) Act, 2002 (Act No. 15 of 2002)¹⁹

¹⁶ Government of Mizoram, Directorate of Land Revenue and Settlement, Notification, 2003, No. J.112012/3/03

¹⁷ Appendix - VI

¹⁸ Appendix - VII

¹⁹ Appendix - VIII

- 4) The Mizoram (Prevention of Government Land Encroachment) Act, 2001 (Act No. 7 of 2001)²⁰
- 5) The Mizoram Public Demand Recovery Act, 2001 (Act No. 11 of 2001)²¹
- 6) The Mizoram Land Holding and Settlement Act, 2000 (Act No. 1 of 2001)²²
- 7) The Mizoram Roadside Land Control Act, 1976 (Vide Notification No. A. 46011/ 1/ 94 GAD/ Loose dt. 14.6.'95)²³
- 8) The Mizoram Roadside Land Control Rules, 1979.

²⁰ Appendix - IX

²¹ Appendix - X

²² Appendix - XI

²³ Appendix - XII

Chapter IV

Policies and Programmes relating to Land Revenue in Mizoram

This chapter indicates the policies and programme relating to Land Revenue in Mizoram. It also deals a procedural dimension and developmental schemes for better revenue system in Mizoram. The calendar of work and programme for land revenue administration is also indicated.

Revenue is very important and essentials for the administration of the government and development of the people. The old system and method were also needed to update and modify according to the changes of requirements of the people and the state. Therefore, the land revenue needs new policies and programmes for its improvements and to solve new problems. The new policies and programmes relating to revenue administration are as follows:

Training Institute:

Land Revenue & Settlement Department has proposed to establish Survey Training Institute at Hualngohmun to meet the needs of the Department as well as the youths in the field of surveying, conventional and Digital Cartography, Photogrammetry & Remote Sensing, Cadastral Survey, GIS and Land Information System. But, it has not been established till today.¹

Pre-service trainees had recently completed six months special survey training from Survey Training Institute, Hyderabad-39. Now, 32 pre-service are undergoing six months course Survey Training from Assam Survey & Settlement Training Institute at Guwahati. Another 25 pre-service candidates will be sent to S.T.I., Hyderabad-39 to undergo a six months Special

¹ Information brochure collected from Land Revenue and Settlement Department

Course in Survey in the 3rd October, 2007 . However, this training has not complicated, due to 12 months special service training is required. The government cannot sanction the actual amount of money required for this training.

The District Office of Assistant Settlement Officer, Champhai District will be shifted to the new CHANEM Building of Second Floor. All correspondent to ASO-II will be therefore sent to that place.

Data Entry Works for Pilot Project on fully Computerisation of Land Records of Serchhip District is started since July, 2007. All land holders within Serchhip District are therefore requested to reported to ASO-II, Serchhip to enter their landed properties to the Computer. Due to enhancement of rates of land revenue, taxes of lands and buildings all land owners are requested to update their Land Certificates to the concern Assistant Settlement Officers of the District.

Land Record Management:

Mizoram is Non-land record State in terms of Land Record Management. The Land Revenue and Settlement embarked on planned economics development and ambitious development programmes were drawn up for efficient land and land revenue administration, which calls for supreme need to create accurate land records with regular updating of such land records. Significant developments have taken place since Mizoram attained statehood in 1987 in the implementation of Land Reforms Programme and Land Revenue Administration. The absence of correct and up-date land records of villages and towns has injured the interest of

numerous landowners, the bulk of who are led to unavoidable land disputes and thwarted the implementation of Land Reform Programmes.

In view to cope with the needs of the citizens to confer with ownership rights to their lands and to prepare accurate land records the Land Revenue & Settlement Department has conducted Survey, Settlement and Preparation of land records operation in two methods, i.e. Piecemeal and Village wise/ Area wise operation at various pockets in Mizoram.²

Piecemeal Survey

Under this scheme, a citizen has to submit an application for allotment of land or settlement of land or settlement of disputes etc. The work programme is therefore chalked out depending availability of applications received from the citizens. The Piecemeal Survey has no any specific area but as per demands of applicant for various pockets in Mizoram. This piecemeal survey is contemplated to meet the immediate needs of the citizens. Under Piecemeal Survey, Prismatic Compass and Measuring Tape are mainly used for Field Survey Works.

Cadastral Survey Operation

This is original survey and settlement operation consisting of three important stages, viz;

- (i) Preparation of village map and land parcel map;
- (ii) Preparation of record-of-rights;
- (iii) Assessment of land revenue

It is necessary to maintain the following essential land records as-

² Information brochure collected from Land Revenue and Settlement Department

An updated village map

A field book giving up-date information regarding every land parcel showing its survey plot number, area, classification of the land, name of the owner, name of the tenant in some areas only and annual land revenue payable;

A register of land holders showing the type of rights, plot numbers, area of each plot, its boundaries, classification of the land, name of the tenant, in some areas only and annual land revenue payable;

Under Cadastral Survey Operation, notified towns areas and Wet Rice Cultivation areas of rural areas are given priority.

National Land Records Modernisation Programme:

Land is a State subject in the Constitution, and the systems of land records management vary from State to State, often even within a State, depending upon their historical evolution and local traditions. Although these systems are diverse in form, they have an underlying unity of themes and objectives – and they suffer from a largely common set of problems.

The Cabinet has approved the proposal of the Department of Land Resources Ministry of Rural Development on 21.8.2008. Government of India to merge the two existing Centrally-sponsored schemes of Computerization of Land Records (CLR) and Strengthening of Revenue Administration & Updating of Land Records (SRA&ULR) and to replace them with a modified Centrally-sponsored scheme in the shape of the National Land Records Modernization Programme (NLRMP), with the ultimate goal of ushering in the system of conclusive titles with

title guarantee in the country³. This Scheme will led to much better status of land records management for the state of Mizoram.

The main aims of NLRMP are to usher in a system of updated land records, automated and automatic mutation, integration between textual and spatial records, inter-connectivity between revenue and registration, to replace the present deeds registration and presumptive title system with that of conclusive titling with title guarantee.

The District has been taken as the unit of implementation, where all programme activities are to converge. It is hoped that all districts in the country would be covered by the end of the 12th Plan period except where cadastral surveys are being done for the first time.

The main objective of the NLRMP is to develop a modern, comprehensive and transparent land records management system in the country with the aim to implement the conclusive land-titling system with title guarantee. Hence the major components of the programme are:

- Computerization of all land records including mutations, digitization of maps and integration of textual and spatial data.
- Survey/re-survey and updating of all survey and settlement records including creation of original cadastral records wherever necessary.
- Computerization of registration and its integration with the land records maintenance system.

³ Information brochure from NLRMP, 2008, p.3

- Development of core Geospatial Information System (GIS) and capacity building.

NLRMP focus at modernizing the land administration of the entire country within the project period by moving the entire activities to the digital domain and by streamlining the process countrywide by an appropriately re-engineering the business processes in land administration. Survey/resurvey and updating of the survey & settlement records (including ground control network and ground truthing) using the following modern technology options:

Pure ground method using electronic total station (ETS) and global positioning system (GPS); or b) Hybrid methodology using aerial photography and ground truthing by ETS and GPS; or c) High Resolution Satellite Imagery (HRSI) and ground truthing by ETS and GPS.

Computerization of Registration and sub-registrar's offices (SROs), Data entry of valuation details legacy encumbrance data, Scanning and preservation of old documents with Connectivity to SROs with revenue offices

Training & capacity building a) Training, workshops, etc. b) Strengthening of the Survey and Revenue training institutes

The major focus of the programme would be on providing citizen services, as outlined below. The long-term goal would be to usher in the system of conclusive titles with title guarantee in the country. In addition, the data and the conclusive titles would be linked to the development process, such as credit institutions, disaster management, land acquisition and rehabilitation & resettlement, land use planning, cropping pattern and food security, and other secondary data such as issue of various certificates, etc. Besides the citizen and the govt., the conclusive titles and secondary data will be of immense use to the private stakeholders.

The two Centrally Sponsored Schemes – Strengthening of Revenue Administration & Updating of Land Records (SRA& ULR) and Computerization of Land Records (CLR) have been merged and replaced with a modified Centrally-sponsored scheme of the National Land Records Modernization Programme (NLRMP) in the year 2008-2009. The ultimate aim of the scheme is to usher in the system of conclusive titles in the country replacing the presumptive titles system as is prevalent today. For this purpose, the Department has prepared a Model Land Titling Bill, which has been circulated, to the States/UTs for comments/suggestions.⁴

District has been taken as a unit of implementation under the NLRMP and all the activities are supposed to converge in the district. Funds have been released to 26 States to cover 204 districts under the program until now. Further, 21 NLRMP Cells/Centers have been established in 18 States/UTs to provide comprehensive training on various components of the NLRMP.

Activities covered Status of the activities under NLRMP

1 Construction of Buildings : This includes construction/ extension of Training Institutes, Hostels for these institutes, Patwarghars and Record Rooms. Only construction of record rooms/land resource management centres at tehsil level included.

2 Transport : This includes purchase of vehicles for Training Institutes and for movement of survey equipments .

⁴ Information brochure from NLRMP, 2008

3 Furniture : Purchase of furniture for newly opened offices of Revenue Inspectors, furniture for Committee Rooms and Library Halls, for training institutes, for dormitories and mess.

4 Survey/ purchase of modern Survey Equipment : This includes purchase of modern survey instrument like Global Positioning System (GPS), Total Stations, EDM, theodolite, workstation, aerial survey etc. for survey operations as well as for Training Institutions for training of the survey and settlement staff.

5 Maps / Storage facilities: This includes equipments for preparation of maps, steel almirahs for protection of maps and records, containers for records such as Only compactor/map filing cabinet covered map-filing cabinets, racks, bags etc.

6 Digitisation :This includes equipments for digitisation of survey-records and land holdings.

7 Miscellaneous items :These include microfilming/scanning of records/ maps, photo-copiers, laminating machines, binding machines, Risographs, Fax machines and setting up of computer cells.

National Land Records Modernisation Programme (NLRMP) is one of the major Mission Mode Projects (MMP) of the National e-Governance Programme (NeGP). NLRMP aims at modernizing the land administration of the entire country within the project period by moving the entire activities to the digital domain and by streamlining the process countrywide by an appropriately re-engineering the business processes in land administration. Various projects have

begun incubation in the form of pilots, and Ecosmart has been actively collaborating with the government agencies.

Government of India introduced new policy called National Land Records Modernisation Programme (NLRMP) throughout India to be completed during 12th Five-year plan. Due to financial constraints, Government of Mizoram cannot meet its share (50%) and applied some consideration to get 100% Central aid. Fortunately, Government of India considered North East States giving 90% Central assistance. Accordingly, Government of Mizoram submits its proposal to department of Land Resources, Ministry of Rural Development, Government of India.⁵

The implementation on NLRMP will be controlled by governing body of the Society, which may have meeting quarterly, or as required will control the project implementation. The above society is having office at the Directorate of Land Revenue and Settlement in which Principal Secretary and extended for survey in Lunglei District.

Director of Land Revenue and Settlement issues detailment ordered, movement ordered and closing ordered etc. Lunglei Sub-Division and Hnahthial Sub-Division will be covered first. Reconnaissance survey and primary control pillar constructions should be done during October, 2011 and operation should be started from November, 2011. The operation consist of ten Survey party in which six-seven surveyors will be deployed in each party. Methodology of survey also

⁵ Government of Mizoram, Land Revenue and Settlement, Manual for Implementation of NLRMP, Mizoram, Aizaw, p. 1

should be pure ground truthing by GPS receiver and total station. Survey team will reside in camp at a suitable village in their allotted survey area consulting the Village Council for host.

The NLRMP in Mizoram covers the areas of-

1. Individual Agricultural land boundary of authorized passed/LSC
2. Unauthorised but well developed area of perinial private holdings, not wider than two hectares.
3. Authorised Departmental land including reserved forest.
4. Wasteland, public land, village, (residential) in block, restricted forest area (not forest department)
5. Allotted land for NLUP
6. Stream, road, hillock, settle, peculiar features
7. Notifies town area should be excluded i.e. to be left in block.
8. Land owners to be surveyed should be informed the proposed date of surveyed, three days before in person including department, society, NGO's etc.
9. All the photo-copy of the concerned documents of the survey plot should be collected a register with any other important information.
10. All land without authorised ownership without development should be marked as Government land with information of the nature of vegetation, terrain, claim, unauthorised development etc.

11. All information other than in machine soft copy will be neatly kept in registered book.
12. Certificate of Acceptance should be taken from each landholders as well as V.C.
13. Survey operation should be popularised through village crier, print media etc.
14. All detail and control points should be taken x,y,z i.e. coordinate with vertical.
15. All names of stream, particular area, hillock and saddle (if any) should be given in working map for GIS

The village jurisdiction which is the smallest record unit needs to submit the survey reports and recent satellite images will be integrated, the digitised for mapping.⁶

The Digitised map will be processed cadastral map of a village, individual plots, departmental mapping, NLUP mapping, wasteland, public land, developmental mapping, physical mapping, tourist guide mapping etc. and should keep in the department website for ready to issue in soft or hard copy.

All the whole project work and process should also be implemented under the Mizoram (Survey and settlement), Acts. Different data like cadastral maps of village , individual plots and biometric records need to be stored in a digitised format and preserved carefully with proper back up to prevent loss of records due to hardware/ software decay/ corruption. This programme and policies can be extended to other district in Mizoram.

⁶ Government of Mizoram, Land Revenue and Settlement, Manual for Implementation of NLRMP, Mizoram, Aizaw, p. 2-3

The different problems of land revenue administration like poor land record management, absence of correct and up-to-date land records of villages and towns, no any specific area of Piecemeal Survey, inefficient of Cadastral Survey Operation and Aerial Cadastral Survey, are still major problems in land administration in Mizoram.

From the above insufficient clears that many of the present problems about different land record and maintenance system can be solved by the NLRMP policy. Therefore, this programme should be the turning point for better position of land revenue and land administration. This could be solving the entire problems of different land revenue system and a key for development of land administration.

The relationship of Land Revenue Administration and New Land Use Policy (NLUP):

Jhum or Shifting Cultivation, a traditional means of agriculture based on indigenous knowledge system as the major form of livelihood for Mizoram farming community was a viable proposition in the past. Due to an increased of population growth changes in the land use pattern, resulting in loss of soil fertility, natural forest and shrinkage of Jhum cycles have rendered Jhum practices unsustainable leading immediately to the problems of food security and increased poverty. In the absence of viable alternative livelihood option, about 3 lakh work force in Mizoram are engaged in low productivity Jhum practices eking out a subsistence or distress living. Long term impact on economy will be still more disastrous owing to destruction of rain forest of 1.5 lakhs acres of land every year, heavy soil erosion and resultant ecological imbalance. Any developmental initiative needs to address the problems of Jhum practices on

priority and the solution lies in providing viable alternative livelihood opportunities to Jhumia families.

The present Government, on assuming office in December 2008 planned a programme of activities called “New Land Use Policy” to progressively wean away Jhumia families from destructive Jhum practices and open opportunities for more productive and sustainable livelihood options.⁷

The introduction of New Land Use Policy (NLUP) is to help farmers move away from the traditional slash-and-burn method of cultivation to more sustainable land-based means of livelihood. NLUP has been taken up for sustainable land-based economic activities and to remove the age-old ‘jhum’ cultivation in the state. The departments of revenue, agriculture, horticulture, veterinary, industries, forest, fisheries, sericulture and soil and water conservation would be involved in this scheme.

There still exist confusion regarding procedure to be adopted for Land Use Planning and identification/earmarking of NLUP compact area for permanent cultivation for both beneficiaries under NLUP and other farmers. Land Use Planning exercise in identification and earmarking of land for permanent cultivation, allotment of land for switching over to the new system after implementation of NLUP project.

In all the villages, the village council shall earmark adequate compact area for permanent cultivation for all the farming families in the village, both for beneficiaries under NLUP and

⁷ Information from Government of Mizoram, NLUP Manual, 2009

other families having interest in cultivation, whether or not they are prospective beneficiaries of NLUP.⁸

The village council shall allot two hectares of land each for all the families, in all the villages, who are bonafide residents of the village and of Mizoram, who are also genuine citizen of India, irrespective of whether they are NLUP beneficiary or no, within the compact area earmarked for permanent cultivation.

All land-based activities shall be confining to the 'NLUP Compact Area'. Depending on the topography and suitability, one village may identify two or more compact areas as per family-wise entitlement.

Beneficiaries of NLUP selected for 2010-2011 will start cultivation within the NLUP compact Area from the current year while other families who are not yet assisted under NLUP and those who are not included in the list of eligible families will be allowed to continue jhum cultivation outside NLUP Compact Area. As and when the next batches of NLUP beneficiaries are selected for assistance under NLUP, they shall start cultivation in the plot/area allotted to them in the NLUP compact area and stop jhum cultivation to switch over to permanent cultivation as envisaged under NLUP.

Identification of the 'NLUP Compact Area' and allotment of land therein to the families shall be the responsibility of the concern Village council in line with the standing order of the Revenue Department and the Local Administration Department (LAD).

⁸ NLUP Implementing Board, Notification, Aizawl, 2011, p.1

The Village Council shall be responsible to identify suitable land in the NLUP Compact Area and allot land to all landless families to enable them to take up trade/activity as may be decided under NLUP. No family shall be allowed to suffer due to non-availability of land.

Land already allotted to families for implementation of various Government schemes like NLUP of the past, MIP, Jhum Control scheme, etc. and already developed shall be utilized for NLUP purposed either by adjustment or allocation of additional land for those having less than 2 hectares or shifted to NLUP Compact Area, as may be required for taking up their trades under the new NLUP. If the area of the land already allotted is less than 2 hectares, they shall be allotted additional area of land, if possible in the adjoining land so that the total area of land. If land is not available in the adjoining area, they shall be allotted the additional land within the 'NLUP Compact Area' and the fractured land adjusted under the 'consolidation of land holding policy'. Adjustment under this clause shall be constructed as consolidation of land holding under NLUP.⁹

Any problem faced by the village council vis-à-vis land allotment shall be reported to their respective Deputy Commissioners who shall coordinate the exercise of the land allotment and the subsequent regulation, control and supervision.

Allotment and adjustment of land to the families in the Autonomous District Council area shall be made under the auspices of the district Council authorities.

⁹ NLUP Implementing Board, Notification, Aizawl, 2011, p.2

The Deputy Commissioners shall closely monitor the whole exercise of the land allotment process and shall periodically check the activities and achievement of the village councils under their jurisdiction.

After earmarking NLUP Compact Area, the Village Councils shall identify areas to be developed as rain forest, which will be known as Community Reserve Forest. Catchment areas of rivers, rivulets, village water supply, etc. hilltops areas steep hillside of 75° and such other areas are natural targets for inclusion in the community forest reserve. Area of important heritage centres identified by INTACT, Mizoram Chapter, will also be declared as Heritage Reserved Forest. The existing YMA Reserved Forest will continue. Both Heritage Reserved Forest and YMA Reserve Forest will be developed and maintained in a manner as may be prescribe by the Government under the broad framework of community reserve forest. This area may include the land allotted and to be allotted out of temporary jhum land for the subsistence farming of those beneficiaries of the subsequent years who are yet to receive NLUP assistance.

The responsibility of the Revenue, Forest and Local Administration Departments, under the supervision and coordination of the Deputy Commissioners to guide the villages in the preparation of the Land Use Plan. In the Autonomous District Council area, the land used planning shall be made under the control and supervision of the District Council authorities.

All the Deputy Commissioners, officials of Forest & Environment, Revenue and LAD Departments and all the village councils should strictly abide while making allotment of land and land use planning under NLUP activities. The guideline of NLUP, permanent allotment of land, preparation of land record, land ownership and other revenue related matters come within the

purview of the revenue department. Ownership of land, along with other detail terms and conditions necessary to notified by the revenue department which will be binding on all concerned.

Therefore, the various important function of Village Council about their land allotment, maintenance of topography and their different responsibilities cannot be perform without the assistance of Land Revenue Department. Not only this, the successes implementation of NLUP also hugely depended on the activities of land revenue department.

Calendar of Land Revenue Administration Work:

Land, the necessity of the people is always difficult to maintain properly. Not all the demands of the people can be solved due to lack of staff, which is why the Department took up the task according to the requirement of the people. The department came up with the following rules and regulations in order to meet the demand and to solve the problem. Some calendar of works and programme for the development of land revenue administration are-¹⁰

(1) Cadastral Survey:

Field surveys are usually performed between the month of October and April. The finding data are analysed during recess period from May-September. Field Survey cannot be performed during recess period due to rainy season and summer of Mizoram.

¹⁰ Information brochure collected from Land Revenue and Settlement Department

(2) Summary Survey:

It is also a field work where field season is conducted between October- april. The survey reports are prepared during May-June and application are received during june-august.

(3) Area Photographic Ground Control:

A field period is conducted in May – June and Drawing and Table work are conducted between July- August.

(4) Piece Meal Land Record:-

It includes House site pass, shop pass, stall pass, house site LSC, agriculture land pass, agriculture LSC and land lease. These piece meal land record items are grouped into three -

Conversion of allotment of house pass, shop pass and stall pass and agriculture land pass into housing site.

Updating of land record-including coversion of house pass, shop pass, allotting of LSC, LSC extention and grade correction.

Preparing land lease, agricultural land pass and LSC.

Therefore, the policies and prorammes are essentials for its improvements and mandatory provision for the development of land revenue administration in the state. Without polices, schemes and projects, the development and progress cannot be possible. The socio-economic development of the state and land administration is greatly interrelated for better administration of the state.

Chapter V

Conclusion

The last chapter is divided into two parts. Part one states the summaries and details of findings of all the four chapters. Part two deals the major findings, concluding, observations and suggestions for improvement in the functioning of land revenue administration in Mizoram.

Part - I

The present study notes that the land revenue administration is one of the most important factors for the state administration and development; this entire chapter also indicated the need for better administration and functions of the government. Land revenue is the principal assets of every society from the primitive period to contemporary period. It is compulsory requirement for developing the society to bring about socio-economic development. The development and stability of the nation largely depend upon the good management and better system of land revenue administration of the society. The land administration was developing scientifically from the British period to the contemporary government. The different forms of government has been adapted and modified according to the needs of their needs. It has been performing for the development and progress of the land administration. The government of Mizoram has proper land revenue administration, and its function according to the prescribe rules and regulations of the government.

The organisation of government has different administration. The formulation and implementation of public policy in different forms of government used to performs for the development and progress of the state. The traditional chieftainship was abolished and the new forms of government was introduced which gave a power to people for performing their task of

welfare. The tribes of Mizoram remained unaffected by foreign political influence till the foreign domination. By the 1870s, the region had come under British control; it introduced new system of government for the region. These bodies led to the abolition of chieftainship in the Mizo society. The different pattern of government performs in various developmental activities according to the transaction and allocation of its business rules.

The Land Revenue and Settlement Department has also different structure and functions for the development process of the government. Revenue is the main body of the government and the success of the administration of the state much depend on it. The state of Mizoram has also separate revenue system and department for better administration. It also has separate structure and functions according to the needs and requirement of the state. From lower level to the apex level, each performs for the achievement and improvement of land revenue administration. The different duties functions and of land revenue is the cornerstone for the utilization of the resources of the state and useful upliftment for the people. The problems and demand of the people in land relation can be solves by the proper system of land revenue.

The primitive system and method were needed to update and modify according to the changes of requirements of the state. The implementation of new programme is a core development of the land administration. It focuses on the means for citizens to achieve an easy access to public services, improve the quality of citizen administration interface and the greater involvement of citizen groups, private sector, cooperatives and dedicated NGOs in the process of effective governance with better administration and effective system of the land revenue in the state of Mizoram. The new development and process outside the main task of land revenue administration like NLUP are also effect by new policies of land revenue. So, it can relate to development programme of the state administration. Therefore, the organisation and policies of

the state are interrelated to the proper land revenue administration. It cannot be neglected for the policy implementation and development of the state.

Part - II

The present situation and progress of the land revenue administration in Mizoram is not sufficient to face the challenges of the modern government. Due to the lack of proper implementation on land record; land survey and land holding facilities; contour map survey and satellite imagery survey; periodic patta survey; computerization of land records; survey training institute etc. the land record system and management in Mizoram cannot perform effectively in terms of Land Record Management.

The Land Revenue and Settlement need to be embarked on planned economics development and ambitious development programmes for efficient land and revenue administration. The rich people has owned the land from the common man should be protected and restricted, much needs of effective measures to prevent it, the payment of land rent also need to be checking. Land has always been a bone of contention, two individuals can fights for the ownership and claiming to have, in case of political parties it is the vote banks for them. Therefore, the fundamental requirements of the Government are to protect the property rights of its citizen. Uniform Land Revenue System in the whole nation would be desirable to have; it would not be a very practicable solution for the situation, which prevails in our today country. ULR system is more acceptable and achievable in a country marked for an excessive plurality of kind of land and the topographical structure. The need to create accurate land records with regular updating. The absence of correct and up-to-date land records of villages and towns could injure the interest of numerous landowners, the bulk of who are lead to unavoidable land disputes

and thwarted the implementation of Land Reform Programmed. The needs of the citizens to confer with ownership rights to their lands and to prepare accurate land records, the Land Revenue & Settlement Department has need much better conducted Survey, Settlement and Preparation of land records operation in two methods Computerized copies of Records of Rights (RoRs) with maps-to-scale

The important findings and suggestion of land revenue administration is Land Reforms. It was envisaged as an important instrument of change directed at removing institutional and motivational obstacles standing in the way of modernisation of agriculture and creation of more egalitarian social structure. After independence, land reforms were made an important and integral part of the rural development programmes in India. There are also essentials and needs of land reforms in Mizoram.

Due to an absent of effective rule and regular amendment of land reforms in Mizoram, the land reform cannot be effective and cannot solve the problems of the land revenue administration. There is no clear-cut definition between an implementor and the rule of law. The relationship between rules and organisation of land revenue administration cannot be smooth. The land distribution and administration cannot properly function according to the needs of the State.

For Example – The Mizo District Forest Act 1955 prescribe the declaration of forest reserve, while there was no a provision in a Land Law. There was not also a clear prescription of land acquisition to Quarrying, Industry, Workshops and farms etc.

A Village Council can have an authority of land acquisition only for the purpose of Non-Agriculture. While they are function outside their jurisdiction in land acquisition law. Not only this, but also favouring their relatives in land distribution.

This is a big problem in today, it badly affected to the land revenue and collection of taxes from land rent. Therefore, to protect and to solve this problem, the effective land law is much needed or should be implemented. Moral reforms and moral guidance on land should also be essentials.

Land reclamation should not be difficult for land utilization. The land had acquired from the Mizo chiefs by the Lushai Hills Chief Land Requisition Act. So, all the land is administered under the government rules and regulations. While in other state, vast area of land is controlled and owned by kings and the landlords. The government used to acquire according to the needs of the people from the kings and landlords. The condition of Mizoram is much better position comparing with the other states. However, in Mizoram also, some rich people who are closely related to the authority are having many large part of area, and not for utilized to the actual purpose of land like agriculture, occupational, settlement etc. So, these extra land or un-utilized land is much required to get back for the needy people, especially who are not having a land. Land ceiling and land law should needed to created, modified and restructured. Land allotment also required for allotting the ownership of the land of the family.

The unfavorable land and non-agriculture land should be forested and plan for utilizing. There should be plan for the forest department and soil conservation department. The proper wasteland management plan also required for land development and land reforms.

The first supervisory level above the village is the Revenue Circle. There is no actual functionary in charge of Revenue Circle under the Land Revenue & Settlement Department. In some regions, B.D.O. (Block Development Officer under R.D) is entrusted for assessment and collection of Land Revenue & Taxes. He is also entrusted for verification of application for allotment of land for the purpose of Agriculture.

The Land Revenue & Settlement Department has no officer-in-charge of the Revenue Sub-Divisions. In some state, Civil Sub-Divisional Officers are entrusted for assessment and collection of Land Revenue/ Taxes. There is a proposal that more Revenue powers may be given to SDO (Civil) to supervise the work of land and Land Revenue Administration. However, no important responsibilities are given to them in Mizoram.

All the above explanation clearly indicated that the different functions and organisation of land revenue administration are the important and requirement of restructuring of Revenue administration in Mizoram.

Due to the organisation set-up are created by political purpose/people to the District level, the plan programme and monitoring of revenue function and administration, problems solving etc. cannot be effective enough as its planning. So, the administration and organisational set up to Village level is much needed required.

District Revenue Administration should be set-up under the Revenue Commissioner to monitoring and administering the land revenue and settlement works and programme; from sub-division, circle and village level revenue function. SDO civil as a sub-divisional collector, BDO as Revenue Circle Officer; Village level administration as a sub-divisional level.

Some states in India practicing two channel land administration. The various functions of land administrations such as land revenue, land settlement, land records and land reforms are controlled within a single administration. Mizoram also one of the State/ Union Territories in India where single land administration is used. Whereas, in two channel land administration, the technical work of land survey, land reform and land record functions under the Directorate while land revenue and land settlement are controlled by District Collector from the Village level to District level.

The Deputy Commissioner or Collector has not any responsibility on the administration of land in legally. While, he has an important responsibility under the collection of taxes and the land acquisition act. It is very clear from that there is no clear definition and prescriptions to the function of collector in administration and collection of taxes. Because, a clear prescriptions of authorities and responsibilities is essentials between the collector and revenue department.

The most important activity for updating the records, i.e., survey has been neglected by most of the States. Original survey for cadastral mapping has not taken place in many parts of the country including Mizoram also. So, there is much needed for adopting modern technology across the country.

The departments work in a somewhat stand-alone manner, and updating of records by any one of them makes the records of the others outdated. Thus, the records are usually outdated and do not reflect the ground reality. In addition, there is no integration of textual and spatial records, making it difficult to give maps-to-scale with the records of rights (RoRs).

After discussing the subject in the light of our study, we present suggestion for land revenue administration in Mizoram. Some of the suggestions are as follows:

Revision of land laws is important for restructuring land reform. The present rules and regulation of land reforms in Mizoram slightly outdated and not relevant the recent requirement of the state. Most of the rules and regulations are originated from the District Council period. However, it was not regularly amended as the requirement of the people and the state of Mizoram.

Moral Reforms and guidance also required for land development in Mizoram. Land Law should be effective to guide and regulated the opinion of the people. Due a poor implementation of Land Law with lack of employees, the land distribution and land acquisition or land use are still very poor since the District Council period. This led to a bad result in land administration. The rules and regulations of land also impracticable as the prescriptions.

Land Economic Measure should be efficient for land improvements while land distribution is not fair enough, it also not utilizing as an assessment and allotted by the government. The development and utilization of land are badly affected by this practice. Land cannot increased and develop; so, land ceiling and proper use of land are required. Therefore, the implementation of land economic measure and monitoring should be essentials. This will affected a good result to the protection and development of land reforms.

The proper planning of land use and equal distribution of land is essentials with a long-term perspective as a require of the people and government. There should be a proper planning and balance planning of land settlement and should be different development like – road

structure network, green belt, horticulture, agriculture, and different projects of land use department.

The hiring of special knowledge are required for proper planning of land use to plan a programme and project with consulting the representative officials from different land use department. There is also needing proper and stable planning, which the different ministry of government cannot effect end changes.

For example - The hill forest which difficult to settle and visit should plan for a Green Area i.e. for the administration of Forest Department. The unrugged surface and fertile soil should plan according the availability of agricultural and horticultural purposes.

The other suggestion and feedback to restructuring the land administration is to create a new post needed in Technical Staff and Clerical Staff to fill for the vacant post. The inadequacy and abstract of vacant post could bring huge problems for smooth and effective functioning of land revenue administration. Therefore, the vacant should be filled up to solve some problems.

From the different chart, appearance in the organisation of Land Revenue and Settlement shows that the abstract official and staff in different sections are needed to be filled for the development and sensitiveness of land administration in Mizoram.

The two-channel land administration should be effective and can solve the stagnant of problems and to smooth functioning for land revenue administration. So, the two-channel of land administration may effective and applicable for Mizoram land revenue system.

The computerization has been instrumental in implementing better land management system where people have been empowered with land records data and information. The

availability of RoR should be made at the doorstep of villagers through setting up of Kiosks involving local youths. The computerization of land records is still evolving through advanced technology, where automation & integration with cadastral mapping and registration process would further improve the entire revenue administration system.

The land revenue administration in Mizoram is expected to adopt some of the following suggestions for betterment of the system-

1. To allot government lands for residential and agricultural etc., purpose to the citizens of Mizoram;
2. To protect the rights of citizens on or in the land as well as Government lands;
3. To survey & settle all land holdings and prepare accurate land records;
4. To provide better services to the citizens by application of Computer to the Land records and Land Administration;
5. To generate reliable Land Information System of Mizoram;
6. To make Land Revenue & Settlement Department to be major revenue earning agency of the State;
7. Protection of tribals from alienation of lands;
8. To allot and settle lands for rural poor/ urban poor to meet their minimum land requirements;
9. Verification, Survey and demarcation of land parcels; Preparation of Record-of-Rights and Land Records and maintenance of Land records;
10. Requisition and acquisition of lands for public purposes; Prevention of encroachment of public roads and public lands;

11. A single agency to handle land records (including the maintenance and updating of the textual records, maps, survey and settlement operations, registration of immovable property mutations, etc.)

Therefore, this study makes an essential suggestion for developing competence and research method in order to develop new process and models for finding solution to emerging problems of governance. Better revenue administration can lead to the emergence of better standards for revenue system and management. Effective land revenue administration in Mizoram may be of great help and will be reliable for improvement of government functions. The problems involved and the solutions offered in the present study will be beneficial for more efficient and revenue administration in Mizoram.

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