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NOTIFICATION

No. H. 12018/100/2001-LJD/68, the 3rd April, 2003. The following Act of the Mizoram Legislative Assembly which received the assent of the Governor of Mizoram is hereby published for general information.

The Mizoram (Land Survey and Settlement (Operation) Act, 2003.

(Act No. 4 of 2003)

(Received the assent of the Governor of Mizoram on 28th March, 2003).

AN ACT

to provide for survey of lands, preparation of land records, assessment of land revenue in the State of Mizoram, and other matters connected therewith or incidental thereto.

It is enacted by the Legislative Assembly of the State of Mizoram in the Fifty-fourth Year of the Republic of India as follows:

CHAPTER — I

PRELIMINARY

1. SHORT TITLE, EXTENT AND COMMENCEMENT.

(1) This Act may be called the Mizoram (Land Survey and Settlement Operations) Act, 2003.

(2) It shall extend to the whole of Mizoram:

Provided that it shall apply to the Autonomous Districts only on a direction or directions issued by the Governor of Mizoram by way of public notification in consonance with clause (b) of paragraph 12 B of the Sixth Schedule to the Constitution of India.

(3) It shall come into force on such date or dates as the State Government may, by notification in the Official Gazette, appoint and different dates may be appointed for different provisions of the Act.

2. **DEFINITIONS.** In this Act, unless there is anything repugnant in the subject or context—

- (a) "Chief Survey Officer" means Director of Land Revenue & Settlement, Mizoram or any other Officer so entrusted by the Director with prior approval of the Government;
- (b) "Director" means the Director of Land Revenue & Settlement, Mizoram;
- (c) "Government" means the State Government of Mizoram;
- (d) "land" includes all lands either vacant or occupied. It shall include also benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth but shall exclude minerals, mineral oil, natural gas and petroleum;
- (e) "land holding" means a fixed portion of land held by the land holder as owner;
- (f) "land holder" or "land owner" means a person lawfully in possession of land;
- (g) "land revenue" means any revenue assessed on land holding and includes other taxes assessed on land and building;
- (h) "prescribed" means prescribed by rules made under this Act;
- (i) "record-of-rights" means the record-of-rights prepared under this Act;
- (j) "Revenue Court" means any Court other than the Civil Court or Criminal having jurisdiction under this Act to entertain suits or any other proceedings under this Act;
- (k) "Settlement Officer" means any officer appointed as such by the Government to exercise the powers and perform the duties and functions of Settlement Officer and it shall include the Assistant Settlement Officer under this Act;

- (l) "survey" includes all operations incidental to the identification, determination, measurement, demarcation and record of any land or boundary or boundaries or any part of a boundary and includes a re-survey;
- (m) "survey mark" means any mark or object erected, made, employed or specified by a Survey Officer to indicate or determine or assist in determining the position or level of any point or points;
- (n) "Survey Officer" means any person or persons appointed as such by the Government to exercise the power and perform the duties and functions of the Survey Officer under this Act.

CHAPTER—II SURVEY

3. POWER TO ORDER A SURVEY.

- (1) The Government may, at any time, order a survey to be made on any land in the State or the boundary thereof.
- (2) The Government may also issue a notification ordering a survey on the request of—
- (a) any local authority; or
 - (b) other person or persons who agree to pay such amount as may be directed by the Government towards the cost of survey.

4. APPOINTMENT OF SURVEY OFFICER, THEIR DUTIES AND POWERS.

- (1) The Government may, by notification, appoint any person or persons either by name or by virtue of his office to be a Survey Officer for all or any of the purposes of this Act.
- (2) Subject to the control of the Director, every person so appointed shall exercise and perform the power and duties of a Survey Officer within such local limits as the Director may direct.
- (3) The survey shall be conducted in such manner as may be prescribed.
- (4) Subject to other provisions of this Act, the Survey Officers shall be in-charge of the survey and demarcation of boundaries, preparation of records, within their respective jurisdictions. The officers shall also exercise such other powers and perform such other duties and functions as may be prescribed.
- (5) Besides performing the duties and exercising the power specified and conferred by and under this Act and the rules made thereunder, the Survey Officer, shall perform such other duties and exercise such other powers as may be specified or conferred upon them by the Director, by general or special order with the approval of the State Government.

5. PROCLAMATION TO BE PUBLISHED.

- (1) When any survey is ordered under section 3, the Survey Officer shall publish a proclamation in the prescribed manner inviting all persons having interests in the land or in the boundaries of which the survey has been ordered, to attend either in person or by agent, at a specified place and from time to time thereafter, when called upon for the purpose of pointing out boundaries and supplying information in connection therewith.
- (2) A proclamation published under sub-section (1) shall be held to be a valid notice to every person having any interest in the land or in the boundaries of which the survey has been ordered.

6. SURVEY OFFICER MAY ENTER UPON LAND.

- (1) After the issue of the proclamation under section 5, the Survey Officer or his subordinates shall have power to enter upon the land under survey, examine and measure such land and make clearance, by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions to the boundaries or other lines, which may be necessary for the purpose of the survey.
- (2) The Survey Officer shall, after assessing the loss occasioned by any such clearance as mentioned in sub-section (1) offer a reasonable compensation as may be prescribed, to the owners of the land so cleared.
- (3) Any person aggrieved by the decision made under sub-section (2) may, within 30 days from the date of such decision, prefer an appeal to the prescribed authority.

7. POWER TO RECORD BOUNDARY AS UNDISPUTED.

- (1) The Survey Officer shall have power to determine and record as undisputed boundary in respect of which no dispute is brought to his notice.
- (2) Notice of every decision of the Survey Officer under sub-section (1) shall be given in the prescribed manner to the registered land holders, the boundaries of which may be affected by the decision.

8. POWER OF SURVEY OFFICER TO DETERMINE AND RECORD A DISPUTED BOUNDARY WITH REASONS.

- (1) Where a boundary is disputed, the Survey Officer shall after making such inquiries as he considers necessary, determine the boundary and record it in accordance with his decision with reasons in writing for arriving at that decision.
- (2) Notice of every decision of the Survey Officer under sub-section (1) shall be given in the prescribed manner to the parties to the dispute and other registered land holders, the boundaries of which may be affected by the decision.

9. PREPARATION OF SURVEY MAPS, FIELD BOOKS AND REGISTERS, ETC.

The Survey Officer shall in accordance with rules made by the State Government in that behalf, prepare or cause to be prepared maps, field books and such registers and other documents as may be prescribed for all lands or for each village or portion of a village or part of any local areas which are to be, or have been surveyed and demarcated under this Act.

10. PREPARATION AND PRELIMINARY PUBLICATION OF DRAFT SURVEY RECORD.

(1) The Survey Officer shall prepare a draft survey record which shall comprise-

(a) the map drawn to such scale as may be convenient in the opinion of the Survey Officer; and

(b) such other records as the Government may, by order, specify in that behalf.

(2) When a draft survey record has been prepared, the Survey Officer shall publish the same in the prescribed manner and for the prescribed period, and shall receive and consider any objections which may be made to any entry therein or to any omission therefrom during the period of publication.

11. APPEAL. An appeal, if presented within 30 (thirty) days from the date of the order appealed against, shall lie to the Chief Survey Officer on the objection made under section 10.

12. FINAL PUBLICATION OF SURVEY RECORDS.

(1) When all such objections and appeals, if any, have been disposed of, the Chief Survey Officer shall finally frame the survey record incorporating all such alterations as may be necessary to give effect to the orders passed on such objections and appeals and shall cause it to be finally published in the prescribed manner, and the publication shall be conclusive evidence that the record has been duly made under this chapter.

(2) Separate drafts and final records may be published for different local area or parts thereof.

(3) After the survey record has been finally published, the Director shall declare the final publication of the record by a notification and such declaration shall be conclusive proof of such publication.

13. ERECTION OF SURVEY MARKS AND MAINTENANCE THEREOF.

(1) The Director or the Survey Officer may cause to be erected temporary survey marks in such manner as may be prescribed on any lands surveyed

or to be surveyed under this Act and may require any land holder to maintain such marks until the survey operation is concluded or until permanent survey marks are erected.

(2) The Survey Officer may at any time cause to be erected on any land which has been surveyed under this Act, permanent survey marks in such manner as may be prescribed:

Provided that 10 (ten) days before the erection for any permanent survey mark, the Survey Officer shall, for the information of all concerned, cause to be posted in his office and at such other place or places as the Survey Officer may direct, besides causing public announcement in the village concerned by such village authority as the Survey Officer may direct a specification of the marks which he proposes to erect on any land and an estimate of the cost.

(3) Every land holder shall preserve such permanent survey marks lawfully erected on his land and shall give immediate notice to the Survey Officer or such other authority as may be prescribed, if such marks are injured, destroyed or removed.

14. RECOVERY OF COST OF SERVICE.

(1) The whole or such portion of the costs as may be ordered in respect of survey on the application of parties shall be borne by them:

Provided that where the application is made by some persons, the amount recoverable under this section may be recovered from all the concerned land holders or land owners of the local area including the applicant.

(2) The Government may prescribe the manner in which such cost shall be assessed. The costs so assessed shall be recoverable as arrears of land revenue:

Provided that the Government may decide not to recover the cost of survey from all concerned land holders or land owners including the applicant.

CHAPTER—III

LAND RECORDS

15. PREPARATIONS OF RECORD-OF-RIGHTS.

It shall be lawful for the Government to take all measures for the preparation and maintenance of land records, including the record-of-rights and maps, and all other matters connected therewith or incidental thereto, in accordance with such rules and directions as may be made in this behalf.

16. RECORD-OF-RIGHTS.

(1) The Governmen

nue in respect of land situated in any village or local area for which a record-of-rights has been prepared.

(2) A record of the rights in land as registered land holder, occupant, tenant, Government leasee, mortgagee or whosoever, shall be maintained in every village in prescribed form and such record of rights shall include the following particulars, namely:—

(a) survey number, sub-division number, area, assessment of the land and the tenure on which it is held;

(b) names of all persons who are registered land holders, occupants, Government leasees or mortgagees of the land;

(c) names of tenants, if any, of the land;

(d) names of persons holding an encumbrance or any other charge or right on the land;

(e) the nature and extend of the respective interests of such persons and the conditions or liabilities, if any, attaching thereto;

(f) the land revenue, tax, rent, if any, payable for the land;

(g) such other particulars as the Government may prescribe by rules made in this behalf.

(3) The first preparation of a record-of-rights in any village shall be made in accordance with such procedure and by such officer as may be prescribed by the Government in this behalf.

(4) The record-of-rights shall be maintained up-to-date in accordance with the provisions of sections 17 and 18 and such rules as may be prescribed by the Government in this behalf.

(5) Until the record-of-rights for any area is prepared in accordance with the provisions of in that area under any law for the time being in force shall be deemed to be the record-of-rights prepared under this chapter.

(6) In order to keep the map and the record-of-rights upto date the same shall be maintained in accordance with such rules as may be prescribed in that behalf.

17. MAPS AND OTHER RECORDS OPEN TO INSPECTION.

Subject to such rules and on payment of such fees, if any, as may be prescribed, all maps and land records shall, subject to such restriction as

may be imposed, be opened to inspection by the public during office hours, and certified extracts therefrom or certified copies thereof may be given to all persons applying for the same.

18. ACQUISITION OF RIGHTS TO BE REPORTED.

Any person acquiring by succession, survivorship, inheritance, partition, purchase, mortgage, gift, lease or otherwise, any right as holder, accupant mortgagee, landlord, tenant or Government leasee of any land, shall report orally or in writing his acquisition of such right to the Settlement Officer or the Survey Officer or the Assistant Settlement Officer within three months from the date of such acquisition, and the said officer shall at once give a written acknowledge of the receipt of such report to the person making it :

Provided that, where the person acquiring the right is a minor or otherwise disqualified, his guardian or other person having charge of his property shall make the report to the Settlement Officer or the Survey Officer or the Assistant Settlement Officer.

19. REGISTER OF MUTATIONS AND REGISTER OF DISPUTED CASES.

(1) The Settlement Officer or Survey Officer or the Assistant Settlement Officer shall enter in a register of mutations in such form as may be prescribed every report made to him, under section 17 or any intimation of acquisition or transfer.

(2) When any objection to any entry made under sub-section (1) in the register of mutation, is made either orally or in writing to the Settlement Officer or the Survey Officer or the Assistant Settlement Officer, it shall be the duty of the officer to enter the particulars of the objections in a register of disputed cases. The officer shall at once give a written acknowledgement for the objection to the person making it, in the prescribed form.

(3) Disputes entered in the register of disputed cases shall as far as possible be disposed of within one year by the Settlement Officer or the Survey Officer or the Assistant Settlement Officer and orders disposing of objections entered in such register shall be recorded in the register of mutations by such manner as may be prescribed by rules made by the Government in the behalf.

(4) The transfer of entries from the register of mutations to the record-of-rights shall be affected subject to such rules as may be made by the Government in this behalf:

Provided that an entry in the register of mutations shall not be transferred to the record-of-rights until such entry has been duly certified.

(5) Entries in the register of mutations shall be tested and if found correct, or after correction, as the case may be, shall be certified by the Settlement Officer or the Survey Officer or the Assistant Settlement Officer in such manner as may be prescribed :

Provided that no such entries shall be certified unless notice in that behalf is served on the parties concerned.

(6) The cost of preparation of record-of-rights on an application, or such portion thereof as may be prescribed shall be borne by the applicant.

Provided that the amount recoverable under this section may be ordered to be recovered from all the land holders or owners concerned including the applicant.

20. PRESUMPTION OF CORRECTNESS OF ENTRIES IN RECORD-OF-RIGHTS AND REGISTER OF MUTATIONS.

An entry in the record-of-rights and a certified entry in the register of mutation shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted thereof.

21. OBLIGATION TO FURNISH INFORMATION.

(1) Any person whose rights, interests or liabilities are required to be, or have been entered in any record or register, under this Chapter shall be bound, on the requisition of any Settlement Officer or Survey Officer or Assistant Settlement Officer engaged in compiling or revising the record or register, to furnish or produce for his inspection, within one month from the date of such requisition, all such information or documents needed for the correct compilation or revision thereof as may be within his knowledge or in his possession or power.

(2) The Settlement Officer or the Survey Officer to whom any information is furnished or before whom any document is produced in accordance with the requisition under sub-section (1), shall at once give a written acknowledgement thereof to the person furnishing or producing the same and shall endorse on any such document a note under his signature stating the fact of its production and the date thereof and may return the same immediately keeping a copy of it, if necessary.

22. FINE FOR NEGLECT TO AFFORD INFORMATION.

Any person neglecting to make the report required by section 18 or furnish the information or produce the documents required by section 16 within the period specified in that section shall be liable, at the discretion of the Settlement Officer or the Survey Officer or the Assistant Settlement Officer to be charged a fine as may be prescribed by the Government from time to time, which shall be leviable as an arrear of land revenue.

23. REQUISITION OF ASSISTANCE IN PREPARATION OF MAPS.

Subject to rules made in this behalf by the Government -

(a) any Settlement Officer or Survey Officer or Assistant Settlement Officer may, for the purpose of preparing or revising any map or plan required for,

or in connection with any record or register under this Chapter, exercise any of the powers of assessing the cost of hired labour under section 14, and

(b) any Settlement Officer or Survey Officer or Assistant Settlement Officer may assess the cost of the preparation or revision of such map or plan and all contingent expenses, including the cost of clerical labour and supervision, on the lands to which such maps or plans relate and such costs shall be recoverable as a revenue demand.

24. CORRECTION OF CLERICAL ERRORS.

The Settlement Officer or the Survey Officer or the Assistant Settlement Officer may, at any time, correct any clerical errors and any errors which the parties interested admit to have been made in the record-of-rights or registers maintained under this Chapter or which the Settlement Officer or the Survey Officer or the Assistant Settlement Officer may notice during the course of his inspection.

Provided that, when any error is noticed by the Settlement Officer or the Survey Officer or the Assistant Settlement Officer during the course of his inspection, no such error shall be corrected unless a notice had been given to the parties and objections, if any, have been disposed of finally in accordance with the procedure relating to disputed entries.

CHAPTER—IV

ASSESSMENT OF LAND REVENUE

25. PRINCIPLES FOR FIXING LAND REVENUE.

(1) For the purpose of determining land revenue, the Government shall classify the land into various grades as may be prescribed.

(2) While classifying the land, the Government shall have due regard to the physical features, agriculture and economic conditions, trade facilities and communication and such other considerations.

(3) The rates of land revenue for various classes of land shall be fixed as may be determined or prescribed from time to time.

(4) The provisions of this section shall have effect, notwithstanding anything contained in any law, custom or contract for the time being in force.

26. MANNER OF FIXATION OF LAND REVENUE.

When an order is made under sub-section (1) of section 16, the Settlement Officer or the Assistant Settlement Officer shall fix the fair and equitable land revenue in the prescribed manner,

27. PRELIMINARY PUBLICATION AND AMENDMENT OF LAND REVENUE.

(1) When land revenue has been fixed, the Settlement Officer or the Assistant Settlement Officer shall prepare an Assessment Roll containing such particulars as may be prescribed and shall cause the same to be published in the prescribed manner and for the prescribed period, and shall receive and consider any objections which may be made in any entry therein or omission therefrom, during the period of publication.

(2) The Assistant Settlement Officer may, of his own motion or on the application of any party aggrieved, at any time before Assessment Roll is submitted to the Settlement Officer, reconsider the fixation of the rates of land revenue entered thereon, if any omission is detected:

Provided that no such revision shall be made until reasonable opportunity has been given to the parties concerned to appear and be heard in the manner as may be prescribed.

28. SANCTION OF ASSESSED LAND-REVENUE AND MODIFICATION OF ORDERS PASSED ON OBJECTION.

(1) When all such objections have been disposed of, the Assistant Settlement Officer shall submit the Assessment Roll to the Settlement Officer with a full statement of the grounds of his proposal and a summary of the objections, if any, received by him.

(2) The Settlement Officer shall, of his own motion or on application within 30 (thirty) days from the date of order passed on an objection, have power to modify such order.

(3) The Settlement Officer may sanction the said Roll with or without amendment or may return the same for revision according to direction or order given by him.

(4) No modification, amendment or revision will be made until reasonable opportunity has been given to the parties concerned to appear and be heard in the matter.

29. INCORPORATION OF ASSESSED LAND REVENUE IN THE RECORD-OF-RIGHTS AND FINAL PUBLICATION THEREOF.

(1) After sanction of the Assessment Roll the Assistant Settlement Officer shall incorporate the assessed land revenue in the record-of-rights, and shall cause a fresh copy of the record-of-rights to be finally published in the prescribed manner.

(2) Such publication shall be conclusive evidence that the land revenue has been duly settled under this chapter and the record-of-rights so published shall be deemed to be record-of-rights published under section 16.

30. PRESUMPTION AS TO CORRECTNESS OF LAND REVENUE ASSESSED.

All land revenue assessed and incorporated in a record-of-rights finally published shall be deemed to have been correctly assessed and to be fair and equitable land revenue within the meaning of this Act.

31. DATE ON WHICH ASSESSED LAND REVENUE TAKES EFFECT.

When any land revenue is assessed under this Chapter, it shall take effect from the beginning of the next financial year after the date of sanction.

32. JURISDICTION OF COURTS.

(1) All authorities hearing an application, appeal or revision under any of the provisions of this Act shall do so as Revenue Court.

(2) Save as otherwise provided in this Act, no Civil Court or Criminal Court shall entertain any application or suit in respect of any matter for which this Act has made provisions for adjudication.

Provided that any person aggrieved by any entry in or omission from any record finally published may, within two years from the date of such publication, institute a suit for relief in a Civil Court having jurisdiction:

(3) When such Court has passed final orders, such alterations as may be necessary be made in the record to give effect to the order of the said Civil Court.

33. PROCEDURE OF REVENUE COURTS.

The Government may make rules consistent with the provisions of this Act regarding procedures to be followed in the matter of applications, appeals or any other proceedings under this Act.

34. POWER OF SUPERIOR AUTHORITIES TO WITHDRAW CASES.

The District Revenue Officer, the Settlement Officer, or the Survey Officer may withdraw cases under consideration of their subordinate Officer and either dispose of the same himself, or, by written order, refer it for disposal to any other subordinate Officer. The same power shall be exercised by the Director in respect of the cases pending before the District Revenue Officer, or the Settlement Officer.

35. POWER OF DIRECTOR TO REVISE.

The Director may call for the record of any proceedings of any Officer from whose decision no appeal lies, if such Officer appears to have exercised a jurisdiction not vested in him by law or to have failed to exercise a jurisdiction so vested, or while acting in the exercise of his jurisdiction to have contravened some express provisions of law affecting the decision on the

merits where such contravention has produced a serious mis-carriage of justice and the Director after giving an opportunity of being heard to the parties concerned, shall pass such order as he may think fit.

CHAPTER-VI

MISCELLANEOUS

36. POWER TO EXEMPT FROM OPERATION OF THE ACT.

The State Government may, by notification, direct that all or any of the provisions of this Act shall not apply to such areas, land or classes of lands as may be specified in the notification.

37. SIMULTANEOUS PROCEEDINGS.

(1) Notwithstanding anything contained in other provisions of this Act, the Government may make an order that all the proceedings or any two of the proceedings mentioned below be carried on simultaneously-

(a) Land survey

(b) Preparation of land records including record-of-rights, and

(c) Settlement of land revenue.

(2) Where such proceedings have been ordered under sub-section (1), the Government may, by notification appoint the Settlement Officer or the Assistant Settlement Officer or any other Officer to exercise all or any of the powers of the Survey Officer or the Chief Survey Officer.

38. DEMARCATION OF VILLAGE BOUNDARIES.

(1) In the demarcation of village boundaries for the purpose of making a survey and preparation of record of rights under this Act, the area contained within the exterior boundaries of the village shall, as far as possible, be preserved as the unit of survey and record and no other area shall be adopted as such unit without the sanction of the Director.

(2) In respect of any area which is not a village, the unit aforesaid shall be as may be directed by the Chief Survey Officer or the Settlement Officer.

(3) The procedure to be followed in deciding any tract of land to constitute a village for the purposes of Survey and Settlement under this Act shall be as may be prescribed.

39. PROTECTION OF ACTION TAKEN UNDER THIS ACT.

No suit or other legal proceedings shall lie against any person for anything done in good faith or purporting to be done under this Act or any rule or order made thereunder.

40. CORRECTION OF CLERICAL OR ARITHMETICAL MISTAKES.

Any Settlement Officer or any other Officer or any other Officer specially empowered in this behalf may on application or on his own motion, correct any clerical or arithmetical mistake in any map or in any record-of-rights or any error arising therein from any accidental slip or omission :

Provided that no such correction shall be made unless reasonable notice has been given to the parties concerned.

41. SURVEY OFFICER TO CARRY OUT THE SURVEY OR GET THE SURVEY CARRIED OUT IN THE MANNER PRESCRIBED.

The Survey Officer shall carry out the survey or shall cause the survey carried out with the assistance of an external or internal agency approved by the Government in the manner prescribed.

42. POWER TO MAKE RULES.

(1) The Government may, purpose of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules shall provide for-

(a) the manner as to how survey shall be conducted under sub-section (3) of section 4;

(b) the power, duties and functions of officers under sub-section (4) of section 4;

(c) the manner as to how proclamation under sub-section (1) of section 5 shall be published;

(d) assessment of the loss occasioned by clearance and the payment of reasonable compensation under sub-section (2) of section 6;

(e) the prescribed appellate authority to whom the first appeal shall be preferred under sub-section (3) of section 6;

(f) prescription of the forms to be used and the mode of serving of notices under sub-section (2) of section 7 and again under sub-section (2) of section 8,

(g) the size and the paper or other materials for preparation of maps, field books, registers and other documents under section 9;

(h) the manner of publication of the draft survey record under sub-section (2) of section 10 and also under sub-section (1) of section 12;

(i) the manner of erection of survey marks and maintenance thereof under section 13;

(j) the manner in which the cost of land shall be assessed under sub-section (2) of section 14;

(k) the manner in which all measures for the preparation and maintenance of land records including the record-of-rights and maps under section 15 and 16;

(l) the amount of fees, cost and charges to be paid for the inspection of all maps and land records under section 17;

(m) the manner and the form of such registers of mutation and register of disputed cases and the cost of preparation payable by the applicant under section 19;

(n) the amount of fines leviable for negligence of making necessary reports under section 22;

(o) the rates of land revenue payable under sub-section (3) of section 25, and the manner of fixation of land revenue in section 26;

(p) the manner in which the assessment roll shall be published under section 27 and the manner of publication of the final assessment of land revenue under section 29;

(q) the procedures to be followed in the hearing of applications, takings evidence on the claims of the applicants or as the case may be, the defendants; hierarchy of appellate authorities, the time within which such appeals shall be entertained in such higher authorities of the revenue court under section 33.

(r) the procedure to be followed for the decision of the constitution of a village under section 38.

(3) Every rule made under this Act shall be laid as may be after it is made before the Legislative Assembly while it is in session for a total period of 7 (seven) days which may be comprised in one session or in two or more successive sessions, and if before the expiry of the session in which it is laid or the successive sessions aforesaid, the Legislative Assembly of Mizoram agree in making any modification in the rule or the Legislative Assembly agree that rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect as the case may be; so, however, that any such modification or amendment shall be without prejudice to the validity of anything previously done under the rule.

43. REPEAL AND SAVINGS.

(1) On and from the commencement of this Act, the Mizoram Survey and Record Operation Act, 1994 shall stand repealed :

Provided that all the actions done under the Act so repealed shall be deemed to have been done under the provisions of this Act.

(2) All surveys done, all record-of-rights prepared, and all assessment of land revenue before the commencement of this Act shall be deemed to have been done under the provisions of this Act.

44. POWER TO REMOVE DIFFICULTIES.

If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, do anything which appears necessary for the purpose of removing the difficulty.

**P. Chakraborty,
Secretary,
Law & Judicial Deptt.,
Govt. of Mizoram.**