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NOTIFICATION

No. C. 31012/5/2001-DC&MA(L), the 05th April, 2024. In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Rules passed by the Lai Autonomous District Council which received approval of the Governor of Mizoram to take effect from 18.09.2023 is hereby published for general information, namely :-

**“THE LAI AUTONOMOUS DISTRICT COUNCIL (LAND HOLDING & SETTLEMENT)
(SECOND AMENDMENT) ACT, 2023.”**

Dr. H. Lalthlangliana,
Secretary to the Govt. of Mizoram,
District Council & Minority Affairs Deptt.

**The Lai Autonomous District Council (Land Holding & Settlement)
(Second Amendment) Act, 2023**

AN
ACT

to amend the Lai Autonomous District Council (Land Holding & Settlement) Act, 2002 as amended from time to time (herein after referred to as the Principal Act).

It is enacted by the Lai Autonomous District Council in the Seventy Third year of the Republic of India as follows, namely:

1. Short title, extent and commencement-

- (1) This Act may be called “The Lai Autonomous District Council (Land Holding & Settlement) (Second Amendment) Act, 2023”.
- (2) It shall have the like extent as the Principal Act.
- (3) It shall come into force on the date of its publication in the Mizoram Gazette.

2. Amendment of section 2.-

After clause (r) of Section 2 of the Principal Act, the following clause (s) and (t) shall be inserted as follows, namely:

- “(s) ‘Property Card’ means a prescribed land settlement document issued by the Land Revenue & Settlement Department, Lai Autonomous District Council to an individual person or persons or juristic person who entered into an agreement with the Executive Committee to pay land revenue, taxes, labour cess at the legally assessed in respect of land so allotted.”**
- “(t) Village inhabited area (Abadi)’ means ‘inhabited area within the village.’”**

3. Amendment of section 3 .-

In section 3 of the Principal Act after sub-section (6), the following sub-section (7) & (8) shall be inserted as follows, namely:-

- “(7) Property Card holder is a person to whom land has been permanently settled for residential purpose by the Land Revenue & Settlement Department in a Village-inhabited area (Abadi Area) under this Act.”**
- “(8) Status of a property card holder:- Every person who acquires the right of the Property Card holder under or in accordance with the provisions of this Act and the rules made thereunder and shall be subject to all the liabilities conferred upon the Property Card holder by or under this Act.”**

4. Insertion of new Section 3A.-

After Section 3 of the Principal Act, a new Section 3A shall be inserted as follows.-

“3A ‘Rights of a property card holder:-

- (1) Every property Card holder shall have a permanent, heritable and transferable right, title, interest and peaceful possession in his land subject to :-**
- (a) the provisions of this Act and the Rules made there under.**
- (b) payment of all land revenues, taxes, labour cess at the rates fixed by the Executive Committee from time to time which are legally assessed or imposed in respect of the land as required under this act or any other law for the time being in force; and**
- (2) Nothing in sub section (1) shall entitle a Property Card holder to use his land to the detriment of adjoining land or in contravention of the provisions of any other law for the time being in force applicable to such land.”**

5. Insertion of new sub section in section 11.-

After paragraph 1 of Section 11 of the Principal Act, the following sub section shall be inserted, namely: -

- “(1) Village Site Plan Map:- A Village Site plan shall be prepared for proper utilization and regulation of house-sites or allotment of property cards in the village. Such plan shall indicate spatial features, such as, road, drains and other land for public and Government areas. The Plan shall also earmark land for future development, such as, roads, drains and land earmarked for future public and government facilities.**
- (a) There shall be prepared a map showing the boundaries of survey numbers or plot numbers and waste lands called the field map for every village except when otherwise directed by the Executive Committee.**
- (b) The area to be given for house sites, the area occupied by private holder and the area not so occupied shall be clearly indicated by way of survey number and plot numbers on the basis of the survey. If such marking is not already done, provisional plot numbers shall be given.**

- (c) *If the Executive Committee considers that in case of any village it is necessary to show separately in the map prepared under sub-section (a) the plots occupied by private holders, it may direct the surveyor to get the map so prepared or revised.*
- (d) *If any Village Council passes a resolution that a map of the village should be prepared showing separately the plots occupied by private holders and is willing to contribute to the cost of survey operations in such proportion as may be prescribed, the Executive Committee may undertake the preparation of such map.*
- (e) *Such map shall be prepared or revised, as the case may be, by the Revenue Officer at all other times and in all other circumstances."*

6. **Insertion of new sub section (1) in section 28.-**

After paragraph 1 of Section 28 of the Principal Act, the following sub section (1) shall be inserted, namely: -

"(1) Assessment of land revenue, taxes and fees shall be done in the manner as provided in the rules made under this Act:

Provided that the annual taxes payable on the lands of the same grade and of the same land utilisation category shall be assessed at the same rates in terms of percentage of the established valuation thereof, regardless of whether the land is settled or leased, or is held under Property Card, Pass or House Permit."

7. **Insertion of new Section 28A.-**

After Section 28 of the Principal Act, the following new Section 28A shall be inserted:

"28A : Share of Lai Autonomous District Council on Acquisition of Land:-

- (1) *In case of acquisition of land covered by House Permit or Pass or Land Lease, in which the pass holder have a temporary rights, title, interest and possession in the land held, for the purpose of the Union and State crops and building damage compensation as well as land value may be assessed and be paid by the concerned Collector of the District or the concerned Competent Authority for Land Acquisition as the case may be, provided that the validity of the tenure of the said land holding has not expired.*
- (2) *Out of the land value paid under sub-section (1) the 10 percent share of the Lai Autonomous District Council shall be deducted by the District Collector or Competent Authority for Land Acquisition, as the case may be remit to the Personal Ledger Account of the Lai Autonomous District Council as revenue.*
- (3) *The share of the Lai Autonomous District Council collected under sub-section (2) shall be utilized for the purpose of land administration and other ancillary purposes.*
- (4) *The Land Revenue & Settlement Department, Lai Autonomous District Council may notify such acts under which acquisition made would be subject to such collection of share.*
- (5) *Share of the Lai Autonomous District Council shall also be deducted from the Award not yet pronounced even if notification for acquisition was issued under any land acquisition Act by the Union or State."*