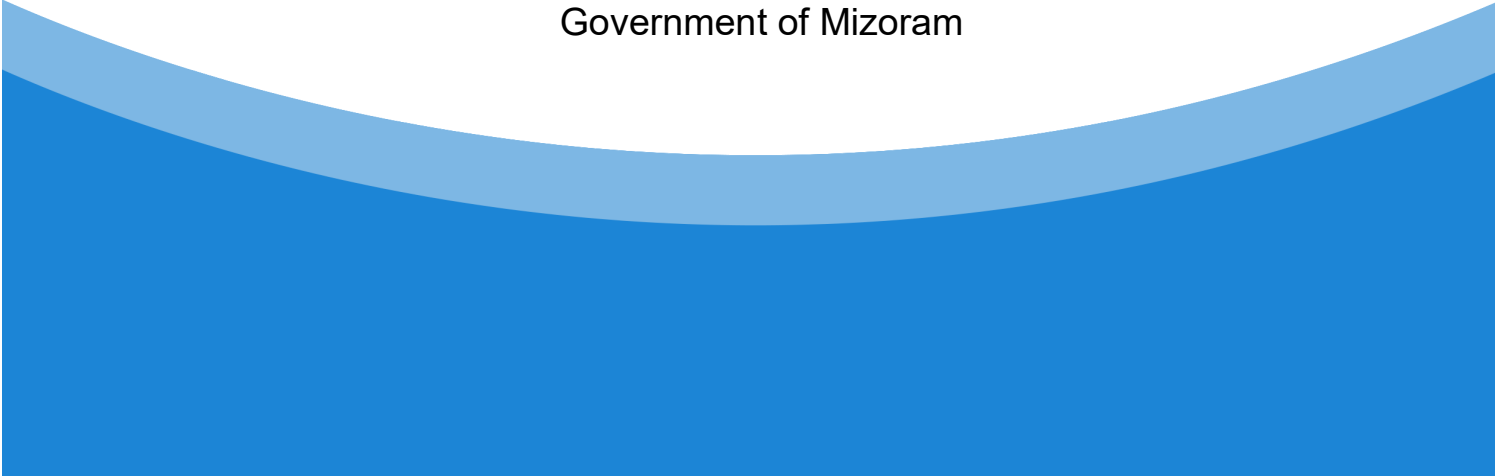


# The Mizoram (Land Revenue) (Amendment) Bill, 2025

Land Revenue & Settlement Department  
Government of Mizoram



# THE MIZORAM (LAND REVENUE) (AMENDMENT) BILL, 2025

## A BILL

further to amend the Mizoram (Land Revenue) Act, 2013 (Act No.5 of 2013)

Be it enacted by the Legislative Assembly of Mizoram in the Seventy Sixth year of Republic of India as follows, namely -

1. Short title, extent and commencement.-
  - 1) This Act may be called the Mizoram (Land Revenue) (Amendment) Act, 2025.
  - 2) It shall have the extent as the Principal Act.
  - 3) It shall come into force on the date of its publication in the Official Gazette.
2. Amendment of section 2.-

In section 2 of the Mizoram (Land Revenue) Act, 2013 (Act. No 5 of 2013) (hereinafter referred to as the Principal Act) -

  - 1) after clause (7), the following clause shall be inserted namely:-

“(7a) “*Assistant Commissioner (Revenue)*” means an Assistant Commissioner (Revenue) appointed by the State Government;”
  - 2) clause 37 shall be omitted.
  - 3) after clause (41a), the following clause shall be inserted, namely:-

“(41b) “*Sub-lease*” means a written agreement whereby the Leaseholder grants, in whole or in part, the right to use, occupy or enjoy the land held under lawful lease to any person or persons, organization, company, firm, society, trust, public sector undertaking etc., subject to the terms of this Act and the rules

made thereunder;”

3. Amendment of section 6.- sub-section (1) of section 6 of the Principal Act shall be substituted as follows, namely:-

“(1) The State Government may, by notification in the Official Gazette, appoint Revenue Officers in the State, Districts, Sub-Divisions and Village areas by such designation as notified by the Government.”

4. Amendment of section 17.- Section 17 of the Principal Act shall be substituted as follows, namely:-

**“17. Unauthorised Occupation of Land.-**

(1) Any person who is found to occupy any land without lawful authority shall be regarded as a trespasser or encroacher.

(2) Unauthorised occupant shall be determined by an order passed by:

- a) Revenue Court;
- b) Civil Court;
- c) Executive Order of the Government;
- d) Order passed by competent authority;

(3) No right shall accrue to any person who encroach or trespass upon land without having any title conferred upon him by the competent authority. Payment of land revenue or taxes on such land will not entitle the encroacher any right or title to the land.”

5. Insertion of new sections 17B and 17C.- After section 17A of the Principal Act, the following sections shall be inserted, namely:-

**“17B. Eviction of persons occupying land**

**without right or title.-**

- (1) A person taking or retaining or occupying any land, otherwise than in accordance with the provisions of the law for the time being in force shall be liable to be evicted by such competent authority in such manner as may be prescribed and shall also be liable to pay a fine as may be fixed by the competent authority;

Provided that if any dispute arises in connection with land or other immovable properties which poses an imminent threat to public order or leads to a dispute likely to cause a breach of peace, it shall be proceeded by the competent authority in accordance with the provisions of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

- (2) The competent authority under this section shall include District Magistrate, Additional District Magistrate, Sub – Divisional Magistrate, Executive Magistrate or any other officials appointed by competent authority.

**17C. Penalty for unauthorised occupation of land.-**

Any person or persons intentionally disobeying an order or requisition to vacate shall be liable to a fine not exceeding Rupees Ten Thousand, which is to be paid within the period prescribed in the order. In case such unauthorised occupation is continued beyond the date prescribed for removal of encroachment, a further fine which may extend to Rupees Five Thousand for each day

during which such unauthorized occupation continues may be imposed.”

6. Amendment of section 18.-

Section 18 of the Principal Act shall be substituted as follows, namely:-

**“18. Diversion of Land Use.-**

- (1) Land shall be graded in terms of land area for the purpose of diversion of land use. If any person holding land for any particular purpose chooses to divert such land or any part thereof for any other purpose, such person shall apply for permission in the prescribed form to the Assistant Commissioner (Revenue) concerned.
- (2) The competent authority for grant of diversion of land shall be as below -
  - a) Up to 5,000 sq.m. – Deputy Commissioner;
  - b) More than 5,000 sq.m. and up to 10,000 sq.m. – Director, Land Revenue & Settlement Department;
  - c) More than 10,000 sq.m. - State Government.
- (3) Application for diversion of land use may be refused by the competent authority on the grounds that the diversion is likely to cause a public nuisance or that it is not in the interest of the general public or it is against the provisions of this Act or any other law in force or that the holder is unable or unwilling to comply with the conditions that may be imposed under sub-section (4).
- (4) Conditions may be imposed on diversion of land use for the following objects,

namely, in order to secure the public health, public safety and public convenience, or to ensure availability of sufficient land in the area for the purposes of establishment of social infrastructure or for the purpose of agriculture including horticulture in the case of land which is to be used as building sites, in order to secure, in addition, that such diversion is in consonance with the plan of the area as notified under the Mizoram Municipalities Act, 2007, or under the Mizoram Urban and Regional Development Act, 2025, as the case may be.

- (5) Every application for diversion of land use shall ordinarily be disposed of within a period of 30 days from the date of its receipt. In case the application is not disposed of within the said period, such extended time shall in no case exceed 15 days. The reasons for such delay shall be recorded in writing by the competent authority.”

7. Insertion of new sections 45A, 45B, 45C, 45D, 45E, 45F and 45G.-

After section 45 of the Principal Act, the following sections shall be inserted, namely:-

**“45A. Right to Sub-Lease.-**

- (1) A Lease-holder may, after obtaining approval of the competent authority sub-lease the land held under valid lease subject to the following conditions:
- (a) the term of the sub-lease shall not exceed the tenure of the original lease;
- (b) the sub-lease shall be executed in the

from of Agreement Deed duly registered under the provisions of the Registration Act, 1908.

- (2) The competent authority to grant approval of sub-lease is the Deputy Commissioner. Specific approval of the competent authority shall be obtained where the sub-lease is intended to be used for any purpose other than that originally leased;

Provided that the provision under this sub-section shall not include allotment of land and sub-leasing of such lands allotted for special purposes and economic programmes under the provision of Section 14.

#### **45B. Application and Fees.-**

- (1) An application for permission to sub-lease shall be submitted to the Assistant Commissioner (Revenue) concerned in such form as may be prescribed.
- (2) The application shall be accompanied by:
- (a) a certified copy of the Land lease;
  - (b) a certified copy of the proposed sub-lease Agreement Deed;
  - (c) a certified copy of proof of identity (Voter's ID, Aadhaar, etc.).

#### **45C. Notification and Record of Sub-Lease.-**

Upon execution of a sub-lease, the office and the Lease-holder shall ensure that the name of the Sub-lessee shall be entered in the Record of Rights as an *interested person* for the sub-

lease period.

**45D. Obligations of the Sub-Lessee.-**

Every Sub-lessee shall:

- (a) use the land in accordance with the permitted land use and conditions as approved by the competent authority;
- (b) not cause damage or alteration to land without prior written consent of the Lease-holder. In case of change of land use, prior approval of the competent authority shall be duly obtained.

**45E. Payment of rent and charges.-**

All land revenue, cess, and taxes shall remain the responsibility of the Lease-holder. However, the Sub-lessee shall be jointly and severally liable for any dues arising from non-compliance.

**45F. Renewal.-**

A sub-lease shall not be renewed or assigned without prior approval of the competent authority and shall automatically expire upon expiration of the original lease.

**45G. Unauthorised Sub-Lease.-**

Any sub-lease without prior permission of competent authority shall be deemed null and void, and the Lease shall be liable for cancellation.”

8. Amendment of section 97.-

Section 97 of the Principal Act shall be substituted as follows, namely:-

**“97. Savings of certain suits.-**



Nothing in section 96 shall be held to prevent the Civil Courts from entertaining any of the following suits:-

- (a) Suits against the State Government to contest the amount claimed or paid under protest, or recovered as land revenue on the ground that such amount is in excess of the amount authorized in that behalf by the Government, or that such amount had, prior to such claim, payment or recovery, been satisfied in whole or in part, or that the plaintiff or the person whom he represents is not the person liable for such amount;
- (b) Suits between private parties for the purpose of establishing any private right, in case it is affected by any entry in any land record; or
- (c) Suits between private parties for possession of any land being in a whole survey number or sub-division of a survey number or a part thereof. ”

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## **STATEMENT OF OBJECTS AND REASONS**

1. The Mizoram (Land Revenue) Act, 2013, though comprehensive at the time of its enactment, has become inadequate to meet the evolving demands of land administration.
2. The Act presently provides an exhaustive list of revenue officer designations, and this rigid enumeration has become outdated and limits administrative adaptability.

The amendment proposes to empower the State Government to designate and appoint Revenue Officers at various administrative levels by notification. This will allow for more flexible and modern administrative practices, thereby enabling improved alignment with evolving governance structures.

3. The present Act provides a basic definition of unauthorised occupation and classifies such individuals as encroachers or trespassers. However, it lacks procedural clarity regarding the determination of such occupation, identification of competent authorities, and mechanisms for enforcement.

The proposed amendment empowers designated authorities to conduct evictions and enforce orders. It also incorporates provisions from the *Bharatiya Nagarik Suraksha Sanhita, 2023* for cases involving threats to public order. It introduces penal provisions, including an initial fine and daily penalties for continued disobedience. These amendments aim to provide a clear, enforceable, and fair legal framework to address unauthorised occupation and protect public and private land assets.

4. The present Act governs land use diversion but requires prior sanction of the State Government and recommendation of the Land Committee, leading to delays. The law also does not differentiate applications based on land area, resulting in procedural inefficiencies even for small-scale requests.

The proposed amendment introduces an area-based jurisdictional framework, clearly assigning authority to the Deputy Commissioner, Director of Land Revenue and Settlement, or the State Government depending on the size of the land. It also prescribes a 30-day timeline for disposal of applications, with a requirement for recording reasons in writing in case of delay. This reform is intended to decentralise decision-making, improve ease of doing business, facilitate infrastructure and housing development, and ensure consistency with land use planning frameworks.

5. The Principal Act currently does not contain specific provisions for sub-leasing of leased land. In the absence of legal recognition or regulation, sub-leasing has been taking place informally, often resulting in disputes, land misuse, and difficulties in updating land records.

To address this gap, it is proposed to insert new sections to provide a legal framework for sub-leasing. These provisions will bring informal practices under regulation, promote transparency, protect the interests of all stakeholders, and align land use practices with the principles of lawful and planned development.

6. The proposals outlined above are in the interest of good governance, land resource management, and public welfare, and may, therefore, be kindly considered favourably by the Council of Ministers.

Dated Aizawl,  
the 25<sup>th</sup> July, 2025

**(B. LALCHHANZOVA)**  
Minister of State  
Land Revenue & Settlement Department  
Mizoram, Aizawl.

## **FINANCIAL MEMORANDUM**

The proposed amendment seeks to rationalise and modernise the administrative structure and designations of revenue officers, define and regulate sub-leasing of land with legal safeguards, strengthen enforcement mechanisms against unauthorised occupation and streamline the process for land use diversion through a decentralised, area-based framework. Therefore, the proposal to amend the Mizoram (Land Revenue) Act, 2013 does not involve any additional financial implication for the State Government. It will instead allow collection of Government shares from the registration of Lease Agreement Deed under Registration Act, 1908.

Dated Aizawl,  
the 25<sup>th</sup> July, 2025

**(B. LALCHHANZOVA)**  
Minister of State  
Land Revenue & Settlement Department  
Mizoram, Aizawl