

EVALUATING
REVENUE ADMINISTRATION
AND LAND RECORDS:
THEIR STRENGTHENING
AND UPDATING
IN MIZORAM

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“Mizoram is our homeland
It is not given or gotten as a gift
It is not acquired by privilege
Or potential contracts
It is not bought with gold or held by the force
No, it is made with us the sweat of the brow
It is the historic creation
And the collective enterprise of a people
Bodily, spiritual and moral
Over a span of generations”

- People of Mizoram!!

PREFACE

Mizoram (earlier known as Lushai Hills District) was a part of Assam till 1972. The parliament passed the Lushai Hills District (Changing Name) Act, 1954; hence, the name of the Lushai Hills District was changed to the Mizo Hills District with effect from 1 September 1954. The Mizo Hills District was separated from Assam in 1972 and elevated to the status of Union Territory of Mizoram.

Due to political upheaval and demand for greater autonomy, including recognition of customary laws, a Memorandum of Settlement was signed between the Mizo National Front and the Union Government. Thereafter, the Constitution of India was amended in 1986 and Article 371G was incorporated with special reference to Mizoram. In February 1987, Mizoram became the 23rd state of the Indian Union.

The state shares its boundaries with three states -- Assam, Manipur and Tripura -- and international boundaries with two countries -- Bangladesh and Myanmar (earlier known as Burma). The state has three Autonomous District Councils (ADCs) -- Lai, Mara and Chakma ADCs -- which come under the Sixth Schedule to the Constitution of India. As per 2001 Census, tribals in the state constitute 94.75 per cent of the total population and majority of them are Christians.

Mizoram is a hill state. Vast land in the state belongs to the community and administered by the customary laws. Village council is entrusted to allot land for shifting cultivation per year and it works in accordance with the guidelines/ rules of Local Administration Department. Village council allots non agricultural land in rural areas.

Land in town and sub-town areas in six districts -- Aizawl, Champhai, Kolasib, Lunglei, Mamit, and Serchhip -- comes under the Directorate of Land Revenue & Settlement, Mizoram. The revenue land is of two types -- agricultural and non-agricultural land. Land ownership pattern shows that there are four kinds of land ownership -- land allotment on pass, periodic *patta* basis, permanent ownership of land with land settlement certificate and land lease.

Land in the three Autonomous District Councils (Lai, Mara, and Chakma) comes under the jurisdiction of the respective district council. As per rough estimation, only 2 per cent of the total land in Mizoram has been cadastral surveyed. Cadastral survey was restricted to town and sub-town areas of the six districts, which come under the purview of Directorate of Land Revenue & Settlement, Mizoram. Land in the three autonomous district councils is yet to be surveyed. Though autonomous district councils do not come under the purview

of Directorate of Land Revenue & Settlement, Mizoram, yet to understand the land administration system, Lai Autonomous District Council was included in the survey.

The present study, 'Evaluating Revenue Administration and Land Records: Their Strengthening and Updating in Mizoram' has been conducted on behest of the Ministry of Rural Development, Department of Land Resources, Government of India. The main objective of the study is to evaluate the impact of the Strengthening of Revenue Administration & Updating of Land Records schemes in the effective management of land in the state. It is an empirical study; the impact was assessed mainly in terms of settlement and land records. The study also identifies impediments in completing the survey settlement.

The report of the study is divided into fourteen chapters: Chapter 1 gives an overview of Strengthening of Revenue Administration & Updating of Land Records Scheme and objectives of the study; Chapter 2 gives the evolution of Mizoram state; Chapter 3 deals with the sample, universe and methodology; Chapter 4 deals with the socio-demographic profile of the respondents; Chapter 5 gives details on land administration in Mizoram before and after Independence; Chapter 6 deals with the Jhum cultivation and policy measures; Chapter 7 is on survey settlement and land records management. This chapter focuses mainly on the status of survey settlement, capacity building of surveyors and revenue officials, and hindrances encountered by the revenue department; Chapter 8 is on structure and functions of autonomous district council and the land administration system in ADCs; Chapter 9 deals with the computerization of land records and challenges involved in the implementation of land revenue system in the state; Chapter 10 focuses on land inheritance; Chapter 11 deals with land dispute cases; Chapter 12 is on community land acquisition and its impact on livelihood of the affected families; Chapter 13 focuses on the protective regulations and need for land reforms measures; and Chapter 14 highlights main findings of the study and gives recommendations.

The scholarly writings of Late J.N. Das, former Secretary to the Government of Assam in the Revenue Department, who has been recognized as a renowned scholar on land administration in north-eastern states, and Dr Lalneihzovi who wrote extensively on land issues in Mizoram as part of her doctoral thesis which later on was published in the form of a book have enabled to build the framework on the issues in land revenue administration in Mizoram. Their works and opinions have been relied upon and quoted extensively in this report. It is important to mention that for the convenience of state officials and the people of Mizoram, local unit of land measurement has been used in this study.

Not many studies have been conducted concerning land revenue administration in the North-Eastern States and as such there is dearth of literature on land administration system in North-Eastern States, in general and in Mizoram, in particular. Only few references are available in scattered form. Very little is known about the land administration system in Mizoram. This study is an attempt to develop an understanding about the existing land administration system in the state vis-a-vis autonomous district

councils and to assess the impact of the scheme -- Strengthening of Revenue Administration & Updating of Land Records. We are confident that this report will prove useful for the policy-makers, planners, administrators, academicians, researchers and civil society who are particularly dealing with land administration and development issues in tribal areas.

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LIST OF ABBREVIATIONS

ADC	Autonomous District Council
AMC	Annual Maintenance Contract
ASO	Assistant Settlement Officer
BSF	Border Security Force
CEM	Chief Executive Member
CoLR	Computerisation of Land Records
CSS	Centrally Sponsored Scheme
DC	Deputy Commissioner
DC	District Council
DPR	Detailed Project Report
DoLR	Department of Land Resources
DLR & S	Directorate of Land Revenue & Settlement
EM	Executive Member
ETS	Electronic Total Station
GoI	Government of India
GPS	Global Positioning System
LA	Land Acquisition
LAD	Local Administration Department
LHD (J) R	Lushai Hills District (Jhumming) Regulation
LSC	Land Settlement Certificate
MCS	Mizoram Civil Service
MIRSAC	Mizoram Remote Sensing Application Centre
MoRD	Ministry of Rural Development
MoU	Memorandum of Understanding
NER	North Eastern Region
NIC	National Informatics Centre
NLUP	New Land Use Policy
NLRMP	National Land Record Modernisation Programme
NRSA	National Remote Sensing Agency
PLRJR	Pawi-Lakher Region Jhum Regulation

PP	Periodic Patta
PLRC	Pawi-Lakher Regional Council
PRI	Panchayati Raj Institution
R &R	Resettlement and Rehabilitation
RoR	Record of Right
SRA & ULR	Strengthening of Revenue Administration and Updation of Land Records
SAAB	Site Allotment Advisory Board
UT	Union Territory
VC	Village Council
WRC	Wet Rice Cultivation

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INTRODUCTION

There is no universal definition of land administration. However, in generic terms, land administration may be defined as processes of determining, recording and disseminating information about ownership, value and use of land when implementing land management policies¹. The concept of 'ownership' should be understood as a relationship between people and land and it includes the mode in which rights vis-a-vis accessibility to land are held, based on statutory law, common law or customary laws. Revenue/land administration can also be defined as 'the set of system and process for making land tenure rules operational. This reflects the distinct social and cultural context in which it is being operated.'²

Land administration is one of the most important functions of the government. Briefly, land administration implies management of land and matters related thereto, and cover many areas concerning not only assessment and collection of land revenue but also survey and settlement, maintenance and updating of land records, land reforms, personnel systems, organizational structure and working of the revenue administration and various such matters pertaining to the management of land.

Before Independence, i.e. during the British rule, there were mainly three types of land systems prevalent in most parts in India zamindari, mahalwari and ryotwari. Land was under control of the zamindars and talukdars. Post Independence, land reform legislations were enacted by various states. Land was included in state list of the Schedule VII to the Constitution of India and as such became a state subject³. Land records prepared by revenue department in states are maintained in accordance with their Land Revenue Acts with a permanent/semi-permanent component covering land revenue demand (where this tax is being collected), ownership (includes government, local body and common land), cultivation status (includes fallow, waste and forest land, land meant for building construction and the actual cultivator) and nature of land (including irrigation and soil, etc.).

Agriculture, mainly farming, being the main occupation in the rural sector, agricultural land plays an important role in the lives of the rural people. Hence, most of the rural development issues are directly or indirectly related to the land administration. Efficient land management is a precondition for effective land administration system vis-a-vis balanced land policy. In India, Department of Land Resources, Ministry of Rural Development, Government of India, formulates and implements the 'Land Policy' with an objective to improve the living conditions of rural people. Although in India the

importance of a proper land record system has been emphasized right from the First Five Year Plan (1952-57), yet this work has not received the importance it deserved. Land records in most of the states even now are not in the best of condition. The states have attributed this condition of land records to constraint of resources.

Record of Rights (RoR), since British period, was prepared by carrying out cadastral surveys followed by settlement operations, which were time consuming, labour intensive and involved high cost. In the present times, the methods used in survey operations are outdated. Even where there was a system of periodical updating of land records, lack of adequate revenue machinery, proper infrastructural facilities and absence of training were the reasons responsible for poorly-maintained land records. Thus, because of paucity of resources states were not able to strengthen their revenue machinery entrusted to carry-out survey and settlement operations. Besides, the work of revenue department in the state governments gets very low priority in the allocation of funds as it is considered a non-plan activity. Over time, land-record management work got neglected and suffered even though some plan funds were also allocated for updating of land records in some states. In various forums such as the revenue ministers' conference there has been a unanimous demand for allocation of substantial financial assistance to state governments for expeditious completion of this work⁴.

Strengthening of Revenue Administration & Updation of Land Records Scheme

To assist the states and Union territories to strengthen the land-administration system and proper maintenance of land records, a centrally-sponsored scheme, Strengthening of Revenue Administration (SRA) and Updation of Land Records (ULR), was launched in 1987-88 during the Eighth Five Year Plan (1987-1992). Its main aim was to ensure the land title. Initially, this scheme was approved for the states of Bihar and Orissa only. Later, during the Ninth Five Year Plan (1992-97) it was extended to all other states and Union territories. This scheme was implemented by the Department of Revenue/ Land Reforms. It was financed by the Centre and the states on 50:50 sharing basis; and the Union territories were provided full central assistance.

Objectives of SRA and ULR Scheme

To apply for central assistance under the scheme, the states and Union territories were required to prepare a proposal, which was considered by the technical committee constituted under the scheme; and they farther recommended it to finance division for their approval. The proposal had to specify its objectives, which were to include one or more of the following objectives:

- Strengthening of survey and settlement organization for early completion and preparation of land records in areas where this work still remains to be done;
- Setting up of survey and settlement organizations especially in the north-eastern region, where no land records exist;

- Imparting pre-service and in-service training to revenue, survey and settlement staff and strengthening of training infrastructure for this purpose;
- Providing facilities for modernization of survey and settlement operations, printing of survey maps, reports/ documents, storage, copying and updating of land and crop records using, among other things, the latest science and technology inputs; and
- Strengthening of revenue machinery at village and immediate supervisory levels on a selective basis to make the workload of these functionaries manageable.

The primary goal of this scheme was to achieve a high level of credibility in land record management. In order to ensure better governance and administrative efficiency in land administration and strengthening settlement organizations and the Revenue Department, the Central Government has been providing grants to purchase modern survey equipments like global positioning system (GPS), electronic total station (ETS), electronic distance measurement (EDM), total station, work stations, theodolites, and aerial survey. Funds were also provided for procuring office equipments like photocopiers, laminating machines, binding machines and basic facilities to improve work efficiency at the lower levels of revenue administration, construction of record rooms for proper storage of land records, construction of office-cum-residence of patwaris, construction/ repair/ renovation of training institutes and equipments for training, etc.. Emphasis was laid on establishing survey and settlement organizations especially in the NorthEastern Region as land administration in these states has yet to take-off.

Strengthening of land administration is vital for increasing productivity of land, effective enforcement of land reforms and implementation of the programmes under respective land policies and also implementing various rural development programmes. Accurate and properly-maintained land records minimize land disputes and leads to social harmony. The SRA & ULR scheme which started during the Eighth Five Year Plan and continued till the Tenth Five Year Plan has been implemented in all the twenty-eight states and seven Union territories of the country. The total funds released by the Union government under these schemes were Rs. 40,872.07 lakhs. Out of this total, Rs. 2144.79 lakhs have been released to Mizoram, which has been fully utilized by the state as of 2008⁵ (see **Annexure I**). Survey settlement and updating of land records was a major component of this scheme. However, so far no evaluation has been conducted in any State/Union Territory. For the present study Mizoram has been chosen to see the impact of the SRA & ULR Scheme in implementing the land management system.

Objectives of the Present Study

This study titled “Evaluating Revenue Administration and Land Records: Their Strengthening and Updating in Mizoram” analyses the existing land administration system in the state and measures taken in the area of survey, settlement and land records management.

The study has been conducted with the following objectives:

1. To study the state of land administration before implementation of the Centrally-sponsored SRA & ULR scheme.

2. What has the scheme actually done?
3. To study the impact of measures taken by the Ministry of Rural Development for strengthening of revenue administration and updating of land records in the state of Mizoram.
4. To study the existing land administration system in the state.
5. To study the state of land administration before implementation of the centrally sponsored scheme.
6. What has the Scheme actually added to it?
7. To what extent the scheme has impacted revenue/ survey officials in terms of their:
 - a. capacity building;
 - b. facilitating an easy dispute-redressal mechanism in land issues;
 - c. minimizing aberrations in title deeds;
 - d. citizen-friendly system of issuance of RoR;
 - e. ensuring smooth inheritance of property;
 - f. identifying large vis-à-vis small and marginal land holdings;
 - g. legal status of ownership and accessibility of land to Mizo women;
 - h. process and procedure for acquisition of community land for the development projects for public purposes;
 - i. protection of common property resources (CPR) including forest, and other natural resources, etc;
 - j. increase in land revenue; and
8. To what extent the scheme has impacted tribal families in terms of their:
 - a. legitimate rights on land;
 - b. day-to-day experience in service delivery;
 - c. transparency;
 - d. process and procedure involved in getting land-related documents such as pass, periodic *patta* and land settlement certificate, registration and mutation;
 - e. reduction in legal disputes; and
 - f. behaviour of revenue officials, etc..
9. What impact does the scheme have on the land market in terms of:
 - a. simplified transaction of land from one hand to another;
 - b. minimizing land grabbing due to pucca documentation, thus making RoR tamper proof; and
 - c. safeguard the interest of actual land owners.
10. To what extent it has impacted the administrative system as a whole in terms of:
 - a. lesser intervention of auditing agencies on mismanagement of revenue administration;

- b. proper upkeep of land maps, parcels, etc.; and
- c. what need to be further done?

Why Mizoram?

Some important reasons for selecting Mizoram for study purposes:

- the land administration in the state has been entirely different from rest of the states in the plain areas. For instance, a vast area in the state is community land, and land is regulated by the customary laws;
- being a hill state, physical terrain in the state is difficult;
- the state touches international boundaries with Bangladesh and Myanmar (formerly known as Burma).
- its land administration is complex and not well understood by the policy-makers.
- except town areas, particularly in Aizawl and Lunglei districts, most parts of the state are yet to be cadastral surveyed. Within town areas, mainly residential areas have been cadastral surveyed.

There was no Municipal Act in the state till 2010. The Municipal Act that came into force in 2011 is applicable only in Aizawl city.

MIZORAM : A Historical Perspective

Mizoram, land of the highlanders, is a tongue-shaped state in the northeastern region of India. Mizoram, in the local language, means the land of Mizos. 'Mi' means human/ people, 'zo' means hill and 'ram' means land. Thus, the term 'Mizo' itself means highlander.

Mizoram touches boundaries of three Indian states on the north by Cachar District of Assam (123 km.) and Manipur (95 km.), and on the west by Tripura (66 km.). It touches international boundaries with two countries on the east and south by Chin and Arakan Hills of Myanmar (earlier known as Burma), and on the west by Chittagong Hill Tracts of Bangladesh. The boundary with Bangladesh extends 318 kms. and with Myanmar 404 kms. Thus, it occupies an area of great strategic importance, having a total international boundary length of 722 kms. with Bangladesh and Myanmar. The state geographically covers an area of 8,143 sq. miles, i.e. 21,087 sq. kms.⁶ Mizoram has mostly a hilly steep terrain; there is no valley. Fig 2.1 exhibits an outline map of Mizoram.

Fig 2.1 : Outline Map of Mizoram



Mizoram is geographically isolated from rest of the states of Union of India. As many as 21 major hill ranges or peaks of various heights run through the length and breadth of the state, leaving some plains scattered occasionally here and there. The average height of the hill to the west of the state is about 1,000 metres, which rises to 1,300 metres to the east.

Some areas, however, have higher ranges which go up to a height of over 2,000 metres.⁷ The Blue Mountain, situated in the south-eastern part of the state is the highest peak in Mizoram.⁸ The average height of the hill ranges is about 900 metres.⁹

Pre Independence Period: Lushai Hills District

The Mizos, earlier known as Lushais, came from Burma into India during A.D. 1600-1700. The term 'Lushai' was how the British pronounced it though the actual term is 'Lusei', which actually is the name of a collection of many Mizo tribes. There is no particular Lushai tribe.

Mizoram, formerly known as the Lushai Hills District, was a part of Assam.¹⁰ The district administration in Mizoram (then Lushai Hills) began in the year 1891 when the territory was divided into two administrative wings the South Lushai Hills District, a part of West Bengal, and the North Lushai Hills District, a part of Assam. Prior to 1891, there was no regular administrative set-up. The Lushais were independent tribes till the British annexed and proclaimed it as a part of dominion on 6 September 1895. In 1898, for administrative convenience, two major parts (South Lushai Hills District and North Lushai Hills District) were merged by the British to form one single district and transferred to Assam¹¹. For effective administration, the British government divided this single district into two subdivisions, namely Aizawl and Lunglei, and each subdivision into a number of circles. The same year marked the beginning of settled administration in the district. Thus, on 1 April 1898, the Lushai Hills District was formed and placed under the administration of the chief commissioner of Assam. J. Shakespeare, an army officer who authored several books on land and people of the Lushai Hills, was made the first superintendent of the newly-amalgamated district in 1898.¹²

Earlier Mizos were headhunters. The British missionaries introduced the Roman script for the Mizo language and taught English to the people.

During pre-Independence period, the village level institutions were powerful. Each village had a traditional institution of autocratic chief to manage the village affairs and he was responsible for the behaviour of his people. The chief played multiple roles supreme administrator, judge, protector and guardian of his village, running village administration with a council of elders locally known as 'Upas'. The chiefs, sometimes, abused their rights and privileges by treating the villagers as their personal servants and often reducing them to the status of slaves. The British superintendent never interfered, not even when the village chiefs misused their powers and privileges. The British superintendent and assistants always upheld the authority, decisions and steps of the chiefs and protected them fully to retain the colonial regime in the area. It would not be an exaggeration to say that the superintendent, in connivance with the village chiefs, ruled the people as virtual dictators.

When the British government occupied the Lushai Hills, there were only about 60 chiefs, and by 1948, the number had increased to 400.¹³ Just before the Partition of India, there

were only 40 villages established in a strip of territory sprawling on the western fringe of the Lushai Hills, then under the British regime. Apparently, it appears that the British government did not disturb the chief-ship system as far as land administration was concerned but they made inroads to get administrative and judiciary powers. When the British annexed the Lushai Hills, they made following interventions:

- a. Abolished the system of slavery by way of protection given to the criminals by the chiefs.
- b. Stopped head-hunting.
- c. Also put an end to the violent fighting between the tribes.
- d. Checked the arbitrary judicial powers of the chiefs by introducing the rules for administration of justice in 1906 and in 1935.

For nearly 54 years (April 1898–1952), the district administration of the Lushai Hills District, as a part of Assam, remained under the British Colonial Rules controlled by the superintendent and his assistants at the district level, and by the chief and the village headman at the village level. Initially, most superintendents were army officers and later from the Indian Civil Service. Satyandra Nath Barkatoki was the first and the last Indian who had been appointed as the superintendent of the district.¹⁴ After the promulgation of the Government of India Act, 1919, no army officer was posted as superintendent of the Lushai Hills District.

Lushai Hills Declared as 'Backward Tract' in 1919 and 'Excluded Area' in 1935

Due to backwardness of the Lushai Hills District, it was declared as 'Backward Tract' in 1919 under the Government of India Act 1915-19. Later on, due to its geographical isolation this was declared as 'Excluded Area' under the Government of India Act, 1935.

Post Independence Period: Village Administration after Acquisition of Chiefs' Right Act, 1954

After Independence, with the enforcement of the Assam Lushai Hills District (Acquisition of Chiefs' Right) Act, 1954, the government acquired rights of the chiefs and gave charge to the district councils. The village-level democratic institutions were introduced by enacting the Lushai Hills District (Village Council) Act, 1953, and the Pawi-Lakher Autonomous Region (Village Councils) Act, 1954. Accordingly, the elected village councils (VCs) started functioning from August 1954 within the respective jurisdiction of the councils. Although under the Village Councils Act, 1953 and 1954, the village councils had limited functions and powers, mostly administrative, judicial and land-related issues.¹⁵ The administration of the village councils has been put under the Local Administration Department (LAD) and Town and Country Planning by the Government of Mizoram.

The designation of the superintendent was changed and the district administration was put under a new district officer known as 'Deputy Commissioner'; and the Chief Executive Members of the District and Regional Council, but with much curtailed powers. Since

1952, the post of the chief commissioner as the head of the state was replaced by the governor of Assam.

Autonomous District Councils (ADCs) and Autonomous Regional Councils (ARCs)

When the Constitution of India came into force, the Lushai Hills was made an autonomous district of Assam. A simple and inexpensive administration for the tribesmen of certain hill districts of the then state of Assam was recommended by the North-East Frontier Tribal and Excluded Areas Sub-Committee known as the Bardoloi Sub-Committee of the Constituent Assembly of the Autonomous District Councils (ADCs) for major tribesmen and Autonomous Regional Councils for minor tribesmen other than the major tribal people within a district. As a result, Mizo Hills Autonomous District Council for the Mizos in 1952 and the Pawi Lakher Regional Council (PLRC) for the Pawi, Lakher and Chakma tribes were set up in 1953 under the provisions of the Sixth Schedule of the Constitution of India. The name of the Lushai Hills District was changed to the Mizo Hills District with effect from 1 September 1954 vide an Act of Parliament called 'The Lushai Hills District (Change of Name) Act, 1954 (18 of 1954).

The Mizo Hills District Council and the Pawi Lakher Regional Council abolished the exploitative institution of chief-ships in their respective jurisdictions. It was, thus, clear from the provisions of the Sixth Schedule that the civil administration of the autonomous district in the state was placed with the two authorities, Deputy Commissioner representing the state government and the Chief Executive Member of the Executive Committee heading the District Council. Thus, dual form of administration started functioning independently of each other within the state.¹⁶

Mizo Hills District Council Elevated to Union Territory in 1972

The leaders of the erstwhile Mizo Hills District Council built political pressure for larger autonomy and that has paved way for the introduction of the North East Areas Reorganization Act, 1971 and brought changes in the administration of the land. As per the provisions of the North East Areas Reorganization Act, 1971, the Mizo Hills District was carved out of the then state of Assam and elevated to the status of Union Territory of Mizoram with 33 members of Legislative Assembly on 21 January 1972. With that the Mizo Hills District Council stood dissolved in 1972 and the Mizo Autonomous District ceased to exist. Accordingly, the Lt. Governor became the head of Mizoram replacing the Governor of Assam.¹⁷

The Government of Mizoram had not adapted the Mizo District (Administration of Town Committee) Act, 1955, to manage its notified urban areas.¹⁸ But very recently in 2011, Mizoram has implemented the Municipal Council Act which is in force only in the city area of Aizawl district.

With the 53rd Amendment Act, 1986, to the Constitution special provision with respect to

the state of Mizoram were made under Article 371 G.; and Mizos were given special constitutional safeguards with regard to their religion and social practices, customary law and procedure, administration of civil and criminal justice and also ownership and transfer of land. Thus, they have been given complete internal home rule to manage their own affairs financed by the Government of India.

When Mizo Hills District Council was elevated to a Union Territory, Aizawl was the only district. After becoming a Union Territory, it was trifurcated into three districts, viz., Aizawl, Lunglei and Chhimitupui. These districts were headed by three deputy commissioners from the date on which the Legislative Assembly of the Union Territory of Mizoram was constituted.¹⁹ The Pawis, Lakher and Chakmas demanded more autonomy for their areas under the new political status. So the Pawi-Lakher Regional Council was trifurcated into three regional councils for each of the three tribesmen; and these regional councils were later elevated to the status of the district council. Chhimitupui comprised all three autonomous districts Pawi, Lakher and Chakma. Each of these three autonomous districts has its own separate headquarters Pawi Autonomous District at Lawngtlai; Lakher at Saiha; and Chakma at Chawngte. The Administrative District Chhimitupui, as a whole, has a separate headquarter at Saiha. Aizawl and Lunglei have no autonomous district within their boundaries.

The Government of Union Territory of Mizoram adapted the Lushai Hills District (Village Council) Act, 1953 in 1972 to carry out the village administration in its respective areas. Since then village councils have been in operation both in rural and urban areas. The village council is a democratically elected body whose provisions can be amended by the executive/ administrative orders of the Government of Mizoram.

Notably, Mizoram has two sets of village councils existing/ functioning in both rural and urban areas over which, the Government of Mizoram and the district councils exercise their jurisdiction independently. Lalneihzovi mentions that the village councils carry out the village administration as provided for by the then Mizo Hills District Council in 1953 as provided for by the Sixth Schedule of the Constitution of India to manage its rural affairs but did not form a part of local-self government, as one can see in case of Panchayati Raj Institutions. Panchayati Raj Institutions Act gives greater power to the people at the grass-root level. Village council lacks various such provisions both at structural and functional levels. Village council has limited role particularly in development programmes as it does not participate directly in the development programmes. The erstwhile Mizo Hills District Council enacted the Mizo District (Administration of Town Committee) Act, 1955, which the Mizo Hills District Council had not implemented in its areas until 1972.

The village councils are a single-tier rural government bodies. They are denied devolution of financial resources, administrative responsibility, political power, development roles, planning and decision-making process. It performs only the agency role and functions accordingly so it does not enjoy the decision-making power and financial autonomy as

one finds in case of local-self governance, which is a democratic decentralized government. PRI was elected and responsive to the felt needs of the people of a limited geographical area and accountable to the local people for the exercise of powers and functions and use of public funds devolved upon it by the higher-level government.

Union Territory of Mizoram Attains Statehood in 1987

After signing of the historic Memorandum of Settlement between Government of India and the Mizo National Front in 1986, Constitution of India was amended and Article 387G was incorporated. Article 387G recognizes customary rights of Mizos, which includes community land, common property resources and social practices and religion. Thereafter, on 20 February 1987, the Union Territory of Mizoram attained the status of statehood. With that, it became the 23rd state of the Indian Union.²⁰ To protect the poor tribesmen from exploitation restrictive enactments Inner Line Regulation continues to be applicable in the state and entry of the businessmen/ traders and contractors from the plains is prevented are enforced.

Aizawl District Divided into Five Districts in 1998

Till 1998, the Aizawl District covered more than half the geographical area of Mizoram. For an effective administration and implementation of various development schemes in the larger interest of both, the rural and the urban population, the Government of Mizoram, in 1998, divided Aizawl into five districts Aizawl District with headquarter at Aizawl; Aizawl East District, headquarter at Champhai; Aizawl North District, headquarter at Kolasib; and Aizawl South District with headquarter at Serchhip. Later, these newly-created districts were renamed as Aizawl District, Champhai District, Mamit District (all with effect from 11 March 1998), and Kolasib District (with effect from 29 July 1998).²¹ The Lunglei District remained undivided. The Chhimtuipui District was also bifurcated into two, Saiha and Lawngtlai.

With that, the operational/ functional jurisdiction of the deputy commissioner, owing to the division of the erstwhile Aizawl District, was reduced but the powers and functions of the deputy commissioner remained the same. Presently, Mizoram has eight districts Aizawl, Champhai, Kolasib, Lunglei, Mamit, Serchhip, Lawngtlai and Saiha whose heads are deputy commissioners. Out of these eight districts, the first six districts come under the jurisdiction of the state government and the last two districts (Lawngtlai and Saiha) are administered by autonomous district councils.

Brief Profile of the Districts

• Aizawl District

The Aizawl District is surrounded by the state of Manipur in the north, Champhai District in the east, Serchhip and Lunglei Districts in the south, Mamit District in the west and Kolasib District on the north-east. The district has first position in terms of population and second position in terms of area.²² Aizawl city, the capital of Mizoram, is it's headquarter.

Aizawl District is structured by low hills. A small portion of the western region is a dissected plateau. The district has 171 recognized villages and 4 notified towns and one city Aizawl.²³ As per 2001 Census, after the reorganization of the erstwhile Aizawl District, it covers an area of 3,576.31 sq. km. and population of 339,812.

Religion-wise data shows that in Aizawl district Christians were 303,893, Hindus were 14,508 and Muslims were 5,185.²⁴ There were 31,835 main workers, 40,276 marginal workers, 167,701 non-workers, and 56,845 cultivators. The Aizawl district has 7,805 agricultural labourers, 3,125 workers in household industries and 1,04,336 were other workers. There were 62,238 households in the district.²⁵

Aizawl District, being rich in natural resources, is one of the oldest districts. The district, despite a lot of efforts and initiatives and funds spent on the promotion of cultivation of food grain crops, has neither been self-sufficient in food grains nor in vegetable production.²⁶ The people of the district depend on the food supply, edible oil and vegetables from outside the state.²⁷

In 1991, Scheduled Tribe population was 94.67; and as per 2001 Census, the number was 93.23 in the district. Most Mizos of Myanmar were also in the district. The rest were people from the plains who were either employed in offices/ construction/ manual works or engaged in businesses. Among the non-tribal people, Assamese, Bengalis and Manipuris were in larger number. Many Bangladeshis were also living in the District.²⁸

In 1987, when Mizoram attained the statehood, Government of Mizoram restructured the district administration several times. In 1998, the Aizawl district was divided into five districts Aizawl, Champhai, Serchhip, Kolasib, and Mamit.

• **Champhai District**

The District of Champhai is situated at a distance of 194 km. from Aizawl. It shares international boundary with Myanmar. Champhai District having most of the plain area in the state has large number of wet rice cultivation plots. Hence, it is called the 'Rice Bowl' of Mizoram. It is emerging as the 'Fruit Bowl' also. Grape, passion fruit and banana crop is produced in large quantities. Seeing the good production of these crops, there is a proposal for establishing a winery unit in this district. Due to the fertile land, this is a popular source of income.²⁹

Religion-wise the largest three groups were Christians (105,061), Hindus (2,248) and Muslims (432). The total workers were 68,134, out of which the main workers were 49,658 and marginal workers were 18,478 (Census, 2001).³⁰ Hnahlan village seems to be the last village touching Myanmar border.

• **Lunglei District**

Lunglei is another developed district after Aizawl and is the second largest town in Mizoram. Most of the population here is Buddhist. Most of them are from Chakma tribe. The district shares international boundary with Bangladesh.

• **Kolasib District**

The geographical area of the district is 1382.51 sq. kms., which is 6.56 per cent of the state's total geographical area of the state³¹. Kolasib District is the northern-most region of the state. It is surrounded by Aizawl district in the south and east; Mamit district in the west; and Assam state in the north.

Of the total geographical area, 9.22 per cent is under cultivation. Agriculture is the main occupation in the district. The total number of workers in the district is 32,388. The total number of families involved in cultivation was 9,578, out of which 7930 were jhum cultivators and 1648 were wet rice cultivators. 104 families were engaged in sericulture activities. Due to good coffee production in the district, Coffee Board was established in Kolasib District.

The district is adjacent to the national highway and district road. A number of link roads have been constructed, which helps transportation of agricultural and horticultural products from the interior areas of the district.

Bairabi village is the only place connected by railway (the only railhead in Mizoram) and all others are connected by road only.

• **Mamit District**

Mamit is 103 km. from Aizawl. Mamit district was created by bifurcating the erstwhile Aizawl district in 1998 and is located on the western belt of the northern part of the state of Mizoram. It is bounded by Kolasib and Aizawl district in the east, Tripura and Bangladesh in the west, Lunglei district in the south and Assam in the north.

The total workers were 35,165, out of which the main workers were 27,428 and marginal workers were 7,737. Religion-wise data shows that the largest three religious categories were Christians (50,563), Buddhist (8,579) and Hindus (2402). Sex ratio in the district was 896.³² As per 2011 Census, the sex ratio improved and rose to 924.

Mamit district is one of the most backward districts in the state. Land was the cause of ethnic conflicts that occurred quite often. Approximately 6,000 Brus were in Mizoram. Brus/ Reangs are not the original permanent inhabitants of Mizoram. It is believed that Brus have infiltrated from Bangladesh or migrated from adjoining state of Tripura and live in Mizoram. Therefore, Mizoram wants them to repatriate to Tripura. This has caused resentment among the Brus as most of them settled in Mamit district. Brus wanted to settle in Mamit district but the Mizoram government wanted to scatter them in different districts. Settling Brus in different districts has its political reasons. It was apprehended that the settlement at one place will make Brus unite and enable them to make their claim. Their economic condition is rather pathetic. During the course of study, it came to light that the Bru community was put under constant oppression and subversion.

There is a counter-demand from the local Mizos that Brus are refugees in Mizoram and should be repatriated to their respective erstwhile villages. This demand was considered unfeasible. After considering all aspects of the issues involved, the state government has

decided to rehabilitate Brus in fourteen villages in Mamit district, three villages in Kolasib District and four villages in Lunglei district.

- **Serchhip District**

Serchhip is 112 km. from Aizawl district.³³ It is called the 'Fruit Bowl' of Mizoram. Due to abundance of fruit crops and to promote agro-based industry, fruit-concentration plant was established in Chhingchhip in Serchhip district.

The total number of workers in the district was 32,523, out of which the main workers were 24,783 and marginal workers were 7,740. Religion-wise data shows that the largest three religious groups were: Christians (52,495), Hindus (531) and others (524).³⁴

- **Lawngtlai District**

Lawngtlai district is located in the south-western part of Mizoram, having international boundaries with Bangladesh to the west and Myanmar to the south. The district is bounded by Lunglei district to the north and Saiha district to the east. The district is 296 km. away from Aizawl. The Thega (Kawrpui) River forms most of the boundary with Bangladesh on the west and the Kaladan River forms the eastern boundary with Saiha District. As per 2001 Census, Lawngtlai district occupies an area of 2557.10 sq. km. The physical feature is mainly hilly except with long narrow strip of low lying area along the western side of Chamdur Valley.

Lai and Chakma tribes are predominant in Lawngtlai District. The inhabitants of the district are mainly the ethnic groups of tribals, like Lai and Chakma, who are among the minor tribal communities of Mizoram. Here, the main occupation is cultivation and the rural population largely depends on agriculture for their subsistence.

There is a story behind the term 'Lawngtlai'. Lawngtlai is a Mizo slang meaning a late boat. It was first used by Lalpuchhuana, who missed the boat the first time; as he patiently waited for the next boat to arrive he fell asleep under a nearby tree and when he woke up, he still failed to see the awaited boat so he cursed the sky saying 'Lawngtlai', which means late boat. Little did Lalpuchhuana know that the boat had already passed whilst he was asleep.

Due to the discovery of oil in Lawngtlai district, the economic condition of the locals has improved. The natives of the land believe in sharing whatever they find on their land with other people, so it has benefitted all of them.

- **Saiha District**

Saiha town is the administrative headquarters of the district. It is also known as Siaha, Sangau, Tuipang and Tipa V. The district occupies an area of 1399.9 sq. km². The district is bounded on the north and northwest by Lunglei district, on the west by Lawngtlai District and on the south and east by Myanmar.

Saiha District was formerly part of Chhimtuipui District. In 1998, when Chhimtuipui District was bifurcated and one part became Saiha District which was briefly called by the old name Chhimtuipui District. The majority of the district inhabitants belong to Mara tribe, who also have an autonomous district council called Mara Autonomous District Council. Lai people are the main inhabitants of Sangau R.B block, which is part of Lai Autonomous District Council.

In 2006, the Ministry of Panchayati Raj named Saiha as one of the country's 250 most-backward districts (out of a total of 640). It is one of the two districts in Mizoram currently receiving funds from the Backward Regions Grant Fund Programme (BRGF).

SAMPLE, UNIVERSE AND METHODOLOGY

Mizoram has eight districts viz. Aizawl, Champhai, Kolasib, Lunglei, Mamit, Serchhip, Lawngtlai and Saiha (see figure 3.1). For administrative convenience, 23 subdivisions had been carved out of the eight districts: 3 each in Aizawl, Lunglei, Champhai, Mamit, Kolasib, Serchhip Lawngtlai, and 2 in Saiha.³⁵ There were 22 towns, out of which 18 towns were in Aizawl District. The state had 26 rural development blocks and 817 villages. Being a hill state, all the districts in the state are connected by road. Kolasib on the border of Assam is the only district to have rail connectivity. As per Census 2011, the number of towns has increased to 23, sub divisions to 26 and the number of villages has risen to 830³⁶.

Fig 3.1 : Districts of Mizoram



Rural- Urban Population Ratio

Trend of rural-urban population ratio in Mizoram was somewhat different from other states in the country. As per 2001 Census, rural population in the state was 450,018 (50.36 per cent) and urban population was 441,040 (49.63 per cent.).³⁷ In 2011 urban population increased to 51.51 per cent. Aizawl district alone had a population of 404,054. Aizawl district, after the re-organization of the erstwhile Aizawl District (Census 2001) covers an area of 3,576.31 sq. km.

In Mizoram, both the rural and urban areas are administered by the 789 village councils (see the district-wise number of village councils in **Annexure II**). The biggest number (166) of them is in Aizawl district followed by Lunglei (132) and Champhai district (100). Serchhip has only 41 of them.

Out of eight districts in the state, land in town and sub-town areas in six districts Aizawl, Champhai, Kolasib, Lunglei, Mamit, and Serchhip is administered by the Directorate of Land Revenue & Settlement, Mizoram. In the remaining two districts Lawngtlai and Saiha there are three Autonomous District Councils (ADCs):

- (a) Lawngtlai/Lai Autonomous District Council;
- (b) Mara/Lakher Autonomous District Council. (Mara tribe was earlier known as Lakher but they wanted to be called Mara now); and
- (c) Chakma Autonomous District Council.

These autonomous district councils are governed by the Sixth Schedule to the Constitution of India. In ADCs, land is administered by its customary laws/ rules, as they have existed.

The Research Methodology

For the present study, data was collected from primary as well as secondary sources. A combination of research techniques were used for data collection interview schedule, questionnaire, focus-group interview and observation method. During the first phase, interview schedule was pre-tested. During the second phase, 206 households were surveyed in four districts Aizawl, Champhai, Mamit and Serchhip. To understand the land administration system in autonomous district councils, Lai ADC was visited. Table 3.1 shows district-wise distribution of households covered for survey. It shows that 49.51 per cent households were surveyed in Aizawl, 23.79 per cent households in Champhai district, 16.99 per cent in Serchhip district and about 9.71 per cent households were surveyed in Mamit district.

Table 3.1 : District wise Number of Households Surveyed

Sl.	District	No.
1.	Aizawl	102 (49.51)
2.	Champhai	49 (23.79)
3.	Serchhip	35 (16.99)
4.	Mamit	20 (9.71)
	Total	206 (100.00)

Out of the total 206 households surveyed, 41 households were in urban areas and 165 households in rural areas. These households were spread in 14 notified town areas. Out of these 14 notified town areas, 12 localities have already been cadastral surveyed, in one locality (Ailawng), survey was under process. In Phulpui in Aizawl district cadastral survey was yet to be started. It is important to mention that residential area has been cadastral surveyed only in notified towns. Besides garden and wet-rice cultivation plots were also surveyed. Of the total households covered for survey in four districts, 3 were urban sites and 11 were rural sites. Urban sites covered in Aizawl district were Aizawl city; Ruantlang and Zotlang in Champhai district. Similarly, rural sites covered were: Thingsulthliah, Phulpui, Seling, Sateek and Aibawk in Aizawl district; Hnahlan in Champhai district; Chhingchhip, Khumtung and Serchhip in Serchhip district; and Ailawng and Reiek were in Mamit district (Table 3.2). Municipal Act was introduced in 2010-2011 and enforced only in Aizawl city proper area. With the implementation of this Act, tax will be collected from the residents of Aizawl city (proper areas only) by the Municipal Council.

Table 3.2 : District-wise Number of Households Surveyed in Rural & Urban Localities

District	Names of Notified Town Areas	No. of HHs Surveyed	Urban/ Rural Locality	Status of Cadastral Survey
1. Aizawl	1. Khatla/Aizawl	16 (7.77)	Urban/City (Rural) Town Rural Rural Rural Rural	Done
	2. Thingsulthliah	23 (11.17)		Done
	3. Phulpui	19 (9.22)		Done
	4. Seling	15 (7.28)		Done
	5. Sateek	15 (7.28)		Done
	6. Aibawk	14 (6.80)		Done
2. Champhai	7. Hnahlan	24 (11.65)	Rural	Done
	8. Ruantlang	14 (6.80)	Urban	Done
	9. Zotlang	11 (5.34)	Urban	Done
3. Serchhip	10. Chhingchhip	19 (9.22)	Rural	Done
	11. Khumtung	12 (5.83)	Rural	Done
	12. Serchhip	4 (1.94)	Rural	Done
4. Mamit	13. Ailawng	11 (5.34)	Rural	Under process
	14. Reiek	9 (4.37)	Rural	Done
	Total	206 (100.00)		

SOCIO DEMOGRAPHIC PROFILE OF THE STATE AND THE RESPONDENTS

Mizos are predominantly tribesmen and Christians.³⁸ As per 2001 Census, tribal population in the state comprised 94.75 per cent. Some of the prominent tribes in Mizoram are Chhakchhuak, Chhangte, Chawngthu, Chenkual, Khawlhing, Khiangte, Hmar, Hnamte, Hrahse, Hauhnar, Hualngo, Ngente, Pachuau, Paihte, Palian, Pawi, Ralte, Renthlei, Rokhum, Sailo, Thangluah, Tochwang, Vanchawng, Vangchhia, Vantawl and Zadeng. The small groups of Mizo tribe are Para, Bawm and Chawrai. There are approximately 6,000 Brus in Mizoram.³⁹ Brus who are also known as Reangs and Chakma are not Mizo tribes.

A brief profile of the state and the socio- demographic profile of the respondents interviewed during the household survey are given below.

Religion and Denomination with Local Churches

As per the data exhibited in the Statistical Handbook of Mizoram (2010) majority of the population (772,809) in Mizoram was Christians; Buddhists were 70,494; Hindus were 31,562 in number, Muslims were 10,099; Sikhs were 326; Jains were 179. There were 3,104 persons having other religions and persuasions or whose religion was not known.⁴⁰ Buddhists who originally came from Bangladesh were concentrated mainly in Lunglei district.

Table 4.1 shows local church and total members of some denominations in Mizoram (2009-10). It shows that the highest number was Presbyterian (463,185), followed by Baptist Church of Mizoram (1,43,083), United Pentecostal Church (North East India) (90,370), Salvation Army (54,697), United Pentecostal Church (Mizoram) (43,890), Evangelical Church of Maraland (37,463), Seventh Day Adventist (27,218) and Lairam Isua Krista and Baptist Kohhran (22,778). The lowest number belongs to the Roman Catholic Church (19,080).

District -wise analysis shows that in Mizoram in general, and in Aizawl and Champhai districts in particular, the largest denomination was of Presbyterian Church followed by the Roman Catholic and the second largest was Baptist Church of Mizoram (BCM). They were concentrated mainly in Lunglei district. The third denomination was of Salvation Army followed by Roman Catholic. The largest number of Roman Catholics were concentrated in the town area in Serchhip district. Catholics are much more in Aizawl than Serchhip, but in respect of population, they may constitute more per centage in

Table 4.1 : Local Churches and Total Members of Denominations in Mizoram (2009-10)

Sl.	Denomination	Total Members
1.	Presbyterian Church	4,63,185
2.	Baptist Church of Mizoram	1,43,083
3.	United Pentecostal Church (North East India)	90,370
4.	Salvation Army	54,697
5.	United Pentecostal Church (Mizoram)	43,890
6.	Evangelical Church of Maraland	37,463
7.	Seventh Day Adventist	27,218
8.	Lairam Isua Krista Baptist Kohhran	22,778
9.	Roman Catholic	19,080
	Total	9,01,764

Source: Mizoram Census, 2001 Provisional Figure accessed on website Mizoram.nic.in/aboutglance.htm

Serchhip district. The largest denomination in Serchhip district was United Pentecostal Church (UPC). Later this got split into United Pentecostal Church (Mizoram) and United Pentecostal Church (North Eastern India). Recently, a new church, Lalchhungkua, has also been established in the state.

Demographic Features

According to Census 2001, Mizoram had a population of 891,058, the breakdown being 459,783 (51.6%) males and 431,275 (48.4%) females. District-wise breakdown is shown in Table 4.2. The maximum concentration of population was in Aizawl district (39% of the state population), followed by Lunglei and Champhai districts. Lunglei was the second largest district in terms of population and often called the second capital of Mizoram. Kolasib (60,977), Saiha (60,823) and Serchhip districts (55,539) have less than one lakh population. As per Census 2011, the total population in Mizoram rose to 1,091,014. The maximum population continues to be in Aizawl district (404,054) followed by Lunglei (154,094) and Champhai district (125,370). Mamit, Kolasib and Serchhip districts have less

Table 4.2 : District –wise Distribution of Population in Mizoram

Sl.	State/ District	Total Population (Census, 2001)			Total Population (Census, 2011)			Governed by
		M	F	Persons	M	F	Persons	
	MIZORAM	459783	431275	891058	552,339	538,675	1,091,014	891058 (Census, 2001 & 2011)
1	Aizawl	173930	165882	339812	201,072	202,982	404,054	Governed by District Administration
2	Lunglei	71353	65802	137155	79,252	74,842	154,094	
3	Champhai	51869	49520	101389	63,299	62,071	125,370	
4	Mamit	32766	29,547	62313	44,567	41,190	85,757	
5	Kolasib	31874	29103	60977	42,456	40,598	83,054	
6	Serchhip	28445	27094	55539	32,824	32,051	64,875	Governed by District Council
7	Lawngtlai	38425	34,625	73050	60,379	57,065	117,444	
8	Saiha	31121	29,702	60823	28,490	27,876	56,366	

than one lakh population. Population in Lawngtlai district is 117,444. Saiha has the population of 56,366. Mizoram constitutes only 0.09 per cent of India's total population; it ranks 29th in terms of total population among all states and Union territories of the country.

Literacy Level

As per 2001 Census, literacy rate in Mizoram was about 88.49 per cent; the male literacy rate was 90.69 per cent; and the female literacy was 86.13 per cent. The literacy rate has gone up from 81.23 to 88.49 per cent in the past ten years.⁴¹ District-wise data shows that literacy rate was higher in Aizawl and Serchhip districts. The literacy percentage in rural and urban area was 80.45 per cent and 96.34 per cent respectively. Mizoram has a very high percentage of literacy (88.49 per cent) higher than the national literacy rate (65.38 per cent) (Census 2001).⁴² The state stands second in the whole country next only to Kerala. As per Census 2011, the literacy rate increased to 91.58 per cent; the male literacy rate is

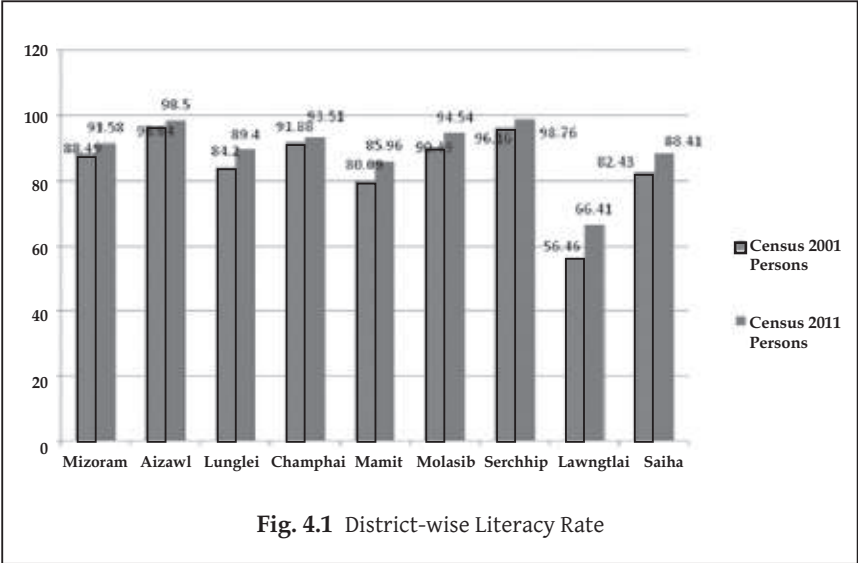
Table 4.3 : District -wise Literacy Rate in Mizoram

SI	State/ District	Literacy Rate Census, 2001			Literacy Rate Census, 2011		
		M	F	P	M	F	P
	MIZORAM	90.69	86.13	88.49	93.72	89.40	91.58
	INDIA	75.30	53.70	64.80	82.1	65.5	74.00
1	Aizawl	97.20	96.06	96.64	99.01	98.00	98.50
2	Lunglei	87.36	80.74	84.20	92.74	85.85	89.40
3	Champhai	94.00	89.64	91.88	94.80	92.20	93.51
4	Mamit	84.04	75.66	80.09	90.15	81.37	85.96
5	Kolasib	91.50	89.37	90.49	95.50	93.53	94.54
6	Serchhip	97.24	95.02	96.16	99.24	98.28	98.76
7	Lawngtlai	65.13	46.69	56.46	74.68	57.62	66.41
8	Saiha	86.28	78.39	82.43	91.00	85.80	88.41

Source: Mizoram Census, 2001 Provisional Figure access website [Mizoram.nic.in/about glance. htm](http://Mizoram.nic.in/about glance.htm)
Census of India, 2011, Provisional Population Totals

93.72 per cent and the female literacy rate is 89.40 per cent (Table 4.3).

According to the 2011 Census, the district-wise literacy rate analysis shows that the highest literacy rate was in Serchhip district (98.76 per cent) where male literacy rate was 99.24 per cent and female literacy rate was 98.28 per cent. The second highest literacy rate was in Aizawl district (98.50 per cent); the male literacy rate was 99.01 per cent and female literacy rate was 98.0 per cent. Kolasib district stood third in the literacy rate (94.54 per cent), the male literacy rate was 95.50 per cent; and the female literacy rate was 93.53 per cent. Mamit (85.96 per cent) and Lawngtlai (66.41 per cent) districts have the lowest literacy rates. In Mamit district the male literacy rate was 90.15 per cent and female literacy rate was 81.37 per cent. In Lawngtlai district, the male literacy was 74.68 per cent



and female literacy was 57.62 per cent. In Saiha district, literacy rate was 88.41 per cent; the male literacy rate was 91.0 per cent; and female literacy rate was 85.80 per cent.

Sex Ratio

As per 2001 census, sex ratio in Mizoram was 935 females per 1000 males. It was better than the country sex ratio which was 933 (Table 4.4). Census 2011 shows further improvement in sex ratio. It went up to 975. The gender gap was wider in rural areas compared to urban areas. It was 923 in rural areas and 948 in urban areas. District-wise

Table: 4.4 : District- wise Sex Ratio

Sl	State/ District	Total Population		Governed by
		India : 933	940	
		2001	2011	
	MIZORAM	935	975	Governed by District Administration
1	Aizawl	952	1,009	
2	Lunglei	922	944	
3	Champhai	945	981	
4	Mamit	896	924	
5	Kolasib	908	956	
6	Serchhip	967	979	
7	Lawngtlai	909	945	Governed by District Council
8	Saiha	950	978	

Source: Census of India, 2011, Provisional Population Total, Paper 2, Volume 1 of 2011, Mizoram Series 16.

data analysis shows that sex ratio was better in Aizawl (1009/1000), Champhai 981/1000) and Serchhip district (979/1000). Mamit has the lowest sex ratio (924/1000).

Workforce Participation Rate

Total workers in Mizoram were 52.57 per cent. The main workers were 40.80 per cent; marginal workers were 11.80 per cent; cultivators were 54.90 per cent; agricultural labourers were 5.70 per cent; and 20.56 per cent families were below poverty line.⁴³ In Aizawl, which is the largest district in the state, the main workers were 41.42 per cent (males: 49.13 and females: 3.09); marginal workers were 7.17 per cent (males: 4.51 and females: 10.03); cultivators were 56.13 per cent (males: 48.73 and females: 67.98). The number of female cultivators was higher than male cultivators. Agricultural labourers were 3.41 per cent (males 3.63 and female 3.05).⁴⁴

Household Data Analysis

Of the total respondents interviewed during the household survey, 68.45 per cent were males and a little less than one- third of them (31.55 per cent) were females.

Local Church and Respondents

Table 4.5 shows distribution of households according to the denomination of their local church. Data analysis shows that majority of the respondents (72.06 per cent) were Presbyterian; a little less than one-tenth of them (8.82 per cent) belonged to the Salvation Army; 5.88 per cent were followers of United Pentecostal Church; 4.41 per cent were Roman Catholic; 3.92 per cent were Lairam Isua Krista Baptist Kohhran; 2.45 per cent belonged to the Baptist Church of Mizoram; and the remaining households belonged to Seventh Day Adventist (1.47 per cent), Maicham (0.49 per cent) or Lalchhungkua (0.49 per cent).

Ralte is the largest tribe in Mizoram followed by Paite. Chakma tribes are concentrated in Chawngte town in Lawngtlai district. Lakher and Mara tribes are in Saiha – a district headquarters. Pawi or Poi who are also called as Lai has their District headquarter at

Table 4.5 : Distribution of Respondents According to Denomination of their Local Church

Sl.	Name of Local Churches	No.
1.	Presbyterian Church	147 (72.06)
2.	Salvation Army	18 (8.82)
3.	United Pentecostal Church	12 (5.88)
4.	Roman Catholic	9 (4.41)
5.	Lairam Isua Krista Baptist Kohhran	8 (3.92)
6.	Baptist Church of Mizoram	5 (2.45)
7.	Seventh Day Adventist	3 (1.47)
8.	Maicham	1 (0.49)
9.	Lalchhungkua	1 (0.49)
	Total	204 (99.99)

N varies because of missing figure

Lanwngtlai. During the household survey, an attempt has been made to find out the name of the tribe to which the respondents belonged. Data analysis shows that one-fifth of the respondents (20.21 per cent) belonged to Ralte tribe; a little more than one-tenth (12.44 per cent) were Chhangte; one-tenth (9.84 per cent) belonged to Hmar tribe; another one-tenth (9.33 per cent) belonged to Chhakchhuak tribe; 4.15 per cent were Khawlhiring; 3.63 per cent belonged to Paite tribe; a similar number (3.63 per cent) were Pachau tribes; 3.11 per cent belonged to Fanai tribe; a similar number (3.11 per cent) belonged to Hauhmar tribe; 2.07 per cent belonged to Hnamte tribe; and 28.50 per cent of the respondents were from one or the other following tribal communities such as Bawihchhuak, Chawnghlut, Chenghrang, Hlawndo, Houthang, Hrahsel, Kawilam, Khiangte, Duhlian, Lusei, Mualchin, Ngente, Pawi, Rokhum, Renthlei, Sailo, Thawmte, Tlau, Thahdo, Tochwawng, Tuallawt, Varte, Vangchhia, Vanchhawng and Zahau (Table 4.6).

Table 4.6 : In Case of Tribe, Specify Name of Tribe

Sl.	Name of Tribe	No.
1.	Ralte	39 (20.21)
2.	Chawngthu	24 (12.44)
3.	Hmar	19 (9.84)
4.	Chhakchhuak	18 (9.33)
5.	Khawlhiring	8 (4.15)
6.	Paite	7 (3.63)
7.	Pachau	7 (3.63)
8.	Fanai	6 (3.11)
9.	Hauhmar	6 (3.11)
10.	Hnamte	4 (2.07)
11.	Miscellaneous	55 (28.50)
	Total	193 (100.02)

N varies because of no response or missing figure

Educational Status

Educational status of the sample population shows that a little less than one-tenth of them (8.91 per cent) were graduates/ post-graduates or professional degree/ diploma holders; 7.42 per cent have Higher Secondary Certificate; a little more than one-fifth of them (21.78 per cent) had studied up to high school; around one-fourth of the respondents (24.26 per cent) attained education up to middle class; 17.82 per cent attained education up to primary school; and 14.36 per cent were literate. Only 5.45 per cent respondents were found illiterate (Table 4.7).

Table 4.7 : Distribution of Respondents by Educational Level

Sl.	Educational Level	No.
1.	Illiterate	11 (5.45)
2.	Literate	29 (14.36)
3.	Primary School	36 (17.82)
4.	Middle School	49 (24.26)
5.	High School	44 (21.78)
6.	Higher Secondary Certificate	15 (7.43)
7.	Graduation-/Post Graduation-/Professional (Doctor, Lawyer, Engineer)/Certificate/Diploma Course	18 (8.91)
	Total	202 (100.00)

N varies because of no response or missing figure

Age of Respondents

Analysis of the age group of the respondents reveals that most of them (48.54 per cent) were in the age group of 41-60 years. Little more than one-fourth of the respondents (27.67 per cent) were in the age-group of 61-80. Little less than one-fourth of them (23.79 per cent) were in the age group of 21-40 (Table 4.8).

Table 4.8 : Distribution of Respondents by Age (in Years)

Sl.	Age	No.
1.	21-40	49 (23.79)
2.	41-60	100 (48.54)
3.	61-80	57 (27.67)
	Total	206 (100.00)

Type of Family

Most of the respondents (58.25 per cent) were from nuclear families; and 36.89 per cent were from joint families. Miniscule numbers of them (4.85 per cent) were from the extended family (Table 4.9).

Table 4.9 : Distribution of Respondents by Type of Family

Sl.	Type of Family	No.
1.	Nuclear	120 (58.25)
2.	Joint	76 (36.89)
3.	Extended	10 (4.85)
	Total	206 (99.99)

Occupational Status

Occupational status of male and female members of the households surveyed was analysed. Data analysis shows that majority of the male members in the households (56.76 per cent) were engaged as cultivators; 15.20 per cent were in government sector; 7.77 per

cent were self-employed; 6.76 per cent were pensioners; 4.39 per cent were skilled or semi-skilled labourers. A small number of them (3.72 per cent) were in private sector; 2.70 per cent were rearing piggery/poultry; 2.03 per cent of the male members in the households were wage labourers. A miniscule number (0.68 per cent) were engaged either as wood-cutters or as church leaders. Out of the total households surveyed, 18 were found landless. These households were mainly in Aizawl town. They were either in government/ private jobs, self-employed, skilled/ unskilled worker, woodcutter or labourers in quarry work, etc., (refer to Table 4.10).

Table 4.10 : Occupational Status of Male Members in the Household

Sl.	Occupational Pattern	No.
1.	Cultivator	168 (56.76)
2.	Government sector	45 (15.20)
3.	Self- employed	23 (7.77)
4.	Pension/ rent/ remittances	20 (6.76)
5.	Skilled worker/ (mason/driver)	13 (4.39)
6.	Private sector	11 (3.72)
7.	Rearing of pigs/ poultry	8 (2.70)
8.	Non-agricultural labour/wage labour	6 (2.03)
9.	Miscellaneous (woodcutter/ church leader)	2 (0.68)
	Total	296 (100.01)

Mizoram is one of the states where female workforce participation rate is higher as compared to many other states in the country. An attempt has been made to find-out the occupational status of female members in the households surveyed. It was found that in majority of the cases (46.38 per cent) woman members were engaged as cultivators, 35.36 per cent female members were found engaged in pig rearing, 8.12 per cent were self-employed, 3.77 per cent female members were engaged in government sector, 2.03 per cent were engaged in selling fish/ poultry, 3.97 per cent were wage labourers/ semi-skilled labourers (Table 4.11).

Table 4.11 : Occupational Status of Female Members in the Household

Sl.	Occupational Pattern	No.
1.	Cultivator	160 (46.38)
2.	Rearing of pigs	122 (35.36)
3.	Self-employed	28 (8.12)
4.	Government sector	13 (3.77)
5.	Selling of fish/ poultry	7 (2.03)
6.	Non- agricultural labour/ wage labour	6 (1.74)
7.	Semi- skilled/ unskilled labourers	4 (1.16)
8.	Private sector	3 (0.87)
9.	Pension/ help from church	2 (0.58)
	Total	345 (100.01)

Further, an attempt has also been made to find out the total income of the households surveyed. Data analysis shows that in majority of the cases (33.0 per cent) the total household income was in the range of Rs.50,001 – 100,000; 30.05 per cent respondents stated that their total household income was in the range of Rs.25,001–50,000; one-tenth of them (10.84 per cent) had income in the range of Rs.1,00,001–1,50,000; 8.87 per cent households were in the income range of Rs.1,50,001 – 2,00,000; 7.88 per cent of them reported having total household income in the range of Rs.12,501–25,000; 4.93 per cent of them stated that their total household income was in the range of Rs.200,001 – 2,50,000; 3.45 per cent respondents said that their total household income was in the range of Rs.250,001–300,000. A miniscule number of households (0.98 per cent) were below poverty line as their total household income was up to Rs.12,500 (refer to Table 4.12).

Table 4.12 : Total Household Income (from All Sources) (Annually)

Sl.	Amount (in Rs.)	No.
1.	50,001-100000	67 (33.00)
2.	25,001-50,000	61 (30.05)
3.	1,00,001-1.50,000	22 (10.84)
4.	150,001-200,000	18 (8.87)
5.	12,501-25,000	16 (7.88)
6.	200,001-250,000	10 (4.93)
7.	250,001-300,000	7 (3.45)
8.	Upto 12,500	2 (0.98)
	Total	203 (100.00)

Note: N varies because of missing no. or no response.

As per NSSO 2000, population below poverty line in Mizoram was 19.47 per cent.

Majority of the households surveyed (95.63 per cent) had Assam-type house structure. Only a small number of them (4.37 per cent) had pucca (RCC) houses. Mizoram is a hilly state; therefore structure of houses was different from the plain areas.

Thus, based on the above analysis, it can be stated that all the members of sample population were tribals and most of them were living in nuclear family. Male members were found engaged primarily in primary sector, followed by government sector, self-employment, pensioners, skilled/private jobs, and rearing of pigs/poultry. Some of them were wood-cutters and rendering services in the church. Female members of the households were found engaged mainly as cultivators and rearing pigs. Few of them were self-employed, government employees, selling fish, poultry, wage labourers, semi-skilled workers, in private jobs, pensioners or receiving assistance from the church. In majority of the cases, household income was either in the range of Rs. 25,001 – 50,000 or Rs. 50,001 – 100,000.

LAND ADMINISTRATION IN MIZORAM: Pre and Post Independence Period

Prior to 1954, all land in Mizoram belonged to the village chiefs. After 1954, community land came under the control of village councils, which were elected bodies; and they were under the Department of Local Administration. Unlike other states, Mizoram does not have land-tenurial system. There are mainly two types of land systems that coexist – either administered by the revenue department or by the village councils. Besides this, vast land in the state belongs to the community that is regulated by the customary laws. Land in town and sub-town areas come under the purview of Directorate of Land Revenue & Settlement.

The land administration in the state is entirely different from other states in the country. For a better and holistic understanding of land administration system in the state, an attempt is being made to analyse it retrospectively. Evolution of land administration has been classified into the following major categories:

- During 17th century: migration from Chin Hills;
- During 17-18th centuries: gradual settlement at Lushai Hills in Assam;
- In 1826: British annexed Assam including Lushai Hills;
- In 1898: unification of south and north Lushai Hills into one district and introduction of different administrative units;
- Post-Independence period and Acquisition of Chiefs' Rights Act, 1954;
- The Lushai Hills District (Village Council Act, 1953) and the Pawi-Lakher Autonomous Region (Village Councils) Act, 1954;
- In 1972 Mizo Autonomous Hills District Council was separated from Assam and elevated to a Union Territory of Mizoram;
- In 1987 land administration after attaining the status of statehood; and
- Introduction and implementation of centrally-sponsored schemes – Strengthening of Revenue Administration & Updation of Land Records (SRA & ULR) introduced during Eighth Five Year Plan 1987-92, Computerization of Land Records (CoLR) introduced in 2007 and National Land Record Modernization Programme (NLRMP) which was introduced in 2007-08 as a pilot project.

A brief sketch of land-administration system during different stages of its evolution is depicted below.

During 17th Century: Migration from Chin Hills

Not much is known about the early history of Mizoram and its land administration system. It seems that in the 17th and the 18th centuries, wave after wave of different tribes migrated to various parts of the Lushai Hills in Assam. Most of the tribes that inhabit Mizoram migrated originally from the Chin Hills of Burma. These immigrants came in batches, and each under a strong leader. Each group established a village in a suitable place that was clearly demarcated by natural boundaries. They had to guard against the onslaught of a new group, often leading to violent fighting. For security reasons, homes were built close together at the top of a hillock with a protective stockade around the entire village. They had to be always alert and ready to defend themselves against any other group. Hence, to have a leader who was brave and commanded respect from others was a prime requirement. This leader became the acknowledged master of the group even in matters not related to war.⁴⁵ In due course of time, the leadership became hereditary and the system of chief-ship was firmly rooted. The chief claimed the authority to allot jhum lands to the villagers for cultivation, lead them in hunting expedition to forest and to settle disputes among the individuals and the groups. Gradually, the village chief declared himself to be the owner of all village land and demanded 'fathang' (rent), which was a share of the crop grown by the cultivator. The chief could not claim fathang for leipui (cotton) and vegetable cultivation. He claimed ownership of forest land too and demanded the hind leg of any animal killed in the forest by any huntsman. He realized 'salamis' (fees) for settlement of disputes; his decision was final and had to be obeyed by each party. He came to be regarded as the personification of justice.

During 17th-18th Centuries: Gradual Settlement at Lushai Hills in Assam

Mizos, Pawis and Lakhers were the three main tribal groups that came from the east, i.e. the Burmese territory. The Chakmas, on the other hand, came from the west, i.e. the Chittagong Hill Tracts. While the Mizos, Pawis and Lakhers permanently settled down in different parts of the Lushai Hills; the Chakmas would come and go, and rarely build a permanent settlement. They were migratory tenants of the Mizo chiefs, who owned lands on the western part of the Lushai Hills.

Areas occupied by the main tribes

Of the three main tribes – Mizos, Pawis and Lakhers – the last two settled down in the eastern and the southern parts of the Lushai Hills, bordering Burma. The Mizos established themselves firmly in the northern and the central parts. Among the Mizos, one particular clan Sailo emerged, after prolonged fighting with the other clans, as the

most powerful tribe by the end of the 18th century.⁴⁶ At present, they are not in the helm of political affair directly but they still occupy better positions in the administration and the army.

Autocratic powers of village chief

In due course of time the chief concentrated wide powers in his own hands, and became autocrat. If any villager disobeyed the village council repeatedly, the chief could ask him to leave the village. If any person committed a crime and feared vendetta, he could surrender his liberty to the chief and procure protection against retaliation. He could thus save his life by becoming a slave of the Chief.⁴⁷

Check on village chief's behaviour

If any chief turned too oppressive, his subjects would move to another village, thereby becoming subjects of the chief of the respective village. The Mizos, being of a nomadic nature, did not have a problem in moving from one village to another. But, a large-scale desertion would reduce the chief's income, which was derived mainly from the share of the crop grown by his subjects and the fees paid by the parties to settle their disputes. Hence, the chief treated his subject well. Parry stated:

*The chief of the village was like a father of his people, he used to help them during distress. Similarly, when chief used to face difficulties, villagers also helped him in return.*⁴⁸

'Upas' – advisers of the chief

The chief was assisted in all matters by a 'council of elders' called 'Upas', who were selected by the chief in consideration of their ability as well as for giving representation to various clans. The chief would pay attention to the advice given to him but he was not bound to follow it.

*A strong chief will control practically everything while a weak Chief will be almost entirely guided by his 'Upas'.*⁴⁹

Generally, the Upas members were nominated/ selected by the chief without following any democratic process. The chief, through the council of elders, tried to give his rule the semblance of people's rule in the governance of the village.

Other officers to help village chief

Besides Upas, the village council also appointed officers for village administration. A couple of them, who were directly connected with land-matters and considered experts, particularly jhum-cultivation, were locally known as 'Ramhuals'. They advised the chief to allot the jhum plots year after year. In lieu of their services, they were given first preference in selecting their own jhum plots. In return of this privilege, the Ramhuals had to pay the chief a higher rate of crop-share (fathang) than an ordinary Jhumia. The

position of Ramhuals was considered prestigious and hence, many villagers aspired for this position despite the liability to pay a heavier crop-share.

‘Tlangau’, the village announcer

‘Tlangau’ was the village announcer. He went round every night and proclaimed the chief’s orders for the next day’s action. The ‘Tlangau’ got a basket of paddy as ‘fathang’ (crop-share).

‘Thirdeng’, the village blacksmith

‘Thirdeng’ was the village blacksmith, who repaired agricultural and other implements for the villagers; and for his services his remuneration was a basket of paddy from each household after every harvest. He could also claim a small share of meat of every animal hunted by a villager, called ‘thirdeng sa’.

‘Puthiam’, the village priest

The Puthiam or the village priest was also remunerated for his services and got paddy in lieu of the services rendered by him.

‘Khawchhiar’, the village recorder

Later, the British government added another officer called ‘Khawichher’, who was the village recorder and maintained essential records, e.g. vital statistics and the list of house tax-payers of the village, etc. The land record system managed during chief’s period was rudimentary in nature; nonetheless it was simple and well defined. This was the beginning of land administration at the village level.

The structure of a Mizo village

A Mizo village was a planned village. The top of the hillock was the residential area. There was a strong security fencing covering this area. Also, all around the residential area, there was a circular belt of safety reserve. The belt was about half a mile wide and was called ‘safety reserve’ as it was meant to keep the houses in the residential zone at a safe distance from the spreading jhum-fire. This belt was maintained evergreen; no villager could collect fuel or timber from it, not even a small part of it. The ‘safety reserve’ was never allowed to be cleared for cultivation.

Beyond this ‘safety belt’ or ‘safety reserve’, there was another forest zone which was known as ‘Supply Reserve’. From this zone, the villagers could collect fuel or house-building materials, like bamboo, thatch, cane or logs or gather honey or shoot or trap animals but could not sell any of these forest products. The chief got a share of the honey and the hind-leg of the animal.

The remaining land of the village was used for jhum cultivation. This jhuming zone was divided into 15 to 20 blocks. Every year only one or two blocks were taken up for

cultivation and the other blocks left as fallow. When all the blocks were taken up once, then a new jhum cycle would begin.⁵⁰

Chief – owner of village land

The Mizo chief regarded himself the absolute proprietor of all land within his territorial jurisdiction i.e. all village land. There was no overlord, like a King or an Emperor or *Zamindar*, who claimed ownership of all land of the village. Even during the British period, the chiefs were recognized as the owners of all lands of their respective villages but no law relating to rights over village land was enacted by the British government. Therefore, few sections of Assam Land and Revenue Regulation, 1886, which were made applicable related to mode of recovery of government dues and powers of officers and procedures in all other spheres related to land,⁵¹ chief had the power to administer the village land.

Allotment and operation of Jhum land

Parry mentioned the process of jhum land allotment as follows:

*The ‘Ramhuals’ (advisers) select the slopes that they think will be the most suitable for jhumming for the year. The Chief then gets the first choice and selects the land he wants for his own jhum. After him the Ramhuals select their jhums in order and have to pay ‘fathang’, to the Chief in proportion to the order in which they have chosen their Jhums. Thus, the first Ramhual might have to pay ten baskets of paddy as fathang, the second eight, the third 6 and the fourth 4. In some villages, all the Ramhuals pay at the same rate.*⁵²

After the ramhuals, the experts on land matters, had selected their plots, the other villagers got their plots by choice on the ‘first come, first served’ basis. Thereafter, the chief announced a date through the ‘Tlangan’, the village announcer, for clearing the jungle from their plots and all the villagers went to their respective plots on the appointed day and started felling the trees and clearing the shrubs. Burning of the dried trees and jungles was also done on the same day as fixed by the chief. This was a preventive step to ensure that the people were present in large numbers in case of any accidental fire. Dates for harvesting were also announced by the chief so that the major stages of jhum cultivation were performed in rhythm and unison by the villagers, though each one tended his own crop only. After the harvest, the whole block would be allowed to lie fallow for the period of the Jhum-cycle and a new block would be selected by the chief on the advice of the ramhuals at the beginning of the next season.⁵³

‘Fathang’ payable to the chief in kind

After the new harvest, each villager paid the due share of the crop (fathang) to the chief who was the owner of all village land. Fathang was payable only for paddy and not for vegetables and other miscellaneous crops. If someone cultivated miscellaneous crops, for instance, maize or arum, in another chief’s land, then he was required to pay fathang to that chief only. The amount of paddy given as ‘fathang’ varied from village to village but as described by Parry, the maximum amount that could be levied by custom during his time

was 'six snowflake kerosene oil tins of un-winnowed dhan i.e. paddy heaped up full'. Paddy was to be delivered at the house of the chief. Fathang was always paid in kind but sometimes it was compounded for cash and the amount was Rs. 2.

'Fathang' payable to blacksmith and village announcer

Fathang was also payable to the village blacksmith (thirdeng) and the village announcer (tlangau). The blacksmith received one basket per family. The announcer in some villages did not receive 'fathang' (rent) but in any case he himself was exempted from paying 'fathang' to the chief for the land cultivated by him.

Tenants did not have heritable rights

Under the chief-ship system, all land in a village belonged to the chief and he let it out to tenants from year to year for doing jhum cultivation, on payment of rent in kind. They had only the 'user right'. Over the homestead land, they had the 'right of occupation' from year to year and the land was 'heritable' and also 'transferable' with the permission of the chief.

Chief-ship was hereditary

After the death of a chief, generally his eldest son succeeded to his office, and his youngest son inherited the personal properties. The chief often sent his older sons to establish new villages and become chiefs of those villages themselves. He gave them particular areas out of his own land and allowed even some of his own subjects to accompany them. The sons were made independent of the father in matters of management of the land and other civil affairs in the new villages. This was how the number of chiefs and their territory kept on multiplying. Thus, a form of landed aristocracy existed during the autocratic region of chiefship in Lushai Hills.

Colonel Shakespear advised against the creation of new chief-ships by splitting the old ones, since that would not only reduce the available cultivable land but also diminish the influence of the chiefs due to small size of their respective territories.⁵⁴

The concept of absolute state ownership of land was prevalent in the Lushai Hills District during the chief-ship and British rule.

All tribes had chief-ship system

Thus, the available sources show that the Lushai Hills was administered by the chiefs. They derived legitimacy through informal power structure and customs. The Lushai-Lungleih area was ruled by the Mizo tribe, the principal clan being the Sailo. The Pawi-Lakher area was dominated by two tribes – Pawis and Lakhers – who were different from the Sailos but the same system of chief-ship prevailed among them also. The Chakma area was ruled by the Mizo chiefs who owned all the land; the Chakmas being nomads were tenants from the Chittagong Hill Tracts and cultivated their land paying rent (fathang) to the Mizo chiefs.

In 1826: British Annexed Assam Including Lushai Hills

After Assam was annexed by the British in 1826, they spread their rule over Cachar, Manipur and Chittagong Hill Tracts. The Mizos and other tribes living in the Lushai Hills often raided the plains of Sylhet, Cachar and Manipur and also the hills of Tripura and the Chittagong Hill Tracts. All these areas surrounded the Lushai Hills on three sides – north, west and south – and were under the protection of the British government that sent a strong expedition now and then to keep down the frequency of their raids.

Serious raid in tea garden of Cachar in 1871

In 1871, there was a serious raid in Cachar in which Mr. Winchester, the manager of Alexandrapur T.E., was killed and his 6-year-old daughter Mary, along with 36 others, was captured. The British government sent a strong expedition which combed the hills and brought all the chiefs of the Lushai Hills under subjugation by February 1872. The 6-year-old daughter of Mr. Winchester was released along with the other captives. After that incident, the chiefs were asked to give an undertaking for not raiding the plains and the British force did not leave the hills. The southern part of the Lushai Hills was occupied and administered by the Superintendent of the Chittagong Hill Tracts under the Government of Bengal and the northern part by Deputy Commissioner of Cachar district under the Government of Assam.⁵⁵

British marked off jurisdiction for each chief; created parallel institution

Although it looked as if the British did not disturb the existing chief system but in reality, they promoted a parallel institution of chief-ship. For instance, if they found a loyal and capable man who would be of great assistance to the government, they granted him a large area of land where he was allowed to set up a new village according to Mizo customs. The chief-ship was legitimized by issuing a land record document called ‘Ramrilekha’.⁵⁶ Before 1901, no document of authority was given to the chiefs, but in the year, the Superintendent of Lushai Hills marked off the jurisdiction of each chief and gave each one a Sanad wherein the boundaries were mentioned. Presently, this Sanad is often referred as Ramrilekha. By virtue of power derived from land-record document, the chief could settle lands with his followers and realize fathang (rent) from them. British rulers perpetuated the exploitative institution of the chief-ship even in post-independent Mizoram for quite some time.

Lushai Hills was barred from most enactments; special rules were made for certain matters but not for land. But in case of community land and to avoid the negative effects of jhum cultivation, the British administration introduced a Land Policy and allotted plots for wet-rice cultivation in certain areas so that shifting cultivation could be reduced slowly. In respect of administration of justice, it took away the powers of the chiefs to try ‘heinous cases’ and introduced a new system, which was similar to the one prevailing in other hill areas of Assam. It unified the administration of different areas under the chiefs

into a single district where uniformity was maintained, and at the same time keeping the customary land system and judicial administration intact at the village level. The head of the district administration was called Superintendent.

In 1898: Unification of South and North Lushai Hills

The Scheduled District Act, 1874, and the Assam Frontier Tract Regulation-II of 1880 were made applicable to the Lushai Hills from 1898.⁵⁷ Under the authority given by these enactments, the Acts and rules in force in the rest of Assam were made applicable in the Lushai Hills. For administration of justice, special rules were promulgated for the district but for administration of land, no special rules were made. Only a few sections of the Assam Land and Revenue Regulation, 1886, were made applicable, and as late as 1929. These sections deal with recovery of arrear by sale and attachment of movables, powers of officers and procedure, etc., and nothing was mentioned on land tenurial and tribal's basic rights over land.

C.U. Aitchison⁵⁸ said that 'the administration of the Lushai Hills District was settled in 1901, when the Superintendent marked off the boundaries of each chief's land and gave to each of them a lease for life which holds them responsible for the payment of the revenue and compliance with the government orders. The Superintendent also divided the district into circles, to each of which an interpreter was appointed, who was responsible for reporting all important matters and was the channel of communication. This system continued till the British rule ended.

In order to collect revenue the British introduced house tax, locally termed as 'Zoramchhia', and collected through the chiefs.

Land settlement initiatives by British

For land administration, following initiatives were taken by the British rulers:

a. Control of house and shop-sites

The British wanted to regulate the land system in Mizoram. In places like Aizawl, Lunglei and Demagiri, etc., after the First World War, petty shops, hotels and rented houses began to crop up fast. Therefore, the British first started settling the 'shop-site' (bazaars) and the 'house site' (homesteads) in the civil stations.

b. Introduction of pass system

British introduced pass system under the land policy. Vacant sites were settled only under very strict guidelines. Standing orders were issued to the effect that when a 'pass' was issued to a person for a shop or a house in Aizawl Station, only the 'pass holder' and his family might occupy the shop or house. 'Passes' were not transferable and no 'pass holder' might sell or sub-let or otherwise dispose off his shop without the permission of the Superintendent. The issue of such a 'pass'

conferred no permission to enclose land or make a garden for which separate written permission was required. Shopkeepers were strictly prohibited against jhuming or employing anybody for jhuming.

c. Permit for Garden

The raising of gardens was encouraged by the British to wean away Jhumias from shifting cultivation. Standing orders were issued about the raising of gardens. No gardens were, however, allowed to be made without permission in writing. Sale of garden without written permission was invalid. Before granting permission due enquiries were necessarily made.

The words 'pass' and 'permit' became popular during the British period. In terms of Transfer of Property Act, they were more properly akin to 'licence'. The practice continued till the District and Regional Councils were established in Mizoram. The early laws enacted by the councils continued the pass/ permit system. But later on, this system was replaced by regular Land Settlement Certificates (LSC) and Periodic *Pattas* (PP).

Post Independence Period and Acquisition of Chiefs' Rights Act, 1954

Tribals in Lushai Hills felt exploited and gradually faded away with the oppressive conduct of the village chiefs. They opposed and resisted the rule of the Chiefs, as they perceived it to be denial of basic human rights. After India's Independence, the educated and politically conscious Mizo youths did not want powers of the Chiefs to continue. An Autonomous District Council in Aizawl-Lungleih area and an Autonomous Regional Council in Pawi-Lakher Region were established. The first demand of the Mizo youths from the Government of Assam was legislation for abolition of the Chief-ship System. As a result, the Assam Lushai Hills District (Acquisition of Chiefs' Rights) Act, 1954 (Assam Act XXI of 1954) was enacted.⁵⁹ This Act was drafted on the pattern of the Assam State Acquisition of *Zamindaris* Act, 1951. The Chiefs' rights were acquired by payment of compensation as provided by the said Act. Thus, both the Autonomous Mizo Hills District Council and Pawi Lakher Regional Council (PLRC), which were democratic institutions created under the Sixth Schedule of the Constitution of India, threatened the position and privileges of the Chiefs. The Mizo Hills District Council, under the Lushai Hills District (Acquisition of Chiefs Rights) Act, 1954 abolished the exploitative and autocratic institution of chief-ships. The Pawi Lakher Regional Council also abolished chief-ship within its jurisdiction under the said Act. The rights of 309 village chiefs (259 Mizo Chiefs and 50 Pawi Lakher Chiefs) were taken by the government with effect from 1 April 1955 and 15 April 1955 respectively under the provisions of the Lushai Hills (Acquisition of Chiefs Rights) Act, 1954. The government compensated them in cash.

In pursuance of the provisions of this Act, the Government of Assam issued notifications for acquiring the rights and interests of all the Chiefs in Lushai Hills. These rights and

interests thereupon vested in the state government and then the Lushai Hills Autonomous District Council of Aizawl-Lungleih areas and the Pawi-Lakher Regional Council in the remaining parts of the district took charge of the land, locally called 'Ram', situated within their respective territorial jurisdictions.

The Acquisition of Chiefs' Rights Act, 1954 and Procedure of Acquisition of Chiefs' Rights

The Acquisition of Chiefs' Rights Act provided that on the issue of a notification by the state government, the rights and interests of a chief, as mentioned in the notification, in respect of his Ram (land) would vest with the state government free from all encumbrances. The district council or the regional council would take charge of the Rams vested with the state government and administer them according to law then in force.⁶⁰

Compensation payable to the chiefs was computed on the basis of income of land derived in the form of fathang (rent). The compensation was divided into two slabs:

1. Three tins of paddy per year per household up to a limit of 100 households in a (Ram); and
2. Two tins of paddy per year per household for every additional land household beyond the limit of 100 households. If a chief had two separate lands (Rams), the number of households would be added together treating all the Rams as one Ram. A tin of paddy meant heaped-up paddy in a kerosene tin having a capacity to contain four gallons of kerosene oil. The compensation was payable in kind or in cash. Where it was payable in cash, the cash-value of the paddy was to be calculated on the basis of the prevailing market price in the locality. The compensation was to be paid in ten equal annual instalments but the state government may, in any particular case, decide to pay it in one instalment as a lump-sum; in which case it would inform the compensation officer within a prescribed period.

Tenants did not get rights over land automatically

There is a difference between the position of Assam after the Acquisition of *Zamindaris* and that of Mizoram after the acquisition of the chiefs' rights. Though the acquisition of Chiefs' rights in Mizoram was done through legislation (The Assam State Acquisition of Chiefs' Rights Act, 1954) which was drafted on the pattern of the Assam State Acquisition of *Zamindaris* Act, 1951, yet there was a difference between the two Acts in respect of the after-effects of the acquisition.

Under the *Zamindaris* Acquisition Law of Assam, as soon as the *Zamindars* and intermediaries disappeared, the tenants came in direct contact with the State and thereafter, automatically got the status of landholders and were recorded as such at the initiative of the government that carried out a special settlement operation for the purpose.

But in Mizoram, the tenants under the chiefs were not automatically recorded as settlement-holders by the State. The State was supposed to take fresh initiative after the rights of the chiefs were wiped off. Hence, the State (i.e. the District Council) imposed a step to be taken by the tenants at their own initiative – only by seeking permission from the State (i.e. District Council) could a person occupy land in Mizoram whether previously he had been a tenant of the chief or not. On seeking permission, the District Council granted the person a ‘permit’ or ‘pass’ to hold or occupy any land if he was eligible. The ‘pass’ conferred the ‘right of use’ only.

The first few Acts of the District Council allowed land to be occupied only under the ‘pass’ system. This was perhaps the legacy of the British tradition which allowed shop-site or house-site to be occupied under a pass issued by the Superintendent.⁶¹ In the subsequent Act, the pass-system was discontinued and more permanent rights were conferred on the occupants by using documents, which were called ‘Periodic Patta’, ‘Patta’, and ‘Land Settlement Certificate’. The erstwhile pass-holders were given full opportunity to convert their passes into land settlement certificate.

Thus, after India’s Independence, the whole land so acquired from the village chief came directly under the state, which could exercise its powers to settle the same with the people. Gradually, the authority of land administration was transferred to the elected village council.

The Lushai Hills District (Village Council Act, 1953 and the Pawi-Lakher Autonomous Region (Village Council’s Act, 1954)

Land legislations and rules under the district councils

Under paragraph 3 of the Sixth Schedule of the Constitution, District Council or a Regional Council has power to frame laws with respect to allotment, occupation or use or setting apart of land for purposes of agriculture, grazing, residence or other non-agricultural matters that are likely to promote the interests of their habitants of any village or town and inheritance of property, etc. Under these constitutional provisions, in exercise of this power in Lushai/ Mizo Hills District, both the Mizoram District Council and the Pawi-Lakher Regional Council passed several legislations regarding land administration for their territory.

Land system under district council

In order to administer revenue and its related matters, the then Mizo Hills District Council appointed a number of functionaries to man its revenue branch. The Executive Member, who was an elected representative of the District Council, was made in charge of revenue and land administration.⁶²

After abolition of the District Councils, land came under direct control of the State of Mizoram, and the government had made its own Acts and Rules for land administration under the Sixth Schedule of the Constitution with the following guiding principles:

- a. to protect and safeguard the land for the inhabiting Scheduled Tribe;
- b. to provide land to the inhabitants for sustainable development and permanent settlement;
- c. to provide land ownership right to each inhabitant; and
- d. to provide inhabitants with a sense of responsibility to the government by paying taxes and revenue. Number of land laws/ acts was passed. Some of the land laws enacted from time to time by the Lushai Hills District, later on, by Mizo District Council, also by Chakma District Council, and Pawi-Lakher Regional Council could broadly be classified into following categories:

Land Laws enacted by Lushai Hills District

- The Lushai Hills District (House Site) Act, 1953 in Urban Areas;
- The Lushai Hills District (Revenue Assessment) Regulation, 1953 with its amendments from time to time ;
- The Lushai Hills District (Taxes) Regulation Act, 1953;
- The Lushai Hills District (Jhuming) Regulation, 1954;
- Zoram chhiah- tax on man and land.

The Lushai Hills District (House Site)

Act, 1953 and the Lushai Hills District (Jhumming Regulation, 1954 were adapted in the state law. The Lushai Hills District Revenue Assessment Regulation, 1953 and the Lushai Hills District (Taxes) Regulation was repealed by the Mizoram (Taxes on Land Building & Assessment of Revenue) Act, 2004 and the Mizoram (Taxes on Land Building & Assessment of Revenue) Rule, 2009.2. Land Laws and Rules enacted by the Mizo District Council:

- The Mizo District (House Sites) Act, 1953
- The Mizo District (Revenue Assessment) Regulation, 1953
- The Mizo District (Jhuming) Regulation, 1954
- The Mizo District (Market) Regulation, 1954
- The Mizo District (Land and Revenue) Act, 1956
- The Mizo District (Market) Rules, 1956
- The Mizo District (Agricultural Land) Act, 1963
- The Mizo District (Land and Revenue) Act, 1963
- The Mizo District (Transfer of Land) Act, 1963
- The Mizo District (Land and Revenue) Rules, 1967
- The Mizo District (Agricultural Land) Rules, 1971

However, laws mentioned at sl. no. a, c, e, g, i, j, & k were adapted by the state and rest were repealed.

The House Site Act, 1953, deals with homestead land; Taxes on Land, Buildings and Assessment of Revenue Act deals with the assessment of land revenue and other taxes; the

Agricultural Land Act, 1963, deals with cultivable land; and the Transfer of Land Act, 1963, deals with the rights and restrictions on the right of transfer.

Pawi-Lakher Regional Council's Acts

Most of the legislations enacted by the Pawi-Lakher Regional Council were more or less replica of those passed by the Mizoram District Council because customs and conditions with regard to land of these tribal communities were the same, with minor differences. As the subject of allotment, occupation or use of land was within the power of the Autonomous District and Regional Council, no State legislation for the entire Mizo District was passed; instead, legislations on the same pattern were passed separately by the Mizoram District Council and also by the Pawi-Lakher Regional Council. The government amended various Acts from time to time.

The Mizo District Council had no jurisdiction over the Pawi-Lakher Region; hence its Acts could not apply to the Pawi-Lakher Region. Three basic Acts are the cornerstone of the Mizo Land System.

- House Site Act, 1953, dealing with non-agricultural land;
- Land & Revenue Act, 1956, dealing with town lands; and
- Agricultural Land Act, 1963, dealing with agricultural land.

The Pawi-Lakher Autonomous Regional Council that had jurisdiction over this region followed the example of the Mizo District Council, and enacted a separate Land and Revenue Act (1960) and a separate Agricultural Land Act (1959) but it did not pass any House Site Act. The provisions of the Agricultural Land Act and the Land & Revenue Act were, to some extent, different from the Mizo District pattern. The Agricultural Land Act, 1959, passed by Pawi-Lakher Regional Council dealt with garden-land and wet-rice land. The Village Council allotted garden land and the Regional Council wet-rice land. After Abolition of Pawi-Lakher Regional Council some old Pawi-Lakher Acts were still followed and some new Acts were made by the newly-formed three district councils.

Some of the land laws enacted by the Pawi-Lakher Autonomous Regional Council were:

- The Pawi-Lakher Autonomous Region (Reduction of Fathang) Act, 1953
- The Pawi-Lakher Autonomous Region (Revenue Assessment) Regulation, 1954
- The Pawi-Lakher Autonomous Region (Jhum) Regulation, 1956
- The Pawi-Lakher Autonomous Region (Agriculture Land) Act, 1960
- The Pawi Lakher Autonomous Region (Land & Revenue) Act, 1960
- The Pawi District (Revenue Assessment) Regulation, 1975
- The Pawi District (Agricultural Land), 1979
- The Pawi District (Jhum) Regulation, 1983.

The Land Laws enacted by the Lakher District Council:

- The Lakher District (House Site) Act, 1973
- The Lakher District (Land & Revenue) Act, 1973

- The Lakher District Revenue Assessment Act, 1973
- The Lakher District (Revenue Assessment) Regulation, 1973
- The Lakher District Agricultural Land Act, 1974,
- The Lakher District (Transfer of Land) Act, 1974
- The Lakher District (Agricultural Land) Act, 1979
- The Lakher District (Transfer of Land) Act, 1979

It may be noted that the House-Site Act, 1953, was enacted immediately after the establishment of the District Council, and even before the Abolition of the Chief-ship system. According to Das land laws were passed when there was very little experience or precedent for guiding regulation of land-matters, except the control of house-site and shop-site in some town areas during the British period through the process of issuing 'pass'. It can be said that the House-Site Act, 1953, was the beginning of land legislation although it was confined to a limited sphere.⁶³

Land Laws enacted by the Chakma Autonomous District Council

The Chakma District Council passed Chakma Autonomous District (Agricultural Land) Act, 1982, and no other Act. In other matters it is following the Acts passed by the erstwhile Pawi-Lakher Regional Council. The Chakma District Council's Agricultural Land Act of 1982 is an improvement over the Mizo District Agricultural Land Act, 1963, passed by the Mizo District Council in that it has avoided the weaknesses.

All the three District Councils have enacted their own Agricultural Land Acts and this can be considered as the most important contribution in the entire land system.

An Overview of the Land Laws

Thus, the changes in administrative set-up led to the recasting of land legislation.

- All the land laws are applicable for permanently or semi-permanently cultivated lands or residential sites. Permanent, heritable and transferable right of use and occupation can arise only on those cases that have permanent cultivation or permanent houses.
- There are a large number of land-related Acts and Rules under permanent cultivation or permanent house-sites and some of them may be found as complicated too. A close scrutiny of these laws shows that the same subject stands scattered and many enactments and rules create confusion both for the administrators and for those who were affected by that.
- One of the senior revenue officials expressed his concern about the growing complexities of land laws in the following words:

Earlier land laws were simple and there was hardly any problem in dealing with that. But now the State has complicated land laws. Therefore, we are facing various problems in dealing with land laws.

- Plethora of land laws exist in the state. Most of these laws were enacted when Mizoram was a part of Assam. Review of these laws reveals that most of these laws are repetitive, ambiguous, overlapped, region/ tribal-specific and not placed at one

place. Some of the land documents contain laws related both to the urban as well as the rural areas. In the changing context, some of the land laws need to be reviewed and revised.

In 1972, Mizo Autonomous Hills District Council Separated from Assam and Elevated to a Union Territory of Mizoram

In 1972 when the Mizo Hills District was elevated to Union Territory of Mizoram and the Lushai Hills Autonomous District Council which covered only the Aizawl and Lunglei subdivisions and not the whole of Mizoram Union Territory, dissolved its powers and responsibilities except in matters of administration of justice.

Laws passed by the earlier District and Regional Councils were saved by Administrator's orders. Earlier Acts made by the Lushai Hills Autonomous District Council were not repealed, but were adopted with required minor amendments. This has resulted into a long list of land laws and rules having the same contents, almost in the same language.⁶⁴

The Deputy Commissioner of the Aizawl district began to carry on the land and revenue administration in accordance with the provisions of Acts, rules, and regulations enacted and framed by the erstwhile Mizo Hills District Council. After abolition of the District Council, land came under the control of the Government of Mizoram. At this time, the Pawi-Lakher Regional Council was abolished. The Pawi-Lakher Autonomous Region was divided into three autonomous districts – Pawi Autonomous ADC, Lakher ADC and Chakma ADC. Each of these three District Councils either made their own legislation or allowed the legislations of the Regional Council to continue by the orders of the administration.

In 1987, Land Administration after Attaining the Status of Statehood

To strengthen the land administration system, the state government has set up the Department of Land Revenue and Settlement headed by a Minister (elected representative). To assist him in the discharge of his duties, there were some administrators, departmental and technical officials, and other assistants. The major focus of land revenue department has been shifted towards maintaining record of rights by ensuring land settlement.

For effective land administration, both the Union and the state governments realized the need for carrying out cadastral survey and proper management of land records. The Mizoram (Land Survey and Settlement Operation Act, 2003) and (The Mizoram Land Survey & Settlement Operation Rule, 2009) was enacted and land settlement operation was accordingly started. The Ministry of Rural Development, Department of Land Resources, Government of India, has released funds under a centrally sponsored scheme. Strengthening of Revenue Administration and Updation of Land Records was implemented in the state during the Eighth five year plan (1987-92).

JHUM CULTIVATION – Some Policy Measures

Agriculture is the mainstay of the economy of Mizoram and jhum is the main form of agriculture system. People involved in jhum cultivation are called jhumias. Jhum is a shifting cultivation. The principal crop is hill paddy; they also produce a variety of agricultural products – maize, cucumber, beans, arum, mustard, sesame, ginger and cotton crops.

In jhum cultivation, there is neither a permanent plot for cultivation nor any absolute ownership right over land by an individual household. Jhumias have ‘usufruct rights’ on jhum land. They do not have any right of inheritance or transfer. Jhumia’s right over land ceases as soon as he stops cultivation. In other words, the land belongs to the community (government).

Shifting cultivation involves clearance of forest on slopy land, drying and burning debris followed by cultivation process. After harvest, land is left fallow and cultivators repeat the process in a new plot designated for the year for jhum cultivation. An area of two hectares is the optimum size for jhum cultivation. The plots of land are earmarked for jhum cultivation. The other plots remain fallow and vegetative regeneration takes place till the plot is re-used for the same purpose in a cycle. J. Shakespeare, the first Superintendent of Lushai Hills, stated that the only form of agriculture practiced in Lushai Hills was the jhuming. He described the various stages in jhum cultivation and said that the activities involved in jhum were performed collectively by the farmers, and a pattern was based on a logical framework. He also mentioned the drawbacks of jhum cultivation saying that it is a very wasteful method of cultivation, as seldom more than two crops could be taken on the same piece of land, which was then allowed to lie fallow till it again became covered with forest, which would take three or four years in case of bamboo and seven to ten years for the forest trees. Tree land was said to give better crops but the labour of felling was greater than in the case of bamboo and more weeding was required.⁶⁵ Similarly, A.G. Mc Call⁶⁶, the then Superintendent of Lushai Hills, also mentioned various stages of jhuming process – cutting down of bamboo or tree jungle, its burning, sowing of seeds, weeding and finally harvesting.

Area under Jhum Cultivation and Declining Jhum Cycle

Mizoram being a hilly area, jhum cultivation remained the most prevalent form of cultivation. About 80 per cent of Mizos were engaged in this sector. Initially jhum cultivation worked well as jhum cycle was longer but with growing population and

increased demands on lands, jhum cycle started declining. Even now jhum cultivation covers a major part of the cultivated land.

It is believed that proper record of land under jhum cultivation is neither available nor easy to maintain. Several studies conducted to find out the area under jhum cultivation came out with different figures. According to the Directorate of Land Revenue and Settlement, Mizoram, the total area under different crops for the whole of Mizoram was approximately 97,848 hectares, out of which about 41,281 hectares were estimated to be under jhum every year.⁶⁷ This shows that even today about 44.5 per cent of the total cropped area of Mizoram is under jhum cultivation. The estimated number of families in the state entirely dependent on jhum was 40,000, which came to about 48 per cent of the total number of families of the state.⁶⁸ This shows a significant role played by jhum cultivation in the agricultural economy of Mizoram. Finding of another study conducted by the Indian Council of Agricultural Research (ICAR), North Eastern Hill Region, Shillong, Meghalaya⁶⁹ reveals that about 14.66 lakh hectare area was affected by shifting cultivation mainly in seven north-eastern states. This includes Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura. Major chunk of jhum land was in states like Manipur (3.60 lakh hectare), Meghalaya (2.65 lakh hectare) and Arunachal Pradesh (2.10 lakh hectares). Jhum land in Mizoram was 1.89 lakh hectares. The lowest area under jhum cultivation was in Tripura (Table 6.1).

Table 6.1 : Jhum Area in North-Eastern States and No. of District Councils

Sl.	State	No. of Jhum Districts, Status of District Council and Jhum Area		
		No. of District	Status of District Council	Jhum Area (Lakh ha.)
1.	Arunachal Pradesh	16	0	2.10
2.	Assam	2	2	1.39
3.	Manipur	5	5	3.60
4.	Meghalaya	7	7	2.65
5.	Mizoram	8	8	1.89
6.	Nagaland	10	10	1.91
7.	Tripura	4	0	1.12
	Total	52	32	14.66

*Source: Indian Council for Agricultural Research Complex for North East Hill Region
North East Council Hand Book- 2001*

A study conducted by the National Institute of Rural Development, Hyderabad shows that the jhum area in Mizoram was 338.160 hectares.⁷⁰ Though this figure was slightly less although the difference was not very significant yet it contradicts the figures of 412.81 hectares, (also supplied by the government). Table 6.2 shows the jhummed area in Indian states. Mizoram has 3,981 sq. km. or 3.98,100 hectares under jhum cultivation.⁷¹

Table 6.2 : Area Under Jhum Cultivation in Indian States

States	Area (in sq.km.)
India	62,420
North Eastern Region	27,330
Arunachal Pradesh	5512
Manipur	5014
Meghalaya	4555
Mizoram	3981
Assam	2641
Nagaland	NA
Tripura	NA
Uttar Pradesh	2794
Jammu & Kashmir	2373
Himachal Pradesh	995
Bihar	N.A.
West Bengal	535
Madhya Pradesh	7000
Maharashtra	1454
Haryana	76
Kerala	3444
Tamil Nadu	3330
Karnataka	3100
Andhra Pradesh	880

The difference was, however, under jhum cultivation in the same year. Every year in every village a different area is selected for jhum cultivation. Since the jhum cycle in Mizoram was 6 to 7 years, so 6 to 7 such blocks were kept for jhum cultivation in every village. The result was that for every hectare under actual jhum crop each year, there were 6/7 hectares lying fallow at all times, waiting to be cultivated in turn. The total of the fallow area and the cropped area were taken together to constitute the jhum zone or the jhum block or the command area for jhum cultivation. It seems that the larger figure (3,38,160 hectares) mentioned in reply to National Institute of Rural Development questionnaire represented the command area for jhum cultivation while the smaller figure (41,281 hectares) represented the actual area under jhum every year. To note that since there was no cadastral-survey, maps in most of these north-eastern states, particularly of community land hence, all the areas mentioned represent only approximate areas. Several studies indicate that land under jhum is gradually declining, at least to half of the total cropped area of the state.⁷²

A study conducted by Das on the organization and regulation of jhum plots reveals that most of the land in Mizoram was under jhum cultivation and little land was under permanent cultivation, which included wet-rice cultivation and orchard. In 1990 he surveyed few villages in Mizoram and found that the area under jhum cultivation happened to exceed even two-thirds of the total cropped area.⁷³ Due to increasing pressure on jhum land, the jhum cycle was becoming shorter, which indicates that suitable land available for jhum cultivation was not sufficient so the jhumias were left

with no option except to come back to the same block after a short interval. The period of only one year’s cultivation in a jhum block indicates that the fertility of the land was not high, so if cultivation continued on the same plot for another year, the crop yield would not be remunerative.

A comparative analysis between Mizoram and Tripura shows that Mizoram was slightly better than Tripura in respect of length of jhum cycle but they both stood on the same footing in respect of the period of continuous cultivation. Almost everywhere else, the period of continuous cultivation was more than one year. In other parts of India, in many places, the length of the jhum cycle was not so short as is in the north-eastern region and the period of continuous cultivation was also not less than two years. It would not be an exaggeration to state that the hills in the north eastern region seem to be over-jhummed. Jhum cultivation worked well initially when jhum cycle ranged from 20 to 30 years but with the increase in human population and increased demand on land, jhum cycle declined to 5 to 6 years. Table 6.3 shows that the jhum cycle has not only been reduced but also varies from one hill state to another;

Table 6.3 : Period of Continuous Jhum Cultivation and Jhum Cycle in North-Eastern Region

Mizoram	Tripura	Garo Hills (Meghalaya)	Manipur	Assam (N.C.Hills)	Arunachal Pradesh	Remarks
Period of continuous cultivation		Cycle continuous cultivation				
1 year	3-10 1 year.	7-10 1-2 yrs.	5-15 2-3 yrs	5-6 yrs. 2-3 yrs	6-15 2-3 yrs	4 years Jhum cycle differs from tribe to tribe in the same state

Source: Operation Guidelines for Watershed Development Project in Shifting Cultivation Areas, Department of Agriculture, Govt. of Mizoram, 2008.

Jhum cycle was in the range of 7 to 15 years in few states. It has reduced in the last three to five years.

Negative effects of Jhum Cultivation and Policy Measures

Jhum has negative effects and as such it is considered a wasteful activity which leads to soil-erosion; reduces soil fertility; gives low yield rate; denudes the forest cover of the hills; and consequently reduces the rainfall and disturbs the ecological balance. The farmers engaged in jhum cultivation were not ignorant of the negative effects of jhum cultivation but they did not have any sustainable alternatives. In a given situation, jhum becomes the only way out for livelihood.

Mizoram being a hilly state has several geographical constraints. Despite the fact that the jhum plots were less productive, caused serious land degradation and ecological

problems, still a large number of Mizo families were practising it as local circumstances compelled them to opt this form of cultivation. Food-grain crops are not sufficient to meet the requirement of local population. As per a rough estimate, 70 per cent food-grain requirement in the state was met by the Food Corporation of India. During rainy season, food-grain supply gets interrupted as roads get blocked due to land slide.

When Mizoram, the erstwhile Lushai Hills, was under the British rule, they tried to introduce wet-rice cultivation and terrace cultivation in few pockets under Land Use Policy. They encouraged villagers to get away from jhum and go for wet-rice cultivation. This has brought significant changes in agricultural sector. Terrace cultivation would be a better option, but it was costly, and where the soil was porous, the terrace might not retain water and therefore would not be fit for wet-rice cultivation. The Committee on Special Multipurpose Tribal Block under the chairmanship of Verrier Elwin reported in 1961 that terracing involves heavy investment and hence, it cannot be carried out easily. Many hill-sides just do not lend themselves to terracing as the soil is not deep enough. The Commission for Scheduled Castes and Scheduled Tribes (1960) suggested regulating the jhumming process, experiment and improving it while trying other workable alternatives also. AG McCall stated:

*Although the method of agriculture (i.e. jhumming) is wasteful and extravagant, yet it would be desirable to create a system which can produce equally reliable results.*⁷⁴

Preventive Measures to Control Negative Effects of Jhum Cultivation

Various preventive measures were taken to control the negative effects of jhum cultivation:

- Afforestation of jhum land;
- Reservation of one or more uncultivable strips within the jhum-block;
- Declaration of protected forest in such denuded areas that have been responsible for causing or are likely to cause erosion or decrease the water supply, which is necessary for irrigation;
- Temporary prohibition of jhum cultivation for a period not exceeding 10 years in areas where supply of irrigation water has been threatened or erosion is in critical stage; and
- Prohibition of jhumming within 100 feet on either side of government roads.

Process of Jhum Cultivation in Mizoram

Some of the British administrators – J. Shakespeare, A.G. Mc Call and N.E. Parry – have described in detail the jhum cultivation practised during the chief-ship system, and after the abolition of chief-ship. The differences are highlighted below:

Jhum cultivation during village chief-ship system

N.E.Parry highlighted the process of distribution of traditional jhum plots during village

chief-ship system:

The chief of the village used to be the owner of all land and the authority to distribute the jhum lands among fellow villagers was vested in him. After the chief had selected his own plot, the Ramhuals got the first choice. For jhum cultivation, villagers used to give rent 'fathang' to the village chief. Thus certain preferences only to Ramhuals (experts on land), Thirdengs (blacksmith) and Tlangan (village announcer) used to be given in the selection of jhum plot. Other villagers used to come after them. They were allotted land on 'first come first served' basis.⁷⁵

When British came, the traditional system was not interfered with and everything continued the same way.

Jhum cultivation after abolition of chief-ship system in 1954

When village chiefs became oppressive the politically-awakened people put pressure on the administration to abolish this traditional institution. As a result, the Assam Lushai Hills District (Acquisition of Chiefs' Rights Act, 1954) came into force.

After abolition of the chief-ship system, the principle of 'first come first serve' was abandoned. The system of preferences for privileged class were curtailed and replaced by the lottery system. The lottery system was based on the basic principle of giving equal chance to all and avoiding favouritism. The jhum block was divided into a number of plots and each plot carried a number for its identification. By drawing lots, every jhumia got a number and he had to take the plot corresponding to that number. Alternatively, in some villages the draw was to ascertain preferences; the person who drew number one acquired the first preference to select any plot which he considered best, and the person who drew number two, had the next choice to select the plot he liked, and so on.

Over the years, changes have taken place in the process of jhum cultivation in terms of jhum cycle, regulation, method of allotment and authority structure. For instance, earlier the jhum cycle ranged from 20 to 30 years but with increase in human population and thereby the demand for land, it had reduced to 5–6 years. Earlier the chief-ship used to be hereditary but after the abolition of chief-ships in 1954, it was replaced by an elected body called the village council. The village council worked under Local Administration Department and Town and Country Planning and was authorized to allot jhum plots within the village boundary for a period of one year. The village council was not authorized to allot land under permanent ownership basis.

Post abolition of chief-ship in 1954, several Regulations/ Acts came into force to regulate jhum cultivation and to curb its negative effects. Some of these Regulations are as follows:

A. 1954: Lushai Hills District (Jhuming) Regulation (LHJR)

The first legislation passed by Mizo Autonomous District Council was the Lushai Hills District (Jhuming) Regulation in 1954. The Lushai Hills District (Acquisition of Chief's Rights) Act, 1954, was passed only two months before the Jhuming Regulation, 1954. The

Mizo District Council showed lots of enthusiasm for jhum land reform by promptly enacting the jhuming regulation soon after assuming power. Since then, the Mizoram government constantly tried to control indiscriminate jhuming. After abolition of chief ship, perceptible changes have taken place in the method of jhum plot selection and no rent was charged on jhum land. The LHD (J)R, 1954, focused primarily on two major issues:

- i. Method of distribution of jhum lands; and
- ii. Control of the evil effects of jhum-cultivation.

As per the provisions of Rule 6 of the Lushai Hills District (Jhuming) Regulation, 1954, the village council was to distribute the jhum plots either:

- By draw of lots to distribute the previously-demarcated jhum land, or
- By draw of lots to decide the order of preference by which selection of jhum shall be done.

Where plots have already been demarcated and serially numbered, it is easier to follow the first method. Where this has not been done, it is easier to decide the order of preference by drawing of lots; the first-preference holder chooses the plot he thinks to be the best, then the second-preference holder chooses his plot, and so on. The method of drawing lots has eliminated the possibility of favouritism. Penalty for infringement of any of these provisions and also against those, who after selection of jhum plots, fail to cultivate them was specified. Certain loopholes were found in Lushai Hills District (Jhuming) Regulation, 1954:

- Lushai Hills District (Jhuming) Regulation, 1954, does not deal with jhumia's rights over his jhum land. Arunachal Pradesh and Nagaland states have corrected this weakness.⁷⁶
- Jhumia has no transferable right over the piece of land allotted to him for a year and he has no control after the expiry of the year.
- Even at end of the jhum-cycle (approximately six years), Jhumia is not certain of getting the same plot again.
- The inheritance right on jhum land may be exercised for jhum year; if the owner dies, or after the year is over, he cannot claim it as inherited from the deceased owner, since the deceased himself had no right to return to the same plot after the jhum cycle. Thus, the only right left over is the right of use and occupancy for one year after allotment.

B. 1956 & 1958: Pawi-Lakher Region Jhum Regulation (PLRJR)

Following the example of the Mizo District Council, the Pawi-Lakher Autonomous Regional Council passed a Jhuming Regulation in 1956 with similar provisions, adding a few clauses to suit the local conditions. There were some significant differences between the two. The definition of 'jhum' and of 'other shifting cultivation' was the same. But few better provisions were incorporated in Pawi-Lakher Region Jhum Regulation. For instance, if the majority of jhumias in a village so desire, old jhum plots may be allotted to the respective holders in the last cycle of jhuming.⁷⁷ Another new provision introduced

by the Pawi-Lakher Region Jhum Regulation, 1958 (Pawi Lakher Region Jhum Regulation of 1956) was the precautionary measures against the spread of fire. This was in addition to the measures for prevention of erosion and diminution of water-supply, which were the same as those of the Lushai Hills District Jhum Regulation. The duty of taking precautions and enforcing measures against the spread of jhum fire has been laid squarely on the village council. A penalty of Rs.50 may be imposed on the village council by the Executive Committee of the District Council, if it was found that damage has been caused to the forest or the jhum lands due to the negligence of the village council. If there was a danger of jhum fire spreading to another village, then the village council of the latter village was bound to take all measures to extinguish the fire with the assistance of the villagers of the former village.

C. 1983: Pawi Autonomous District (Jhum Regulation)

In 1983, the Pawi Autonomous District Council passed Pawi Autonomous District (Jhum Regulation) Act, 1983.⁷⁸ With that the Pawi-Lakher Region (Jhum) Regulation, 1956 (Regulation No II of 1956 was repealed. The Act contains the same provisions as the Pawi-Lakher Region (Jhum Regulation) of 1956. Preamble of the Pawi Autonomous District (Jhum Regulation) Act, 1983, focuses on the regulation and control of the practice of jhum or other forms of shifting cultivation within the Pawi Autonomous District. It describes the definition, distribution of jhum plots, special privileges to select jhums, mode of distribution of jhums, precaution against fire, power of the executive committee to distribute jhums, and penalty for violation of rules.

D. The Lakher District Council and the Chakma District Council however have not yet enacted any separate regulation and following the provisions of the old Pawi-Lakher Region (Jhum) Regulation, 1956, which was still applicable to these Autonomous Districts that originally formed part of the old Pawi-Lakher Region. There was a slight difference in the custom of selection of plots for jhum cultivation in Chakma area. Though the Pawi-Lakher Region Jhum Regulation, 1956 lays down that all the plots is distributed by drawing lots but in Chakma area, the lottery system has not yet been popular. After a jhum-block has been chosen by the village council, the jhumias are allowed to select their own plots. There is no dispute or clash over such selection by individuals, perhaps due to the availability of adequate land.

Besides the above regulations Government of Mizoram has also introduced Jhum Control Policy. The policy was later on changed and termed as New Land Use Policy (NLUP), details of which are given below:

E. Jhum Control Policy and New Land Use Policy (NLUP)

After attaining the status of statehood in 1987 Mizoram has introduced Jhum Control Policy. Later, this was renamed as New Land Use Policy. The agro-climatic conditions of

Mizoram are ideal for crops, such as pineapple, orange, passion fruit, grapes, banana and various other citrus fruits, such as Assam lemon and spice crops, such as ginger, turmeric, and chilli. Recently farmers have started cultivating yam and butter fruits too. The horticultural produces are grown abundantly in almost all parts of the state. To explore the potential of agro-industry, Horticulture Technology Mission Project was introduced. Under this project, cultivation of passion fruit (purple variety) and grapes was also being undertaken in Champhai district on a large scale.⁷⁹ In order to process the agro-products, the state government has established the Fruit Juice Concentrate Plant in Chhingchhip in Serchhip district under the Industry Department on 19 December 1989. Mizoram Food and Allied Industries Corporation Ltd (MIFCO) emerged to harness the limited resources endowed in the state and nurtures its potential for the welfare and well-being of its people. For marketing of the processed agro-products, MIFCO signed a Memorandum of Understanding on 27 September 2007 with M/S Green Cover Overseas, Guwahati, for marketing of passion squash and other products outside Mizoram for a period of two years.

The agro-industry collects raw fruits, processes and prepares juices in Fruit Juice Concentrate Plant in Chhingchhip and sell through MIFCO show room in Aizawl town. Due to lack of proper marketing facilities, the plant is facing problems and processing unit has stopped to work for the time being.

Farmers in Serchhip and Champhai districts complained that they have to visit Fruit Juice Concentration Plant in Serchhip district, which was a procurement centre for procurement of their fruit crops. For collection of payment, which are made fortnightly, they have to visit MIFCO headquarter in Aizawl district. The payments were not always made when they went to collect it, which was an inconvenience. Payments of many farmers were still pending as the production has been stopped for quite some time. Delay in payment creates uncertainty, puts financial burden on farmers, de-motivates them to continue as entrepreneurs and raises question on the sustainability of agro-industry.

The Government of Mizoram has introduced a flagship programme, New Land Use Policy (NLUP), according to which all farmers/ cultivators are expected to depend upon their selected trade in their permanent plot of land. This policy is based on the basic presumption that people would leave the jhum practice and move towards settled cultivation where better options of livelihood would be available and also the community forest will automatically increase. The land for NLUP was classified into various zones – agricultural, horticultural, and industrial and forest zones. The aim of this policy was to curb the negative effects of jhum cultivation. This was a major policy breakthrough by the state government. Activities introduced under the New Land Use Policy were piggery, teak or coffee plantation, horticulture crops, such as grapes, orange, pine apple, banana, and spice crops including ginger and turmeric, commercial crops, such as cardamom, areca nut, jetropa and rubber plantation, etc. Most of the farmers under this policy particularly in Serchhip, Champhai and Aizawl districts have started growing

horticultural crops on a large scale. The government is now promoting diversification in agriculture sector and motivating people towards commercial/ horticultural crops as alternative source of livelihood. Under NLUP, farmers were allotted *patta* land for initiating land-based and allied activities. An important focus of NLUP was based on building the capacity of the farmers by providing financial assistance and motivation to them. There seems to be a progressive change in the attitude of Mizo people towards agriculture now, which is visible in cropping pattern and a growing preference for commercial crops.

To promote New Land Use Policy, Directorate of Land Revenue & Settlement, Mizoram has released a notification that allocation of land for agricultural purposes, like WRC/ garden/ farm under Rule 9 (2) of the Mizo District (Agriculture Land Rules, 1971, is put on hold till finalization of procedure for allocation of land under the revised NLUP by the government.⁸⁰ With this notification, the Revenue Department has stopped allotting land for the time being as various activities under NLUP are land-based.

Although a section of Mizo society strongly believe that given the geographical condition of the state, it would be difficult to get away from *jhum* completely. Few criticize NLUP as a political gimmick.

Analysis of Household Data on Jhum Cultivation

During the household survey, an attempt has been made to find out various aspects of *jhum* cultivation as practised in Mizoram –number of households engaged in *jhum* cultivation, agency which allots *jhum* plot, criteria for allotment of *jhum* plot, size and management of their plot, maintenance of record for *jhum* plots, if *jhumias* pay any land revenue, distance between their *jhum* plot and residence, and if they are satisfied with *jhum* cultivation.

No. of Households Engaged in Jhum Cultivation

Data analysis shows that out of total households surveyed, a little less than two-third of them (62.62 per cent) were found engaged in *jhum* cultivation.

Agency that Allots Jhum Plots

Households which were engaged in *jhum* cultivation were asked to specify the agency which has allotted them *jhum* plots. The respondents unanimously said that the *jhum* plots were allotted by the village council.

Criteria for Allotment of Jhum Plot

Respondents were asked to explain the criteria followed in the allotment of *jhum* plots. Data analysis shows: as per majority of the respondents (44.72 per cent) the *jhum* plots were allotted by draw of lots; 13.82 per cent respondents said that location (proximity) was the main criteria followed in the allotment of plots; a little more than one-fifth of the respondents (21.14 per cent) said that no specific criterion was followed; 6.50 per cent

respondents said that allotment of jhum plots depended on the 'will' of the village council; 3.25 per cent said that the size of the family was the main criteria followed while allotting jhum plots; and one-tenth of the respondents (10.57 per cent) said that they did not know the criteria followed in the allotment of jhum plots (Table 6.4).

Table 6.4 : Criteria Followed in the Allotment of Jhum Plot

Sl.	Criteria	No.
1.	Lottery system	55 (44.72)
2.	Location & quality of land	17 (13.82)
3.	No criteria as such	26 (21.14)
4.	VC 's permission, depends on VC's will, first given as Jhum plot later on, converted into garden	8 (6.50)
5.	Family size, land ceiling	4 (3.25)
6.	Do not know	13 (10.57)
	Total	123 (100.00)

Whether Jhum Plot Cultivated or Not

Respondents were asked whether jhum plots allotted to them/ their families were cultivated. Data analysis shows that 97.67 per cent respondents said that they/ their families were cultivating their jhum plot. A small percentage (2.33 per cent) said that jhum plots were left uncultivated either due to old age or it was located too far-off.

Size of Jhum Plot Allotted

An attempt has been made to find out the size of jhum plots allotted to the jhumias. Data analysis shows that majority of the respondents (74.60 per cent) said that the size of jhum plot allotted was in the range of 1-5 tin; 16.67 per cent said that it was up to one tin; 5.55 per cent said that it was in the range of 5-9 tin; a small number of them (2.38 per cent) said that the size of jhum plot allotted was in the range of 9-13 tin. Very few of them (0.79 per cent) said that the size of jhum plot was in the range of 17-19 tin (Table 6.5).

Table 6.5 : Size of Jhum Plot Allotted

Jhum Plot	Upto 1 tin	1-5 tin	5-9 tin	9-13 tin	17-19 tin	Total
Jhum Plot (Rain fed)	21 (16.67)	94 (74.60)	7 (5.55)	3 (2.38)	1 (0.79)	126 (99.99)
Jhum Plot (Uncultivated)	0	3 (100.00)	0	0	0	3 (100.0)
Total Jhum Plot	21 (16.28)	97 (75.19)	7 (5.43)	3 (2.33)	1 (0.77)	129 (100.00)

Record of Jhum Plots

Some studies show that village council maintains records of jhum plots. For instance, Das in his study found⁸¹ that the names of the jhumias, the area of the jhum plots were recorded in a register by the village council secretary in Mizoram. Since, jhum plot was

allotted by the village council for one year hence, attempt was made to find -out whether any record for jhum plots was maintained. Respondents were asked whether village council provided document for jhum plot or communicated verbally.

Data analysis shows that little more than one-fourth of the respondents (26.98 per cent) told that a document (small chit) for jhum plot was provided by the village council. They also mentioned that a register is maintained by the village council. Remaining respondents (73.02 per cent) told that the village council communicated verbally (Table 6.6).

Table 6.6 : Did Village Council Provide Some Document Related to Jhum Plot Allotted or Communicated Verbally?

Response	No.
Document given	34 (26.98)
Communicate verbally	92 (73.02)
Total	126 (100.00)

The respondents were asked whether jhum plot was rain fed or irrigated. All the respondents unanimously said that the jhum plot allotted to them/ their families were rain fed.

Land Revenue on Jhum Plots

Studies shows that the jhumias were not required paying land-revenue for the jhumed area. Respondents were asked whether they/ their family members paid any revenue/ tax for the jhum plots. All the respondents said that they/ their family members did not pay revenue/ tax for jhum plot allotted by the village council.

Distance between Residence and Jhum Plot

It was presumed that the distance between jhum plot and residence have a bearing on the effective management of jhum plot. An empirical study conducted in the State of Mizoram shows that sometime the distance of jhum plot was as far as 6- 7 kilometer from the residence.⁸² In the present study, an attempt has been made to find out the distance between residence and jhum plot. Data analysis shows that 30.89 per cent respondents said that the distance between the residence and the jhum plot was two to three kilometer. Similar number of them (30.89 per cent) said that the distance was in the range of 3–7 kms. Around one-fourth of the respondents (24.39 per cent) said that the distance was upto one kilometre. Little more than one-tenth of them (12.20 per cent) said that the distance was in the range of 4-8 kilometre. A small number of them (1.63 per cent) said that the distance was in the range of 13–30 kilometer (Table 6.7).

Respondents were further asked whether the jhum plot allotted to them/ their families was all at one place or at more than one place. Majority of the respondents (91.47 per cent) said that the jhum plot was located at one place. Little less than one-tenth of them

Table 6.7 : Distance between Residence and Jhum Plot (in km.)

Sl.	Distance (in km)	No.
1.	Upto 1 km	30 (24.39)
2.	2 -3 km+	38 (30.89)
3.	3- 7	38 (30.89)
4.	4-8	15 (12.20)
5.	13 km- 30	2 (1.63)
	Total	123 (100.00)

Note: N varies because of missing number or no response.

(8.53 per cent) had their jhum plot at different locations; out of this, 90.91 per cent of them had it at two places; around one-tenth of them (9.09 per cent) had it at more than two places.

Satisfaction with jhum cultivation

When the respondents were asked whether they/ their families were satisfied with jhum cultivation, out of the total households, 13.51 per cent were satisfied with jhum cultivation; a large number of them (38.74 per cent) were not satisfied; and the maximum number (47.75 per cent) said that they could not say anything (Table 6.8).

Table 6.8 : Are You/ Your Family Satisfied with the Jhum Cultivation?

Sl.	Response	No.
1.	Yes	15 (13.51)
2.	No	43 (38.74)
3.	Cannot say	53 (47.75)
	Total	111 (100.00)

Respondents were asked to explain the reasons if they/ their family members were not satisfied with the practice of jhum cultivation. Data analysis shows that majority of the respondents (78.78 per cent) said that jhum cultivation was unprofitable due to low yield, time consuming, and far-off location of jhum plot leads to high transportation costs; the problem of 13.89 per cent respondents was that the jhum plot was rain fed and in case of delay in monsoons, the chance of crop failure increases; 8.33 per cent respondents were not satisfied due to difficult geographical terrain, which makes jhum cultivation difficult and cumbersome and also, as their jhum plots were located far-off it was difficult to go and cultivate due to old age (Table 6.9).

Table 6.9 : If Not Satisfied, Please Explain the Reasons.

Sl.	If Not, Reasons	No.
1.	Jhum cultivation is difficult, unproductive, unprofitable, time consuming, plot located far-off & transport cost very high.	28 (78.78)
2.	Rain-fed so delay or irregular monsoon spoil crops, difficult geographical terrain	5 (13.89)
3.	Plot located far-off, due to old age	3 (8.33)
	Total	36 (100.00)

An attempt has been made to find out the types of horticultural crops grown by the sample households surveyed. Data analysis shows that out of the total sample, 26.70 per cent respondents were cultivating orange crop; 25.73 per cent banana crop; 15.53 per cent grapes; and 13.11 per cent lemon crop; one-tenth of the respondents (9.71 per cent) were cultivating passion crop; and 4.85 per cent mango crops. As far as spice crop was concerned, 14.56 per cent respondents were cultivating ginger crop; a similar percentage of the respondents (14.56 per cent) were cultivating chilli crop; and 4.37 per cent turmeric crop (Table 6.10).

Table 6.10 : Types of Horticultural Crops Grown

Sl.	Crops	Response		Total
		Yes	No	
	Horticultural Crops			
1.	Orange	55 (26.70)	151 (73.30)	206 (100.00)
2.	Banana	53 (25.73)	153 (74.27)	206 (100.00)
3.	Grapes	32 (15.53)	174 (84.47)	206 (100.00)
4.	Lemon/ hatkora	27 (13.11)	179 (86.89)	206 (100.00)
5.	Passion Fruit	20 (9.71)	186 (90.29)	206 (100.00)
6.	Pine Apple	16 (7.77)	190 (92.23)	206 (100.00)
7.	Hatkora	14 (6.80)	192 (93.20)	206 (100.00)
8.	Mangoes	10 (4.85)	196 (95.15)	206 (100.00)
	Spice Crops			
9.	Ginger	30 (14.56)	176 (85.44)	206 (100.00)
10.	Chilli	30 (14.56)	176 (85.44)	206 (100.00)
11.	Turmeric	9 (4.37)	197 (95.63)	206 (100.00)
12.	Mustard	8 (3.88)	198 (96.32)	206 (100.00)
	Timber Tree			
13.	Teak	7 (3.40)	199 (96.60)	206 (100.00)
	Cash Crops			
14.	Tea/ Coffee	8 (3.88)	198 (96.12)	206 (100.00)

Safety and Supply Reserve

Mizoram has mainly two types of community forest:

- Village safety reserve, and
- Village supply reserve.

In selecting the locality of the jhum block, the village council has to keep in view the provisions of the forest Act, which defines the two categories of village forest. The 'village safety reserve forest' is meant to keep the houses in the residential zone at a safe distance, in case of a jhum-fire. This earmarked area is maintained evergreen and never allowed to be cleared for cultivation. No one, not even the village council, can cut trees in the safety reserve forest.

Beyond this 'safety belt' or 'safety reserve', there is another forest zone which is known as 'supply reserve'. This zone is reserved for the requirement of villagers for their household needs. From this zone, the villagers could collect fuel, house-building materials like bamboo, thatch, cane or logs, gather honey, shoot or trap animals for their household use

but they were not allowed to sell any of these forest products.

Some villages have forest reserve area also. If a person constructs a house, he can apply to the village council for trees or bamboo. Permission for cutting trees is given as per the needs. The village council has power to distribute land within the village supply reserve for jhum. Village council maintains record of safety reserve.

Based on the above analysis, it can be stated:

- Jhum cultivation is still the most prevalent method of agriculture.
- Lottery system is the main criteria for allotment of jhum plots. Other criteria are also followed sometimes, such as the location of plot, the will of village council and size of the family.
- In a large number of cases, jhum plots are located a distance away from the residence of jhumias.
- Except in few cases, no land records are maintained for jhum plots and communication takes place verbally.
- Jhum plots are rain fed and no land revenue is charged.
- To control the ill-effects of jhum cultivation, various regulations were passed; policies and programmes were introduced from time to time. However, the long-term impact of these programmes is yet to be seen.

SURVEY SETTLEMENT AND LAND RECORD MANAGEMENT

One of the fundamental duties of the Government is to protect the property right of its citizens. For this purpose it has to ensure that the land in question has a document which records the particulars of its ownership and also helps the State to collect its own share in the form of revenue (tax/ fee) in respect of the use of landed property. It is therefore, imperative to survey, measure, classify land and revenue rates be fixed for the purpose of conferment of ownership rights to individuals or organizations, etc. The absence of accurate and up-to-date land records in rural, as well as urban areas, not only impairs the interest of several land owners but also leads to land disputes, which farther thwarts the implementation of land-related programmes. This emphasizes the need to create accurate land records with regular updating of such documents. Thus, land survey settlement and maintenance of land records become essential for efficient land management and land revenue system.

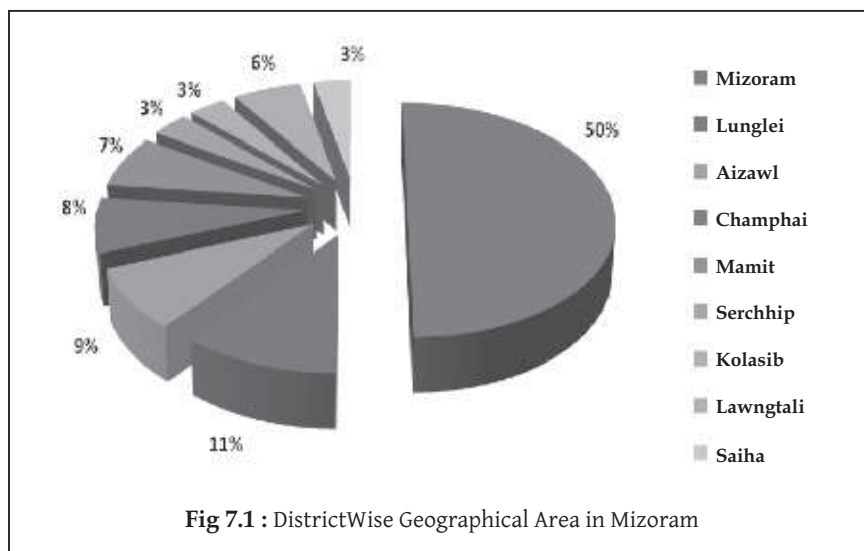
Various ambitious development programmes have been introduced by the Union as well as the state government from time to time. To mention some of the important ones: Strengthening of Revenue Administration & Updating of Land Records, Computerization of Land Records and recently introduced National Land Record Modernization Programme. Since the focus of the present study is to evaluate the Strengthening of Revenue Administration & Updating of Land Records scheme hence, CoLR, NLRMP are beyond the scope of this study.

The total geographical area of Mizoram is 21,081sq. kms., which constitutes 0.64 per cent of India's geographical area. District-wise distribution of total geographical area is shown in table 7.1. Table shows that Lunglei district is the largest in terms of geographical area (4,536 sq. km.), followed by Aizawl (3,576 sq. km.), Champhai (3,185 sq. km.), Mamit (3,025 sq. km.), Lawngtlai (2,557.10 sq. km.) and Serchhip district (1,421.60 sq. km.). The geographical area of Saiha (1,399 sq. kms.) and Kolasib (1,382 sq. kms.) districts is comparatively smaller.

Table 7.1 : District-wise Total Area in Mizoram

Sl	India/ State/ District	Total Area Covered (In sq. kms.)	Percentage
	INDIA	3,287,240	
	MIZORAM	21,087.00	
1.	Lunglei	4,538.00	21.52
2.	Aizawl	3,576.31	16.96
3.	Champhai	3,185.83	15.11
4.	Mamit	3,025.75	14.35
5.	Serchhip	1,421.60	6.74
6.	Kolasib	1,382.51	6.56
7.	Lawngtlai	2,557.10	12.13
8.	Saiha	1,399.90	6.64
	Total		100.01

Source : Mizoram Census, 2001 Provision Figure, <http://mizoram.nic.in/about/glance.htm>



Area under the three autonomous district councils in the state is given in Table 7.2. It shows that Lai is the largest ADC in terms of geographical area (1,870.75 sq. km.) and constitutes 47.28 per cent of the total geographical area of total ADCs. Second in area is Mara ADC that has 1,399.90 sq. km. Chakma ADC is the smallest in area having 686.35 sq. km.

Table 7.2 : Autonomous District Council and Its Geographical Area

Sl.	Autonomous District Council	Area (in sq km.)
1.	Lai ADC– Hqr Lawngtlai	1870.75 (47.28)
2.	Mara/LakherADC – Hqr Saiha	1399.90 (35.38)
3.	Chakma ADC – Hqr Kamalanagar	686.35 (17.35)
	Total	3957.00 (100.01)

Source: Statistical Handbook of Mizoram, 2010, Department of Economics and Statistics, Mizoram, Aizawl.

As far as cadastral survey is concerned, vast land in the state has still not been surveyed. Mizoram is a hill state largely inhabited by tribal population. A vast area in the state is community land which is regulated by the customary laws. The Constitution of India was amended in 1986 and Article 371G was incorporated as soon as Peace of Accord was signed in MoU between MNF and the Union government. Under this Article, specific provisions have been made for the tribal population of this state they have been given greater autonomy, protection over their land, forest, customs and institutions, such as village council.⁸³ This enabled Mizos to initiate certain institutions or projects that would benefit the society through the autonomous system of administration. Due to all these features, land administration system in Mizoram varies sharply from other states in the country and it makes land settlement a challenging task.

The three autonomous district councils in the state Lai, Chakma and Mara ADCs come under the jurisdiction of District Council. The community land comes under Local Administration Department. Townships keep extending through notification from time to time. The term 'town areas is defined as the area of such town demarcated and notified from time to time by the Executive Committee or any other person or body authorized by it.' It means such station in which only the Executive Committee or any other person or body authorized by it can allot sites for residential and other non-agricultural purposes under the Lushai Hills District (House Sites) Act 1953.⁸⁴ Lushai Hills Act no. 1 of 1953 extends to the whole of Mizoram except the area under the ADCs of Pawi, Lakher, and Chakma. Some of the basic features of town land are thickly populated, landholdings are small and it is non-agricultural land. It provides basic amenities and various avenues for earning livelihood therefore, market value of town land is higher than the rural land; hence, land revenue charged on such land is also higher. Das (1990) in his study mentioned that in Mizoram, there is no special legislation for town-land as such but certain provisions for them are scattered in several Acts and Rules. He suggested the need to consolidate and place them at one place.⁸⁵

Six districts Aizawl, Champhai, Kolasib, Lunglei, Mamit and Serchhip come under DLR & S. It is to mention that land only in notified town and sub-town areas within these six districts come under DLR & S.

Piecemeal survey is the most popular method practiced in the state. The first notification for cadastral survey for agricultural potential areas (in pockets) was issued in 1985 when Mizoram was a part of Assam and for residences in town areas was issued in 1991. In 1995, i.e. during the Ninth Five Year Plan, the Directorate of Land Revenue & Settlement has started conducting cadastral survey in the notified town areas and maintaining land records in a systematic manner.

Organizational Structure and Functions of Land Revenue & Settlement Department, Mizoram

Mizoram was earlier known as the Lushai Hills District of Assam. The Revenue Department was established under the ADC in 1952. The Department of Land Revenue and Settlement earlier known as Land Records, Revenue and Settlement was created on 21st January, 1976 to take -up duties and responsibilities of survey, settlement and preparation of land records and collection of revenue (taxes/premium). On 29th March, 1993 the Department was upgraded to a major department as the Directorate of Land Revenue and Settlement.⁸⁶ Since then significant developments have taken place in land management in the State.

The Government of Mizoram had created notified towns without constituting urban structures to manage the urban affairs/ problems in the notified towns. The village councils meant for rural governance have been allowed by the Government to continue functioning in the notified towns too. The village councils were created by the enactment of the Government of Mizoram and the Autonomous District Councils (ADC) and their provisions were amended by the executive/administrative orders. In due course of time, management of urban areas by the village council started creating problems for the planning of the urban areas and in developing infrastructure to meet the urban requirements. Therefore, only in 2011 the Municipal Council Act came into force and is enforced only in Aizawl city.

Directorate of Land Revenue and Settlement being an attached office of the department was set up and headed by a director who is generally from Mizoram Civil Service, selection grade and who is subordinated by one Joint Director (departmental post), Deputy Director (Mizoram Civil Service), Deputy Director of Survey (technical), Deputy Director (administration), Assistant Director of Survey (technical), Assistant Director (administration), two Assistant Settlement Officers, one for finance and account officer, and an office Superintendent.

The main functions and duties of Land Revenue & Settlement Department as mentioned in the Government of Mizoram Rules, 1987 are to act upon:

- land settlement;
- land records;
- land revenue;

- land reforms; and
- compensation on account of damage of crops, etc.

Therefore, various branches/ sections are:

- Pass section
- Land settlement branch
- Land record branch
- Land revenue branch
- Land reform branch
- Land dispute section
- Technical section
- Department land section
- Market section
- Establishment section
- Account section
- Vehicle section
- Compensation on account of damage of crops/private property by security forces
- Administration of various land and revenue related acts.⁸⁷

Names and number of posts sanctioned and existing under Department of Land Revenue & Settlement, as of 30 November 2008 are placed in **Annexure III**.

Land settlement and its allotment within the permissible limit come under the power of the director. The power for settlement of land beyond the permissible limit, as provided in the rules, is vested with the government. Assistant settlement officer (ASO) at the District Office and the Directorate Office has the issuing power. Director has the power to approve assessment of land revenue and taxes, whereas assistant settlement officer at the District Office assess and collect the revenue taxes and fees. The ASO settles the disputes over land including eviction of the encroacher. He orders removal of road-side encroachment including eviction of unauthorized occupants. The main functions of Settlement Officer are:

- to deal with the demarcation of land
- maintain land records
- issue pass/periodic *patta*/ land settlement certificate
- registration of landed property
- mutation
- mortgaging, etc.

There are field offices which are looked after by settlement officers. Assistant settlement officer also executes programmes and policies of the department regarding revenue and

land, private property by security forces, and administration of the land-related Acts, rules and regulations passed by the District Council, such as the Mizo District (Land and Revenue) Act, 1963; the Mizo District (Land and Revenue) Rules, 1967; the Mizo District (Agricultural Land) Act, 1963 and Rules, 1971 as amended in 1981, etc. with its amendments from time to time.⁸⁸ Besides, every district has a head surveyor and an assistant survey officer, both of which are non-gazetted and transferable posts. Currently, the total strength of surveyors in the state was around 111.⁸⁹ Except five, the rest are non-gazetted posts. This includes one Joint Director (survey), one Deputy Director (survey), and three Assistant Directors (survey). In addition, recently 25 surveyors have been recruited on contract basis, out of which 4 were females. They have been sent to Hyderabad for training. As and when cadastral survey is planned in any district most of the surveyors are deployed in that particular district. 60 per cent surveyors are posted at Directorate of Land Revenue & Settlement, Mizoram. The remaining 40 per cent were posted in the districts. Around 40 per cent surveyors who were posted at district level, 50 per cent of them were not provided any residential facility. New posts for revenue inspectors have been proposed but not sanctioned by the government as yet.

District Revenue Office

At district level, there is District Revenue Office which is headed by an Assistant Settlement Officer, (Mizoram Civil Service). The District Revenue Office is also manned by head surveyor, technical and clerical staff. Settlement officer supervises the functioning of the District Office. The Assistant Settlement Officer has no power in the transfer and posting of the staff. Settlement staff performs assessment and collection of revenue.

At present, the District Revenue Office in Aizawl District is manned by one assistant settlement officer-I, (MCS) (senior grade) and 3 Assistant Settlement Officer-II (MCS) (junior grade) supported by one Head Surveyor, technical and clerical staff. Currently, around 26 surveyors have been posted at District Revenue Office, Aizawl.

Lunglei District Revenue Office is manned by one assistant settlement officer-I, MCS (senior grade), one ASO-II, MCS (junior grade) supported by a head surveyor, technical and clerical staff.

District Revenue Offices in the remaining four districts Champhai, Kolasib, Mamit and Serchhip are headed by ASO-II who is supported by the technical and the clerical staff.

District Revenue Office is the Lowest Revenue Unit

In Mizoram, District Revenue Office is the lowest unit. There is no revenue office at sub-divisional, block or village level. With the result, villagers residing in the interior areas face difficulties in visiting the Revenue office.

There is a proposal to restructure the revenue department. In the new structure, land record office will be established at sub-divisional or circle level and land records will be maintained accordingly.

Most of the technical officers were posted at the Directorate of Land Revenue and Settlement in Aizawl. Planning and execution for survey and settlement was centralized at the directorate level.

Role of Deputy Commissioner in Land Administration

The deputy commissioner acts as the chief executive officer of the District Office of the Land Revenue and Settlement. He/ she is assisted by the assistant settlement officer-I and assistant settlement officer-II who belong to Mizoram Civil Service. Both technical and non-technical personnel assist the office. Briefly, the deputy commissioner being a head of the District Office is assisted by the subordinate officers and the staff attached in the discharge of his duties in relation to revenue administration.

The Land & Building Section is located in the Deputy Commissioner's office; one of their main functions is to acquire land for development projects. This section is headed by an assistant settlement office.

Thus, the district revenue officials have two masters. At district level, DC is the immediate master and at the state level, which is the parental department, director is the master. Nevertheless, in the power structure, it is the DC who controls the Revenue Office at the district level. The existing organizational structure leads to conflicts in the achievement of organizational goal.

Procedure for Land Allotment

The deputy commissioner, after receiving an application, carries on initial verification for allotment of land to individuals for both agricultural and non-agricultural purposes. On submission of verification reports in prescribed forms by the field staff, an officer, not below the rank of assistant settlement officer-II, conducts on-the-spot verification and submits his reports thereof before the applications are forwarded to the directorate of the department for further processing/ cross-checking. All land settlement in respect of valid revenue passes on fulfilling the terms and conditions laid down by the government may be done by the assistant settlement officer only after obtaining administrative approval of the Director, LR & S, Mizoram.

For settlement of land for agriculture and its allied activities fish pond, cattle farm, and garden, etc. administrative approval of the government through Directorate of Land Revenue & Settlement should necessarily be obtained by the Assistant Settlement Officer.

Land Survey in Mizoram

To streamline the survey operation, prepare accurate land records and to confer ownership rights to the owner of land/ organization(s), the Mizoram Land Survey Settlement and Operation Act, 2003, came into force and Rules were framed in 2009. An overview of these land laws shows that since 2000 onwards, that is, only after attaining the status of statehood in 1987, the emphasis was laid mainly on survey settlement and maintenance of land records. Following Acts and rules came into force in this regard:

- The Mizoram (Landholding and Settlement) Act, 2000
- The Mizoram (Public Demand Recovery) Act, 2000
- The Mizoram (Landholding and Settlement) Act, 2001
- The Mizoram (Prevention of Government Land Encroachment) Act, 2001
- The Mizoram (Restriction on Use of Transfer Land) Act, 2002
- The Mizoram (Land Survey and Settlement Operation) Act, 2003; and the Mizoram (Land Survey and Settlement Operation Rules 2009
- The Mizoram (Taxes on Land, Building and Assessment of Revenue) Act, 2004
- The Mizoram (Taxes on Land, Building and Assessment of Revenue) Rules, 2005.

To prepare and maintain accurate land records, the DLR & S, Mizoram is conducting survey through various methods and technologies.⁹⁰ Mainly four types of survey methods have been carried out for this purpose. A brief description of these survey methods and area covered under each of these methods is given below:

- Piecemeal Survey
- Cadastral Survey
- Aerial Survey
- Satellite Imagery Survey

Piecemeal Survey

Piecemeal survey is the most commonly-used survey in the state. It is conducted in various pockets in town or sub-town areas. For piecemeal survey, a citizen submits an application for allotment or settlement of land for any vacant plot. In this survey, land applied by a person for any purpose is surveyed simply by taking its dimension, area with boundary description and sketch but no geo-coordinate was taken. Piecemeal survey is based on estimation and rough sketching. Such kind of simple survey and settlement is maintained before cadastral survey system cover the area.

Piecemeal survey is demand -driven as it is based on the demand of an applicant. It contemplates to meet the immediate requirements of the Mizos. The work programmes are chalked out depending upon the availability of applications received from the citizens. For piecemeal survey conventional instruments and methods, such as prismatic compass and measuring tapes, are used for plot survey. The individual plots are surveyed by measuring tapes and boundaries, and are mapped on estimation basis. As boundary measurements are not fully accurate hence, with growing population boundary disputes have already started taking place. Such survey report is approved by appointed authority, house pass, periodic patta for agricultural land and land settlement certificate if deem fit is issued to the applicant. The record of right (RoR) is maintained in Register Book.

Cadastral Survey

Cadastral survey documents the boundaries of landownership, by the production of documents, diagrams, sketches, plans, charts, and maps. They are originally used to

ensure reliable facts for land valuation and taxation. In this kind of survey, information is often a base element which is used to assess and manage land and built infrastructure. A cadastral map shows the boundaries and ownership of land parcels. Some cadastral maps show additional details, such as survey district names, unique identifying numbers for parcels, certificate of title numbers, position of existing structures, section or lot numbers and their respective areas, adjoining and adjacent street names, selected boundary dimensions and references to prior maps.

Cadastral survey is a land record based on survey settlement operation. It consists of following three important components:

- Preparation of village map and land parcel map
- Preparation of record-of-right (RoR)
- Assessment of land revenue.

Land records include an updated village map and a field book/ land record register. Field book/ land record register is the main land-record document. It includes up-to-date information regarding every land parcel showing mainly:

- survey plot number
- name of the owner
- tenancy
- name of the tenant
- the type of rights
- area of each plot
- its boundaries
- classification of the land
- annual land revenue payable, etc.

Cadastral survey is organized and executed by the Directorate of Land Revenue and Settlement, Mizoram. The directorate makes plans and extends these plans to district level. Survey settlement is restricted only in notified town areas and wet-rice cultivation plots in six districts Aizawl, Champhai, Kolasib, Mamit, Lunglei, and Serchhip districts. Within notified-town areas, only residential plots have been cadastral surveyed. Villages are yet to be covered under cadastral survey.

The Department of Land Revenue & Settlement has taken up cadastral survey in the Aizawl town (now city) area for settlement of house sites and agricultural land. The state government, i.e. Land Revenue and Settlement, Mizoram started cadastral survey in 1991 covering only a compact area of wet-rice cultivation and inhabited area of towns. Since then many thousands of plots have been covered under cadastral survey.

Process Involved in Cadastral Survey Operation

First of all, an area is notified as town area. Thereafter, Revenue Department issues notice to village council of the concerning town area which is undertaken for the cadastral survey. Then the survey team starts survey operation.

Area Covered under Cadastral Survey

Cadastral survey of residential plots in Aizawl town (now city) has been completed. Around 50 per cent area of Aizawl town is cadastral surveyed. The status of cadastral survey conducted up to 1991-2010 is shown in Annexure IV. During the period of 1991-2010 the cadastral survey covered 85,488 land holdings; and the area covered was 7,536.06 hectare.

Wet-rice cultivation plots have also been surveyed in pockets. The total area surveyed under wet-rice cultivation and garden-plot holdings till 2008-09 was 7,750 hectare and the number of wet-rice cultivation and garden plots was 2,633. It has covered total 157 notified towns and sub towns in six districts. So far major parts of two districts, Aizawl and Lunglei, have been surveyed. In Aizawl district, cadastral survey is going on in three notified town areas. In some pockets, work in wet-rice cultivation in potential area is also under way. So far no work has been done on hillside agriculture land. Rural area would be surveyed later. As per rough estimates, only 2 per cent of the total land of the state is cadastral surveyed.

Procurement of Survey Equipments

To speed up survey operation, Directorate of Land Revenue and Settlement has procured various modern survey equipments, such as global position system, electronic total station, scanning of records/ maps, risographs, photo copier, lamination, binding and fax machines. Computer cell was set up in the Directorate of Land Revenue and Settlement, Aizawl and Serchhip districts. In addition, the department has purchased steel cupboards for proper up-keep and protection of maps and land records, containers for records, such as map filing cabinets, racks and bags. Micro films are yet to be procured. The state has yet to construct a record room.

State officials mentioned that although traversing and preparing cadastral map is time consuming and an expensive proposition, in a hill state like Mizoram yet a beginning has been made in this direction.

Table 7.3 shows details of land records cadastral surveyed by DLR&S till December 2009. Data analysis shows that house site (pass), periodic patta, LSC, shop/ stall, WRC, LSC,

Tabl 7.3 : District-wise Land Records Cadastral Surveyed

Classification of Land Ownership Allotted by the Revenue Department										
Name of District	House Site (LSC)	House Site (Pass)	Periodic Patta	Cadastral (LSC)	Shop/ Stall	WRC (LSC)	Garden (LSC)	Land Lease	Fish Pond	District Council Pass
Aizawl	69340	24839	13908	868	2482	131	1501	1380	138	2215
Lunglei	17588	9875	4923	-	65	-	26	403	11	3
Kolasib	6313	5960	5803	495	708	111	156	278	84	2046
Champhai	4152	2644	4660	1125	656	88	43	284	43	1394
Serchhip	3511	2903	4378	518	436	73	27	206	42	1270
Mamit	2455	614	3611	210	231	72	136	171	51	786
Total	103359	46835	37283	3216	4578	475	1889	2722	369	7714

Source: Directorate of Land Revenue & Settlement, Govt. of Mizoram, December, 2009

Garden (LSC), land lease, fish ponds were cadastral surveyed. Maximum number of house site (pass) and periodic *patta*, shop/ stall and cadastral LSC were cadastral surveyed. District-wise comparative analysis shows that maximum land records were surveyed in Aizawl district followed by Lunglei, Kolasib, Champhai, Serchhip, and Mamit.

Problems in Conducting Cadastral Survey

Different kinds of problems are being faced by the state revenue machinery in conducting cadastral survey:

- Cartography is one of the serious problems encountered by the Revenue Department as there are not enough trained persons in cartography;
- A large area in the state is covered by forests. Such areas are surveyed with the global positioning system (GPS) but ensuring accuracy continues to be a problem since forests are rather dense;
- Many existing survey technologies used are not suitable for a hill state, like Mizoram. For instance, GPS is used at a distance of 50° angle; if the forest is dense or a river or stream comes in between then it becomes difficult to capture the picture, topography and maintain accuracy. Placing GPS on one side of the river, stream or forest and surveying the other side is difficult and often gives inaccurate results.
- Soil erosion and land slide are common problem in Hill state like Mizoram hence, cadastral survey in such areas remains a challenging task as maintaining accuracy becomes difficult.
- Directorate has seven total stations. It is not possible to cover the whole state with limited number of stations.
- Lack of manpower is another problem. Revenue department has limited number of surveyors, which makes it difficult for them to manage.
- Lack of vehicles restricts the mobility of the surveyors. Hiring a private vehicle is not cost effective.

Survey Season

Keeping in view the climatic conditions and practice of *jhum* cultivation, survey operation is scheduled in the state between January and May every year.

Tentative Action Plan for Cadastral Survey

The Directorate of Land Revenue & Settlement is likely to complete the cadastral survey in Aizawl and Lunglei districts in about two years. After that, the strategy will be changed and focus would be on the blueprint verification and preparation of topographical survey sheet. Thereafter, the plan is to cover the entire area, agricultural and non-agricultural, based on the benchmark satellite imagery area.

Aerial Survey

An aerial survey utilizes photographic, electronic, or other data obtained from an airborne station. It is also known as *aero* surveyors or *air* survey. Aerial photography is the

taking of photographs of the ground from an elevated position. The term usually refers to images in which the camera is not supported by a ground-based structure; it may be hand-held or mounted for photography. Aerial photography uses fixed-wing aircrafts, helicopters, balloons, blimps and dirigibles, rockets, kites, poles, parachutes, and vehicle-mounted poles. Mostly, aerial survey uses airplanes and satellites. Aerial photography should not be confused with air-to-air photography, when aircraft serves both as a photo platform and subject. Aerial photographs were processed for production of large-scale line maps.⁹¹

In Mizoram, the aerial and satellite survey was conducted in 1994-96. The purpose of aerial survey was to prepare a 'Base Map' so that cadastral survey could be started. It was done with the help of external agencies, such as Air India and the technical assistance was taken from Survey of India. Control data was taken from Survey of India but blueprint verification has yet to be done. Aerial photos need rectification through control data. Aerial photographs are processed for production of large-scale line maps. So far, four districts have been covered under aerial survey for production of large-scale map of 1:2000, Aizawl, Mamit, Serchhip and Kolasib districts. The area covered in these four districts was the northern portion of Mamit district, part of Aizawl and Champhai districts and North Kolasib district.

Till December 2009, two-third area of Mizoram has been aerially surveyed. Initially, Kolasib district was undertaken for pilot aerial photo survey. However, due to paucity of funds and sensitive strategic location of the state, the entire state could not be covered. The cost of rectification turned out to be much higher than expected; even the Union government was taken by surprise. The recently-introduced National Land Record Modernization Programme (NLRMP) has a provision for aerial survey. Aerial survey will be started again, once the Union government provides grants for that. Achievement of aerial photographic survey is shown in Table 7.4.

Table 7.4 shows that although the target for aerial survey was to cover 8,130 sq. kms. but so far only 5,885 sq. kms. (72.4 per cent) have been covered. Accordingly 5,885 topography map sheets were prepared that show the ground nature of land. Total 25,064 photograph maps were prepared.

Table 7.4 : Target and Achievement of Aerial Photographic Survey

Sl.	Items	Areas/ Nos. (in Sq.kms/ No.)
1.	Area to be flown (in sq kms.)	8,130
2.	Total Area Already Flown (in sq. kms.)	5,885
3.	Topographical map sheet already prepared (Nos.)	5,885
4.	Total No. of Photograph Matt & Glossy (Nos.)	25,064
5.	Total No. of Dia positive (Nos.)	12,532

Source: Directorate of Land Revenue & Settlement, December 2009

Problems Encountered in Aerial Survey

Conducting aerial survey in hill state is not an easy task. Some problems the state encountered are:

- Two-third border of Mizoram touches international boundaries with Myanmar (404 kms.) and Bangladesh (318 kms.). Therefore, aerial survey by the state government alone is not possible.
- Approximately, one-third portion of Mizoram touches border of three other states Assam (123 km.), Manipur (95 km.) and Tripura (66 km.). For conducting aerial survey, coordination with these three states would be required. This can be done only with the initiatives of the Union government.
- Aerial survey requires accurate scaling. Survey officials in Directorate of Land Revenue & Settlement are neither technically well-equipped nor well-trained in scaling.
- Higher accuracy is required to survey the residential areas. Therefore, aerial survey of residential area is always required to be verified by the cadastral survey.
- Two districts Lawngtlai & Saiha are administered by the Autonomous District Councils and do not come under the jurisdiction of Directorate of Land Revenue & Settlement. For conducting aerial survey permission of the respective ADCs is also required.

Nevertheless, DLR&S, Mizoram, is trying to tackle some of these problems. It has approached National Remote Sensing Agency, Hyderabad, to help prepare Base Maps. The blueprint verification would take place only after attaining maps from this agency. The cost charged by the Remote Sensing Agency is reasonable; hence the state government prefers this particular agency compared to others.

Satellite Imagery Survey

Accurate geo-referencing is paramount when creating useful satellite images, geographic information system (GIS) data layers, and projects. When the original data from the satellite or aerial sensors is transformed to display elevation terrain models, vegetation types, or urban and rural developments, every layer of data within a project must be perfectly overlaid through the rectification. Imagery maps are taken through satellites. Thus, imagery survey may show all averted structure, natural boundaries, physical features of the land, road, and landslide, etc. Imagery map is prepared by Remote Sensing Agency, Hyderabad. DLR&S, Mizoram, is taking help of Mizoram Remote Sensing Application Centre (MIRSAC) for preparing imagery maps and in developing base mark map. MIRSAC is the only agency in the state which has been technically well-equipped for conducting imagery survey. DLR & S is likely to sign a Memorandum of Understanding (MoU) with MIRSAC through National Remote Sensing Centre, Government of India. Table 7.5 shows area and achievement covered under satellite imagery survey.

Table 7.5 shows that a total of 2,272 square kilometre area was covered by satellite imagery survey. An equal number of topographical map sheets (2,272) have been prepared.

Table 7.5 : Achievement of Satellite Imagery Survey

Items	Areas/Nos. (in sq. kms.)
Area Covered (in sq km.)	2272
Topographical map sheet already prepared (No.)	2272

Source : DLR & S, Mizoram, December, 2009

Survey By Aztec

Aztec is a private company that deals with the advance survey technology. The state has taken service of Aztec for preparing base maps. It has prepared 1,622 topo map sheets Table 7.6.

Table 7.6 : Achievement of Aztec

Items	Areas
Total Topo Map Sheet delivered	1,622 sheets

Source: DLR&S, Mizoram, December 2009

Besides the above achievement in land settlement, Bamboo calamity took place in Mizoram after 50 years where in all bamboo trees died. To counter this natural calamity DRL&S, on behest of the Central government, has conducted survey under a scheme called Bamboo Flowering and Famine Combat Scheme (BAFFACOS); this is a Central government scheme that was implemented in the state. Under this programme, 6,818 plots in 18 rural development blocks have been surveyed by the DLR&S.

Capacity Building

Planning and execution of survey operation and maintenance of land records require specific technical skill and knowledge. Hence, it is imperative for any state to ensure proper training for the surveyors and revenue officials and develop training module based on state land laws. To build capacity of survey/ revenue officials the Revenue Department, Mizoram, gets them trained at Indian Institute of Surveying and Mapping, Survey of India, Hyderabad, Andhra Pradesh. This agency imparts training in various aspects of survey operation. Almost all the senior-, middle- and junior-level survey officials in the state have attended one or the other type of training programme depending on their grade and seniority level. In 2011, on a contractual basis 25 surveyors were recruited. They trained with Remote Sensing Agency, Hyderabad, at their own expense.

Nature of Training Programme

Some of the training programmes attended by the survey officials are as follows:

a. Basic Course

The basic course is also known as 305 and 310 training. It focuses on survey operation and

land-record management. Most of the surveyors in the department have attended this training programme. Duration of this specific course was for six months. It was told by the officials that there is a need for advance level six months training for surveyors.

b. Survey Technician Training

Survey technician training focuses on survey supervisory skills and the duration of this training is for eighteen months. The Survey Technician Training Course is 150 Course under STI and its eligibility is PU Science with 45 marks in mathematics. About one-fourth surveyors in the Revenue Department have attended this training programme. The training module includes command survey area, control survey, survey technicians, main topography and Tachometric survey, etc.

c. Survey Supervisor Training

Survey Supervisor Training is a basic course. Survey Supervisor Technician Course is 400. Basic qualification for Survey Supervisor is required a science graduate with mathematics. The duration of this training programme is for two years. This is an advance training course for senior-grade survey officials.

d. Control Surveying Technician

Control Surveying Technician course was 200 and eligibility is PU Science with mathematics. Duration of this training is for eighteen months.

e. Training on Land Revenue

The DLR&S conducts an in-house training on land-revenue related matters for probationers of Mizoram Civil Service. Senior-level state revenue officials act as resource persons. The duration of this training on land revenue is for two weeks.

Problems Encountered in Effective Training Programme

Mizoram is a hilly state; its geographical terrain is entirely different from other states in plain areas and the land administration system also differs from the other states. The state is facing problems in providing effective training to the survey and revenue officials. Some of the training-related problems, as mentioned by officials, are as follows:

- **Training Module Not Relevant for Mizoram**

State survey officials were being trained either at the Indian Institute of Surveying and Mapping, Survey of India, Hyderabad, in Andhra Pradesh or sometimes at Assam Survey and Settlement Training Centre, Guwahati, in Assam. These officials said that the survey techniques and technology taught at these institutes are not relevant for Mizoram, which is a hilly state; the training module is appropriate for states in the plain areas. Hence, survey technology included in training module should be developed keeping in view the local topography, land-related customary laws and cultural practices.

- **No State-Level Training Centre**

Except Assam and Tripura, the other north-eastern states – Arunachal Pradesh, Manipur, Meghalaya, Mizoram and Nagaland – have neither its own training module

nor a separate training centre. Tripura has a training institute but the training module developed by them does not address the issue of survey technology, which could be suitable for local conditions. Most of the NE states have yet to devise a locally suitable survey technology; and also keeping in mind the land laws of their respective states.

- There is a need for **training need assessment** and accordingly devise a training programme in a phased manner.
- There is a dearth of trained technical personnel in **cartography and mapping**. The most pressing need of the state is to provide training with special emphasis on these two areas from National Remote Sensing Agency. And subsequently training in survey operation can be phased out.
- Another important component in training design is the **assessment sheet**, which needs to be given priority.
- There is an urgent need to establish one **regional survey training institute** that could cater to the requirement of all the hill states of North-East Region.

• **Inadequate Funds**

Training is an on-going process. There is a constant need to upgrade skill of survey and revenue officials. This requires adequate infrastructure and institutional base. The state of Mizoram did not have adequate funds for that.

• **Inadequate Professionals**

There is a dearth of professionals in the state who could provide basic training or to upgrade the existing skill or impart advance-level training.

- Some survey/ revenue officials were not **computer literate**; they need to be trained in a phased manner so that the routine office work does not suffer.

• **No Separate Building**

Revenue Department in the state does not have separate building for conducting training programmes. Due to lack of funds, the state could neither build a separate training centre nor a hostel required for the trainees. At present, the training is imparted in the campus of the Directorate of Land Revenue and Settlement, Aizawl.

- The Directorate of Land Revenue and Settlement could not purchase separate vehicle to facilitate training programmes due to funds crunch.

The state should prepare DPR for training programmes while submitting budget proposal to the state vis-a-vis Central government.

Land Record Management

Mizoram is called a non-record state as vast land is still not surveyed. Unlike many other states, Mizoram never had land tenure system. The landholders themselves managed and looked after their land and sometime employed casual labour. Broadly, there are two types of land – community land and revenue land. For the community land the village council is the custodian and no land records are maintained. For the revenue land the revenue department is the custodian and they do maintain Record of Right (RoR).

Land in town and sub-town areas come under the revenue department. In the town area land is administered by the land laws. The term Land Record as defined in revenue laws means records maintained under the provisions of, or for the purposes of, this code and includes a copy of maps and plans or a final town planning scheme, improvement scheme or a scheme of consolidation of holdings which has come into force in any area under any law in force in the state and forwarded to any revenue or survey officer under such law or otherwise.

Land laws cover mainly the agricultural and non-agricultural land. Both category of land is dealt by separate land laws. Non-agricultural land is residential land in which landholder requests the revenue department to convert his plot into a residential plot. The land conversion process (from non-agricultural to residential) goes through two stages: first, the land allotment on pass basis and second, land allotment with land settlement certificate basis. Records are maintained manually. Almost nine types of pro-formas are maintained by DLR &S. Some of the officials were of the view that due to jhumming cultivation proper record of rights may not be possible.

The basic features of non-agricultural and agricultural land, procedure of land allotment and rights of landholders are given below:

Non-Agricultural Land

Allotment of house site in the state is regulated by the Lushai Hills District (House Sites) Act, 1953. It extends to the whole of Mizoram except the areas under the Autonomous District Councils of Pawi, Lakher and Chakma.⁹² A village council is competent to allot sites within its jurisdiction for residential and other non-agricultural purposes with the exception of shops and stall, which include hotels and other business houses of the same nature. The Act mentions that the administrator or any other person or body authorized by the administrator shall allot sites for residential and non-agricultural purposes and also sites for shops and stalls, which may include hotels and other business houses of the like nature in places other than the said stations.⁹³

For residential plot allotment, first a person applies to District Revenue Office for a house pass. House site allotment on pass-basis provides only 'usufruct right'. Pass remains effective for a year. Within a year, the pass-holder applies for converting his residential site into land-settlement certificate. The land settlement certificate provides permanent ownership of land which is inheritable and transferable. Earlier there were three stages – pass, followed by periodic *patta*, and then land settlement certificate; since 1975, it has been reduced to two stages.

Agricultural Land

Agricultural land includes food and horticultural crops, wet-rice cultivation, cattle farm and fish pond, etc. Similar to non-agricultural land, allotment of agricultural land also includes two stages – first, land allotment on periodic-*patta* basis and second, land

allotment on land settlement certificate basis. The system of land allotment on periodic *patta* basis was introduced by the British which continues till date.

Earlier there were three stages – land allotment on pass basis; then periodic-*patta* basis and thirdly, on land settlement certificate basis

There are nine types of formats for different categories of land allotment. Some of them are:

- Periodic *patta*
- Application for transfer of ownership of land settlement certificate
- Application for partition / alteration/ extension of land settlement certificate
- Application for the allotment of land to the government department/ corporation/ boards, etc.

A brief note on various categories of landholders, rights of land and the problems come in the way of allotment of plots are given below:

Definition of Pass Holder

Pass holder means a person who has the ‘temporary right of use’ and occupancy over a specified plot of land for a stipulated time period under such terms as the administrator may prescribe in the pass he holds. Chapter-II of the Mizo District (Land and Revenue Act, 1956) mentions that no person shall acquire by length of possession or otherwise any right over land disposed off allotted or occupied before the commencement of this Act unless such land had been recorded and registered either in the Deputy Commissioner’s Office or the District Council’s Office.⁹⁴ It extends to the entire state except the areas under the ADCs of Pawi, Lakher, and Chakma. Generally, house pass is issued for residential purposes.

Rights of Pass Holder

House pass is a temporary allotment of land by Revenue Department. Land allotted to pass holder does not give any ‘right over land’. It gives only ‘right-to-use over land’ for a specific purpose and for stipulated time frame. After receiving the pass, the beneficiary becomes eligible to apply for land settlement certificate. A pass holder shall have no right in the soil beyond a ‘right of user’ for the period for which it is given and shall have no right of transfer, or of inheritance beyond the period of the pass or of sub-letting.⁹⁵

Procedure for Allotment of House Site on Pass Basis

Piecemeal survey of a plot is done and after following a set procedure, and pass is issued once the plot is allotted. Pass holder has to deposit fee to the Revenue Department.

Basic Features of Land Allotted on Pass Basis

- Land passes are issued by the Directorate, Land Revenue & Settlement or District Revenue Office;

- House pass is valid for one year. Within that period, the pass-holder should apply for converting the pass into land settlement certificate for the same plot held by him;
- The plot owner cannot sell such house site. He can do so only after producing heir-ship certificate. Heir-ship certificate is issued by Aizawl District Court;
- Pass holder does not have to pay tax. He has to pay only fee for land allotted on pass basis. Ex-servicemen have also to pay fee against house plot on pass basis;
- There is no ceiling on the number of residential plots allotted to a person on pass basis.

Land Revenue Manual states that the village council cannot issue pass in notified town areas but in practice, sometimes village councils do issue passes even in sub-town areas.

Critical Review of Land Allotment on Pass Basis

The procedure involved in the allotment of land on pass basis is very complicated, time consuming and lengthy. Site Allotment Advisory Board (SAAB), which reviews and sanctions application for residential plots, is not very regular with its meetings; sometimes there is a gap of 2-3 years. Since District Revenue office is the lowest unit, and for a poor person it is difficult to pursue the land allotment on pass basis as he has to visit the revenue office at the district level. Hence, there is an urgent need to simplify the procedure.

Land Records of House Site on Pass basis

Table 7.7 shows district-wise total number of house site allotted on pass basis by Revenue Department. Data shows that the maximum number of house-site passes was allotted in two mega cities of Mizoram – Aizawl the capital of Mizoram (4,839) and Lunglei district, which is called the second capital of Mizoram (9,875) respectively. Champhai and Mamit districts have the lowest number of house site allotment on pass basis.

In addition to above six districts, the total number of passes allotted by all three autonomous district councils was 7714.

During the household survey an attempt has been made to find the ownership pattern of house sites. This includes data of both rural and urban areas.

Table 7.7 : District-wise Land Records of House Site with Passes

District	No.
Aizawl	24839
Lunglei	9875
Kolasib	5960
Serchhip	2903
Champhai	2644
Mamit	614
Total	46835

Source: DLR&S, Govt. of Mizoram, December 2009

Analysis of Household Data

To find the ownership pattern of house sites, respondents were asked to describe the ownership pattern of their house site. Data analysis shows that out of the total households surveyed, 37.86 per cent respondents said that the house site was allotted to them/ their families by the village council; one-third of the respondents (33.01 per cent) said that the house plots where they reside were allotted by the Revenue Office with the Land Settlement Certificate; 16.02 per cent respondents said that the house site was allotted to them/ their families on pass basis by the Revenue Department; 5.34 per cent respondents said that the house plot was purchased by them/ their family members; 3.88 per cent of them said that they/ their family members were living in a rented house; 1.46 per cent of them said that house site was allotted to them/ their family members on permanent ownership basis but the land document (LSC) was not given by Revenue Department. 0.97 per cent respondents said that house site was allotted to them/ their family member under a Govt. Scheme called Indira Awas Yojana.

Table 7.8 : Distribution of Households Surveyed and Ownership Pattern of House Site

Sl.	House Plot	No.
1.	House site allotted by Village Council	78 (37.86)
2.	Revenue Department (with LSC)	68 (33.01)
3.	By Revenue Deptt. on Pass Basis	33 (16.02)
4.	Purchased	11 (5.34)
5.	Rented	8 (3.88)
6.	Revenue Deptt. but it did not issue LSC document	3 (1.46)
7.	Inherited	3 (1.46)
8.	Under Govt. Scheme called Indira Awas Yojana	2 (0.97)
	Total	206 (100.00)

Thus, the data analysis shows that the large number of house sites was allotted either by the village councils or by the Revenue Department on LSC basis. 2. Land Allotted on Periodic *Patta* Basis

Land Allotted on Periodic *Patta* Basis

- ‘Periodic *patta*’ means a prescribed land settlement document settling the agricultural land periodically under the specified rules whereby an individual or society has entered into an engagement with the District Council to pay land revenue and taxes and rates legally assessed or imposed in respect of the land so settled.⁹⁶ If the beneficiaries/ landholders of periodic *patta* use the land satisfactorily then he can apply for a land settlement certificate, which is a permanent landholding. Basically agricultural land is allotted on periodic *patta* basis. It gives ‘user right over land’ for a stipulated time frame. Periodic *patta* is renewed usually after every five years and the holder of the *patta* has to pay revenue to the Revenue Department. Periodic *patta* is allotted for two purposes:
 - garden/ plantation
 - wet-rice cultivation. First the land is allotted on a periodic *patta* basis and later, it could be converted into land settlement certificate.

With the introduction of New Land Use Policy, the state government is encouraging farmers to shift from jhum to settled cultivation. As a result, the number of periodic *patta* allotment has increased manifold.

Basic Features of Periodic *Patta*

- A person submits an application to village council;
- The village council after verification, recommends to the Revenue Department for allotment of periodic *patta*;
- Periodic *patta* is allotted for agricultural purposes, such as garden/ plantation of tea or wet-rice cultivation;
- Although no agricultural land exceeding 30 bighas shall be allotted or settled either temporarily or permanently without the prior permission of the Executive Committee⁹⁷ but there is no ceiling on the number of periodic *patta* a person can hold.
- Periodic *patta*-holder has to pay fee for the land allotted on periodic *patta* basis. Current annual fee for house/ shop/ stall pass and periodic *patta* for WRC/ garden/ Fish pond / farm is Rs. 50.00.
- For the renewal of periodic *patta* renewal fee is charged and Current fee for period *patta* is Rs. 10/-; Procedure for allotment of periodic *patta* is rather complicated.

Table 7.9 shows district-wise number of periodic *patta* allotted by the Directorate of Land Revenue & Settlement. It shows that till December 2009 a total 37,283 periodic *patta* were allotted in six districts in Mizoram. The maximum number of periodic *patta* was allotted in Aizawl district (13,908) followed by Kolasib (5,803), Lunglei (4,923), Champhai (4,660) and Serchhip district (4,378). The least number of periodic *patta* was allotted in Mamit District (3,611).

Table 7.9 : District-wise Periodic *Patta* Allotted

Sl.	District	No.
1.	Aizawl	13908
2.	Kolasib	5803
3.	Lunglei	4923
4.	Champhai	4660
5.	Serchhip	4378
6.	Mamit	3611
	Total	37283

Source: DLR & S, Govt. of Mizoram, December, 2009

Analysis of Household Data

An attempt has been made to find the extent of periodic *patta* allotment, purpose for which periodic *patta* was allotted, and the size of periodic *patta*. It was also attempted to find whether the document related to periodic *patta* taken from the Revenue Department, how many times periodic *patta* was renewed, awareness about the stipulated time frame of periodic *patta*, and whether periodic *patta* gets renewed automatically and if not, how much time does it take?

Data analysis shows that out of the total households surveyed, 62 households had periodic *patta*.

For What Purposes Periodic *Patta* was used?

Respondents who told that periodic *patta* was allotted to them/ their families, they were asked to specify the purpose for which periodic *patta* was allotted. Data analysis shows that the majority of the respondents (61.29 per cent) said that the periodic *patta* allotted to them/ their families were used for cultivating horticultural crops; 27.42 per cent used it for cultivating commercial crops, such as timber and spice etc.; 4.84 per cent used it for growing coffee & tea plantation; 4.84 per cent cultivated crops like palm tree and sericulture on the periodic *patta*; and a small number of the respondents (1.61 per cent) said that the periodic *patta* was lying fallow.

Table 7.10 : For What Purposes Periodic *Patta* was used?

Sl.	Purpose	No.
1.	Horticultural crop	38 (61.29)
2.	Teak Plantation/ Spice/ Horticulture Vegetable crop	17 (27.42)
3.	Coffee/ Tea Plantation	3 (4.84)
4.	Seri Culture / Palm tree	3 (4.84)
5.	Plot lying empty	1 (1.61)
	Total	62 (100.00)

Size of Periodic *Patta* Allotted

An attempt was also made to find the size of periodic *patta* allotted. Data given in Table 7.11 shows that the size of the periodic *patta* allotted to most of the households (57.63 per cent) was in the range of 1-5 tin; one-fourth of the respondents (27.12 per cent) said that the size of the periodic *patta* allotted was up to 1 tin; 11.86 per cent had it in the range of 5-9 tin; a small number of them (1.69 per cent) said that the size of periodic *patta* was in the range of 9-13 tin; and a similar number of the respondents (1.69 per cent) said that the size of periodic *patta* was upto 50 tin. Table showing conversion unit for land measurement is placed at **Annexure V**.

Respondents were further asked whether the periodic *patta* was rain fed or irrigated. It was found that all the respondents unanimously said that the periodic *patta* allotted to them/ their families was rain fed.

Table 7.11 : Size of Periodic *Patta* Allotted

Cultivated/ Uncultivated	Size of Periodic <i>Patta</i> Owned					
	Upto 1 tin	1-5 tin	5-9 tin	9-13 tin	50 tin	Total
Cultivated	16 (27.12)	34 (57.63)	7 (11.86)	1 (1.69)	1 (1.69)	59 (99.99)
Uncultivated	0	2 (66.67)	1 (33.33)	0	0	3 (100.00)
Total	16 (25.81)	36 (58.06)	8 (12.90)	1 (1.61)	1 (1.61)	62 (99.99)

Have you/Your Family Member Taken Document Related to Periodic *Patta*?

Since periodic *patta* was allotted by the Revenue Department hence, respondents were asked whether they/ their family members had taken document related to periodic *patta*. Data analysis shows that most of the respondents (88.71 per cent) said that they/ their family members have taken document of periodic *patta*. A small number of them (3.23 per cent) said that Revenue Department has not given the document related to periodic *patta* as yet. A miniscule number of the respondents (1.61 per cent) said that the document of periodic *patta* was lying with the Revenue Department; 6.45 per cent respondents did not know whether the document related to periodic *patta* was taken or not (Table 7.12).

Table 7.12 : Have You/Your Family Member Given Document for Periodic *Patta*?

Response	No.
Yes	55 (88.71)
No	2 (3.23)
Document lying with Rev. Deptt.	1 (1.61)
Do not know	4 (6.45)
Total	62 (100.00)

N varies because of no response or missing figure

In Which Year was Periodic *Patta* Allotted the First Time?

Respondents were asked to mention the year when periodic *patta* was allotted to them/ their families the first time. Data analysis shows that a little more than one-tenth of the respondents (12.90 per cent) said that the periodic *patta* was allotted during 1970-1979 i.e. four decades ago; 16.13 per cent were allotted during 1980-1989; one-fourth of them (25.81 per cent) were allotted 1990-1999; a little more than two-fifth of them (41.94 per cent) were allotted during 2000-2009; and a miniscule number of the respondents (3.23 per cent) said that they do not remember the exact year (Table 7.13).

Table 7.13 : In Which Year Periodic *Patta* Allotted First Time?

Sl.	Year	No.
1.	1970-1979	8 (12.90)
2.	1980- 1989	10 (16.13)
3.	1990- 1999	16 (25.81)
4.	2000-2009	26 (41.94)
5.	Do not know/ Do not remember	2 (3.23)
	Total	62 (100.01)

How Many Times Periodic *Patta* Renewed Since it was Allotted First Time?

Respondents were further asked how many times periodic *patta* got renewed since it was allotted the first time. Data analysis shows that one-fifth of the respondents (20.0 per cent) said that periodic *patta* was renewed once since it was allotted the first time; for 5.45 per cent respondents it was renewed twice; for around one-tenth of them (9.09 per cent) it was renewed thrice; a little more than one-fifth of the respondents (21.82 per cent) said that

the periodic *patta* was renewed four times since it was allotted the first time; for a small number of the respondents (3.64 per cent) it was renewed several times; and a similar number of the respondents (3.64 per cent) had their periodic *patta* renewed more than four to five times; 5.45 per cent respondents did not know how many times their periodic *patta* had been renewed; a sizable number of the respondents (30.91 per cent) said that they/ their family members did not renew their periodic *patta* since it was allotted the first time (Table 7.14).

Table 7.14 : How Many Times Periodic *Patta* Renewed Since it was Allotted the First Time?

Sl.	Response	No.
1.	Once	11 (20.0)
2.	Twice	3 (5.45)
3.	Thrice	5 (9.09)
4.	Four times	12 (21.82)
5.	Not yet renewed/ continuing since beginning	17 (30.91)
6.	Several times	2 (3.64)
7.	More than 4 or 5 times	2 (3.64)
8.	Do not know	3 (5.45)
	Total	55 (100.00)

N varies because of no response or missing figure

What is the Stipulated Time Frame for Periodic *Patta*?

As per the rules, the periodic *patta* had to be renewed every five years. An attempt has been made to find the awareness level among the respondents about the stipulated time frame for renewal of the periodic *patta*. Data analysis shows that the majority of the respondents (43.55 per cent) said that the stipulated time frame for renewal of periodic *patta* was five years; one-fourth of them (25.81 per cent) said that the periodic *patta* gets renewed annually; 14.52 per cent stated that it gets renewed every two years; as per 3.23 per cent respondents it got renewed every 3-4 years; a similar number of them (3.22 per cent) said that it got renewed after more than five years; a similar number (3.22 per cent) said that there was no stipulated time frame for renewal of the periodic *patta*; and 6.45 per cent of the respondents said that they did not know the stipulated time frame for renewal of periodic *patta* (Table 7.15).

Table 7.15 : What is the Stipulated Time Frame for Periodic *Patta*

Sl.	Response	No.
1.	Annually	16 (25.81)
2.	Once in two years	9 (14.52)
3.	3-4 years	2 (3.23)
4.	5 years	27 (43.55)
5.	More than 5 years	2 (3.22)
6.	Not fix/it varies	2 (3.22)
7.	Do not know	4 (6.45)
	Total	62 (100.00)

Does Periodic Patta Get Renewed Automatically?

In order to find the awareness level about renewal of the periodic *patta*, respondents were asked if the periodic *patta* got renewed automatically. It was found that majority of the respondents (50.82 per cent) said that the periodic *patta* did not get renewed automatically; a large number of them (45.90 per cent) said that they did not know; a small number of them (3.28 per cent) stated that it got renewed automatically (Table 7.16).

Table 7.16 : Does Periodic Patta Get Renewed Automatically?

Response	No.
Yes	2 (3.28)
No	31 (50.82)
Do not know	28 (45.90)
Total	61 (100.00)

N varies because of no response or missing figure

If the Periodic Patta Does Not Get Renewed Automatically, How Much Time Does it Take to Renew It?

Respondents, who stated that the periodic *patta* does not get renewed automatically, were asked to state how much time it takes to renew the periodic *patta*. Data analysis shows that most of the respondents (58.06 per cent) said that the periodic *patta* gets renewed within a week; a little less than one-fifth of the respondents (19.35 per cent) said that it depended on the Revenue Department; one-tenth of the respondents (9.68 per cent) said that the periodic *patta* gets renewed within a fortnight; a small number of the respondents (3.23 per cent) said that the periodic *patta* gets renewed within a month; around one-tenth of them (9.68 per cent) did not know (Table 7.17).

Based on the above data analysis, it may be stated that the periodic *patta* was used mainly for cultivating horticultural, vegetable or commercial crops. Most of these households had collected documents related to periodic *patta* from the Revenue Department and only a few of them had not. Over the years, the number of periodic *patta*-holders had increased. The renewal of periodic *patta* takes one week though a lot depends on the Revenue Department also, as it is this department which renews the periodic *patta*.

Table 7.17 : If Periodic Patta Does Not Get Renewed Automatically, How Much Time does it take to Renew?

Sl.	Response	No.
1.	Within a Week	18 (58.06)
2.	Depends on Revenue Officials as it is processed by them	6 (19.35)
3.	Within Fortnight	3 (9.68)
4.	Within Month	1 (3.23)
5.	Do Not Know	3 (9.68)
	Total	31 (100.00)

N varies because of no response or missing figure

Land Allotment with Permanent Ownership (Land Settlement Certificate)

Land Settlement Certificate is a land record document that gives permanent ownership rights on land to an individual. Chapter-II of the Mizo District (Land and Revenue Act, 1956) defines LSC as follows:

*Land settlement means the settling of land under the Act and under these rules, either permanently or periodically with individual persons or society who have entered into an engagement with the District Council to pay land revenue and includes survey, demarcation of boundary and classification preliminary to such settlement.*⁹⁸

It further states,

The settlement-holder shall have 'heritable and transferable right of use' on or of sub-letting in his land subject to: the payment of all revenue and taxes from time to time legally assessed or imposed in respect of the land.

A settlement-holder shall, on the completion of survey and demarcation of boundary, obtain a certificate of recording for the details of that land on payment of such amount of recording fee as may be prescribed. Different rates of fees may be prescribed for any local area or class of land. Ownership over land-possession of such certificates showing details of boundary area and assessed revenue to be paid annually shall be deemed to be the conclusive proof that the land has been settled with the holder of the certificate and that all rights and interest arising out of such settlement have vested in such holder of the certificate.⁹⁹ Records of land settlement certificate for residential and agricultural land are maintained separately in the Revenue Department.

Government approval is taken for allotment of land with settlement certificate. As per norms, the state government takes three months to give concurrence for land settlement certificate. However, other factors also influence the decision making in this regard. For instance, if a person is influential, land settlement certificate/ document can be released within a month also. However, on an average, it takes one to three years.

Basic Features of Land Settlement Certificate

- Land settlement certificate (LSC) is a land record maintained by the Revenue Department. A person can apply for LSC only in town and sub town areas;
- It is a legal document;
- Land settlement certificate can be for the residential plot/ shop/ stall or an agricultural plot;
- Land is not settled directly with LSC. First, land is allotted on periodic-*patta* basis and thereafter, a person applies for conversion to land settlement certificate;
- It provides 'heritable right' on land to landholder; It is important to mention that only in town and sub-town areas, a person can apply for conversion of pass into LSC;
- Land settlement certificate holder has to pay annual revenue/ tax for the land owned with permanent ownership rights;
- Ex-servicemen are exempted from paying tax on land with land settlement

certificate for one residential plot and one agricultural plot. But if ex-serviceman has more than one parcel of land with Land Settlement Certificate, he has to pay for rest of the plots.

Conversion of Pass to Certificate

Holders of passes or permits from before the passing of the Act are given a chance to convert their passes or permits to certificate of Land Settlement (LSC) or certificate of Land-Lease (periodic lease). The area in occupation of such pass-holder is measured afresh and any excess area has either to be vacated or included in the certificate on payment of a redemption fee.

Procedure for Allotment of House Site with LSC

Site Allotment Advisory Board (SAAB) has been constituted to review application for house site allotment. Thereafter, field staff/ surveyor visits the plot for verification and survey. Once sufficient number of applications are received, the Site Allotment Advisory Board (SAAB) calls a meeting to review these applications and accordingly recommends those that are found deemed fit. Site Allotment Advisory Board is constituted by a member of legislative assembly, sub-divisional officer, block development officer and members of village council, etc. A member of legislative assembly of the particular constituency acts as chairman, SAAB. The whole process takes around two years from submission to approval of application. Once the applications for house site are considered and approved by the government, as per norms, renewal of periodic *patta* takes one day; Table 7.18 exhibits district-wise land plots allotted on LSC basis. It shows that maximum number of land plots with LSC was allotted in Aizawl district (117,455) followed by Lunglei district (32,894); Mamit district has the lowest number of land records with LSC.

Table: 7.18 : District-wise Land Records with LSC

Name of District	House Site (LSC)	Shop/ Stall	Cadastral (LSC)	Garden (LSC)	WRC (LSC)	Total
Aizawl	69340	2482	868	1501	131	117455
Lunglei	17588	65	-	26	-	32894
Kolasib	6313	708	495	156	111	22118
Champhai	4152	656	1125	43	88	15172
Serchhip	3511	436	518	27	73	13421
Mamit	2455	231	210	136	72	8545
Total	103359	4578	3216	1889	475	209605

Source: DLR & S, Govt. of Mizoram, December 2009

Wet-rice Cultivation Plots and Its Main Features

When the Lushai Hill was annexed by British, they tried to control the ill effects of jhum cultivation and promoted wet-rice cultivation as an alternative. Shakespeare, the first superintendent of Lushai Hills District took steps in 1898 to introduce WRC in Champhai valley. His successors established colonies for wet-rice-cultivation at Champhai,

Vanlaiphai and some other places and also terrace cultivation at few places. The experiment of wet-rice cultivation proved quite successful. At the end of the 19 century, wet-rice cultivation became so popular that more and more farmers started demanding wet-land settlement. Seeing the growing demand and scarcity of wet-rice cultivation land, Major Cole laid down certain rules about allotments of wet-rice cultivation plots in Champhai district during 1909 AD.¹⁰⁰ These rules show that in the limited areas of wet-rice-cultivation, certain rights over land were conferred on the wet-rice cultivators by the British authorities in order to provide some incentives. All these wet-rice-settlements continued till now and proving useful in terms of production, productivity, income and management of agricultural land for the cultivators and in generating revenue for the revenue department.¹⁰¹

Wet-rice cultivation plots are allotted first on periodic *patta* basis. Later, a person can apply for conversion of periodic *patta* into land settlement certificate. WRC with land settlement certificate gives 'permanent ownership right' to land.

Table 7.19 shows district-wise WRC plots allotted during 2007-08. It shows that the total area under wet-rice cultivation in the state was 9,594 hectare. District-wise data shows that maximum area under WRC was in Kolasib district (3,515 hectare) followed by Champhai district (2,374 hectare). In terms of number of WRC plots, Champhai district (2,374) has the maximum number of WRC plots followed by Kolasib district (1,709). The area under WRC plots was comparatively less in Aizawl (453), Mamit (422) and Saiha (392) districts. Table 7.19 shows number of WRC farmers, area under WRC plots and area still to be developed. Data shows that during 2007-08, 8859 farmers were engaged in wet-rice cultivation and total area under wet-rice cultivation was 9594 hectare. 8744 hectare area was still to be developed for WRC.

Table 7.19 : District-wise WRC Statistics during 2006-07 & 2007-08

District	2006-07			2007-08		
	No. of WRC Farmers	Area of WRC Cultivated (Ha)	Area still to be Developed (Ha)	No. of WRC Farmers	Area of WRC Cultivated (Ha)	Area still to be Developed (Ha)
Aizawl	411	366	942	453	440	942
Champhai	2630	2557	2113	2630	2374	2113
Kolasib	1712	2929	1412	1709	3515	1339
Lawngtlai	587	1475	1184	546	712	1032
Lunglei	1176	463	1104	1139	651	1089
Mamit	410	892	1097	392	173	1075
Saiha	321	387	453	422	376	861
Serchhip	1500	1353	368	1568	1353	293
Total	8747	10422	8673	8859	9594	8744

Source: Statistical Handbook Mizoram, 2008, Directorate of Economics & Statistics, Mizoram, Aizawl, p. 24.

Table 7.20 shows that there were 184,854 households in 793 villages in Mizoram; out of which 79,960 families were engaged in jhum cultivation, 8859 households were in wet-rice cultivation and 3,479 households were engaged both in wet-rice and jhum cultivation. Number of families engaged in jhum cultivation was very high, i.e. 79,960.

Table 7.20 : District-wise Distribution of Villages & Households Engaged in WRC & Jhum

Dist.	No. of villages	No. of Households	No. of Jhum culti. family	No. of WRC culti. families	No. of culti. families	No. of fam. opng. Jhum, WRC
Aizawl	167	60863	18378	453	18831	254
Champhai	104	21134	8368	2630	10998	-
Kolasib	36	16402	6201	1709	7910	492
Serchhip	36	10528	5240	1568	6808	-
Lunglei	136	30097	14897	1139	16036	2376
Mamit	90	15370	8051	392	8443	109
Saiha	58	9494	4794	422	5216	78
Lawngtlai	166	20966	14031	546	14577	170
Total	793	1,84,854	79,960	8859	88819	3,479

Source: Statistical Abstract, Department of Agriculture Crop Husbandry, Mizoram, 2007-08, Govt. of Mizoram, published by Directorate of Agriculture (Crop Husbandry) Mizoram, Aizawl, p.33.

Analysis of Household Data

An attempt has been made to find the extent of WRC plot holders, size of WRC plots, whether WRC plots were irrigated or not, if revenue was levied on WRC plots, and also whether survey document (RoR) has been collected from the Revenue Department.

Number of Wet-rice Cultivators

In the present sample population 32 households had wet-rice cultivation plots with land settlement certificate.

Size of WRC Plot

Data analysis shows that in most of the cases (56.25 per cent) size of WRC plot was in the range of 1-5 tin; a little less than one-third of them (31.25 per cent) said that WRC plot holding was in the range of 5-9 tin; around one-tenth of them (9.37 per cent) said that it was up to one tin; and the remaining 3.13 per cent respondents said that the WRC plot holding was in the range of 9-13 tin (Table 7.21).

Table 7.21 : Size of WRC Plot & Irrigation Facility

WRC Plots	Up to 1 tin	1-5 tin	5-9 tin	9-13 tin	Total
WRC (Rain fed)	1 (6.25)	10 (62.5)	4 (25.0)	1 (6.25)	16 (100.0)
WRC (irrigated)	2 (12.5)	8 (50.0)	6 (37.50)	0	16 (100.0)
Total	3 (9.37)	18 (56.25)	10 (31.25)	1 (3.13)	32 (100.0)

Irrigated/Rain fed WRC

Notably, out of the total households having WRC plots, half of them (50.0 per cent) said that the WRC plots was irrigated and the remaining half of them said that it was rain fed.

Land Revenue on WRC Plot

All the households who have wet-rice cultivation plots said that they were paying revenue for their WRC plots. District revenue office is the lowest unit in Mizoram, so people faced difficulties in depositing tax/ fee on due date as they had go to the district headquarters and they often failed to pay on time. Once people called a meeting to discuss this problem and submitted a memorandum to the revenue officials, requesting them to depute revenue officials to visit their localities to collect land revenue. Thereafter, a decision was taken that the Revenue Official themselves would visit for revenue collection.

A woman respondent narrated how town-dwellers pay their taxes now to the revenue officials:

Revenue official/ inspector visits us to collect tax/ fees every year. He sits at one central point. Local announcer announces the arrival of the Revenue Inspector and asks families to come and deposit the fee/ tax and local residents come to make payments. After receiving payment, the revenue inspectors give receipt (in the form of a small chit) to the town dwellers.

Have You/Your Family Taken Survey Number of WRC Plot?

Respondents who had WRC plots were asked whether they/ their family members have taken survey number of their WRC plots from the Revenue Department. Data analysis shows that most of the respondents (84.38 per cent) said that they/ their family members have taken the survey number of WRC plots; a little more than one-tenth of them (12.50 per cent) said that they/ their family members did not; and a small number of them (3.12 per cent) said that they did not know (Table 7.22).

Table 7.22 : Have You/ Your Family Taken Survey Number of WRC Plot?

Response	No.	
Yes	27	(84.38)
No	4	(12.50)
Do Not Know	1	(3.12)
Total	32	(100.00)

If Not, Reasons for that

Respondents, who reported that survey number of their WRC plots was not taken, were asked to specify the reasons for that. Data analysis shows that 25.0 per cent respondents said that they/ their family members did not take survey number as WRC plot was purchased from fellow villagers and they did not know anything about survey number;

25.0 per cent respondents said that they/their family members leased in WRC plots from fellow villagers; and the remaining 25.0 per cent of the respondents said that they their family members tried to get survey number of WRC plots but the Revenue Department told them that their survey document has got misplaced somewhere; 25.0 per cent could not collect as they did not have the time to visit Revenue Department which was located far-off; and some of them did not find the survey document so important.

One of the respondents stated the reason for not collecting the survey document:

I am a government servant and keep getting transferred to different places. My WRC plot is in Champhai district which is my home town. Since I am posted in a different town hence, it is difficult for me to visit Revenue Office to collect survey no. of WRC plot. My wife cultivates WRC plots but she cannot visit District Revenue Office.

Table 7.23 : If Not, Reasons

Sl.	Reasons	No.
1.	No time as working in other district	1 (25.0)
2.	It was a purchased land so do not know from where to get it	1 (25.0)
3.	Revenue Department misplaced my RoR	1 (25.0)
4.	WRC plot is taken on leased-in basis	1 (25.0)
	Total	4 (100.00)

WRC Plot Allotted on Periodic Patta Basis

In the sample population seven households had wet-rice cultivation plots allotted on periodic-patta basis. An attempt has been made to find the size of their WRC plot. Data analysis shows that majority of the respondents (71.43 per cent) said that their WRC plot holding was in the range of 1-5 tin; 14.29 per cent said that their plot was upto 1 tin; a similar number of them (14.29 per cent) said that their WRC plot was in the range of 5-9 tin (Table 7.24).

Table 7.24 : No. of Households Owning WRC Plots on Periodic Patta Basis

Types of Land	Up to 1 tin	1-5 tin	5-9 tin	Total
WRC (rain fed)	1 (50.50)	1 (50.50)	0	2 (100.00)
WRC (irrigated)	0	4 (80.00)	1 (20.0)	5 (100.00)
Total	1 (14.29)	5 (71.43)	1 (14.29)	7 (100.01)

The analysis shows that maximum land under WRC is in Kolasib district but as far as the number of households is concerned, Champhai district has the largest number of WRC plots. The size of wet-rice cultivation plot is either in the range of 1-5 tin or 5-9 tin. Only a few households have larger WRC plot holdings. Most of the households have taken survey number for their WRC plots. A large number of WRC plots are irrigated. Almost all WRC plot owners are paying revenue.

Table 7.25 shows that WRC plots were allotted in 1960. Out of the total WRC plots, maximum respondents said that it was allotted in 1990-99.

Table 7.25 : Since When You/ Your Family Doing WRC?

Sl.	Year	No.
1.	1960-1969	1 (2.56)
2.	1970- 1979	11 (28.21)
3.	1980-1989	8 (20.51)
4.	1990-1999	13 (33.33)
5.	2000-2009	6 (15.38)
	Total	39 (99.99)

Out of the total sample households, 129 households have community land allotted by the village council; 62 households have periodic *patta* allotted by the District Revenue Department or Directorate of LR& S; 39 households have wet-rice cultivation plots; 9 households have agricultural land; 3 households have shops (with LSC); and 59 households have house site (with LSC).

Based on the household data analysis, it can be said that vast land in the state was still unsurveyed. As per rough estimation, only 2 per cent of total land was cadastral surveyed. Piece meal survey was the most prevalent method of land settlement. Inadequate funds, lack of skilled manpower, advance survey technology and difficult physical terrain were found as the major roadblocks.

Vast land was under jhum cultivation and no land record was maintained for that. Land was administered by two agencies: Revenue department and Local Administration Department. Community land provided 'user right' over land. Contrary to it, land allotted by Revenue Department provides two types of rights 'user' vis-a-vis 'permanent ownership right. State government is encouraging people to shift from jhum to settled cultivation.

Land Lease

The fourth category of landownership is land lease. Public land is allotted under land lease and this gives the 'right to use'. For government office establishment, the lease period is for 25 years and lease period for NGOs is 10 years. In certain cases lease period was for 99 years depending on the purpose. The rate of leased land depends on grade and size of land. Following table shows district-wise record of land lease.

Data in table 7.26 shows that the maximum number of plots is leased in Aizawl district (1,380), followed by Lunglei (403), Champhai (284), Kolasib (278), Serchhip (206) and Mamit districts (171).

Table 7.26 : District-wise Land Records of Land Lease

District	No.
Aizawl	1380
Lunglei	403
Kolasib	278
Champhai	284
Serchhip	206
Mamit	171
Total	2722

STRUCTURE & FUNCTIONS OF AUTONOMOUS DISTRICT COUNCIL AND LAND ADMINISTRATION SYSTEM – A Case Of Lai Adc

There are three Autonomous District Councils (ADCs) in Mizoram – Lai, Mara and Chakma Autonomous District Councils. These ADCs come under the Sixth Schedule of the Constitution of India. The Lai Autonomous District Council was constituted on 29 April 1972 under the Sixth Schedule of the Constitution of India.

Geographically, the largest autonomous district council is Lai. It is 296 kilometre from Aizawl district. The main tribes in Lai ADC are Lai, Mara, Bawm, Brus, Chakma and Pang; and the predominant tribes are Lai and Chakma. Lai tribe is also known as Poi tribe. Poi is the language spoken by Lai tribe. Mara is a sub-tribe. Lai people were earlier known as Pawi; and Mara people were earlier known as Lakher but they do not like to be called Lakher anymore. They like to be called Mara. Besides this there are 30-40 sub-tribes in Lai ADC. Each of the tribes has their own language. There are 86 village councils in Lai ADC. Recently introduced Lai Autonomous District Village Council Act, 2010, has repealed the earlier Lai ADC Village Council Act.

Thingkah in LADC was visited during field visit.

Each tribe/ sub-tribe has representation in Lai ADC. There are 25 constituencies in Lai Autonomous District Council and each constituency has an elected member who is called the member of district council (MDC). MDCs are like MLAs. At present, there are 25 elected members in MDC. Two MLAs, one from East Lai and the other from West Lai represent in the State Assembly. West Lai is one of the biggest constituencies.

Lai ADC has a three-tier system – Legislative, Executive and Judiciary. Judiciary also has a three-tier system – village court, intermediary court and district council court. Intermediary court is at two places. Each village council has its own village court. Executive Council in ADC is similar to Members of Legislative Assembly in the State. Executive members (EMs) nominate chief executive member (CEM). CEM is the head of ADC. The chief executive member (CEM) in ADC has powers and duties just like the chief minister of a state. Members of district council act the way MLAs act in the state. ADC has Executive Secretariat. The term for autonomous district council is for five years.

At present, there are nine executive members (EMs) in Lai Autonomous District Council. Each executive member is given two or three departments. There are 19 departments under planned sanction and there are other departments that are non-plan category. Deputy Commissioner has very little power in these 19 departments. Deputy Commissioner's role is restricted to law and order, countersigning the bills, and issuance of utilization certificate. Autonomous district councils submit their financial budget to

the state. A member of Lai ADC said that due to political reasons funds were always released late by the state government.

Land Administration in Lai Autonomous District Council

Lai ADC comes under the Sixth Schedule of the Constitution of India. Sixth Schedule of the Constitution of India recognizes the customary rights of tribal communities in these three autonomous district councils, including Lai, and gives a considerable amount of protection over their lands, forest, customs and village chief-ships. The state and Union legislations are not enforceable unless approved by the district council.¹⁰² Vast land in Lai ADC is community land. In order to regulate jhum cultivation, Lai Autonomous District Council has Jhum Regulation 1983. It has repealed the previous Jhum regulation.

ADC administers land as per Lai Autonomous District Council Landholding Act, 2004 and Agricultural Land Act, 1972. Revenue, Survey and Land Ceiling Act have yet not been passed by LADC. There are seven divisions and each division has a Revenue Office. Revenue Office issues passes, periodic *patta* and land with LSC and land lease and assess revenue. The present executive member holds three departments – revenue, fishery and sanitation.

The revenue officials are trained at the Administrative Training Institute, Mizoram. In Lai ADC, Land Revenue and Settlement is a non-plan department. Autonomous district council has the same power over land as the state has. So far, no cadastral survey has been done in Lai ADC. Piecemeal survey is the commonly practised method of survey. With the result, no proper land records are maintained. It has very few surveyors.

The executive member (revenue), mentioned that various line departments approach Revenue Department to provide land for development projects but in the absence of land records, Revenue Department finds it difficult to settle land to these departments. This hampers the implementation of development projects in Lai ADC. He further added that land dispute cases are rising in town area because land in ADC has not been surveyed. There were ten land dispute cases registered as of October 2011.

One of the main reasons for land dispute is related to the boundary issues. The executive member (revenue) strongly emphasized the need for cadastral survey in Lai ADC. When land is acquired, no compensation is given to the displaced families. Revenue Department shifts them to some other place. Passes are issued for residence, agriculture, shop, wet-rice cultivation and fish pond. There is no settlement officer in Lai ADC. ADC officials said that the state gives step-brotherly treatment to ADC hence, funds under land/ and rural development sub-heads are always released less, and that too late.

COMPUTERIZATION OF LAND RECORDS & LAND REVENUE SYSTEM

This chapter focuses on two major issues: part I deals with the computerization of land records and part II deals with the land revenue system in Mizoram. To strengthen the land record system, the Government of India started a centrally sponsored scheme of Computerization of Land Records (CoLR) in 1988-89, that is during the Eighth Five Year Plan. The scheme is 100 per cent funded by the Central government. Computerization of land records not only enables the Revenue Department in maintaining land records, assessing land revenue properly and accurately, and also speeds up disposal of cases efficiently. The main objectives of the scheme of CoLR were:

- creating a database of basic records;
 - facilitating the issue of copies of records;
 - reducing work load by elimination of drudgery of paper work;
 - minimizing the possibilities of manipulation of land records; and
 - creating a land management information system.¹⁰³
- Agencies involved in the implementation of the CoLR scheme are:
- The National Informatics Centre (NIC)
 - Ministry of Rural Development (MoRD) and
 - The state governments

In Mizoram, pilot project on Aerial Cadastral Survey-cum-Computerization of Land Records was introduced in July 2007 by the Ministry of Information and Technology, Government of India. It is a Centrally Sponsored Scheme (CSS), which was initially started as a pilot project in two districts, Aizawl and Serchhip. Computer cells were established in both these districts. Revenue Office in Serchhip district was equipped with ten computers, one server and manned by six computer operators and one attendant. Later, all districts have been covered under CoLR as it was an on-going process. 'Zoram' software was developed for the digitization of land records. But all the entered holdings are only 2 per cent of total area of Mizoram as only 2 per cent of the total land in the state is cadastral surveyed.

Table 9.1 reveals district -wise status of computerised land records. Data shows that the highest numbers of land records (1,99,078) were computerised in Aizawl district followed by Lunglei (57,657) Kolasib (23,896), Champhai (15,801) and Serchhip district (12,040). Mamit district has less number of land records computerized (8016). Among all three Autonomous District Councils, higher number of land records were computerized in Chakma ADC (2,171) followed by Mara ADC (1,598) and; Lai ADC (418).

Table 9.1 : Computerized Land Records in Mizoram

Sl.	Districts	No.
1.	Aizawl	199078
2.	Lunglei	57657
3.	Kolasib	23896
4.	Champhai	15801
5.	Serchhip	12040
6.	Mamit	8016
7.	Chakma ADC	2171
8.	Mara ADC	1598
9.	Lai ADC	418
	Total	320,675

Source: DLR & S, Mizoram, December 2009

Data entry of land records has been completed at the directorate level and District Revenue Offices. But these land records could not be digitized as the 'zoram' software developed for digitization did not function properly. Also, computer staff was not well-trained in processing, and generating digitized land records. As a result, Revenue Department could not provide textual and graphic land records to its clientele. Landholders as usual were provided manual copy of the land records.

Data entry of land records continued in the state till 2009-10. Afterwards, Information and Technology Department all of a sudden withdrew the project and data entry of land records has been stopped. State officials feel that the Information and Technology Department has introduced a useful scheme but left it half-way.

Since 2010 software called, Land Revenue Management Information System (LARMIS) was introduced, which would enable to exhibits data of all the landholdings and tax due. The scientific cadastral survey data with its geo-coordinates are now made available to computerize which would be continued as the survey data available in future.¹⁰⁴

Analysis of Household Data

People having land title were not provided computerized land record yet. To find the awareness level about computerization of land record scheme, respondents were asked whether land record of their villages/ colonies have been computerized. Data analysis shows that a small number of the respondents (6.60 per cent) said that the land records of their villages/ colonies has been computerized; 37.05 per cent respondents said that the land records of their villages/colonies has not been computerized; and a large number of the respondents (56.35 per cent) did not know (Table 9.2).

Table 9.2 : Is Land Record of Your Village/ Colony Computerized?

Sl.	Response	No.
1.	Yes	13 (6.60)
2.	No	73 (37.05)
3.	Do not know	111 (56.35)
	Total	197 (100.00)

DLR & S, Mizoram, December 2009

Those respondents, who were aware of computerization of land records scheme, were further asked to specify the source from where they have come to know. Data analysis shows that the majority of the respondents (61.54 per cent) said that they came to know through the revenue officials; around one-fourth of them (23.08 per cent) came to know through neighbours/ friends; 15.38 per cent came to know through media (print and electronic) such as newspapers/ magazines and television (Table 9.3).

Table 9.3 : If Yes, From Whom Have You Come To Know about CoLR?

Sl.	Response	No.
1.	Revenue official(s)	8 (61.54)
2.	Neighbours/ friends	3 (23.08)
3.	Newspaper/magazine/TV	2 (15.38)
	Total	13 (100.00)

Respondents, who said that they were aware of CoLR, were asked whether they/ their family members ever obtained a computerized copy of land records (such as pass, periodic *patta* and land settlement certificate, etc.). Data analysis shows that none of the respondents have ever obtained a computerized copy of land records.

Respondents were asked to explain the reasons for not obtaining computerized copy of land records. Data analysis shows that out of total respondents, half the respondents (50.0 per cent) said that they/ their families were not provided computerized copy of land records by the Revenue Department as the CoLR was still under process; the remaining 50.0 per cent said that they had already taken a manual copy of land records therefore, they did not find it necessary to obtain the computerized copy for the same.

Respondents were asked about their opinion on computerization of land records. Data analysis shows that 69.23 per cent respondents were of the view that computerization of land records would be useful for the people; a little less than one-fourth of the respondents (23.08 per cent) could not say anything; 7.69 per cent said that if it was not handled carefully, it might create chaotic situation and lead to increasing land disputes (Table 9.4).

Table 9.4 : What is Your Opinion about CoLR?

Sl.	Response	No.
1.	Computerization is/ shall be useful to people	9 (69.23)
2.	Do not know	3 (23.08)
3.	If not handled properly it may create serious problems	1 (7.69)
	Total	13 (100.00)

Challenges in the Implementation of Computerization of Land Records Scheme in Mizoram

Mizoram encountered several problems in the implementation of CoLR. Some of these problems were:

- Land administration in Mizoram is different from the other states of the country.

Vast land in the state belongs to the community which is regulated by the customary laws. Most of the people in the state are engaged in jhum cultivation. Jhumias cannot be given computerized copy of land records as jhum land belongs to the community and jhumias were given only 'usufruct right'.

- As per rough estimates, only 2 per cent of the total geographical area of the state is cadastral surveyed. In the absence of land settlement, implementation of computerization of land records is not possible.
- 'Zoram' software was developed for computerization of land records and digitization. It has been experienced that the software developed was not compatible for digitization of land records. Hence, mutation of land records could not become possible and the state has failed to produce computerized mutation of land records;
- Digitization of land record was another area with which the state has been grappling with. The state had neither appropriate software for digitization nor well-trained staff to generate digitized land records. The state has dearth of experts and inadequate infrastructure to handle software related to digitization.
- Repairing and maintenance of computer hardware is a big problem for the state. Even if there was a small breakdown with any part of the soft or hardware of computer, the Revenue Department has to depend on Delhi or Guwahati for repairing and maintenance. As a result, the computer-related work gets stuck. There is a need to train staff in repairing computer hardware.
- The language of the state was Roman Mizo but software was developed in English language. Hence, the state officials found software language difficult to comprehend and process.
- All revenue/survey officials were not computer literate. This has created problem in the smooth functioning of the programme.
- Zoram software did not have a separate column for maintaining sex-segregated data. Since, the state is still in the process of developing software, so an additional column can be created for that. This would provide first-hand information about gender and land ownership.
- CoLR project was started by Information and Technology Department, GoI. The Revenue Department of Mizoram was not consulted in designing the software, so lack of understanding about the socio-cultural ethos by the Information & Technology Department became one of the important reasons for the failure of this project.
- State officials said that in the absence of cadastral survey, computerization of land records would be difficult.
- Since the project has been withdrawn from the state therefore, services of the computer staff were terminated as they were hired on contract basis. The terminated staff registered a case in the court and pleaded for their absorption in the department. Information & Technology Department has also been insisting to the Director, Land Revenue and Settlement, Mizoram, to absorb them. But due to fund constraints, the state is unable to reinstate them.

The Information and Technology Department has introduced CoLR scheme in the state on pilot basis. Most of the land records at the directorate level have been computerized. Other districts were also included for computerization of land records. But the software developed for digitization purpose did not function properly hence, the programme could

not get the desired results. Land records per se have been fed but land records were still not generated. Land records were maintained manually. There were various reasons for that. For instance, there was a dearth of experts, funds and infrastructure in the state to manage the software properly. Since vast land in the state was community land which has still not been surveyed hence, computerization of land records was not possible. There was a need to complete the cadastral survey first.

Although the state could not generate and provide computerized copy of land records to the people yet some of them were aware of CoLR scheme. The main source of awareness about CoLR scheme was the revenue officials themselves; the other sources were neighbours/ friends and media. None of the respondents reported of having obtained a computerized copy of land records.

LAND REVENUE SYSTEM

In Mizoram, land revenue means any revenue assessed on an estate and includes other taxes assessed in lieu of land revenue. The Mizo District (Land & Revenue) Act, 1956, was passed by the Mizo District Council on 4 October 1956. It was enacted to provide for the recognition of rights on land and assessment of revenue on such land by the district council. It was extended to the whole of the Union Territory of Mizoram excepting the areas under the ADCs of Pawi, Lakher and Chakma. The Mizo District (Land & Revenue) Rules came in 1967. Later the Mizoram District (Land & Revenue) Amendment Act, 1975, was passed with its amendments from time to time.¹⁰⁵

This includes the principles for classifying land, fixing land revenue, manner of fixation, sanction of assessed land revenue and modification of orders passed on objection, etc.

Land has been divided into different classes and accordingly tax is imposed. The Executive Committee from time to time, fixes the rate of land revenue per bigha on area basis for each grade within the range of rates provided under Section 15 (1) & (2) of Land Revenue Act. Land Revenue Act was amended again in 1981. Classification of land, rates of premium, land revenue, land valuation and fees for land lease were revised on 27 July 2007 under (Taxes on Land Buildings and Assessment of Revenue) Act, 2004. These categories of assessed land has to be registered and 'passes' obtained. A 'pass-fee' is also to be paid for each pass.

Thus, the Land Revenue Department in Mizoram generates revenue in the form of tax, fee, premium and receipt, etc. Tax is levied on house, house site (LSC), building (RCC), shop, stall pass, garden or plantation (periodic patta/land settlement certificate), wet-rice cultivation (periodic patta/land settlement certificate), fish pond and farm, etc., and buildings, other than government building, and zoram chhiah. Fee is charged for mutation, partition, extension, concession, transfer, issue of duplicate copies, excess redemption, mortgage, registration, renewal of periodic patta, house and re-issue of land settlement certificate. Premium is charged on passes issued against house, stall, shop, garden, wet-rice cultivation, fish pond and farm.

Receipts are to be paid on account of survey settlement operation. This includes land recording fees, cadastral land and settlement certificates. Other receipts include sale of prescribed form, Tax Clearance Certificate (TCC)/ House of Tax Payee Clearance Certificate (HTPCC) and any other house tax receipt. Land revenue is imposed only in notified town or station areas.

‘Zoram chhiah’ – (Tax on Land and Man)

The term zoram chhiah is made of two words: zoram+chhiah which mean tax imposed on land and man. The latter may sound unusual but it does exist. It may be a legacy of the British administration, which had introduced personal residence surcharge on the residents of the towns and semi-towns at Lushai Hills and partly an extension of the surcharge to cover villages, too. This tax continues to this day.

Article 276 of the Indian Constitution prescribes Rs. 2500 as the maximum limit for this tax. Earlier Rs. 2.50 was charged as zoram chhiah from every Mizo family. Later, it was raised to Rs.5 and then to Rs.15 annually, which remained effective till 2008. Currently, it is charged @ Rs. 30 per annum. Zoram chhiah is levied on every family in town and rural areas in the state, unless exempted by the administrator on grounds of dire and continued poverty. Even if a family is landless or living in a rented house, it has to pay zoram chhiah. Non-tribal government servants living in government quarters are, however, not liable to pay such tax.

In 2008, a group of Mizos belonging to a particular political party filed public interest litigation for the withdrawal of zoram chhiah. They pleaded that since this tax was introduced by the British and now Mizoram has attained statehood, therefore, there was no reason to burden the Mizos by carrying forward the old legacy. However, the case was overruled by the court on a plea that there has been a Constitutional provision for zoram chhiah hence, it could not be withdrawn. With this verdict, Mizos have started paying zoram chhiah again.

Table 9.5 shows year-wise target and amount collected as revenue by Land Revenue & Settlement Department during the last 17 years.

The above table shows that for the last one and a half decades (during 1990-2004), there was a continuous fall in the revenue collection. But during 2004-05 and 2005-06, land revenue was in excess. During 2006-07, and 2007-08, there was again a shortfall in revenue. Data analysis on CoLR in Mizoram reveals that in the absence of cadastral survey, CoLR could not implement successfully. Besides, lack of skilled manpower required for computer operation and funds were some of the other obstacles. Despite all these hurdles, Revenue department found CoLR as an important programme as it would make land record management much smooth and easier.

Analysis on land revenue reveals that tax, fee, premium and receipt were the main sources of land records in Mizoram. Stalls were taxed at a higher rate. Land revenue was collected only in the town and sub-town areas. One of the major contributions in the state revenue

Table 9.5 : Year-wise Collection of Land Revenue in Mizoram

Year	Target (in Rs./ lakhs)	Amount Collected (in Rs./ lakhs)	Excess Shortfall
1990-91	50.00	32,95,592.00	(-) Rs. 17,04,408
1991-92	50.00	42,60,758.00	(-) Rs. 7,39,242
1992-93	60.00	33,47,000.00	(-) Rs.26,53,000
1993-94	60.00	52,30,436.00	(-) Rs.7,69,564
1994-95	65.00	56,03,943.00	(-) Rs. 8,96,057
1995-96	65.00	77,20,497.00	(+) Rs. 12,20,497
1996-97	100.00	82,39,766.00	(-) Rs. 17,60,234
1997-98	105.00	68,96,501.00	(-) Rs. 36,03,499
1998-99	105.00	103,67,082.00	(-) Rs. 1,32,917
1999-2000	120.00	125,57,596.0	(+) Rs. 5,54,164
2000-01	125.00	119,41,785.00	(-) Rs. 5,58,215
2001-02	140.00	123,88,418.00	(-) Rs. 23,98,102
2002-03	130.00	129,75,332.00	(-) Rs. 24,668
2003-04	176.00	121,93,535.00	(-) Rs. 54,06,465
2004-05	127.00	155,44,630.00	(+) Rs. 28,44,630
2005-06	160.52	240,77,114.00	(+) Rs.80,25,114
2006-07	170.00	157,97,099.00	(-) 1,202,901
2007-08	172.00	17,038,440.00	(-) 161,560

Source: Finance & Accounts Officer, LR&S Department, Govt. of Mizoram

is through zoram chhiah which is mandatory to pay for every Mizo. Despite the fact that a very small portion of land in the state has been cadastral surveyed yet Revenue Department has been able to generate revenue and contribute significantly in the state exchequer.

LAND INHERITANCE

In generic terms, inheritance is the practice of passing on property, titles, debts, and obligations upon the death of an individual. The rules of inheritance differ between societies and have changed over time.¹⁰⁶ The Mizo society being patriarchal, property particularly landed/ immovable property in general is inherited by men and not by women. As per the Mizo customary laws, the youngest son of the family is the natural or formal heir to his father but the father may leave share to other sons, if he so desires. In practice, the paternal property is generally divided among all sons. The youngest of them gets a preferential treatment. In case, if a man has no son, his property is inherited by the next kin of the male descendant. If a man dies leaving a widow and minor children, a male relation (who usually happens to be a brother of the deceased) takes charge of the family and looks after the property until one of the sons comes of age. If no such male relative is around, then the widow acts as a trustee of her husband's property until such time as her sons are old enough to inherit it.

A Mizo Book on customary laws, Huam Dan, mentions:

*The reason why the youngest son inherits is because he is supposed to support the aged parents. The youngest son cannot inherit all the properties merely because he is the youngest unless he supports the aged parents till death.*¹⁰⁷

The book goes on to say that a daughter or a wife can inherit land/ immovable property only if the deceased has no male heir descendants. Women, however, were entitled to their own property. The dowry, 'Thuam' in Mizo, she gets during the marriage from her parents, is exclusively her own property. However, a written 'will' formally executed may now confer a woman the right to inherit the family property. This amendment has been introduced in the customary law.¹⁰⁸ Property is inherited only after getting an inheritance certificate that has to be brought from the law court in which village council acts as witness. To settle transfer of land through inheritance Electoral Photo Index Card (EPIC) is produced as a proof.

A study conducted on inheritance process in Lunglei town in Mizoram shows that out of 40 households surveyed, 9 households had acquired property by inheritance, 7 by purchase, 17 by gifts and 7 by fresh allotments under land settlement certificate. Of the 9 inherited plots, 2 were inherited by the eldest son, 2 by the youngest son, 3 by the only son and 2 by the widow. Of the two cases of land inherited by the widow, in one, she was certified as legal heir by the magistrate and in the other, she inherited on behalf of the minor son.¹⁰⁹ Thus, as per Mizo customary laws, women are not entitled for land and they are deprived

in inheritance laws. There is a growing emphasis now to review the existing customary land laws from gender perspective as instances of challenging the customary laws can also be seen taking place in the Mizo society.

In this regard, one of the Assistant Settlement Officer (ASO) narrated his experience:

A married woman put a writ petition in the District Court to claim property after her parents' death. She did not have any brother. As per customary law, property was inherited by her uncle (male descent) in the family who served her father during his old age. The daughter registered a case in the District Court. Assistant Settlement Officer was dealing with the case in the District Court. He found that as per customary laws, daughter was not entitled to inherit her father's property so decision was taken to disinherit her from the ancestral property. But, the daughter challenged the verdict of the District Court and appealed in the High court where the case is still pending.

The above example shows gender discrimination inherent in customary laws. Land laws are sometime contradictory also. Such incidents draw attention to review and bring changes/ fresh enactment in some of the existing customary laws.

Analysis of Household Data

During the household survey, an attempt has been made to find various aspect of land inheritance. This included awareness about land inheritance laws, agency which play an important role in decision making related to inheritance matters; and also whether women inherit land in Mizo society, if so under what conditions. Attempt has also been made to find whether any land was inherited by women.

To find the awareness level about the inheritance laws in Mizoram, respondents were asked whether they were aware of land inheritance laws. It was found that a little more than one-fourth respondents (26.24 per cent) were aware of land inheritance laws' but a large number of them (73.76 per cent) were not aware of them (Table 10.1).

Table 10.1 : Are You Aware of Land Inheritance Laws in Mizoram?

Response	No.
Yes	53 (26.24)
No	149 (73.76)
Total	202 (100.00)

N varies because of no response or missing figures.

Respondents, who reported that they were aware of land inheritance laws, were asked to brief about that. Data analysis shows that little less than half the total respondents (47.73 per cent) said that although as per Mizo custom, the youngest son is supposed to inherit land yet in practice, it depends on the 'will' (verbal or written) of head of the family (father); more than one-third respondents (36.36 per cent) said that the youngest son inherits; one-tenth of the respondents (9.09 per cent) said that only the male members in

the family inherit. They further explained that the main house was inherited by the youngest son and other assets were inherited by other sons. 4.55 per cent respondents said that it also depends on the quantum of assets owned by the family; if the family owned sufficient assets in that case, it was divided among all the children. A small number of the respondents (2.27 per cent) said that wife of the deceased inherits after his death, any child who stays with her, inherits the landed property (Table 10.2).

Table 10.2 : If Yes, Please Describe

Sl.	Response	No.
1.	Head of the family makes (written or verbal) 'will'	21 (47.73)
2.	Youngest son inherit land	16 (36.36)
3.	Only male members of the family inherit/House is inherited by the youngest son, other assets by other members	4 (9.09)
4.	Depends on quantum & types of assets / if family owns sufficient assets then all family members get share	2 (4.55)
5.	Wife inherits, in case of her death, child who stays with her inherits	1 (2.27)
	Total	44 (100.00)

N varies because of no response or missing figure.

Have You/Your Family Members Inherited Any Agricultural Land/House Plot?

Respondents were asked whether they/their family members inherited any land/plot. Data analysis shows that 14.56 per cent respondents said that they/ their family members inherited landed property; and 85.44 per cent of them said that they did not (Table 10.3).

Table 10.3 : Have You/ Your Family Inherited Any Agricultural Land/ House Plot?

Response	No.
Yes	30 (14.56)
No	176 (85.44)
Total	206 (100.00)

Who Played an Important Role in Land Inheritance?

Respondents, who said that land/ house plot was inherited by them/ their family members, were asked to define the relationship with the person who played an important role in inheritance of landed/ immovable property. Data analysis shows that in majority of the cases (76.67 per cent) head of the family (father) took the decision with regard to land inheritance. Around one-fourth of them (23.33 per cent) said that the decision was jointly taken by village council and father (Table 10.4).

Table 10.4 : Who Played an Important Role in Land Inheritance?

Response	No.
Family head	23 (76.67)
Village Council and Father	7 (23.33)
Total	30 (100.00)

Respondents, who said that the village council played an important role in decision making related to land inheritance, were asked to define the role played by the village

council. Data analysis shows that majority of the respondents (85.71 per cent) said that the village council acts as witness and recommending body; the remaining 14.29 per cent respondents said that village council assess the economic condition of the family and takes decision accordingly (Table 10.5).

Table 10.5 : If Village Council Played an Important Role, Explain How?

Response	No.
VC acted as witness	6 (85.71)
Assessed family economic conditions	1 (14.29)
Total	7 (100.00)

Respondents were further asked under what conditions the women inherit landed property in Mizo society. Data analysis shows that majority of the respondents (55.56 per cent) said that a woman inherits land if she has no other sibling, if the father makes a 'will', or was well-off and had large landholding. One-fourth of the respondents (25.69 per cent) said that it depends on the decision taken by head of the family (father); a little more than one-tenth of them (11.11 per cent) said that inheritance could be through 'gift' if it was a self acquired property; 4.17 per cent of the respondents said that if daughter stays with parents and takes care of them she may inherit; 3.47 per cent said that if daughter was unmarried or divorcee, then she inherits landed property (Table 10.6).

Table 10.6 : Under What Conditions Women Inherit Land?

Sl.	Response	No.
1.	If father makes 'will'/no other sibling or son, If parents own large landholding and wealthy enough/economic conditions well off	80 (55.56)
2.	Depends on Head's will, no specific condition or law applicable on that	37 (25.69)
3.	Only purchased land or parents can give as a gift	16 (11.11)
4.	If a daughter stays with parents and looks after them	6 (4.17)
5.	If divorcee, unmarried and lives with her parents	5 (3.47)
	Total	144 (100.00)

N varies because of missing figures or no response.

To find out whether women inherited land, respondents were asked whether any woman in the village/ locality inherited land in their localities/ villages. Data analysis shows that one-fourth of the respondents (24.24 per cent) said that women in their village/ locality have inherited land; 45.45 per cent said that women did not inherit land; and the remaining 30.30 per cent of them said that they did not know.

Thus, as per Mizo customary law, it has been the youngest son who inherited landed property. But in practice, other sons and sometimes daughters also inherit. Other factors which influence decision making related to inheritance were the 'will' executed by head of the family, economic conditions or if the daughter was unmarried or divorcee. Inheritance-related decisions were taken mainly by the head of the family. In some cases, it was decided both by head (father) of the family as well as village council. Village council basically acts more as a witness and a recommending authority in the case.

LAND DISPUTE

A vast area of land in Mizoram is community land which is regulated by the customary laws. Village council plays an important role in administering the community land. Therefore, all land disputes related to community land are dealt by the village council of the respective village.

Land in notified town and sub-town area comes under the jurisdiction of Directorate of Land Revenue & Settlement, Mizoram. Thus, the land disputes in these areas come under the jurisdiction of Directorate of Land Revenue & Settlement. To specify the guidelines and the order of authority for settlement of land dispute the Directorate of Land Revenue & Settlement, Mizoram released an order on 17 February 1983. This order clearly mentions that all cases of land dispute will be disposed off by assistant director and assistant settlement officer at their levels and only complicated disputes may be referred to the Director, Land Revenue and Settlement. It further mentions that all cases of dispute out of temporary passes are to be considered and decided by the deputy commissioner (revenue) concerned but any dispute involving Land Settlement Certificate will have to be referred to the Directorate. It mentions that all dispute cases received should be entered into the register wherein appropriate columns will have to be made to indicate if the cases are settled or not. The register will include all the dispute cases pending in the Directorate. The number of amicable settlement of these disputes will be utilized for the report of achievement.¹¹⁰ Director is the appellate authority in settlement of all the land dispute cases in Mizoram. There was no High Court in Mizoram but it has Guwahati High Court, Aizawl Bench. Sometime Divisional Bench also sits.

In the survey, an attempt has been made to find out the extent, causes, mechanism to resolve the land dispute, agencies approached for land dispute settlement, whether dispute settled or not. An attempt has also been made to find the role played by the village council in this regard.

There are two types of land dispute cases – Ordinary case and Court case. Data on land dispute cases provided by the DLR & S, Mizoram, shows that till December 2008, there were 360 ordinary cases related to the land dispute and pending with the District Court; and which rose to 1,103 by September 2011; 40 cases were pending with the High Court and 3 cases with the Supreme Court. The reasons for land dispute were mainly due to:

- Boundary/ over-lapping of boundary
- ownership/ inheritance
- double entry of the same plot, i.e. dual ownership

- absentee landlordism, and
- riverine land. The basic cause of most of these land disputes was due to absence of primary survey of vast land, which leads to poor management of land records (Table 11.1).

Table 11.1 : Types of Court

Sl.	Types of Court	No.
1.	District Court	360
2.	High Court	40
3.	Supreme Court	3
	Total	403

Source: DLR & S, 2008

If land dispute takes place, first it goes to village council and if it fails to settle then it goes to the District Revenue Office. Surveyor of District Revenue Office is asked to visit the spot. If the surveyor fails to settle the dispute then the case goes to the district court. If it is not settled in district court, then it goes to the High Court.

Revenue officials were of the view that one of the important reasons for growing land dispute was that the entire land in the state has yet not been surveyed. Another reason was lack of proper guidelines in dealing with land disputes related to riverine.

One of the assistant settlement officers has shared his experience related to land dispute:

There are an increasing number of land disputes cases related to riverine in the state. If land dispute due to riverine comes in the District Court, it becomes difficult to take decision as the existing land laws are silent on this matter. In the absence of any rules/guidelines, Assistant Settlement Officer finds it difficult to reach to any logical conclusion.

He suggested:

Such issues are serious in nature and need to be addressed on priority basis by the state government.

Another senior revenue official mentioned:

Previously life was simple and land laws were enacted keeping in view the lifestyle and customs of the tribal society in Lushai Hills. But now these laws are amended every now and then without giving any serious thought and ignoring the socio-cultural ethos of the tribal society. This is making land laws more complex.

He narrated an important incident:

Once land dispute case was referred to the Advocate General, High Court, Guwahati, Assam. After going through the whole case, the Advocate General got perplexed and said: 'Your State has legislated so many land laws, why do you violate them? If you cannot follow these laws, better throw them in Brahmaputra River.'

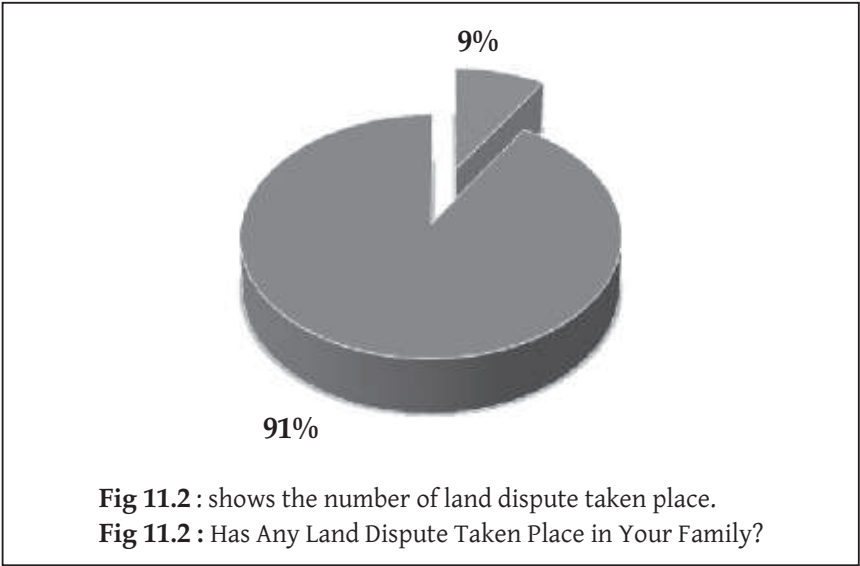
Analysis of Household Data

In order to find the extent of land dispute, respondents were asked whether any land dispute took place in their families. Data analysis shows that out of 204 total respondents, little less than one-tenth of them (8.82 per cent) said that land dispute has taken place and the remaining 91.18 per cent said that it has never taken place (Table 11.2).

Table 11.2 : Has Any Land Dispute Taken Place in Your Family?

Response	No.	
Yes	18	(8.82)
No	186	(91.18)
Total	204	(100.00)

N varies because of no response or missing figure or not applicable.

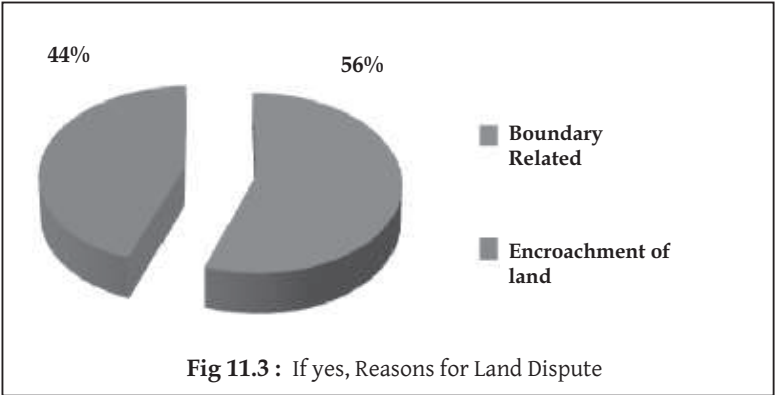


Reasons for Land Dispute

Respondents who said that land dispute took place in their families, they were asked to state reasons for land dispute. Data analysis shows that land dispute took place either due to boundary-related problem (55.56 per cent) or encroachment of land (44.44 per cent). Table 11.3 shows reasons for land dispute.

Table 11.3 : If Yes, Reasons for Land Dispute

Reasons	No.	
Boundary related	10	(55.56)
Encroachment of land	8	(44.44)
Total	18	(100.00)



Respondents were further asked whether land dispute was settled or still pending. Data analysis shows that one-third of the respondents (33.33 per cent) said that land dispute was still pending whereas the remaining two-third of them (66.67 per cent) said that land dispute got settled (Table 11.4).

Table 11.4 : Is Land Dispute Pending/ Settled?

Response	No.
Pending	6 (33.33)
Settled	12 (66.67)
Total	18 (100.00)

Since When Has the Land Dispute Been Pending?

Respondents who responded that land dispute was still pending, they were asked to specify since when land dispute was pending. Data analysis shows that out of a total of 6 respondents, half of them (50.0 per cent) said that land dispute was pending for the last 2-5 years; one-third of them (33.33 per cent) said that land dispute was pending for the last one year; 16.67 per cent respondents said that land dispute was pending for the last 15 years (Table 11.5).

Table 11.5 : If Yes, Since When Land Dispute was Pending?

Sl.	Period	No.
1.	Last 1 year	2 (33.33)
2.	2-5 years	3 (50.00)
3.	15 years	1 (16.67)
	Total	6 (100.00)

Respondents were further asked to specify the year when the land dispute took place. Data analysis shows that a large number of the respondents (86.67 per cent) said that land dispute took place after 2001; 6.67 per cent respondents said that the land dispute took place during 1991-2000; and the same percentage (6.67 per cent) said that land dispute took place prior to 1980s (Table 11.6).

Table 11.6 : When Did Land Dispute Take Place?

Sl.	Year	No.
1.	Up to 1980	1 (6.67)
2.	1991- 2000	1 (6.67)
3.	2001+	13 (86.67)
	Total	15 (100.01)

N varies because of no response or missing figure.

Agencies Approached for Settlement of Land Dispute

Respondents who said that the land dispute took place in their families, they were asked to state the agencies they/ their families approached for the settlement of land dispute. Data analysis shows that most of the respondents (50.0 per cent) said that they/ their families approached the village council; 27.78 per cent of them said that it was settled on mutual basis; a little more than one-tenth of them (11.11 per cent) said that land dispute was settled by the Directorate of Land Revenue & Settlement; and some respondents (11.11 per cent) said that the land dispute was settled either in the lower court or in the high court (Table 11.7).

Table 11.7 : Agency Approached for Settlement of Land Dispute?

Sl.	Response	No.
1.	Village Council	9 (50.00)
2.	Settled on Mutual Basis	5 (27.78)
3.	Directorate of Land Revenue & Settlement	2 (11.11)
4.	Lower/High Court	2 (11.11)
	Total	18 (100.00)

Respondents, who said that the village council played an important role in the settlement of land dispute, were asked to state the exact role played by the village council in this regard. Data analysis shows that most of the respondents (62.50 per cent) said that village council called a meeting of affected families and asked them to present their cases. Accordingly, decisions were taken. One-fourth of the respondents (25.0 per cent) said that members of village council acted as witness. The remaining 12.50 per cent said that members of village council verified the land-related documents and accordingly gave their verdict (Table 11.8).

Table 11.8 : How Did the Village Council Play an Important Role in the Land Dispute?

Sl.	Details	No.
1.	VC invites both the parties and ask them to present their problems and accordingly decisions are taken	5 (62.50)
2.	Act as witness	2 (25.00)
3.	Verify land documents	1 (12.50)
	Total	8 (100.00)

Thus, it may be stated that there was a trend of increasing number of land dispute cases. Majority of the land dispute cases were found pending for a long period. Sometime codes for dispute settlement not properly defined put hindrance in land dispute settlement. This requires an urgent attention.

COMMUNITY LAND ACQUISITION AND ITS IMPACT ON LIVELIHOOD

Land is acquired by the state for various purposes, such as educational institutions, housing, health or slum clearance scheme, dams, factories, hydro projects, road construction and highways, bridges, refinery projects, defence establishment projects, sanctuaries, railway track and thermal plants, etc. Most of the development projects take place after harnessing the natural resources. With the inception of globalization and urbanization, more and more land may be required for such projects and more people may be displaced. The government agency that acquires land has to make adequate compensation for the loss to the affected families to protect their living standard.

The Land Acquisition Act mentions that land includes benefits that arise of land and things attached to the earth or permanently attached to anything fastened to the earth. It deals with titled land. Community land which is administered by the customary laws is not recognized by the Land Acquisition Act. To deal with the problem of displacement arising due to development projects, Government of India introduced a National Policy on Resettlement & Rehabilitation in 2007. Thereafter, many states/ Union territories have framed Resettlement & Rehabilitation policy.

The state of Mizoram has yet not framed Resettlement & Rehabilitation Policy. State officials mentioned that there are obstacles in framing Resettlement and Rehabilitation Policy as vast land in the state belongs to the community. In the absence of policy framework, whenever land is acquired by the state government, it is dealt with as per the Land Acquisition Act. If land is owned by a family with Land Settlement Certificate, cash compensation is given for that. It is to mention that affected families are compensated only if the land is in the notified town or sub-town areas.

If agricultural land has been allotted by the Revenue Department on periodic-*patta* basis, no compensation is given for the community land as it is governed by the customary laws and Land Acquisition Act does not recognize the customary laws. The affected families are given compensation for the standing crops only. Vast land in the state is community land and there is no provision of compensation for acquisition of community land in Land Acquisition Act. Therefore, whenever community land is acquired people are displaced without any compensation.

The following example illustrates how formal laws such as Land Acquisition Act succumbs customary laws and displaces people from community land which is the only source of their livelihood:

Serlui B was a Hydel Project which submerged Builung village in Kolasib District

in 2001. This has displaced almost 150 families. Most of these families were dependent on community land for their livelihood. Only few of them had titled land. To resettle these affected families, rehabilitation site was developed in town area in Kolasib district. Only those who had land title were given land for land. They were provided houses. Transportation facility was provided to shift from original village to resettled site. But families dependent on community land and engaged in jhum cultivation were not compensated. As per the Land Acquisition Act, they were not entitled for any compensation. With displacement, they lost their community land the only source of their livelihood. They shifted to the town area but did not have the skill to get any job there.

One of the senior revenue officials mentioned how acquisition of community land created livelihood crisis for the tribal community:

In Serlui B Hydel Project, implementation of rehabilitation was a problem for the Land Revenue Department. Although families dependent on jhum cultivation were provided housing facility but they were not provided any alternative source for livelihood. This rendered the displaced families landless. They lost their livelihood and are facing livelihood problems at rehabilitation site. So much so that even now, these displaced families visit Revenue Office and Directorate of Land Revenue & Settlement, Aizawl, and request to be provided a piece of community land so that they could start cultivation and manage their livelihood. They make complaint for taking their land which was the only source of their livelihood.

Another example shows how village council, which is the custodian of community land, persuades tribal people and displaces them from their own land. For instance, the government started acquiring land in four villages in the district for a project to build a sainik school in Serchhip district. The land was acquired in consultation with village council members of the respective villages. Village councils further convinced the families living there saying that having a school in the village would benefit the children of Mizoram. Thus, people were persuaded on emotional ground and forced to displace.

Development Projects and Land Acquisition

In Mizoram, land has been acquired for various development projects such as establishment of Border Security Force, construction/diversion/ upgradation of roads, improvement of junction at National Highway, playground, construction of booster pumping station, market, godown for Food Corporation of India, and school. In 1984, 2.7 square kilometre land was acquired for building an airport in Lengpui, Aizawl district. During the last 10 years, total area acquired under some of these projects was 116,230,897.90 sq. ft.

Project-wise area acquired under various projects is shown in table 12.1.

Table 12.1 : Land Acquired Under Various Development Projects

Sl.	Development Project(s)	Area Acquired (in sq ft.)
1.	Construction/ Diversion/ Up gradation of Road	111,630,209.60
2.	Establishment of Border Security Force/Hospital/ Staff quarter	4,503,634.42
3.	Booster pumping station/ Ex Servicemen Community Health Service (ECHS) Poly clinic/Check Gate/Market/ Food Corporation of India Godown and Driving School	22053.86
4.	Playground	75000.00
	Total	116230897.90

Source: Land & Building Section, DC Office, Aizawl, 2009.

Data shows that the maximum land was acquired for the construction/ diversion/upgradation or restoration of roads (111,630,209.60 sq. ft.) followed by establishment of Border Security Force, hospital, construction of staff quarter for AG (4,503,634.42 sq. ft.). Other projects for which land was acquired were construction of booster, pumping station, ECHS, polyclinic, check gate, market, godown for Food Corporation of India and driving school (22,053.86 sq ft) and playground (75,000 sq. ft.).

This chapter attempts to find out the extent of land acquisition cases, the nature of project for which land was acquired and to find out the number of affected families compensated and the size of land acquired.

Analysis of Household Data

Respondents were asked whether land was acquired from them/ their families by the government. Data analysis shows that around one-fourth of the respondents (24.27 per cent) said that land was acquired from them/ their family members; three- fourth (75.24 per cent) said that the land was not acquired; 0.49 per cent respondents said that they did not know (Table 12.2).

Table 12.2 : Was Any Land Acquired from You/ Your Family by the Government?

Sl.	Response	No.
1.	Yes	50 (24.27)
2.	No	155 (75.24)
3.	Do not know	1 (0.49)
	Total	206 (100.00)

Respondents, who reported that their land was acquired by the government, were asked to state the size of land acquired. Data analysis shows that in most of the cases (85.11 per cent) size of the land acquired was up to half a tin; 8.51 per cent said that 2-tin lands were acquired; 4.26 per cent said that 3- tin lands were acquired; 2.13 per cent respondents said that 4-tin lands were acquired (Table 12.3).

Table 12.3 : Size of Land Acquired Under Various Projects

Sl	Name of Project	Area of Land Acquired (in tin)				
		Up to ½ tin	2 tin	3 tin	4 tin	Total
1.	Roads/ Highways	35 (97.22)	1 (2.78)	0	0	36 (100.0)
2.	Sainik School	2 (33.33)	1 (16.67)	2 (33.33)	1 (16.67)	6 (100.0)
3.	Army/Para military/ BSF	1 (33.33)	2 (66.67)	0	0	3 (100.0)
4.	Power Dept.	1 (100.0)	0	0	0	1 (100.0)
5.	Community hall	1 (100.0)	0	0	0	1 (100.0)
	Total	40 (85.11)	4 (8.51)	2 (4.26)	1 (2.13)	47 (100.01)

N varies because of no response or missing figures.

Respondents were further asked whether they/ their families were given compensation for the land acquired by the government. Data analysis shows that all the respondents unanimously said that no compensation was given to them/their families for the land acquired.

Thus, the community land was acquired for various development projects such as army/ para military, border security force, roads/highway, school, hospital, sanitation, check gate, godown for Food Corporation of India, play ground, community hall, power sector and airport. However, none of the affected family was compensated/ rehabilitated for the land acquired.

PROTECTIVE REGULATIONS AND LAND REFORM LAWS

Due to a difficult geographical terrain and physical isolation, special constitutional provisions were made in the state of Mizoram. Regulations and protective laws were enacted for land. Imposition of Inner Line Regulation, 1873, was enacted during the British rule and continues till now. One of the important purposes for introducing such a law was to prevent the entry of people from the plains to this regulated state and to debar the non-tribals from owning landed property in the state and to protect the poor tribesmen from exploitation.¹¹¹ Such Restrictive Act has negative impact also. For instance, on one hand, it has made the state inaccessible, isolated, neglected and backward and on the other hand, land has started concentrating in few resourceful hands. This became one of the reasons for increasing land-alienation, uneven distribution of land among individual households, absentee landlordism, and realization of rent from land, encroachment of community land, land mortgage and emergence of a neo-rich class within the egalitarian tribal society. Lalneihzovi¹¹² states that such restrictive enactments could not prevent exploitation of the poor Mizos; exploitative power shifted into the hands of an emerging class of neo-middle rich as these groups have acquired more property and education. Thus, the prevailing situation created a need for introduction of land reforms law even in a hill state, like Mizoram.

This chapter focuses on status of ceiling land, land tenancy, sale and purchase of land, and procedure of land registration and mutation. It also analyses perception and experience of the respondents about the delivery mechanism of Revenue Department.

Land Ceiling: Limit of Settlement in Mizoram

There is no land ceiling law enacted in Mizoram. The minimum and maximum limit is regulated by the Mizoram Land & Revenue Act 1956 and its rule 1967. This was applicable to the whole of Mizo Autonomous District excluding Pawi and Lakher Region. As per the land laws in Mizoram, no agricultural land exceeding 30 bigha shall be allotted or settled either temporarily or permanently without the prior permission of the Executive Committee.¹¹³ Similarly, a maximum as well as a minimum ceiling for settlement of house plot is prescribed in land laws. The maximum limit is one bigha (14,400 sq. ft.) and the minimum 500 sq. ft. It also states that house plot would not be allotted without the prior permission of the administrator of Mizo District (Land & Revenue) Rules, 1967, as amended in 1981. The limits can be altered in any particular case with prior permission of the administrator.

Review of Mizo District (Agricultural Land) Act, 1963, passed by the Mizo District Council); Mizo District (Land & Revenue) Rules, 1967; Mizo District (Land and Revenue) Act, 1956, passed by the Mizo District Council shows that although there is a ceiling on agriculture land and residential plot, yet in practice a person can have as many plots at different places as he can. The state has yet not passed any Land Ceiling Act.

Revenue officials were of the view that so long land is settled on piecemeal survey it would remain difficult for the Revenue Department to find out how much land is allotted to an individual. This single lacuna in land laws is one of the major factors for the uneven distribution of land in the state. There is a growing demand from various associations, such as Young Men Association and Mizo Kohhran Hruiaitu Committee (MKHC) for enactment of Land Ceiling Act in the state.

Land Tenancy

Unlike other states, there was no Land Tenancy Act in the State. Therefore no tenancy record was maintained by the Revenue Department. However, in practice, cases of concealed tenancy were found prevalent in the state in general and in districts like Champhai and Kolasib, in particular. Notably, cases of tenancy could be seen more in areas where labour-intensive crops such as wet-rice cultivation or coffee plantation were cultivated on a large scale.

Analysis of Household Data

An attempt has been made to find out the extent of leased land, area leased in, mode of payment, crops cultivated on leased land, duration of the leased land and whether recorded as tenant in the Record of Right.

Data analysis shows that a little more than one-tenth of the respondents (11.22 per cent) said that they/ their family members were leasing in land. The remaining 88.78 per cent of them said that land was not leased-in (Table 13.1).

Table 13.1 : Have You/ Your Family Member Leased- in Land?

Response	No.
Yes	23 (11.22)
No	182 (88.78)
Total	205 (100.00)

N varies because of no response or missing figures.

Respondents who said that the land was leased-in by them/their family member, they were asked to mention the size of land leased-in by them/ their family members. Little less than half the respondents (47.83 per cent) said that up to one-tin land was leased in; more than two-fifth of them (43.48 per cent) said that the size of land leased-in was in the range of 1-3 tin; little less than one-tenth (8.70 per cent) of them said that the size of lease-in land was in the range of 3-5 tin (Table 13.2).

Table 13.2 : If Yes, Area Leased-in (in Tin)

Area leased-in	No.
Up to 1 tin	11 (47.83)
1- 3 tin	10 (43.48)
3-5 tin	2 (8.70)
Total	23 (100.01)

Respondents were further asked about the mode of payment for leased-in land. Data analysis shows that in majority of the cases (63.64 per cent) rent for leased land was in kind, however, quantity of produce was not fixed as agriculture produce was not much due to subsistence farming. Little less than one-fourth of the respondents (22.73 per cent) said that cash payment was made for the leased land; 9.09 per cent said that they were sharing inputs and outputs. Few of them (4.55 per cent) said that one-third of the total paddy crop was given as rent for the leased land (Table 13.3).

Table 13.3 : Mode of Payment

Sl.	Response	No.
1.	Payment in kind but quantity not fixed due to subsistence agr.	14 (63.64)
2.	Cash payment	5 (22.73)
3.	Sharing in input and output	2 (9.09)
4.	One- third of paddy crop	1 (4.55)
	Total	22 (100.01)

N varies because of no response or missing figure.

Crops Cultivated on Leased Land

Respondents were further asked which crops they/ their family members cultivate on the leased land. Data analysis shows that 63.64 per cent said that paddy crop was cultivated; 27.27 per cent said that it was mainly spice, vegetable crops or tea plantation was grown on leased land; around one-tenth of them (9.09 per cent) said that horticultural crops were grown on the leased land (Table 13.4).

Table 13.4 : Crops Cultivated on Lease-in Land

Response	No.
Paddy/WRC	14 (63.64)
Spice/ vegetable crop/ Tea plantation	6 (27.27)
Horticultural crop	2 (9.09)
Total	22 (100.00)

N varies because of no response or missing figure.

Duration of Lease-in Land

An attempt has also been made to find the duration of lease-in land. Data analysis shows that in most of the cases (86.36 per cent) period for lease-in land was for one year; around one-tenth of the respondents (9.09 per cent) said that the period for lease-in land was more than three years; 4.55 per cent said that the period for lease-in land was not fixed (Table 13.5).

Table 13.5 : Duration of Lease

Response	No.
One Year	19 (86.36)
Three Years	2 (9.09)
Duration not Fixed	1 (4.55)
Total	22 (100.00)

N varies because of no response or missing figure.

Whether Reported as Tenant in Land Records

Respondents who reported practising leasing-in land were asked whether they/ their family members were recorded as tenant in the record of right. It was found that all of them said that they/ their family members were not recorded as tenant in the record of right. It would be so because there was no land tenancy law in the state. Therefore, Land Revenue Department does not maintain any record related to tenancy.

Leasing-out Land

To find the extent of leasing-out land, respondents were asked whether land was leased out by them/their family members. Data analysis shows that out of total households surveyed (203), a little more than one-tenth (12.32 per cent) of the respondents reported that land was leased-out; 87.68 per cent of them said that land was not leased-out (Table 13.6).

Table 13.6 : Have You/ Your Family Leased -Out Land?

Response	No.
Yes	25 (12.32)
No	178 (87.68)
Total	203 (100.00)

N varies because of no response or missing figure.

Respondents, who reported that they/ their family members leased-out land, were asked to mention the size of land leased out. Data analysis shows that in most of the cases (48.0 per cent) leased-out land were in the range of 1-3 tin; 40 per cent of the respondents said that they/ their family members leased-out up to one tin land; 4 per cent of them said that leased-out land was in the range of 3.5 tin; 4 per cent of them said that leased-out land was in the range of 5-7 tin; and the remaining 4 per cent of the respondents said that the size of leased-out land was more than 8 tin (Table 13.7).

Table 13.7 : If Yes, Area Leased-Out (in Tin)

Sl.	Area leased-out	No.
1.	Up to 1 tin	10 (40.00)
2.	1-3 tin	12 (48.00)
3.	3-5 tin	1 (4.0)
4.	5-7 tin	1 (4.0)
5.	8 tin+	1 (4.0)
	Total	25 (100.00)

Respondents were further asked the reasons for leasing out. Data analysis shows that in most of the cases (40.0 per cent), land was leased out as input costs including labour were very high; around one-fourth of the respondents (24.0 per cent) leased out due to lack of manpower; 16.0 per cent respondents said that their relatives/ fellow villagers requested them to provide land on lease basis; 8.0 per cent of the respondents said that land was leased out either due to old age or they were already in service sector; a similar percentage (8.0 per cent) said that they had large landholding and they wanted to make productive use of it hence, the land was leased-out. Few respondents (4.0 per cent) said that their agricultural plots were located far-off hence, they/ their family members leased out the land (Table 13.8).

Table 13.8 : Reasons for Leasing out Land

Sl.	Reasons	No.
1.	High input cost/expensive labour	10 (40.0)
2.	Lack of manpower	6 (24.0)
3.	One of the poor relatives asked for land	4 (16.0)
4.	Old age/ engaged in job	2 (8.0)
5.	Large landholding/ otherwise land would have become barren	2 (8.0)
6.	Land located far-off	1 (4.0)
	Total	25 (100.00)

Thus, it can be stated that although the State did not enact tenancy law yet the practice of lease-in land was prevalent in the state. It was practised more in labour-intensive or commercial crops. Reasons for leasing out land were mainly:

- high input cost
- lack of manpower
- old age
- large landholding
- land located far-off

Mode of payment was mainly in kind and in a few cases, it was cash. Therefore, it is imperative to bring about both, agrarian and land reform, measures to ensure the economic and social well-being of the tenants and the landless labourers.

Land Mortgage

As per definition of land mortgage, it is a legal document by which the owner (i.e. the buyer) transfers to the lender an interest in real estate to secure the repayment of a debt, evidenced by a mortgage note. When the debt is repaid, the mortgage is discharged and a satisfaction of mortgage is recorded with the registrar or recorder of deeds where the mortgage was recorded. The mortgage was treated as a complete transfer of title from the borrower to the lender. The lender was entitled not only to payments of interest on the debt but also to the rents and profits also.

In Mizoram, only title land can be mortgaged. In other words, if a person owns land with land settlement certificate, then only he can mortgage land. Also, only a resident of town or sub-town could mortgage land. If land is allotted on pass or periodic-*patta* basis land cannot be mortgaged as the latter two categories provide only 'usufruct right' on land. Vast land in the state is community land and that cannot be mortgaged. Therefore, many people are deprived of getting access to bank loan. Current mortgage fee was Rs.1 per tin.¹¹⁴ For instance, if a person takes loan for Rs.3 lakh, he may have to pay Rs.301 as fee to the Revenue Department for taking loan from the bank.

An effort has been made to find the extent of land mortgage cases, reasons for mortgaging land and total area of land mortgaged.

Analysis of Household Data

Respondents were asked whether they/ their family members mortgaged any land during the last 10 years. It was found that one-tenth of the respondents (10.19 per cent) said that they/ their family members mortgaged house plot/ agricultural land. The remaining 89.81 per cent of them said that the land was not mortgaged (Table 13.9).

Table 13.9 : Was There Any Land Mortgaged During Last 10 Years?

Response	No.
Yes	21 (10.19)
No	185 (89.81)
Total	206 (100.00)

Respondents, who mentioned that the land was mortgaged by them/ their family members for taking loan, they were asked to specify the reasons for mortgaging land. It was found that one of the main reasons for mortgaging land was to repay the previous loan as reported by 61.90 per cent respondents; 14.29 per cent of them mortgaged land as they needed money for house construction; around one-tenth of them (9.52 per cent) had to invest in their agricultural land; a similar percentage (9.52 per cent) said that there was a financial crisis; 4.76 per cent of them said that since their children migrated out of Aizawl town hence, they established a petty shop for earning their livelihood (table 13.10).

Table 13.10 : If Yes, Reasons for Mortgaging Land

Sl.	Reasons	No.
1.	To repay loan	13 (61.90)
2.	For house construction	3 (14.29)
3.	For purchasing agricultural inputs/to start business	2 (9.52)
4.	Financial crisis /Bank loan not available	2 (9.52)
5.	Children migrated town/ wanted to do business	1 (4.76)
	Total	21 (99.99)

During an interview with the bank manager in Aizawl district, it was found that the cases of land mortgaging were increasing. She mentioned that if a person fails to pay the bank loan, he takes another loan to repay the previous loan and gradually it becomes a vicious

cycle. In fact, bank itself suggests to defaulters to take another loan to repay the previous loan as they had no other option. It is to mention that defaulter rate in banks was very high in Mizoram.

Respondents, who reported that land was mortgaged, were asked to specify the year of mortgaging land. Data analysis shows that a little more than one-tenth of the respondents (11.11 per cent) said that the land was mortgaged during 1990-94; 16.67 per cent said that land was mortgaged during 1995-99; one-third of them (33.33 per cent) said that it was mortgaged somewhere during 2000-04; around two-fifth of them (38.89 per cent) mortgaged it during 2005-09 (Table 13.11). Thus, over the years, there was an increasing trend of mortgage cases.

Table 13.11 : In Which Year Land was Mortgaged?

Sl.	Year	No.
1.	1990-1994	2 (11.11)
2.	1995-1999	3 (16.67)
3.	2000-2004	6 (33.33)
4.	2005-2009	7 (38.89)
	Total	18 (100.00)

N varies because of no response or missing figure.

Respondents, who reported that land was mortgaged, were further asked to specify the size of plot mortgaged. Data analysis shows that 53.33 per cent respondents said that the size of land mortgaged was less than one tin. Basically it was the house plot that had been mortgaged. 20 per cent of them said that the size of land mortgaged was in the range of 1-3 tin; a similar percentage said the mortgaged land was in the range of 3-5 tin; 6.67 per cent respondents said that mortgaged land was in the range of 20 tin (Table 13.12)

Table 13.12 : Area of Land Mortgaged? (in tin)

Sl.	Size (in Tin)	No.
1.	Less than 1 tin	8 (53.33)
2.	1-3 tin	3 (20.00)
3.	3-5 tin	3 (20.00)
4.	20 tin	1 (6.67)
	Total	15 (100.00)

Number missing because of no response or missing figure.

Thus, the instances of land mortgage were found in the state and the reasons for mortgaging were house construction, buying agricultural inputs, to start business or financial crisis. Mainly it was the house plot which was mortgaged. A peculiar trend of land mortgage was found in the state. For instance, if a person fails to pay loan, he takes another loan to pay the previous loan and thus it becomes a vicious cycle. There was a trend of increasing land mortgage.

Land Sale

A sale agreement is a document by which the title of property is conveyed by the seller to the purchaser. It can be an indicator of land alienation in general, and in the rural and tribal areas in particular.

Transfer effected without document

Sale, exchange, gift, mortgage, etc. take place in Mizoram as elsewhere, but the 'Transfer of Property Act, 1882 does not apply here. The result is that there is seldom a written document except in urban areas, and there is no need for registration of the document. Documents which are elsewhere compulsorily registrable according to the said Act are not so due in Mizoram. Almost all forms of transfer are affected by delivery of possession. Also, all lands are not transferrable but only those under LSC are transferable. In Mizoram, vast land is community land which basically gives only 'usufruct right'. As per rule, the jhumia can neither sell nor purchase such land. Only residential plot, shop or wet-rice cultivation plots settled in notified town and sub town areas could be sold. Despite the fact that the community land cannot be sold, sometime village council members were found misappropriating their power and sell the community land also. Such transaction takes place verbally. No document is maintained for such transactions. Similarly, instances of selling of settled land was also found during household survey. Noticeably, such transactions were taking place without following the formal procedure.

Analysis of Household Data

To find the incidences of sale of land, the respondents were asked whether land was sold by them/ their family members during the last 10 years. Data analysis shows that 8.33 per cent respondents said that they/ their family member sold land during the last ten years. The remaining 91.67 per cent of them said that land was not sold (Table 13.13).

Table 13.13 : Have You Sold Any Land During Last 10 Years?

Response	No.
Yes	17 (8.33)
No	187 (91.67)
Total	204 (100.00)

N varies because of no response or missing figure.

Reasons for Selling Land

Respondents, who reported that the land was sold by them/ their family members, were asked to explain the reasons for selling land. Data analysis shows that more than one-fourth of the respondents (26.67 per cent) sold their land due to a financial crisis medical expenses, poverty or meagre resources; an equal number of the respondents (26.67 per cent) said that the land was located far-off and became difficult to manage; one-fifth of the respondents (20.0 per cent) said that land was sold to meet expenses related to children's education, ill

health or house construction; 13.33 per cent respondents said that their relatives wanted to buy land so they sold theirs; a similar number of the respondents (13.33 per cent) said that there was no male member in the family, hence land was sold (Table 13.14).

Table 13.14 : If Yes, Reasons for Selling Land

Sl.	Reasons	No.
1.	Sickness and poverty/ meagre resources	4 (26.67)
2.	Plot located far-off/ accessibility difficult	4 (26.67)
3.	Children's education/ treatment/house construction	3 (20.00)
4.	Relative wanted to purchase	2 (13.33)
5.	No male member in the family to look after land	2 (13.33)
	Total	15 (100.00)

N varies because of no response or missing figure.

To Whom Was It Sold?

Respondents, who said that land was sold by them/their family members, were asked to specify who they sold the land to. Data analysis shows that 35.29 per cent respondents said that land was sold to fellow villagers; around one-fourth (23.53 per cent) sold to relatives; a similar number of them (23.53 per cent) sold to city dwellers; a little more than one-tenth of them (11.76 per cent) sold to government employees who stayed in town; and the remaining 5.88 per cent of the respondents said that the land was sold to the people of some other villages (Table 13.15).

Table 13.15 : To Whom was It Sold?

Sl.	Response	No
1.	Fellow villager	6 (35.29)
2.	Relative	4 (23.53)
3.	Dweller in Aizawl City	4 (23.53)
4.	Government employee	2 (11.76)
5.	Villager of some other village	1 (5.88)
	Total	17 (99.99)

An attempt has been made to find the size of land sold. Table 13.16 shows that 43.75 per cent respondents said that the size of land sold was in the range of 1-3 tin. One-fourth of them (25 per cent) said that the size of land sold was upto 1 tin. Little less than one-fifth of them (18.75

Table 13.16 : If Yes, Size of Land Sold (in Tin)

Sl.	Size of Land Sold	No.
1.	Upto 1 tin	4 (25.00)
2.	1-3 tin	7 (43.75)
3.	3-5 tin	3 (18.75)
4.	6 -8 -tin	2 (12.50)
	Total	16 (100.00)

N varies because of no response or missing figure.

per cent) said that the size of land sold was in the range of 3-5 tin. Little more than one-tenth of them (12.50 per cent) said that the size of land sold was in the range of 6-8 tin.

Based on the above analysis, it may be stated that there was an increasing trend of distress land selling in the state.

Land Purchase

Both, the Mizo and Lakher District Councils, passed a Transfer of Land Act in 1963 and 1974 respectively restricting transfer of land to a non-tribal by a tribal or a non-tribal. The Rules and the Acts make provision for maintaining the records up-to-date by effecting mutation, whenever there is a change of ownership.¹¹⁵

An attempt has been made to find the cases of land purchase that have taken place during the last 10 years, agencies/ persons from whom land was purchased, and size of land purchased.

Analysis of Household Data

Respondents were asked whether any land was purchased by them/ their family members during the last 10 years. Data analysis shows that out of the 206 total respondents, 29.13 per cent of the respondents said that they/ their family members have purchased land during the last ten years; 69.90 per cent respondents said that they/ their family members have not; and a miniscule number of them (0.97 per cent) said that they did not know (Table 13.17).

Table 13.17 : Has Any Land Been Purchased During Last 10 Years

Response	No.
Yes	60 (29.13)
No	144 (69.90)
Do not know	2 (0.97)
Total	206 (100.00)

From Whom Was Land Purchased?

Respondents were asked to mention from whom they/ their family members purchased land. Majority of the respondents (80 per cent) said that land was purchased either from fellow villagers/ colonies or village council members; one-tenth of them (10.00 per cent) purchased their land from relatives; 5.0 per cent respondents said that they/ their family members purchased land from fellow villagers who had shifted and settled in town now; a similar number of respondents (5.0 per cent) said that they purchased land from somebody who lives in the village or from a known person outside the village (Table 13.18).

Table 13.18 : From Whom Was Land Purchased?

Sl.	Response	No.
1.	Fellow villager/village council	48 (80.0)
2.	Relative	6 (10.0)
3.	Fellow villager who have now settled in town	3 (5.0)
4.	From other villager/known person	3 (5.0)
	Total	60 (100.01)

Respondents, who said that the land was purchased by them/ their family members, were asked the size of the land purchased during the last 10 years. It was found that out of the total, more than half of the total respondents (53.33 per cent) said that the land purchased was in the range of 1-3 tin; one-fifth of them (20 per cent) said that the size of purchased land was less than one tin which was purchased for the house plot; 8.33 per cent of them said that land size was 3-5 tin; and a little more than one-tenth (11.67 per cent) said that land size was in the range of 5-7 tin; 3.33 per cent respondents said that purchased land was in the range of 7-9 tin; and a similar number (3.33 per cent) said that purchased land was in the range of 15-18 tin (Table 13.19).

Thus, sizeable numbers of land purchased took place during last 10 years.

Table 13.19 : If Yes, Area of Purchased Land (in Tin)

Sl.	Area (in tin)	No.
1.	Less than 1 tin	12 (20.0)
2.	1-3 tin	32 (53.33)
3.	3-5 tin	5 (8.33)
4.	5-7 tin	7 (11.67)
5.	7-9 tin	2 (3.33)
6.	15-18 tin	2 (3.33)
	Total	60 (99.99)

Land Registration

In generic terms 'land registration' can be defined as the record of right in land. In Mizoram the term 'registration' is defined as: when any allotment, settlement or conversion of pass or permit is made, the same shall be entered in its respective register on payment of Rs. 10 as registration fee and other such payment as redemption or mutation fee. In other words, registration is the process of recording a copy of a document, transferring the title in immovable property to the office of the Registrar. It acts as proof that a transaction has taken place. As per Registration Act, any settlement granted is to be entered in the appropriate register. There were five parts of such a register, - (i) for permanently settled land within town area (Land Settlement Certificate) (ii) for periodic lease within town area (land lease), (iii) for periodic lease of fishery, (iv) for permanently settled land outside town area and (v) for periodic lease outside town area. All the matters mentioned above i.e. permanent settlement, periodic settlement and fishery settlement relate only to town areas and land records are meant to be prepared for

them. In these Rule (i.e. Land and Revenue Rules) nothing is said about settlement of land outside town-areas.¹¹⁶

Mutation of Land

Mutation may be defined as the changes that have to be brought about in ownership and title of the land. Mutations are done on the basis of sale deed, inheritance, gift deed; relinquished deed and will, etc. In Mizoram, since Revenue Office was only at the District level hence, mutation was done at the District Revenue Office only.

Respondents' Perception about Delivery Mechanism of Revenue Office

Mizoram is a hill state where physical terrain is quite difficult and transportation is a big problem. For any land related work, people have to cover long distances to visit District Revenue Office. This causes lots of problems for the people and effects their interaction with the Revenue Department.

To understand people's perception about Revenue Office, respondents were asked whether they/ their family members visit District Revenue Office, if so, purpose of visit, frequency of visit, distance between Revenue Office and their residences, and language in which land records were maintained, etc.

Respondents were asked whether they/ their family members visit District Revenue Office. It was found that out of total; almost half the respondents (49.03 per cent) said that they/ their family members do visit District Revenue Office, and the remaining half (50.97 per cent) said that they/ their family members have not visited the district office (Table 13.20).

Table 13.20 : Do you/ Your Family Members Visit District Revenue Office?

Response	No.	
Yes	101	(49.03)
No	105	(50.97)
Total	206	(100.00)

Respondents, who said that they/ their family members visited Revenue Office, were asked to specify the purpose of their visit. Data analysis shows that a little more than two-fifth of the respondents (41.11 per cent) said that they/ their family members visited Revenue Office to get land documents; one-fourth of the respondents (25.56 per cent) visited to pay tax/ fee; 12.22 per cent visited Revenue Office either to get periodic *patta* converted into land settlement certificate or for the issuance of periodic *patta* or for the renewal of periodic *patta*; 7.78 per cent of them said that they / their family members visited for registration/ mutation of land; 3.33 percent of the respondents said that the purpose of visiting revenue office was to enquire whether they had to pay tax or not; and a similar number of them (3.33 per cent) said that the purpose was to seek intervention of

Revenue Department in the settlement of disputed church land; and a miniscule number of them (1.11 per cent) said that the purpose was to enquire about the total area of their village land; a similar number of them (1.11 per cent) said that the purpose was to request revenue officials to survey their land so that they could have survey number (Record of Right) of that (Table 13.21).

Table 13.21 : If Yes, Purpose to Visit District Revenue Office

Sl.	Purpose to Visit District Revenue Office	Response
1.	To collect land document /(LSC/Periodic Patta/survey no. of plot/ fish pond)	37 (41.11)
2.	To pay tax/ fee	23 (25.56)
3.	To request to Rev Deptt. to convert P.Patta into LSC/ for issuance of P. Patta	11 (12.22)
4.	Mutation/ Reg./for conversion of periodic patta into LSC	7 (7.78)
5.	For renewal of P. Patta	4 (4.44)
6.	To enquire whether tax was to be paid or not	3 (3.33)
7.	For intervention in settling disputed church land/ encroachment of daughter's land	3 (3.33)
8.	To get to know total area of village land	1 (1.11)
9.	To ask for land survey	1 (1.11)
	Total	90 (99.99)

N varies because of no response or missing figure

Respondents, who said that they/ their family members visited District Revenue Office, were further asked how many times they/ their family members visited last year. It was found that the majority of the respondents (82.18 per cent) said that they/ their family members visited as and when there was a need to visit; a little less than one-tenth of them (8.91 per cent) said that they/ their family members visited once a year; 4.95 per cent of the respondents said that they/ their family members visited several times; 2.97 per cent of the respondents visited once in three or four months; and a miniscule number of them (0.99 per cent) said that they visited once in six months (Table 13.22).

Table 13.22 : How Many Times Do You/Your Family Members Visit District Revenue Office?

Sl.	Frequency of Visit	No.
1.	As and when required	83 (82.18)
2.	Once in a year	9 (8.91)
3.	Several times	5 (4.95)
4.	Quarterly	3 (2.97)
5.	Once in six months	1 (0.99)
	Total	101 (100.00)

Distance between District Revenue Office & Residence

Respondents were asked the distance between Revenue Office and their residence. Data analysis shows that most of the respondents (38.78 per cent) said that the distance between residence and District Revenue Office was in the range of 21-40 kilometre; a little more than one-fourth of the respondents (28.06 per cent) said that the distance was in the

range of 41-60 kilometre; 17.35 per cent said that the distance was in the range of 1-20 kilometre; and 6.63 per cent of them said that the distance was less than one kilometre; and 6.12 per cent respondents said that they did not know the distance (Table 13.23).

Table 13.23 : Distance between Residence & District Revenue Office (in Km.)

Sl.	Distance	No.
1.	Less than 1 km.	13 (6.63)
2.	1-20 km.	34 (17.35)
3.	21- 40	76 (38.78)
4.	41- 60	55 (28.06)
5.	61-100	6 (3.06)
6.	Do not know -21	12 (6.12)
	Total	192 (100.00)

Based on the above analysigs, it can be said that the main purpose of visiting revenue office was to collect land-related document, renew, issuance of land records or pay fee/ tax, etc. Other purposes were to seek intervention of the Revenue Department on disputed land. Most of the respondents said that they visit Revenue office as and when needed. For most people, distance between residence and District Revenue Office was 21-40 km. or more; and around one-fourth said that the distance was in the range of 1-20 km.

Did you/Your Family Members Faced Problems with Regard to Land Records

Respondents were asked whether they/ their family member faced any problem with regard to land records. Data analysis shows that most of the respondents said that they/ their family member faced problems. Most of them (41.11 per cent) said that there was extraordinary delay in issuing the land-related document, therefore, to get the work done they had to visit Revenue Office often; 25.56 per cent found unhelpful behaviour of revenue officials; 7.14 percent said that some officials expect bribe or survey officials take some portion of land while measuring land; 2.38 per cent in each category faced problems due to migrants from Manipur and as per Mizoram Land Laws, land record was not provided if land had been purchased by the migrants so they visited revenue office but did not get any response; found error in the land record, so they had to visit again and again for rectification in the land record; and 7.14 per cent had no comments (Table 13.24).

Table 13.24 : Have You Faced any Problem with Regard to Land Records LSC/ Pass, etc?

Sl.	Problems Faced	No.
1.	Delay in issuance of documents/ conducting piecemeal survey/ repeated visits to get work done/ complicated procedure	26 (61.90)
2.	Bad behaviour of revenue officials/ they were not helpful	7 (16.67)
3.	Revenue officials expect bribe/ survey officials take portion of land	3 (7.14)
4.	Revenue office far-off, so difficulty in visiting revenue office	1 (2.38)
5.	No land record is provided for the land purchased by a migrant	1 (2.38)
6.	Found error in land record	1 (2.38)
7.	Cannot say	3 (7.14)
	Total	42 (99.99)

Sometimes a person, particularly staying in the interior area, visits Revenue Office several times but when he/ she does not get any response, they give up the hope for getting land on permanent ownership basis. The following example shows how a SHG member wanted to get land allotted by Revenue Department so that they could cultivate horticulture crops, get loan and expand their production unit but failed to do so.

I visited Revenue Office several times to get land allotted on my name but nobody responded properly. I got disheartened and ultimately gave up the desire of becoming an entrepreneur.

FINDINGS AND RECOMMENDATIONS

Mizoram has mostly a hilly steep terrain and very less flat land. Land plays a pivotal role in the lives of the tribals. Land administration in Mizoram differs significantly from other states in the country. Some of the important reasons for this variation are that the vast land in the state belongs to the community and customary rights over land are protected under Article 371G. Broadly speaking, two types of land systems coexist in the state Community land and individual ownership of land. Community land, as the term implies, belongs to the community and is administered by the customary laws. Village council is the custodian of community land and works under the rules/ guidelines laid down by Local Administration Department. Contrary to it, land settled in notified town and sub-town areas of six districts, viz Aizawl, Champhai, Kolasib, Lunglei, Mamit and Serchhip, is administered by the Revenue Department as per the state land laws. Directorate of Land Revenue & Settlement, Mizoram, is the custodian of land records settled in town and sub-town areas. Community land has yet not been surveyed. Complete autonomous district councils areas have also not been cadastral surveyed; hence, no land record is maintained for the community land. It is to mention that only notified town and sub-town areas have been cadastral surveyed.

Various ambitious land-related programmes have been implemented in the state from time to time, such as Strengthening of Revenue Administration & Updating of Land Records (SRA & ULR), Computerization of Land Records (CoLR) and recently a new programme called National Land Record Modernization Programme (NLRMP), etc. SRA & ULR scheme was implemented in Mizoram during Eighth Five Year Plan (1987-1992). It was based on 50:50 cost sharing basis between the State and the Union Government. Under this programme, a grant of Rs. 2144.79 lakh was provided to Mizoram.

The present study titled “Evaluating Revenue Administration and Land Records: Their Strengthening and Updating in Mizoram” was conducted with the objective to analyse the land administration system as exists in the state and evaluate the impact of SRA & ULR scheme in survey settlement and proper upkeep of land records. Other objectives were to analyse and examine capacity building of survey officials, land revenue system, land inheritance, land disputes and redressal mechanism, acquisition of community land and rehabilitation process, gender and land ownership, people's perception about the service delivery mechanism of the Revenue Department and behaviour of the revenue officials. Attempts were also made to find out the ways to strengthen land administration system. For the study purpose, four districts Aizawl,

Champhai, Mamit and Serchhip were included in the sampling framework; and 206 households were surveyed. To understand the land administration system in autonomous district councils, Lai-an Autonomous District Council was also visited. Data was processed in Statistical Package for Social Science. Based on the data analysis, results were drawn and recommendations were made. Major findings of the study and recommendations are as follows:

Survey and Land Settlement

Primary survey, land settlement and maintenance of land records are essential for the efficient land management system. Basically four types of land survey methods have been co-opted in the state. These were:

- a. Piecemeal survey;
- b. Cadastral survey;
- c. Aerial survey; and
- d. Satellite survey.

The piecemeal survey has been the most commonly practised method of land survey in the state. It was basically a demand-driven survey.

With the inception of SRA & ULR Scheme in the state, the Directorate of Land Revenue & Settlement started cadastral survey in a systematic manner. The Mizoram (Land Survey and Settlement Operation) Act, 2003, and Rules 2009 came into force. However, cadastral survey was restricted to notified town and sub-town areas. During the period of 1991-2010 cadastral survey covered total 83,802 land holdings and 7457.31 hectare area. Wet-rice cultivation plots have also been surveyed in pockets. The total area cadastral surveyed under wet-rice cultivation and garden plot holdings till 2008-09 was 7,750 hectare and the number of wet-rice cultivation and garden plots was 2,633. However, despite the best efforts, so far, approximately 2 per cent of the total geographical area of the state has been covered under cadastral survey. Vast land in the state was yet to be surveyed. Cadastral survey was planned as per the guidelines/ rules of Land Survey and Settlement Operation Act. First, the area is notified as town or sub-town area and thereafter, survey operation starts.

In terms of geographical area, Lunglei is the largest district in the state followed by Aizawl. But as far as area covered under cadastral survey was concerned, major portion of land was settled in Aizawl district as compared to the other five districts. At present, two districts Aizawl and Lunglei were given priority for cadastral survey and the remaining districts would be covered later. Two districts Saiha & Lawngtlai have three autonomous district councils and these ADCs do not come under the jurisdiction of Directorate of Land Revenue & Settlement.

The Directorate of Land Revenue and Settlement, Mizoram has conducted aerial and satellite imagery survey also. Approximately three-fourth of the total geographical area

of the state has been covered under aerial photographic survey. The complete aerial survey would help to speed up the progress of cadastral survey.

Mizoram being a hill state has difficult physical terrain. Culturally also, the state is entirely different from other states in the country. Due to its distinctive nature, there are several impediments in the completion of cadastral survey. Some of these constraints are as follows:

a. Sharing international boundaries

The State of Mizoram touches international boundaries with two countries Bangladesh and Myanmar. The boundary with Bangladesh extends to 318 kilometres and with Myanmar 404 kilometres. Thus, the state occupies an area of great strategic importance, having a total international boundary length of 722 kilometers. Surveying an international boundary is a sensitive issue and Mizoram cannot do it independently. It requires advance survey technology, know-how and coordination between states and countries.

b. Inter-state boundary dispute

The state having been carved out of Assam has persisting boundary disputes with them. Therefore, involving Survey of India would be necessary to survey the international boundaries vis-a-vis inter-state boundaries.

c. Difficult physical terrain and land ownership pattern

Mizoram has difficult physical terrain in comparison to many other states in the plain areas. It has different types of land ownership pattern. Cadastral survey of such area is not only time consuming, challenging but also requires proportionately a higher budget and skilled manpower.

Multiple survey methods need to be used simultaneously for surveying the vast area in the state. For instance, international boundaries can be covered by the aerial survey; community land can be surveyed with global positioning system (GPS)/ electronic total station (ETS) combined with aerial survey.

Since greater accuracy is required in surveying residential areas, therefore, primary cadastral survey will be needed in areas not surveyed before. If a primary survey has already been done for the residential areas, then the aerial survey or GPS would be required for repeat survey and modernization of land records. Thus, survey method should keep into account the geographical terrain, existing ownership pattern, cultural ethos and strategic location of the state.

d. Riverine area

Originally, the term riverine referred to a form of reserve forest. Mizo District Council in 1965 notified half mile on either side of 16 major rivers in the state as riverine forest. In riverine area, nobody can settle, cultivate or undertake any activity without taking prior permission of the competent authority.

But in practice, the situation is different. Despite the fact that the riverine area cannot

be settled, people cultivate on such land as it is considered fertile, and irrigated. State officials found practical problems in surveying the riverine area. Commenting on riverine reservation, state officials said that notification mentions the width of the reserve area was 'one mile on either side of the river'. This measurement unit is ambiguous in its interpretation. The system of measurement could be 'horizontal or surface' and this caused difference of interpretation between the concerned departments. Also, often river changes its direction; hence, to maintain record for such a land becomes a problem. This situation leads to increased land disputes cases.

There is a need to evolve proper guidelines/rules/ enactments to solve this problem permanently.

e. Exact status of surveyed and un-surveyed areas

The state and the Union government need to maintain a record of the exact current status of land in respect of surveyed area and un-surveyed area, including the area coming under autonomous district councils. Accordingly, the survey plan can be formulated.

f. Strengthening of Land administration

It was found that the District Revenue Department did not have sufficient number of vehicles. This hampers the mobility of survey officials and the smooth functioning of survey operation.

Land administration, at the state and the district level, needs to be strengthened, well-equipped and expanded in terms of technical manpower, survey equipments and vehicle arrangements, etc.

Capacity Building

Almost all survey officials have been imparted training in land survey and settlement operation depending on their level of seniority. These survey officials were either sent to the Indian Institute of Surveying and Mapping, Survey of India, Hyderabad, Andhra Pradesh and sometime to the Survey and Settlement Institute, Guwahati. Some survey officials were of the view that the quality of Survey and Settlement Institute, Guwahati, was not up to the mark.

Recently, the Revenue Department recruited 25 surveyors on contract basis who were sent to Hyderabad for training. It was astonishing to note that due to funds crunch in Revenue Department, these contract employees were told to bear logistic expenses from their own pockets.

The senior survey officials, during an interview, said that there were serious lacunae in the training module. They were of the view that to make it relevant and effective, there is a need to conduct Training Need Assessment exercise and re-design the training module accordingly. Survey officials mentioned the following problems relating to the training component.

a. Training module

The training module used by the Indian Institute Surveying and Mapping, Survey of India,

Hyderabad, Andhra Pradesh, is not relevant for a hill state, like Mizoram as it was not developed keeping in view the local topography, physical terrain, socio-cultural ethos and the special safeguards given by the Constitution of India to the state. Resultantly, even after getting the training, survey officials face difficulties when they conduct survey operation.

These officials emphasized the need to develop a training module that could be based on the local conditions of the state. They suggested:

- To review the existing training module administered by the Indian Institute Surveying and Mapping, Survey of India, Hyderabad, Andhra Pradesh, and re-design it.

To involve senior and retired survey and revenue officials of the state to review the existing training module and revise the same keeping in view the local conditions, socio-cultural ethos and environmental concerns. These officials may be engaged as resource persons/ trainers for various surveys and revenue-related training programme also.

b. Need to build capacity in advance survey technology

The advance survey technology cartography, global positioning system, electronic total station, digitization of textual and graphic maps, and aerial photography, etc. require a higher skill.

- Revenue Department, Mizoram, does not have enough trained manpower to handle advance survey technology and therefore, they face various problems in handling such technology as most of them are not well trained.
- These officials were also of the view that many available survey technologies were not suitable for a hill state, like Mizoram. Therefore, technology itself should be designed/ invented to suit the hilly terrain of the state.
- It was suggested that there is an urgent need for capacity building of survey officials in handling advance survey technology so that they could use that effectively. The Department of Information and Technology should be co-opted into this programme.

c. No state-level training institute

There is no training institute in survey operation at the state level. Even land revenue related training programmes are imparted in the campus of the Directorate of Land Revenue & Settlement in Aizawl district. Paucity of funds was found as a major constraint in establishing an independent institute. Officials expressed the need for strengthening of technical manpower for which state level training institute is urgently required. Therefore, adequate fund needs to be provided for training and for absorption of the trained persons.

d. No regional-level training institute

There was no regional-level training institute in the North East Region. Since north-eastern states differ from the rest of states in the country so state officials felt the need for establishing a separate regional training institute which could conduct training programme in survey technology and advance-level training programme for the north-eastern states exclusively.

e. Inadequate strength of surveyors

The total strength of surveyors in the state was about 136, which included 25 surveyors on contract that have been appointed recently at minimum wages. Seeing the gigantic and difficult area of the state and the magnitude of work, the existing number of surveyors was not sufficient. Hence, there is a need to recruit adequate number of surveyors.

During the household survey, it was found that 60 per cent surveyors were posted at the directorate office in Aizawl. As and when new towns or sub-towns were notified, surveyors were deployed for settlement operation. The remaining 40 per cent surveyors were posted at District Revenue Offices in the remaining five districts.

It is essential to ensure sufficient number of surveyors at the district level so that survey operation could be conducted in all the districts simultaneously.

f. Centralized Action Plan

It was also found that the survey-related action plan is made at the directorate level. This centralized approach creates impediments in the speedy execution of survey operation.

There is a need for decentralization of action plan at the district level also. Directorate of Revenue and Settlement may collate, co-ordinate and supervise settlement operation.

g. Lack of experts/agencies dealing with software and hardware

There is dearth of software experts/ agencies/ annual maintenance contract (AMC) system in the state. For instance, even if there is a minor breakdown in computers, or with any survey machine, Revenue Department has to depend on Delhi- or Guwahati-based technicians/ engineers/ organizations for its repairs. This impairs the smooth functioning of the survey operation.

Hence, there is a need to establish agencies having experts who could facilitate in maintaining survey machines and smooth functioning of the survey operation.

To make the Revenue Department self-reliant and cost-effective, there is a need to promote agencies in the private sector and establish annual maintenance contract system to maintain the survey technology.

Cadastral Survey in Autonomous District Councils

Three ADCs in the state are governed as per the Sixth Schedule of the Constitution of India. These ADCs Lai/ Pawi ADC, Mara/Lakher ADC and Chakma ADC administer land as per its respective Acts/regulation as in force from time to time. Autonomous district councils have the same power on land issues as the state. Piecemeal survey is the only method through which land is being settled in ADCs. No cadastral survey has been done in any of these three ADCs as they have very few surveyors and hardly any fund.

During an interview with one of the executive members (EMs) of Lai ADC, it was found that due to lack of cadastral survey and maintenance of land records, land disputes are rising. He further mentioned that if any Line Department approaches them for acquiring land for some development project, the Revenue Department in ADC fails to provide land

as proper land records are not maintained. ADC members wanted that land in ADCs to be cadastral surveyed on a priority basis. ADC, Lawngtlai, has already submitted the proposal for cadastral survey to the Directorate of Land Revenue and Settlement, Mizoram. Executive Member, Lai ADC, told that since district council was an autonomous body therefore, Directorate of Land Revenue & Settlement, Mizoram, does not pay much heed. On the contrary, Directorate of Land Revenue & Settlement officials mentioned that the state has fund crunch and inadequate manpower (surveyors and chainmen, etc) to carry the survey work in autonomous district councils. Contrary to it, state has an apprehension that the autonomous district councils may not be in favour of modern methods of land record management.

Adequate funds and manpower need to be provided keeping in view the vast geographical area, hilly terrain and poor condition of approach roads in autonomous district council areas.

The State, Autonomous District Councils, Ministry of Rural Development and Department of Land Resources, Government of India, need to sensitize the people on these issues and ensure that their fears are allayed. Adequate funds, manpower and equipment need to be provided so that cadastral survey could be done in ADCs.

The role of an autonomous district council in introducing individual property rights is required to be specified.

Fund Requirements should be based on Detailed Project Report

Conducting survey operation at the vast hill tracts of the state is a massive task. State officials argue that the fund requirement for establishing infrastructure, technology arrangements, time for completing the project, procurement of survey equipments, human resource, and capacity building of survey officials at various levels should be much higher compared to other states. Therefore, funding by the Government of India should be proportionately higher for the completion of cadastral survey and land record management compared to other states in plain areas. Budgetary provisions of the state should be linked with modern survey methods, which include aerial and satellite imagery survey, global positioning system, and digitization of land records, etc. Funds should be based on detailed project report (DPR) and not on annual budgetary provisions. The Ministry of Rural Development, Department of Land Resources, GoI, needs to ask Mizoram to present a detailed programme for conducting and completing a primary survey.

The State also needs to submit a proposal on training of manpower in modern methods of survey for which the Department of Land Resources already has a scheme under National Land Record Modernization Programme.

The State requires the primary survey to be done before modern methods are used to leverage the technology.

For conducting survey in difficult areas, universities, research organizations, researchers and non-governmental organizations having expertise in the subject can be invited to conduct feasibility study.

National Land Record Modernization Programme (NLRMP)

The Department of Land Resources, Ministry of Rural Development, GoI, introduced a new programme, National Land Records Modernisation Programme, in 2008. This programme is basically an amalgam of Strengthening of Revenue Administration & Updation of Land Records and Computerization of Land Records. Survey is the most important component of the NLRMP scheme. Champhai district has been proposed as a pilot project under Land Resource Management Programme during 2007-08.

In a state like Mizoram, where vast land is still not surveyed, proper facilitation by the Central government would be required for implementation of a newly-introduced technology-based programme, National Land Reform Modernization Programme (NLRMP). The state government has already submitted the proposal for NLRMP to the Union government. As per the norms, 50 per cent share was to be borne by the state and the remaining 50 per cent by the Union government. However, due to limited revenue sources the State has shown its inability to contribute 50 per cent share and therefore, the proposal could not get the sanction from the Union government. But after knowing the ground realities of the state, the Union government has agreed to sanction 90 per cent of the total grant, which amounts to Rs.51.76 crore. Once the grant is released, the State will start survey operation first in Lunglei district. Mizoram is covered by thick forest with steep hills; hence, it is believed that survey settlement will consume major chunk of funds and time.

The department needs surveying equipments and computers, both hardware and software, for modern recording system. Although Land Revenue Department has trained surveyors but they need advance-level training in handling advance survey technology. To begin with, the state needs guidance of experienced consultants who has knowledge of local conditions at least for the initial first few years.

There is a need to deploy some experts of NLRMP in Mizoram for training in modern survey methods through ETS/GPS to develop human resources for effective maintenance and sustenance of the programme.

Monitoring and supervision of activities under different components of NLRMP should be done both by the Government of India and by a third party.

Recognition of Existing Land Ownership Patterns in NLRMP

Since the type of land ownership/ control and accessibility over land in Mizoram are quite varied and differ from the rest of the country therefore, all possible ownership types and patterns of land in the region, i.e. individual land, community land, forest land, agricultural land, homestead land, government land and common property resources, etc., need to be given due recognition under the upcoming land-related programme, such as the National Land Record Modernization Programme (NLRMP).

Mizoram has started survey operation under NLRMP which aimed at conversion of the un-surveyed state to surveyed state. Inadequacy in technical manpower and instruments emerged as the most severe problem during survey operation.

The problem in this regard seems to be rather lack of skill manpower.

Although cadastral survey is going on in full swing however, the state officials feel that the piece meal survey cannot be get away unless the complete area is covered under cadastral survey.

- The state of Mizoram has been affected by insurgency for a long time. The proposal of survey and modernization of land records, particularly of community land, may be treated as an affront to the customary laws prevailing in the region. Hence, it would be desirable to mobilize the community through village elders, community, tribal leaders and village councils to help them understand the benefits of the survey. The local community leaders should be involved in planning, execution and completion of survey operation.
- There is a need for a proper coordination between the Directorate of Land Revenue & Settlement, Local Administration Department, Forest Department, Agriculture, Horticulture and Soil Conservation to survey the community land.

Land Records Management

Mizoram is called a non-record state.¹¹⁷ Revenue Department settles and allots land only within town or sub-town areas and maintains land records accordingly. It maintains land records mainly for two types of land: i.) agricultural land; b.) non agricultural land.

- Agricultural land is used for food and horticultural crops, wet-rice cultivation, cattle farm, fish pond, piggery and plantation, which includes jetropa, coffee, tea and timber, etc.
- Non-agricultural land includes mainly residential plots, shops, and stalls, etc.

Mainly four types of land ownership exist in the state:

- Pass basis;
- Periodic *patta*;
- Land with land settlement certificate (LSC); and
- Land lease.

The first two categories of land ownership pass and periodic *patta* give 'usufruct right' over land; land with land settlement certificate provides permanent ownership rights. Land on lease basis is allotted for 27 years. Lease period for NGOs is 10 years; for government offices or establishment, it is 25 years; and only in few cases, lease period is 99 years.

For allotment of residential plots on pass basis, a person submits an application to the Revenue Department to settle the plot into a residential plot. By and large, similar procedure is followed in the allotment of periodic *patta*. But conversion of land from pass to LSC involves lengthy and complicated procedure. It takes on an average two to three years. Applications for land allotment for residential purpose with LSC are considered and approved by the Site Allotment Advisory Board (SAAB). There is no fix time for conducting meeting by the Site Allotment Advisory Board. A meeting is conducted only when sufficient number of applications is received by the Revenue Department. Thereafter,

applications are reviewed and sanctioned by SAAB. However, if an applicant is an influential person, meeting can be called immediately. Once land is allotted, Revenue Department mutates the plot under the Land Mutation Act. It is operated through Government Administration Department through the Deputy Commissioner. Land allotment with LSC is registered under Land Revenue Act. The whole process of land settlement and allotment particularly with LSC is so complicated, cumbersome and time consuming that it becomes difficult for an ordinary person to get permanent ownership of land. The problem becomes much more complex because the District Revenue Office is the lowest revenue unit in the state.

Unless all the land in the state is cadastral surveyed, no proper land records can be maintained. The process of conversion from pass to LSC needs to be simplified and quick.

People also suggested that the duration of periodic *patta* and land lease should be increased.

Coordination between Various Government Agencies

Any developmental work of agriculture, horticulture, irrigation, soil conservation and forest departments without proper information of the pass status of the landholders and revenue statistic data of the revenue department usually causes problems in preparation of various plan schemes. In the absence of primary survey, Revenue Department cannot furnish complete and accurate land information to those departments who require the same for implementation of various development programmes. For proper survey settlement and management of land records there is a need for co-ordination among the various government departments that deal with land, e.g. revenue, local administration, civil administration, agriculture, horticulture, forest, home, defence and various technical agencies, such as National Remote-Sensing Centre, Hyderabad and Civil Aviation Department (at the Central level), Mizoram Remote Sensing Application Centre (MIRSAC) (at the state level), etc.

Computerization of Land Records

The Revenue Department has implemented Digitization of Computer Land Recording System. This project was funded by the Information and Technology Department. Two districts Aizawl and Serchhip were undertaken as a pilot project. Data entry of all land records at the directorate and districts level was completed.

'Zoram' software was developed for digitization of land records but it was not compatible in integrating textual and spatial data. The major constraints found in the effective implementation of CoLR project were: lack of experts in designing software programmes, infrastructure, understanding of land administration system in the state, training of survey/ revenue officials in computer operation and funds. Resultantly, the Department of Information and Technology has withdrawn this project from the state. Subsequently, services of the computer operators who were hired on contract basis were also terminated. These computer operators later on, went to the court and challenged

termination of their services. The case is still pending. This is an additional problem that the Revenue Department has been grappling with.

For effective implementation of CoLR, there is a need for adequate infrastructure, funds and technical experts having an understanding of existing land administration system and cultural values of the tribal community. There is also a need for social scientist and sociologists who could coordinate with the technical experts and facilitate in the formulation and implementation of the project.

The state officials emphasized the need to develop a suitable software programme for integration of textual and spatial data by the experts. There is also a need to interlink land records with digitization so that when partition/ sale/ transfer of land take place, it could be promptly updated in the Records of Right.

The state revenue officials found CoLR an important programme for managing land records and generating land revenue. They want the Union government to re-introduce the programme in the state.

Most of the revenue officials were not computer literate; therefore, they could not generate computerized land records. Once the programme is re-introduced, it would be essential to train revenue officials in computer operation in a phased manner.

In Mizoram, Roman script for the Mizo language is the official language; and 'Zoram' software was developed in English language. To make computerization of land records citizen-friendly, it would be important to develop software either in Roman script or both in Roman script as well as in English language.

Once the CoLR project takes off it should be followed by storing soft copies of data entries (of RoRs) and digitized maps in CD media; as well as periodical technical check/test of modern survey instruments (ETS & GPS) and computers used for land records by the authorized technician of Government of India.

The Department of Land Revenue & Settlement, Mizoram, has recently initiated the process of signing a Memorandum of Understanding with agencies, like Mizoram Remote Sensing Application Centre (MIRSAC), which is an off-shoot of Remote Sensing Agency. Once it is finalized, MIRSAC will help Revenue Department in developing and handling suitable software. MIRSAC will also facilitate Revenue department in conducting aerial survey.

District Revenue Office is the Lowest Unit

The administrative set-up in Mizoram is linear, from the government level to the directorate level and then to the district level. District Revenue Office is the lowest revenue unit in Mizoram. There is no revenue office at circle, block or village level. Thus, the three-tier system, which is generally an existing structure of land administration system, is not followed while framing land laws in the state. The three tiers are: Survey, Settlement, and Land Revenue for which there is no proper arrangement in organizational set-up.

Mizoram is a hill state where population density is low. Due to difficult terrain and long distances, availability of transport is a big problem. With the result, people living in the interior areas find it difficult to visit district revenue office. For instance, if a person has to visit Revenue Department to convert pass into periodic *patta* or land settlement certificate or if he has to apply for a fresh land allotment or pay land revenue, etc., he faces challenges. This discourages people's interaction with the Revenue Office.

People in Mizoram emphasized the need for establishing Revenue Office at sub-division/ block, and if possible, at village level also. To begin with, there is a need for setting up revenue office at least at the block or circle level. A proposal for extending revenue office at block/circle/village level was already under process. An Expert Committee was constituted to draft the Mizoram Land Revenue and Land Settlement Bill in 2011 in this regard. Revenue Minister acted as chairman of the committee. The Bill is waiting for the Cabinet approval.

Roles and Responsibilities of Deputy Commissioner in Land Administration Need to be Well Defined

In Mizoram, the District Administrator, i.e. Deputy Commissioner, is generally from Indian Administrative Service (IAS) and most of them do not belong to the state. On the other hand, director who is the head of Directorate of Land Revenue & Settlement, Mizoram, belongs to the Mizoram Civil Service (MCS). As per Mizoram State Laws, Deputy Commissioner's role is in revenue collection and land acquisition for public purposes. But since District Revenue Office in the state comes under the direct control of the Deputy Commissioner Office, so he/she exercises his/ her power over District Revenue Office. This dilutes the actual functions of District Revenue Office. Thus, the District Revenue office has two masters to serve: Deputy Commissioner at district level, and Director, LR & S, Mizoram, at the state level. Deputy Commissioner has greater leverage in power and authority over Directorate of Land Revenue and Settlement than the Directorate, LR & S, Mizoram.

District Revenue officials were sometimes deviated and engaged in election duty or in maintaining law and order. Due to all these reasons, actual work of revenue department suffers. Besides, for any kind of land allotment government approval is necessary; DLR & S alone cannot take the decision. Thus, the existing organizational structure causes breakdown in the effective management of land and hinders in the achievement of organizational goals. It is important to adopt three-tier system of land that could be managed effectively.

Both Urban and Rural Areas are Managed by Village Council System

In Mizoram both urban and rural areas are managed by village councils. Village council is an elected body that functions under Local Administration Department and does not have a Constitutional backing. Due to the operation of the democratically-elected Village

Councils Act, 1954, the 73rd Amendment Act, 1992, relating to Panchayati Raj has not been enacted in Mizoram. The absence of panchayats deprives Mizos from direct participation in the decision-making and implementation processes in the development, including land-related programmes. To ensure people's participation and for effective land administration, the Local Administration Department (LAD) has proposed a Village Council Act, which has a provision of constituting gram sabhas. Gram sabha would be able to conduct meetings four times a year. The existing Village Council Act, in that case, would be repealed.

Town and Country Planning, under the Local Administration Department, enforced the Mizoram Urban and Regional Development Act, 1990, independently till 2006. For effective functioning of urban affairs, Urban Development and Poverty Alleviation Department was created in the state in 2006.

Municipal council an urban body of administration was introduced in 2011. So far only Aizawl city has been covered under the purview of a municipal council. With that, 76 village councils have been transferred to the municipal council. These village councils were given the status of local councils. Two components Sanitation and Town and Country Planning which were earlier under Local Administration Department have now been shifted under the municipal council. Aizawl Municipal Council has 11 members, out of which 5 were women. Municipal council has been further divided into ward committees, which are represented by the local councils. Local council rules are in the process of being drafted.

Land Disputes

In Mizoram, the judiciary has a three-tier system Village Council, District Court and a High Court Bench. In case of a land dispute, it is placed before the village council. If the affected parties are not satisfied with the verdict of village council, a person/ party moves to the district court and then to the high court. There is neither a high court nor a revenue board in Mizoram. The Guwahati High Court has an Aizawl Bench. If someone has to register a case in high court, he/she has to visit Bench office in Aizawl.

Land dispute cases can be classified into two categories ordinary case and a court case. Data on land dispute cases provided by the DLR &S, Mizoram, shows that till December 2008, there were 360 ordinary cases, related to land dispute, pending with the district court and by September 2011, this number rose to 1103. Forty cases were pending with the high court and three cases with the Supreme Court.

Household data analysis shows that cases of land dispute in Mizoram are on the rise. The main causes for land dispute are:

- Boundary issues
- Land encroachment
- Double entry, i.e. allotment of the same plot to two different persons
- Riverine and gender discriminatory land laws.

According to the revenue officials, land disputes due to riverine were increasing at an alarming rate. Settlement officers were facing problems due to the absence of proper guidelines. The gender discriminatory customary laws have often been challenged in the court of law.

To control land dispute cases and for an efficient land-dispute settlement, the following measures are suggested:

- It is imperative and important to cover the entire state under cadastral survey so that proper land records are maintained, which would help to solve land disputes to a great extent.
- Village councils need to be strengthened in resolving land dispute cases by imparting training to its members on a regular interval basis.
- Land-related customary laws need to be reviewed. In areas where land laws either do not exist, ambiguous or they are discriminatory, there is a need to enact fresh laws. For instance, there are no guidelines/ rules to deal with riverine cases, hence the state officials emphasize the need for fresh enactments/ guidelines/ rules to deal with such cases. Local experts, NGOs and women should be involved in framing such guidelines/ rules.
- Gender-discriminatory land laws need to be reviewed and attempt should be made to make laws that would be based on the principle of gender equality.
- A revenue board should be established so that land-related disputes are settled quickly.
- A high court needs to establish in the state itself.

Land Revenue

In Mizoram, land revenue is generated in various forms fee, renewal fee, tax and premium but it is levied only in town and sub-town areas. It is not levied in rural areas or on community land.

The revenue rate depends on category, location and grade of land. For instance, revenue rates are higher on land that is on roadside. Time series data on land revenue of the last seventeen years shows that for the last 15 years (1990-2004), there has been a continuous fall in the revenue collection. During the two years, 2004-05 and 2005-06, land revenue was in excess. During the two years following that, 2006-07 and 2007-08, there was a shortfall again. Revenue court deals with the non-payment of land revenue as per section 5 CPS.

In Mizoram, zoram chhiah is an imposition of tax on land and man. For every Mizo family, it is mandatory to pay zoram chhiah even if he is a landless family and does not own a house. Government servants living in servant quarters are exempted to pay this tax. It is a surcharge on the residents of the town and sub-town area and partly an extension of the surcharge to cover villages too. Currently, the annual rate for zoram chhiah is Rs.30 and it makes a significant contribution in the land revenue. Tribals residing in harsh conditions on hill tracts having limited resources find it difficult to pay zoram chhiah.

In all good systems, land revenue is not assessed on ad-hoc basis. It is generally related to the productivity of the land, its market value, its proximity to good roads and market, the combination of all these factors by soil unit system, etc., involves detailed scientific processes and may appear too complicated for a hill state, like Mizoram. Assessment of land revenue is not easy for Mizoram where soil erosion is a common problem; some simple methods need to be evolved.

No Stamp Act in Mizoram

Land settlement certificate is a legal document that gives permanent ownership of land. Land allotted with an LSC is registered under Land Revenue Act. It is operated through Government Administration Department (GAD) through the Deputy Commissioner and not under Stamp Duty Act. Mutation is done under Land Mutation Act.

Unlike many other states in the country, Mizoram has not enacted Stamp and Registration Act. Due to limited land resources, un-irrigated and low productivity land, and vast area under community land could be some of the reasons which would have perhaps restricted the state to introduce the Stamp Act. Some of the survey officials were of the view that there is a need to introduce Stamp Act now.

Land Laws

Lushai Hills District (House Site) Act, 1953, in urban areas was the first Act that came just before Abolition of Chief-ship Rights in 1954. This was adopted by Mizo Hills District Council. Later, Mizo Hills District Council enacted certain land laws of its own. Land Revenue & Settlement Department has initially adopted almost all Acts and regulations of the erstwhile Mizo Hills District Council concerning the land revenue and settlement which were enforced in town and sub-town areas. Later on, some of them were repealed.

Review of these land laws reveals that some of these laws are repetitive, ambiguous, region and tribal specific and not placed at one place. Some of the documents contain laws related to both urban and rural areas and creates confusion.

It is suggested that subject-specific urban and rural laws should be maintained separately. There is also a need to remove such land laws which are no longer relevant in the present context or are repetitive in nature.

During the field visit, it was noticed that in certain specific areas no land laws have been enacted and there were certain areas where land laws were not defined clearly.

The state officials stated that land laws enacted by the Mizo District Council were simple; they were framed keeping the geographical conditions and cultural ethos of the tribal society in view. The trend is changing now. An increasing number of officers serving in Mizoram are from Indian Administrative Service, Government of India. Since they do not belong to the state/ community they lack proper understanding of the local customs, traditions and land administration system. With the result, when they deal with land issues they get perplexed and start amending land laws frequently. They attempt to

superimpose land laws practised in other states. This has resulted into a plethora of land laws.

State officials further added that the superimposition of land laws without understanding the ground realities and cultural pattern has created utter confusion and paved way for increased land disputes. Now, the state has a series of complicated land laws as compared to 1972 when Mizoram was a District Council. Therefore, the Revenue Department is facing a lot more problems now as compared to the past. They suggested that the All India Level officials should be well trained on land administration of Mizoram before they are posted here.

If there is a need to amend any land law, it should be thoroughly debated by the stakeholders and unless approved by them, land laws should not be amended.

Community Land Acquisition & No Rehabilitation Policy

Mizos have been given greater autonomy to run their lives under Article 371G of the Constitution of India. It recognizes customary laws and land administration system of the Mizos. A large section of population in Mizoram is dependent on jhum land for their livelihood. Community land in the state is administered by the customary laws. When community land is acquired for any development project, the displaced families in the state were not rehabilitated. Land Acquisition Act is a formal law that recognizes only the title land. Community land gives 'usufruct right' over land and regulated by the customary (informal) laws; hence, it is not recognized by the Land Acquisition Act. Therefore, no compensation was given to displaced families whenever community land was acquired. Some of the major projects, such as Serlui B Hydel Project in Kolasib district, Lengpui Airport in Aizawl district and Sainik School in Serchhip district have displaced many tribal families. Only those families who had the title land (LSC) were compensated, and not those who were dependent on community land for their livelihood.

For developing Lengpui airport in Aizawl, 2.7 sq. km. land, both agricultural and residential plots, was acquired. Around 150 families were displaced by this project. Families owning land were given market rate for their land. Similarly, in Serlui B Hydel Project in Kolasib district, out of the total agricultural land holdings, one-third families had either plot with land settlement certificate or periodic *patta*/ permit. Families having LSC plots were compensated land for land; those who had periodic *patta* were compensated for standing crops; and those who were dependent on community land were provided house plots but no compensation was given to them in lieu of community land. After displacement, these families faced serious livelihood problem as they did not have any alternate source of livelihood. They continue to visit the Revenue Office requesting the officials to allot a parcel of community land so that they may start cultivation.

Land acquisition in Serchhip district reveals a different picture. Community land was acquired for constructing Sainik School but none of the families were compensated. They were simply asked to shift to another location in the village. They were persuaded and motivated to sacrifice their land in the interest of the state/nation.

It is important to mention that Mizoram has yet not framed a resettlement and rehabilitation (R&R) policy. The revenue officials have an apprehension that framing of resettlement & rehabilitation policy may further intensify the problem as vast land belongs to the community and administered by the customary laws. Also parameters for developing a rehabilitation site in National Resettlement and Rehabilitation Policy, 2007, may not be suitable for Mizoram as in hill areas population is sparsely populated. R&R Policy for Mizoram needs to be flexible. Although, as far as possible, community land should be avoided to acquire for any project. In case, if acquisition becomes unavoidable, then guidelines should be framed for the rehabilitation of the affected families dependent on the community land. Acquisition of community land should also be brought under the purview of Land Acquisition Act and rehabilitation of displaced families should be made compulsory even if minimum population was less than the prescribed norm.

Protective Regulations and Need for Land Reforms Laws

British introduced Imposition of Inner Line Regulation in Mizoram in 1873, which is continuing till now. Currently, there are two restrictive laws which are in force in the state:

- Inner Line Permit and
- Restricted Area Permit Notification.

These legislations were introduced to prevent the entry of the people from the plains and to debar the non-tribals from owning landed property in the state. Another important purpose was to prevent assimilation of other communities with the local ethnic groups. But this Act had an adverse effect as this led to concentration of land in few rich tribal families. This growing disparity in land asset has led to emergence of a class within the egalitarian tribal society and increase in the number of land-less households leading to land alienation.

The household survey has revealed that as per the land laws there was a settlement limit on land holding of residential and agricultural plots in town and sub-town areas yet there was no ceiling on the number of plots a person could have. A person could have many holdings at different locations. The state has not enacted land ceiling act. The survey officials blamed the settlement of land through piecemeal survey as one of the major reasons for this problem and added that in the absence of cadastral survey and proper maintenance of land records, it is difficult to track the number of landholdings a person possesses. Without the land reform laws, it would be difficult to keep a check on land concentration with few resourceful families.

With the fast individualization of land, there is a growing demand for land ceiling by various organizations. Churches in Mizoram have a greater role in regulating the lives of Mizos. Two important NGOs in Mizoram Young Men Association and Mizo Kohhran Hruiaitu Committee (MKHC) visited the Department of Urban Development and Poverty Alleviation and the state government and apprised them about the growing problem of

concentration of land holdings with few rich families. They submitted a memorandum and demanded to introduce land ceiling laws in the state as early as possible. MKHC is an association that includes leaders of all churches and tribes.

While framing the Land Ceiling Act, it should be ensured that there isn't a blanket ceiling in a hilly state like Mizoram. It should be based on topographical variations. It might be more appropriate to fix land ceiling on a case to case basis using methods suitable to the terrain.

Despite the fact that there was no land tenancy Act in Mizoram but concealed land tenancy was present, though not very rampant. It was more prevalent in those areas where labour-intensive or commercial crops were cultivated or where the number of absentee landlords was higher. For instance, in Kolabsib district, coffee plantation is done in Champhai district, which has the maximum area of plain land and wet-rice cultivation is done on a large scale. Both these crops – coffee and wet-rice cultivation – are labour intensive. There were a growing number of absentee landlords who collected rent from the use of their land, and also encroachment of community land was common.

Land and agrarian reform measures are an imperative need to prevent growing uneven land distribution. This also contradicts the present landholding practices by the community that is known for its egalitarian values.

Land Mortgage

In Mizoram, a person is entitled to take loan from a bank if he has a Land Settlement Certificate for his land. It has been noted that he sells his plot of the land in case he is unable to pay the bank loan. Instances of growing depress sales of land are becoming common in Mizoram. The respondents want such cases to be checked and curbed, as it is leading to land alienation.

Management of Community Land and Local Administration Department

As mentioned earlier community land is administered by the village councils, which work under Local Administration Department (LAD). Village boundaries are demarcated by the village council under the supervision of LAD. The measurement is done in consultation with the concerned village and its neighbouring villages. Vast area of community land in Mizoram has not been surveyed; therefore no exact land record is available for the community land.

- Absence of land record impairs policy decisions, and implementation of development programmes.
- State Institute of Rural Development (SIRD) trains the officials of Local Administration Department and also the village council members. Some officials suggested that the village council members should be trained twice a year so that they are well informed about different development programmes and changes taking place in these programmes from time to time.

- Local Administration Department deals with the community land and Directorate of Land Revenue & Settlement, Mizoram, with the revenue land; hence, for effective implementation of land-related programmes both the departments should be brought under one ministry.

Misappropriation of Community Land

For proper management of jhum land, Lushai Hills District (Jhumming) Regulation, 1954, was enforced by the Local Administration Department (LAD). Lai, Mara and Chakma tribes have framed their own Jhum regulations. As per rough estimates, jhum land in Mizoram constitutes 70-80 per cent of the total geographical area of the state.

- The village council has the power to allot passes for house site in the rural area and agricultural land for jhum cultivation. Since there are no records for community land, sometimes the village council members misappropriate their powers; they allot garden passes within its jurisdiction and allot land within the forest reserved area. This causes major problems for the concerned department as well.
- Since community land belongs to the community and hence, cannot be sold or purchased. In practice, instances of selling/ purchasing of community land were noticed. Such transaction takes place verbally. People have shown resentment against such practices.
- Proper cadastral survey and maintenance of land records is the only solution to control such practices.
- There should be procedural code if any village council member misappropriates or sells community land.

Strengthening Local Administration Department & Village Council to Check Duplication of Development Schemes

Prior to attaining the status of statehood, the Local Administration Department was one of the most important departments as most of the programmes, including land and rural development, were dealt by it. After attaining statehood, the Government of Mizoram has created various new departments and some of the programmes/ activities that were earlier implemented by the Local Administration Department have been transferred to these newly created departments.

Local Administration Department still implements various activities, such as housing development, loan to private and government officials, minor developmental activities that include construction of footpath, drain, retaining of wall to prevent landslide, and recreational park, etc. Loans are given for house construction, repair, renovation, extension, etc. People who own permanent land, i.e. land allotted with Land Settlement Certificate are entitled for loans.

The state officials informed that there were certain schemes/ programmes which are implemented by Local Administration Department and other departments too, e.g. rural development, sanitation, Power Works Department and Member of Parliament Local Area Development Programme (MPLAD). This duplication can be avoided by involving Local

Administration Department in all the development programmes and wherever possible by converging some of these schemes.

Financial Institutions Underestimate Customary Laws

Mizo Huan Dan is the book of customary laws. The Mizo District Council in 1957 recorded the Mizo customary laws in writing and laid down the major principles of inheritance customs, which include immovable property/ land also.¹¹⁸

In 2005, an Expert Committee was formed to codify the customary laws in Mizoram; this committee included members from Young Mizo Association, Old Age Persons Associations (locally called Mizo Upa Pawl), Women's Association (locally called Mizo Hmeichhe Insuihkhawm Pawl (MHIP) and some senior advocates. Some of the major areas where customary laws have been codified were related to village/ town, village boundary, border, pillar, house site, distribution of jhum land, burning of jhum land, rearing of cattle, establishment of new village, sub-village, protection of public property, and inheritance. Under inheritance laws, the term 'immovable property' includes land.

Although these customary laws have a written record and are codified yet they are underestimated and perceived as an impediment in granting loans by financial institutions like banks, and also from availing benefits from the rural development schemes. This deprives a large number of tribal families from their entitled benefits. A person is granted loan only if he has a title land, i.e. land settled with a Land Settlement Certificate, which is a legal document.

Such exclusionary practices are violation of human rights of indigenous and tribal peoples. Global Reform of Property Rights regimes should allow the formal recognition of customary land rights as the basis for inclusive property systems, which includes indigenous people. Australia and New Zealand have successfully conducted such experiments. The Commonwealth Nation Title Act of 1993 in Australia, and the landmark Te Ture Whenua Maori Act in New Zealand respect and acknowledge the customary land rights of indigenous groups. It is rather early to confirm the impact of these laws in removing the deeply-entrenched exclusionary practices but it certainly is a step in the right direction.¹¹⁹ Such measures may be initiated in tribal dominated state like Mizoram also.

The community members including the leaders, bureaucrats and other stakeholders should be sensitized about the land-related customary laws.

Attempt should be made to evolve a mechanism through which formal laws can be harmonized with customary laws.

Commercialization of Agriculture leading to Gender-Discriminatory Customary Laws and Growing Marginalization of Women

Mizoram has been one of the most progressive states in the north-eastern region as regards the abolition of the traditional institutions (chief-ships) as well as the provisions

for women to contest elections to the village councils are concerned.¹²⁰ Women in Mizo society always played an important role in the agriculture sector. But women do not own land and other assets due to the patrilineal system that existed in Mizoram. As per Mizo customs, the youngest son inherits the landed property. This shows that even customary laws are influenced by patriarchal notions and are gender-biased. Household data analysis on land inheritance corroborated this fact.

Under jhum cultivation system both, men and women, play equal roles. With growing commercialization of crops, women are being gradually marginalized in the agriculture sector as the cash crops are mostly cultivated on *patta* lands, which are allotted to male members of the family. Although women continue to contribute on *patta* land but they have no rights in decision-making and monetary gain.

- Land laws, and women's land rights within them, need to be reviewed. Women should be given equal share in landed property. Accessibility and actual control over land should be determined by ownership, irrespective of the gender.
- Provision should be made to allot *patta* land on joint ownership basis; and solely to a woman if they are single, such as divorcee, widow or unmarried.
- Theoretically women can contest in village council elections yet in practice, a very minimal number of women are found as village councillors, e.g. within Aizawl district, there were only two women village council members. Women need to be mobilized so that they can participate and contribute in decision-making process on an equal footing.
- There should be one-third representation of women at the village-level institutions through proper amendments of law.

Garden Policy & New Land Use Policy

In 1978-79 the Government of Mizoram introduced a Land Use Policy called the Garden Policy. One of the important objectives of this policy was to control the ill-effects of jhum and create alternative sources of income generation. Fruit crops banana, grapes, orange, passion fruit and pineapple are produced in abundance here, particularly in Aizawl, Serchhip and Champhai districts. Serchhip district is called the 'Fruit Bowl', and Champhai district the 'Rice Bowl' of Mizoram.

With the change in political party, the state government has introduced a programme called New Land Use Policy (NLUP). This is basically a revised version of the previous programmes. It is a flagship programme of the Government of Mizoram and agriculture department is the nodal agency to implement this programme. The objective of NLUP is to shift farmers from jhum to settled cultivation. Any family that has no other source of regular income can apply for this programme except the government employees, contractors and shopkeepers.

There are various sector-based agricultural activities that are promoted under NLUP: WRC, palm tree and sugarcane under the Agriculture Department; grapes, passion fruit, orange and pineapple under Horticulture Department; aloe vera, areca nut and tung

under Environment and Forest; bamboo plantation under Soil and Water Conservation; rubber and coffee plantation under Animal Husbandry & Veterinary; dairy farming, piggery and hill cattle under Fisheries; fish farming, crabs and prawns under sericulture; carpentry and wood processing, vegetable shops, tea stall, automobile workshop, bakery, agarbatti stick and broom under household industries. A large number of families have benefitted from this programme. Revenue Department is also encouraging people to shift towards settled cultivation and that is why more and more people are encouraged to get periodic *patta* allotted. The full impact of the programme is yet to be seen.

During the household survey, it has been observed that the beneficiaries of New Land Use Policy were allotted horticultural plots within jhum block. During slash and burn process of jhum block, horticultural crops located adjacent to jhum plots also got burnt. This caused heavy financial loss to the farmers who ventured for diversification from jhum to horticulture after much persuasion by the government officials. Some farmers have expressed their desire to revert to jhum cultivation.

- To counter such a problem, it would be desirable not to allot horticultural plots in jhum block. There can be separate block for horticultural crops.
- Local Administration Department allots land and implements various development programmes in rural areas. Most of the activities in NLUP are land based but LAD has not been involved in New Land Use Policy. For effective implementation of NLUP, there is a need to involve all the stakeholder including LAD.

Absence of Banking Institutions

There are many progressive farmers in the state who have organized themselves through self-help groups under Swarnajayanti Gram Swarozgar Yojana. Ironically, banking institutions, which are the backbone of any trade or commerce, are not providing the support that is required in Mizoram in general and in horticultural belt in particular. Bank branches are located either at the district headquarters or in town areas.

The farmers' associations have complained about lack of any bank branch within or nearby villages. In Champhai district they stated that there was no bank branch in the radius of even 40-50 km. This causes inconvenience, wastes time and money for the farmers to do their banking transactions in banks that are located far-off. This restricts them to sustain or expand their economic activity that revolves around agricultural/horticultural sector.

Absence of financial institutions was perceived as one of the serious constraints by the villagers particularly which were located at Myanmar and Bangladesh border and sharing international boundaries, such as Champhai and Mamit districts. This has a negative impact on trade and development. Mizoram Rural Bank was the lead bank in the state and covers 25 rural development blocks, including one urban and 11 semi-urban centres in the eight districts. It was established in 1983 under the Regional Rural Bank Act.

Villagers expressed need for banking facilities within or nearby villages on urgent basis so that they could expand their production unit and transact through banks.

Other Issues

a. Inadequate and not so functional agricultural markets and regulations

MIFCO comes under the department of industry. It deals with the farmers' associations/ growers' associations and does not interact with farmers individually. Therefore, farmers have formed fruit-specific association, e.g. in Champhai district farmers have formed passion-fruit growers' associations and grape growers' associations; in Serchhip district, farmers have formed pineapple growers' associations and orange growers' associations and likewise.

Agriculture markets are very minimal in number and MIFCO has its limitation in terms of procurement, funds and market therefore, to a large extent, fruits crops were sold and purchased in open market. Besides Mahalwari system was very popular in Mizoram, particularly in those pockets which have good product ion of horticultural crops. In Mahalwari system, buyers purchase specific fruit garden much in advance. Mahalwari system needs to be studied deeply.

b. Mizoram declared a free trade zone

Mizoram is rich in fruit and spice crops. To generate income from these crops an agro-based industry, Mizoram Food & Allied Industries Corporation Ltd. (MIFCO), was set up on 19 Dec 1989. Mizoram was declared a free-trade zone, hence a greater thrust has been to explore the feasibility and promote agro-products locally and in the international market. However, marketing of agro-products is still a big challenge as the state is not well connected with other states. Lack of transportation facility, poor road conditions and infrastructure are some of the major problems.

c. Procurement in Serchhip district but payments are made in Aizawl district

The farmers of Champhai and Serchhip districts visit MIFCO located in Serchhip district to sell their fruit corps. But their payments, which are made on fortnightly basis, are made at MIFCO headquarters located in Aizawl district. During the field work, it was noticed that MIFCO has stopped procuring fruits for the time being due to insufficient demand. Sometimes, payments were released late and these fruit crops cultivators had to make repeated trips. Procurement centre in Serchhip district with no certainty of purchase by them and payment in Aizawl district with no certainty of payment causes stress, alienation among farmers and de-motivates them to continue as entrepreneurs. Due to such hurdles distances are long, road conditions are poor and transportation is a serious problem doubts crop up about the sustainability of agro-industry in Mizoram.

Lack of coordination between different agencies/ stakeholders MIFCO, Swarnajayanti Gram Swarozgar Yojana, horticulture department, banking institutions, transportation department and infrastructure was hampering the success of agro-industry in the state. There is a need to develop infrastructure road, transport, markets and banking institutions for developing backward and forward linkages.

There is an urgent need for effective coordination among the relevant agencies.

Agro-industries require priority due to its advantage over other sectors, as they provide high potential for employment generation per unit of investment and it suits the agro-climatic condition of the state.

d. Lack of irrigation sources

Agricultural land in Mizoram is mainly rain fed. Due to its hilly terrain, scope for other sources of irrigation is very limited. Due to these reasons, farmers cultivate a single crop as they do not find agriculture a viable venture. There being shortage of electric supply, tube wells are not a dependable source even in areas where land is relatively flat or is located on riverside.

Concerted efforts are needed to develop minor irrigation technology that is conducive to the local conditions, such as drip irrigation and watershed projects, etc. This will facilitate to increase the agricultural production and enable farmers to become successful entrepreneurs also. Although, watershed project has been implemented in certain pockets in the state but its success is yet to be seen.

e. Forest department needs to follow legal procedure

Section 18-26 of the Wild Life Protection Act, 1972, includes provisions for declaration of wild life sanctuaries. It is observed in some cases that declaration of sanctuary has been notified without following the legal procedure, which is creating enormous problems for the Revenue Department.¹²¹ As legal provisions are not observed, no land record of the Forest Reserve is kept by the Revenue Department. This has resulted in unwanted private land allotment within the notified forest areas.

These problems can be resolved by conducting joint meeting of the two departments and maintaining close cooperation in their activities.

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Annexure- I

Release and Utilization of Funds towards Central Share under the Centrally Sponsored Scheme for Strengthening of Revenue Administration and Updating of Land Records (SRA & ULR) in India and in Mizoram (As on 01.01.2008)

State	Total (India) (Rs. in Lakhs)	Mizoram (Rs. in Lakhs)
Upto 8th Plan	13311.70	342.75
Release upto 9th plan	21930.32	976.79
2002-03	2072.57	150.00
10th Plan 2003-04	2420.75	82.00
2004-05	1942.61	257.00
2005-06	3949.01	375.00
2006-07	4898.58	304.00
Total Release during 10th plan	15283.52	1168.00
11th Plan 2007-08	3659.03	-
Total Release Since Inception	40872.07	2144.79
Total Utilization	28313.37	2144.79
Unspent Balance	12559.50	-0.01
% utilization	69.27	100.00

Source: Department of Land Resources, Ministry of Rural Development, Govt. of India

Annexure-II

District- wise Village Councils in Mizoram (2009-10)

Sl.	District	No.
1.	Aizawl	166
2.	Lunglei	132
3.	Champhai	100
4.	Mamit	71
5.	Kolasib	44
6.	Serchhip	41
7.	Lai Autonomous District Council	94
8.	Mara Autonomous District Council	72
9.	Chakma Autonomous District Council	69
	Total	789

Source: Statistical Handbook, Mizoram, 2010 Directorate of Economics and Statistics, Government of Mizoram, p. 74

Annexure -III**Nos. And name of posts sanctioned under Land Revenue and Settlement Department**

Sl.	Name of Posts	No. of Sanctioned Posts	No. of Posts Filled Up	No. of Vacant Posts	Remarks
1.	Director	1	1	-	
2.	Jt. Director (Survey)	1	1	-	
3.	Deputy Director (DDO)	1	1	-	
4.	Deputy Director (Adm.).	1	1	-	
5.	Deputy Director (Survey)	2	2	-	
6.	Asstt. Settlement Officer-I	2	2	-	
7.	Asstt. Director	1	-	1	
8.	Asstt. Director of Survey	2	1	1	
9.	Asstt. Settlement Officer-II	9	9	-	
10.	Finance & Accounts Officer	1	1	-	
11.	Superintendent	1	1	-	
12.	Head Surveyor	7	7	-	
13.	Head Cartographer	1	1		
14.	Assistant	16	10	6	Though 10 has been filled up 1-Deputed to State Election Commission for 1 Year
15.	Steno-Gr.-II	1	1	-	
16.	Surveyor-I	25	22	3	4- Surveyor-I under processed for promotion, hence, shown as filled
17.	Cartographer-I	1	1	-	
18.	Revenue Inspector	1	-	1	
19.	Accountant	1	1	-	
20.	U.D.C.	24	24	-	
21.	Surveyor-I	139	127	12	
22.	Cartographer	15	12	3	1-Surveyor has been deputed to ADA
23.	Data Entry Operator	10	8	2	
24.	Store Keeper	1	1	-	
25.	Driver (Senior Grade)	76	1		
26.	L.D.C.	25	25	-	
27.	Record Keeper	1	1	-	1- Under process for promotion, hence shown as filled.
28.	Village Assistant	1	1	-	
29.	Tracer	8	7	1	
30.	Revenue Assistant	45	35	10	
31.	Chainman	53	47	6	
32.	Handyman	1	1	-	
33.	Peon	24	24	-	
34.	Chowkidar	3	2	1	
35.	Total	432	383	49	

Contd...

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30-11-2008

Sl.	Name of Office	Name of Post	Nos. of Post			Remarks
			Regular	Contract	MR	
1	2	3	4	5	6	7
1	Directorate, DLR &S, Mizoram	Director	1	-	-	
		Jt. Director	1	-	-	
		Dy. Director (DDO)	1	-	-	
		Dy. Director (Admin)	1	-	-	
		Dy. Director (Survey)	2	-	-	
		Asstt. Settlement Officer-I	-	-	-	
		Asstt. Director	-	-	-	
		Asstt. Director (Survey)	1	-	-	
		Asstt. Settlement Officer-II	1	-	-	
		Finance and Accounts Officer	1	-	-	
		Superintendent	1	-	-	
		Head Surveyor	3	-	-	
		Head Cartographer	-	-	-	
		Assistant	8	-	-	1- Deputed to Mizoram State Election Commission
		Steno-Gr-II	1	-	-	
		Surveyor-I	12	-	-	4/ Sr. I being under process shown as posted at DLR&S
		Cartographer-I	1	-	-	
		Rev. Inspector	-	-	-	
		Accountant	1	-	-	
		UDC	10	-	-	
		Surveyor	46	10	-	1- Surveyor deputed to ADA
		Cartographer	6	-	-	
		Computer/Data				
		Entry Operator	6	-	5	
		Store Keeper	1	-	-	
		Driver	3	-	10	
		LDC	11	-	2	
		Preparation of Land Records/ Record Keeper/ Asstt.	1	-	29	
		Village Assistant	-	-	-	
		Tracer	4	-	-	
		Rev. Assistant	2	-	-	
		Chainman	11	-	7	
		Handyman	1	-	-	
		Peon	13	-	16	
		Chowkidar	1	-	1	
		Sweeper	5	-	-	
		Electrician	-	-	1	
		Draftsman	-	-	1	
		PA to JDS	-		1	
		Total	157	10	73	

Contd...

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30-11-2008

Sl.	Name of Office	Name of Post	Nos. of Post			Remarks
			Regular	Contract	MR	
1	ASO-I District Office Aizawl	Asstt. Settlement Officer-I	1	-	-	
		Asstt. Settlement Officer-II	3	-	-	
		Head Assistant	1	-	-	
		Head Surveyor	1	-	-	
		Surveyor-I	7	-	-	
		Surveyor	18	17	-	
		UDC	7	-	-	
		LDC	7	-	3	
		Cartographer	2	-	-	
		Tracer	1	-	-	
		Rev. Assistant	25	-	-	
		Computer Operator	1	-	4	
		Peon/Chowkidar	8	-	5	
		Chainman	13	-	-	
		Record Asstt./Preparation of Land Records	-	-	3	
		Electrician	-	-	1	
		Total	95	17	16	

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30-11-2008

Sl.	Name of Office	Name of Post	Nos. of Post			Remarks
			Regular	Contract	MR	
1	2	3	4	5	6	7
1	ASO-I District Office Lunglei	Asstt. Settlement Officer-I	1	-	-	
		Asstt. Settlement Officer-II	1	-	-	
		Head Assistant	1	-	-	
		UDC	4	-	-	
		LDC	4	-	1	
		Head Surveyor	1	-	-	
		Surveyor	9	-	-	
		Rev. Assistant	7	-	-	
		Cartographer	2	-	-	
		Chainman	11	-	-	
		Chowkider	1	-	-	
		Peon	2	-	4	
		Driver	-	-	1	
		Record Asstt.	-	-	1	
		Computer Operator	-	-	4	
		TOTAL	44	-	11	

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30-11-2008

Sl.	Name of Office	Name of Post	Nos. of Post			Remarks
			Regular	Contract	MR	
1	2	3	4	5	6	7
4	ASO-II, District Office Kolasib	Asstt. Settlement Officer-II	1	-	-	
		Head Surveyor	1	-	-	
		Surveyor-I	1	-	-	
		Surveyor6	-	-	-	
		UDC	1	-	-	
		Tracer	1	-	-	
		Rev. Assistant	1	-	-	
		Chainman	3	-	-	
		Village Assistant	1	-	-	
		Driver	1	-	-	
		Computer Operator	-	-	2	
		Record Asstt.	-	-	3	
		LDC	-	-	2	
		Electrician	-	-	1	
		Peon/Chowkidar	-	-	3	
		TOTAL	17	-	11	

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30-11-2008

Sl.	Name of Office	Name of post	Nos. of post			Remarks
			Regular	Contract	MR	
1	2	3	4	5	6	7
5	ASO-II, District Office Champhai	Asstt. Settlement Officer-II	1	-	-	
		LDC	1	-	3	
		Surveyor-I	1	-	-	
		Surveyor	7	-	-	
		Cartographer	1	-	-	
		Chainman	3	-	1	
		Computer Operator	-	-	2	
		Record Asstt./ Proof. Reader	-	-	2	
		Rev. Assistant	1	-	-	
		Driver	-	-	1	
		Peon/ Chowkidar	-	-	2	
		Total	15	-	11	

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30.11.2008

Sl.	Name of Office	Name of Post	Nos. of Post			Remarks
			Regular	Contract	MR	
1	2	3	4	5	6	7
6	ASO-II, District Office Mamit	Asstt. Settlement Officer-II	1	-	-	
		Surveyor	7	-	-	
		Data Entry Operator	1	-	-	
		LDC	1	-	-	
		Rev. Assistant	1	-	-	
		Chainman	1	-	-	
		Cartographer	1	-	-	
		Peon/ Chowkidar	1	-	2	
		Record Assistant	-	-	2	
		Computer Operator	-	-	2	
		Electrician	-	-	1	
		TOTAL	14	-	7	

Statement showing nos. of existing offices & staff position under Land Revenue and Settlement Department (office-wise) as on 30.11.2008

Sl.	Name of Office	Name of Post	Nos. of Post			Remarks
			Regular	Contract	MR	
1	2	3	4	5	6	7
7	ASO-II, District Office Serchhip	Asstt. Settlement Officer-II	1	-	-	
		UDC	1	-	-	
		Head Surveyor	1	-	-	
		Surveyor-I	1	-	-	
		Surveyor6	-	-	-	
		Tracer	1	-	-	
		Rev. Assistant	1	-	-	
		Chainman	2	-	-	
		Record Assistant	-	-	8	
		Computer Operator	-	-	2	
		Electrician	-	-	1	
		Peon/Chowkidar	-	-	2	
		Total	14	-	13	
		Grand Total	356	27	142	

Annexure - IV**Physical achievement of cadastral survey in town in Mizoram during the period of 1991 to 2010 District Aizawl**

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
1.	1993-94	Lengpui	514	38.00
2.	1994-95	Aibawk	382	32.00
3.	1994-95	Thingsulthliah	814	96.52
4.	1995-96	Ratu	549	50.27
5.	1996-97	Tlungvel	740	86.00
6.	1997-98	Darlawn	826	92.00
7.	1997-98	Sialsuk	523	70.00
8.	1999-2000	Sakawrdai	450	39.00
9.	1999-2000	Khawruhlian	525	53.75
10.	1999-2000	Saitual	943	89.00
11.	1999-2000	Seling	321	20.00
12.	2000-01	Sateek	176	17.00
13.	2000-01	Muallungthu	197	20.00
14.	2000-01	Hualngohmun	132	17.5
15.	2000-01	Melriat	160	14.6
16.	2000-01	Keifang	1051	115.5
17.	2000-01	N.E. Khawdungsei	331	31.00
18.	2000-01	Hliappui	265	27.5
19.	2001-02	Samtlang	155	15.5
20.	2001-02	Hlimen	454	36.00
21.	2001-02	Melthum	164	7.00
22.	2002-2003	Saikhankawn	294	18.50
23.	2002-2003	Tlangnuam	765	63.60
24.	2003-04	Sakawrtuichhun	245	25.75
25.	2003-04	Tanhrlil	386	44.50
26.	2003-04	Kulikawn	621	38.75
27.	2003-04	Venghnuai	334	16.62
28.	2004-05	Thakthing	176	4.25
29.	2004-05	Dam Veng	150	6.00
30.	2004-05	Mission Veng 'S'	233	10.25
31.	2004-05	Salem Veng	623	36.50
32.	2005-06	Mission Veng N & Model	683	27.25
33.	2005-06	ITI	623	36.5
34.	2005-06	Republic Vengthlang	375	18.20
35.	2005-06	Lungleng-I	188	20.00
36.	2005-06	Zemabawk N&S	1021	64.00
37.	2005-06	Falkawn	573	73.25
38.	2005-06	Kelsih	200	19.00
39.	2006-07	Republic & Upper Rep.	577	21.90
40.	2006-07	Tuikhuahtlang	154	12.20
41.	2006-07	Mission Vengthlang	765	63.00
42.	2006-07	Venghlui	484	20.00

Contd...

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
43.	2006-07	College Veng	395	45.00
44.	2006-07	Zemabawk	790	64.20
45.	2007-08	Bethlehem Vengthlang	1145	62.25
46.	2007-08	Bethlehem	505	38.25
47.	2007-08	Tuithiang	257	11.00
48.	2007-08	Maubawk	841	64.00
49.	2007-08	Thuampui	178	25.5
50.	2007-08	Falkland	493	32.5
51.	2008-09	Bungkawn	813	26.77
52.	2008-09	Armed Veng	521	22.5
53.	2008-09	Saron Veng	250	10.25
54.	2008-09	Khatla South	619	26.25
55.	2008-09	Mualpui	7180	478
56.	2008-09	Thuampui	916	43.3
57.	2009-10	Khatla	362	28.70
58.	2009-10	Nursery	432	20
59.	1991-92	Luangmual	1057	481
		Total	35896	3087.63

District Champhai

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
1.	1993-94	Khawzawl	1650	188.00
2.	1995-96	Khawbung	386	22.50
3.	1995-96	Ngopa	579	55.28
4.	1996-97	Biate	424	40.00
5.	1996-97	Khawhai	507	76.00
6.	1997-98	Sailhawk	366	23.00
7.	1997-98	Farkawn	428	41.00
8.	1998-99	Suangpuilawn	341	43.00
9.	1998-99	Kawkulh	575	43.75
10.	1999-2000	Bungzung	187	14.00
11.	1999-2000	Phullen	425	47.00
12.	2002-2003	Champhai-I (Venglai & Vengthlang)	899	43.00
13.	2004-05	Champhai Vengsang	479	53.00
14.	2004-05	Champhai Kahrawt	370	30.00
15.	2004-05	Khawzawl (Revision)	100	5.00
16.	2004-05	Ngopa (Revision)	60	2.00
17.	2005-06	Champhai Kanan	617	53.35
		Total	8393	779.88

District Kolasib

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
1.	1993-94	Vairengte	1031	97.00
2.	1994-95	Bairabi	579	52.00
3.	1995-96	Kawnpui	1225	125.00
4.	1996-97	Bilkhawthlir	755	91.50
5.	1997-98	Hortoki	390	28.00
6.	1999-2000	Thingdawl	587	46.25
7.	2001-02	N. Bukpui	189	14.00
8.	2001-02	Kolasib-I	1279	93.5
9.	2002-2003	Kolasib -II	960	75.00
10.	2003-04	Kolasib-III	1162	93.50
11.	2003-04	Champhai-II	1043	62.45
12.	2004-05	Kolasib Tuitha veng	214	34.00
13.	2004-05	Kolasib Bawktlang	258	45.00
14.	2004-05	Kolasib Rengtekawn	302	42.00
15.	1996-97	Lungdai	377	42.00
		Total	10351	941.20

Contd...

District Lunglei

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
1.	1995-96	Pangzawl	439	52.00
2.	1995-96	Tlabung	430	55.00
3.	1996-97	Tawipui	541	73.00
4.	1996-97	Lungsen	466	29.00
5.	1997-98	Buarpui	241	27.00
6.	1997-98	S. Vanlaiphai	361	40.00
7.	1998-99	Thingfal	246	20.00
8.	1999-2000	Mualthuam	229	25.00
9.	1999-2000	Haulawng	410	30.00
10.	1999-2000	Chhipphir	228	25.00
11.	1999-2000	Thingsai	364	32.00
12.	1999-2000	Cherhlun	358	25.25
13.	2000-01	Tlabung	310	28.00
14.	2000-01	Chawngte (L)	198	16.00
15.	2001-02	Tuichawng	206	13.00
16.	2004-05	Pukpui	287	31.75
17.	2004-05	Lunglei Zotlang	445	30.25
18.	2004-05	Tlabung (Revision)	30	1.50
19.	2005-06	Serkawn	497	50.00
20.	2005-06	Zohnuai	424	30.50
21.	2006-07	Lunglei Zobawk	743	37.25
22.	2007-08	Hrangchalkawn	362	60.75
23.	2007-08	Lungpuizawl	199	48.5
24.	2007-08	Lunglei Venghlun	318	16
25.	2007-08	Lunglei Rahsi Veng	665	37.5
26.	2007-08	Lunglei Theiriat	100	17
27.	2008-09	Sethlun	510	16.5
28.	2008-09	Lunglei Luangmual		22.2
29.	2008-09	Lunglei Theiriat	588	20.4
30.	2008-09	Lunglei Venglai	480	25.5
31.	2009-10	Lunglei Salem	302	18
32.	2009-10	Lunglei Ramthar	647	42.50
33.	2009-10	Lunglei Farm veng	151	7.00

Contd...

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
34.	2009-10	Lunglei Lunglawn	900	60.25
35.	2009-10	Lunglei Sazai	82	74.50
36.	2009-10	Hauruang	487	
37.	2009-10	Lunglei Chanmari	716	38
38.	2009-10	Lunglei Electric	564	24
39.	1994-95	Hnahtial	1250	138.00
40.	2006-07	Lunglei Bazar, College Veng	1003	51.50
		Total	16777	1389.60

District Mamit

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
1.	1994-95	W. Phaileng	683	76.00
2.	1995-96	Zawlnuam	764	75.75
3.	1995-96	Kawrthah	475	55.75
4.	1996-97	Rawpuichhip	288	32.00
5.	1996-97	Kanhmun	383	45.75
6.	1997-98	Phuldungsei	312	39.00
7.	1997-98	Kawrtethawveng	340	33.00
8.	1998-99	Mamit	932	91.50
9.	2000-01	Reiek	293	20.00
10.	2000-01	Ailawng	108	11.00
11.	2001-02	Darlung	191	23.5
12.	2001-02	Kanghmun	171	18.00
13.	2001-02	Tuipuibari I &II	434	58.00
14.	2001-02	Tuidam	245	29.5
15.	2001-02	Marpara-I	128	34.90
		Total	5747	643.65

District Serchhip

Sl.	Year of Survey	Name of Village/ Town	No. of Holdings	Area (in hectare)
1.	1993-94	Thenzawl	984	122.00
2.	1994-95	N. Vanlaiphai	636	49.00
3.	1994-95	Chhingchhip	671	72.00
4.	1995-96	Keitum	377	30.15
5.	1995-96	E. Lungdar	523	51.50
6.	1996-97	Bungtlang	364	32.00
7.	1998-99	Baktawng	517	37.50
8.	2000-01	Chhiahtlang	650	58.50
9.	2001-02	Serchhip-I	918	91.5
10.	2002-2003	Serchhip-II	860	64.20
11.	2002-2003	Lungpho	138	7.00
		Total	6638	615.35
		Grand total of all the districts	83,802	7,457.31

Consolidated Table
District- wise Area Cadastral Survey in Mizoram

Districts	Total	Total %
Aizawl	35213	3060.38
Champhai	8393	779.88
Kolasib	10351	941.2
Lunglei	15774	1330.1
Mamit	5747	643.65
Serchhip	6638	615.35
Total	83,802	7457.31
Mission Veng + Lunglei Bazar, College	1686	78.75
Grand Total	85,488	7536.06

ANNEXURE V

Land Conversion Guide (Area)

Tin	Acre	Bigha	Hectare	Sq. ft.	Sq.mt.
1	1 Acre	3.025	0.4047	43560	4048
-	0.330579	1 Bigha	0.1338	14,400	-
-	2.47105	7.477	1 Ha.	107600	-

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