

No. C.31012/1/2013-VIG
GOVERNMENT OF MIZORAM
VIGILANCE DEPARTMENT
MIZORAM SECRETARIAT

Dated Aizawl the 29th January, 2014.

OFFICE MEMORANDUM

Subj : Procedure for conducting on the spot survey work of private land to make assessment for compensation in connection with acquisition of land for public purpose.

It has come to the notice of the Government that there are several instances of wrongful claims of compensation in connection with the land acquired by the Government for public purposes, which has taken place in the compensation Award made by the District Collector. It is crystal clear that these wrongful claims as well as irregular and undue compensation Award has taken place as a result of non-observance of the task to be carried out by the Officials involved in the survey and assessment of the land acquired by the Government. Lapses on the part of the officials who were doing such survey and assessment of compensation Award result in heavy undue liabilities to the Government and corruption in the society.

Attention of all the District Collectors is invited on the above subject and the phenomenon of Corruption in the Compensation scam prevailed time and again since a long time past till now. This phenomenon has been methodically examined and from such analysis it is obvious that such compensation scam have happened due to non-availability of stringent rules and regulation in relation to the modality of conducting ground reality survey and methods for cross checking the genuineness of the assessment made by the officials who are detailed to conduct the ground survey and to make detailed assessment in the process of Compensation Award by the District Collector. It has also been noticed that there are several lapses on the part of the Collector also in relation to compliance of the necessary action to be taken step by step as required in the Land Acquisition Act and the rules made there under.

It is observed that in the Act and Rules in force in Mizoram there is no detailed specific instructions to be followed by the surveyors/Team of officials detailed to carry out on the spot ground survey work by measuring the area of the land and marking of the boundary of such land to be acquired and Forms for recording such actual ground survey work done to be submitted to the District Collector so that the District Collector may be able to cross check the documents

and the land to be acquired to satisfy himself and rely upon the survey conducted by the survey Team. It is also observed that in absence of such detailed instruction in the rules, the District Collector, who is entrusted to carry out the assessment of requirement of fund for compensation and to prepare such Compensation Award without considering the seriousness of the matter and the possible irregularity in the process with its consequential problem that may happen, due to negligence or greed of some officials involved in the process who try to derive benefits from such work, may simply rely upon the untrustworthy work done even by the officials, which sometimes results in lots of irregularities in the compensation Award.

In the circumstances mentioned above, it is absolutely considered necessary and imperative from vigilance point of view to introduce detailed guidelines /stringent instructions for conducting ground survey work, measuring and marking the land to be acquired, recording the actual measurement of the area of the land and any valuables attached to such land in the forms prescribed for the purpose to make detailed assessment of Compensation Award for strict compliance by the Compensation assessing Authorities. These guidelines are in addition to the express provisions as contained in the Act and Rules in force in the State as on today.

Therefore, it has been decided that, henceforth the following guidelines shall be inevitably complied with whenever private land are to be acquired for public purposes. Unless this guideline is scrupulously followed, the Compensation Award submitted to the Government by the District Collector should be summarily rejected and only the Compensation Award assessed and prepared in accordance with the following guidelines only shall be sanctioned for payment.

Guidelines for survey of land and the things attached there to for acquisition for public purpose and assessment of due compensation Award:

1. Whenever it is necessary to acquire any land for public purpose, the District Collector or any other Authority authorised and empowered to cause survey of such land and to make Compensation Award, such Authority shall invariably issue detailed instructions to be followed by the team of surveyors and other officials involved in the process of making compensation assessment and precautionary measures comprising severe penal provisions against the defaulting officials should be inserted in such order to prevent any corruption related activities. It must be ensured that the Revenue Department's Settlement Officer of the Concerned District or Officers authorised by him should necessarily be a part of the Survey Team for establishing proper land holding as per the Revenue records.

2. The Agency which requires the land for acquisition should make foot path along the alignment of the proposed road construction in the case of proposed Road/Railways construction to facilitate accessibility for conducting survey work for assessment of compensation.

3. The owner of the land to be acquired should necessarily cut and clear scrub and forest vegetation in the boundary line of his land to be acquired to enable the survey team to do physical measurement of the land area to be acquired and also to verify the valuable things like commercial trees/fruits trees, etc. available within such area.

4. Survey of the land to be acquired should be conducted in presence of the land owner by applying the modern GPS instruments and the survey work done shall be recorded in the prescribed Pro forma and the exact location of the area to be acquired should be reflected indicating the longitude and latitude degree of such location; For example. (Location of the land belongs to Pu Liankima of Venghlui, Aizawl is 23.37°N , 91.95°E) and these Longitude and Latitude degree should invariably be reflected in the detailed survey record of the individual land in the ANNEXURE-I

(a). Survey of the land should be done block-wise by dividing the land into various blocks, and each Block shall comprise of the consecutive private lands belonging to 30(thirty) persons at a maximum, and the survey reports should also be confined to each block and the Compensation Award shall be prepared separately for each Block..

(b). The actual finding on ground survey should be recorded in the Pro forma which shall invariably support the assessment for compensation award block-wise as per Pro forma vide Annexure – I.

(c). The exact location of the land to be acquired should be indicated in the sketch map of each block which shall invariably support the assessment for compensation award as per sample in the Annexure-II or Annexure-III whichever is relevant and applicable.

(d). Concerned VCP/Chairman Local Council as the case may be and President of leading Local NGO should invariably be associated in the Survey work of the Land to be acquired, and their signatures along with official designation clearly appended in the relevant Pro forma.

5. The surveyor(s) who conduct the survey work should be acquainted with the land to be acquired for public purpose and he should make a sketch map of the land. In case, such land to be acquired covered a large area he should divide into different blocks, and in no case such a block should comprise more than the land holding by 30(thirty) private individuals. He should carry out physical ground measurement of

the land portion needed to be acquired only and mark bearings of such land measured. He should note that any portion of the land area which need not be acquired but covered by the individual land pass /LSC should not be included in the land to be acquired, but the actual area required for acquisition only should be included in the assessment for compensation. He shall then record his finding in the sketch map and pro forma of ANNEXURE-I accurately. He must satisfy himself that the land measured and recorded in the pro forma are all correct. He will be responsible in case of any wrong entry in the survey documents and will be liable to penal action for wilful default.

6. A reliable Officer authorised by the District Collector to monitor such compensation assessment should carry out on the spot random cross checking of each and every private land covered by such compensation award with the finding of the surveyor(s) recorded in the Annexure-I and Annexure-II or Annexure-III if possible at least 50% of the individual lands to be acquired and he should satisfy himself that the survey documents are correct in all respect.

7. The District Collector or any other Officers authorised by the Government to carry out survey of the land and to make assessment for compensation Award should also visit the location of such private lands to be acquired whichever he considers deserving physical checking on the spot at least 10% of the private individual lands covered in the compensation assessment and satisfy himself that the survey work in relation to exact area of the individual private lands are accurately measured and marked and also any valuable trees or other valuable things and crops available within such land were correctly recorded in the survey report forms.

8. The District Collector who prepared compensation Award should thoroughly examine all the supporting documents of the assessment and satisfy himself that the entries in each and every survey report forms as well as consolidated statement of the Award to be submitted to the Government are corroborated with each other and correct. The District Collectors should bear in mind that correctness in such assessment including the entries in the survey report documents and the calculation sheet of the compensation in which the amount has been worked out are his responsibility and such process of compensation Award should be carried out with utmost care so as to prevent any bogus and false claim.

9. It should also be ensured by the Administrative Department that on scrutiny and checking of any compensation Award submitted by concerned District Collector or any other Authorities authorised to make such Compensation Award to the Government, the instruction issued by the Government is complied with by the Compensation assessing Authorities in letter and in spirit before obtaining approval


of the Government so as to avoid sanction of compensation for any unfair and doubtful claim of complex nature in future.

It is hereby reiterated that henceforth the above instruction should invariably be complied with by all concern, failing which appropriate action shall be taken against the erring officials.

Sd/-
L.TOCHHONG
Chief Secretary

Memo NO. No. C.31012/1/2013-VIG dated Aizawl the 29th January, 2014.

- Copy to:
1. Secretary to Governor, Mizoram
 2. Secretary to Chief Minister, Mizoram
 3. P.S to Speaker/Ministers/Dy.Speaker/Minister of States, Mizoram
 4. P.S to Parliamentary Secretaries, Mizoram
 5. Chief Executive Members, Lai Autonomous District Council/Mara Autonomous District Council/Chakma Autonomous District Council, Mizoram
 6. P.S. to Chief Secretary, Mizoram.
 7. Addl.Chief Secretary/Principal Secretary/Commissioner & Secretaries of all Departments, Govt. of Mizoram
 8. All Administrative Departments, Govt. of Mizoram
 9. All Heads of Department, Government of Mizoram.
 10. All the Deputy Commissioners of the Districts, Mizoram.
 11. Controller, Printing & Stationeries for publication in the Mizoram Gazette(Extra Ordinary issue)
 12. Guard File.


29/1/2014
(B.ZAHMUAKA)
Deputy Secretary

FORM FOR SURVEY OF LAND TO BE ACQUIRED FOR PUBLIC PURPOSE

Compensation Award No _____ OF 201 _____ Dt. _____

1. Name of land / property rights holder : _____
2. Father's Name : _____
3. Block No _____ Sl. No _____
4. Title of Land Pass _____ and Pass No. _____
5. Total area of the Land covered by the Land Pass : _____ Sq.mtr
6. Exact location is at Longitude and Latitude degree _____
7. Boundary description of the land (exact location) :
 - a. In the East _____.
 - b. In the west _____.
 - c. In the North _____.
 - d. In the South _____.
8. Exact area of the land to be acquired out of land at Sl. No. 4 : _____ Sq.mtr.
9. No. of valuable trees with size and other valuable crops or things .

<u>Sl. No</u>	<u>Items</u>	<u>Nos of Items</u>	<u>Remarks</u>
1).			
2).			
3).			
4).			
5).			
6).			
7).			
8).			
9).			
10).			

Certified that all the entries in this form are made by me with the knowledge of the owners after conducting on the spot survey and taking actual measurement of the land area and counting the valuable things within the land to be acquired as indicated above and satisfied that the above statement are true to the best of my knowledge.

Signature of land owners
Name _____

Signature of NGO representative
Name _____

Signature of Surveyor
Name _____

Signature of concerned VCP/L.C
Official Seal

Countersigned by
Supervising Officer.

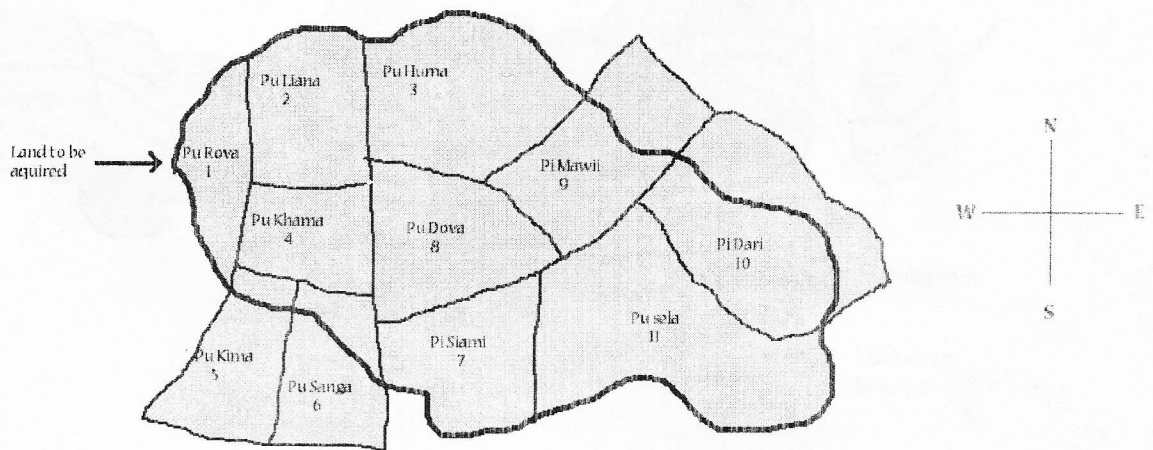
Countersigned by
District Collector.

SKETCH MAP OF LAND TO BE ACQUIRED FOR PUBLIC PURPOSE COVERED BY COMPENSATION.

BLOCK NO _____

Compensation Award No _____ OF 201 _____ Dt. _____

Example Sketch Map-1



Signature of land owners
Name _____

Signature of NGO representative
Name _____

Signature of Surveyor
Name _____

Signature of concerned VCP/L.C
Official Seal

Countersigned by

Countersigned by

Supervising Officer.

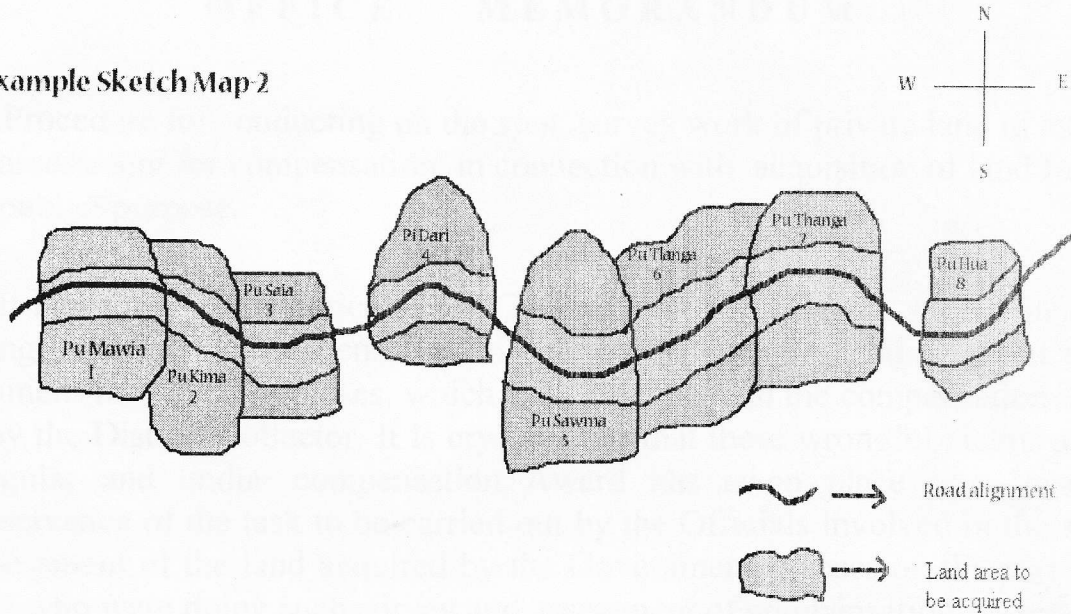
District Collector.

SKETCH MAP OF LAND TO BE ACQUIRED FOR PUBLIC PURPOSE COVERED BY COMPENSATION.

BLOCK NO _____

Compensation Award No _____ **OF 201** _____ **Dt.** _____

Example Sketch Map-2



Signature of land owners
Name _____

Signature of NGO representative
Name _____

Signature of Surveyor
Name _____

Signature of concerned VCP/L.C
Official Seal

Countersigned by
Supervising Officer.

Countersigned by
District Collector.