

P.A.C. 59

**PUBLIC ACCOUNTS COMMITTEE  
(1988-90)**

**FIFTY-NINETH REPORT  
(EIGHTH ASSEMBLY)**

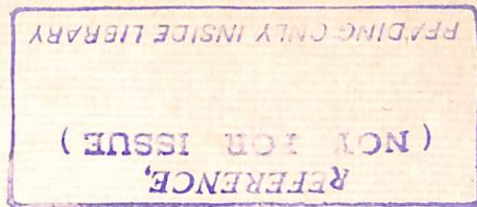


REPORT OF THE PUBLIC ACCOUNTS COMMITTEE  
ON THE ACTION TAKEN OR PROPOSED TO BE  
TAKEN BY THE GOVERNMENT ON THE VARI-  
OUS RECOMMENDATIONS AND OBSERVA-  
TIONS MADE IN THEIR FORTY SIXTH  
REPORT PERTAINING TO REVENUE  
DEPTT. GOVT. OF ASSAM WITH RE-  
FERENCE TO THE REPORT OF THE  
COMPTROLLER AND AUDITOR  
GENERAL OF INDIA (REVENUE  
RECEIPTS) FOR THE YEARS  
1981-82 TO 1984-85.

Presented to the House on 10-10-90

**ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT  
DISPUR, GUWAHATI-6**





## PREFATORY REMARKS

1. I Shri A.F. Golam Osmani, Chairman of the Committee on Public Accounts, having been authorised to submit the Report, on their behalf, present this Fifty-ninth Report of the Committee on Public Accounts on the action taken or proposed to be taken by Government on their 46th Report relating to Revenue Department of the Govt. of Assam.

2. The Written Memorandum on actions taken or proposed to be taken by Government were considered by the Committee in its sitting held on 5.5.90 and 11.7.90.

3. The Committee has considered the draft report and adopted the same in sitting held on 5th October, 1990.

4. The Committee wishes to express their thanks to Shri D.K. Gangopadhaya, I.A.S., Commissioner, Revenue Department for his kind cooperation in furnishing the relevant information/ clarifications to the Committee.

DISPUR:  
The 5th October, 1990.

A.F. GOLAM OSMANI,  
Chairman,  
Public Accounts Committee.



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COMPOSITION OF THE PUBLIC ACCOUNTS  
COMMITTEE (1988-90)

Chairman :

1. Shri A.F. Golam Osmani,

Members

2. Shri Pradip Hazarika,
3. Shri Joy Prakash Tewari,
4. Shri Silvious Condpan,
5. Shri Sheikh Abdul Hamid,
6. Shri Ramendra De,
7. Shri Abdul Rob Laskar,
8. Shri Chandra Mohan Patowari,
9. Shri Abhijit Sarma,
10. Shri Pabindra Deka,
11. Shri Kamakhya Charan Choudhury,

Secretariat :—

1. Shri S.N. Deka, Secretary
2. Shri S.K. Changmai, Liasion Officer
3. Shri A.R. Chetia, Under Secretary
4. Shri Dhiren Nath Committee Officer.



## LAND REVENUE DEPARTMENT

### INTRODUCTORY

(Para 1.1 of 46th Report of P.A.C.)

### OBSERVATIONS/RECOMMENDATION IN 46TH REPORT

1.1.1. The reasons for failure of the Department to operate at the optimum level of efficiency is manifold. If the present day functioning is analysed objectively, it will be found that substantial portion of the departmental activities are diverted towards matters not relating to collection of revenue and allied subjects. At the District level, the officers entrusted with collection of revenue are required to discharge the executive function pertaining to the District Administration. Since from the Imperial days, District Administration is having two functional aspects, viz the Collectorate and the Magistracy, Because of the present day necessity arising out of present day political complexities and compulsion for development, the Magistracy aspect of the District Administration has over-shadowed its Revenue counter-part. Most of the officers at the District level from Deputy Commissioner to Sub-Deputy Collector are deployed in meeting situation arising out of civil commotions and natural calamities like flood, riots etc. As such they have little time at their disposal to discharge their revenue functions.

1.1.2 There are many reasons for present level of low collection of land revenue. Firstly, there is inordinate delay in concluding mutation proceedings. Field level mutation is practically not completed within statutory period. Non-updating of land records naturally reflects on the quantum of revenue liable for collection. Secondly, lack of trained officers to man the Department is another hindrance. The facilities for Survey & Settlement training is not proportionate to the requirement. Moreover, the present practice of parring in Revenue Officers at a



time has created a bottleneck in training facilities. There are many revenue circles in the State. Which are managed by S.D.Cs having no power of mutation. To rectify the present position, the Government has to take appropriate action in the matters relating to the recruitment of Revenue Officers of all categories and facilities for their training.

1.1.3 The Committee, therefore, feels that it is high time to examine and assess the functioning of the Revenue Department for removing their constraints through the personal management agencies like Administration Reforms Department.

#### REPLY OF THE DEPARTMENT

1.2.1. To achieve the maximum level of efficiency of the field officers in the matters of Land Revenue Administration in the State, necessary instructions and guide lines have been given to the district officers from the Revenue Department from time to time. Government Circulars have been issued specially for inspection of the Mauza accounts as well as the Revenue Circle Offices so that improvement in the collection of Land Revenue etc. and improvement of the efficiency of the Circle officers and their L.R. staff are achieved to the desired and fullest extent.

1.2.2 Regional conferences of the district officers have also been held at certain places recently for discussion of all the matters regarding Land Revenue administration in the district/Sub-Divisional/Circle levels. Besides these conferences, a meeting was also held at Dispur on 22-12-89 with the Additional Deputy Commissioners and various matters of Land Revenue administration at Circle levels and districts levels were discussed thoroughly

1.2.3. The Circle officers of all the Revenue Circles have been invested with the necessary Revenue powers under the A.L.R.R. 1886 (amended) so that they can exercise their legal powers in the Land Revenue administration quite effectively.



1.2.4. The attached Sub-Deputy Collectors of the Circles are all newly recruited officers, and not trained in Survey and Settlement. Normally they are not invested with Revenue Powers at par with the Circle officers in charges of the circles till they are trained.

1.2.5. In a phased manner, all newly recruited S.D.O undergo Training in Survey & Settlement Training Centre, Dakhingaon, Guwahati. All the Trained S.D.Cs. are invested with mutation and other Revenue powers and generally posted out in charge of circles.

### OBSERVATION/RECOMMENDATIONS

1.3.1. About the general functioning of the Revenue Department as a whole, the Public Accounts Committee in its 46th Report made some observations in introductory chapter which is quoted in this Report vide para 1.1.1.

1.3.2. This Department now a days can be called Revenue Department nationally. This can be demonstrated by a single example. As per submission of the Commissioner, Mr. Gongopadhaya, Commissioner Revenue, the total demand on the State's Land Revenue is about 15 Crores annually of which the department collects on the average 5 crores. He is on record to the effect "Even after the pressure on revenue collection we find the balance to be collected are about 10 to 11 crores which are more or less arrears". It will not be too much if the Committee holds that Revenue Department is performing primarily functions with subjects which are not connected with the revenue, and accordingly it was recommended in 46th Report that "it is a high time to examine and assess the functioning of the Revenue Department for removing their constraints through the Personnel Management agencies like Administrative Reforms Department.

1.3.3. Whatever is stated in reply to the comments of the Committee in reply to the comments of the Committee in the introductory chapter and recommendations made thereof, there is nothing to suggest that any high level evaluation of the functioning of the department had been attempted.



1.3.4. Whatever reply that has been given is of most casual nature. Committee therefore expects in repeating its recommendations made in 46th Report that the Government in all seriousness makes an attempts to diagnose the malady which has eaten into the vitals of the Government in Revenue Department. Views of the Government will be appreciated by the Committee as and when received.

## ANALYSIS OF LAND REVENUE RECEIPTS

(Para 1.2.3 of 46th Report of P.A.C.)

### RECOMMENDATIONS IN 46TH REPORT

2.1. The Committee could not comprehend as to why such inflated estimation was made in the annual financial statements. Such wide variation fails to give actual State of affairs. Naturally, when the question of overall budgetting of the state financing comes up, such unrealistic assessment must necessarily give an illusory budgetory proposition.

### REPLY OF THE DEPARTMENT

2.2. The variations between budget estimates and the actuals under the head Land Revenue mentioned in the report was due to the fact that the actual collection figures include both current and arrear demand whereas the budget estimate for the years under report represented only against the current demand. Department have taken steps for achievement of the target in respect of collection of Land Revenue both arrear and current.

### OBSERVATIONS/RECOMMENDATIONS

2.3.1. The Committee is not quite satisfied with the explanation given by the Department in their reply. It is evident from the records that every year deficit in collection of revenue against current demand is to the tune of Rs. 10 to 11 crores. The total demand for



land revenue being Rs. 15 crores of which the Department collect only Rs. 5 crores in average. To a query, the Commissioner, Revenue Department stated that the Department's target is the realization of 75% of current demand and 50% of arrear demand. The relevant portion of the proceedings is quoted below :

"In addition to the reply given, I may explain that every year in the Budget, we estimate the total amount of land revenue to be collected in that particular year which is called current demand and that is only included in the Budget for collection. That is why the budget estimate is low whereas actually in the field revenue collection is made not only of the current year, but also the arrear demand. That is why the collections are more than the estimated budget. What has been shown in page 7 of the 46th Report is for four years from 1981-82 to 1984-85. In the next three years similar trend is there. Budget estimates indicate only the current demand whereas collection is made on the current and arrear demands. For example, in 1985-86 estimate was for 4 crores whereas collection was made for 4.22 crores. Similarly in 1986-87 as against budget provision of Rs.4.20 crores, collection was made for Rs.4.28 crores. Because of some focussing on the revenue collection in 1987-88 the total collection has gone up, slightly more than the previous few years. Even after the pressure on revenue collection we find the balance to be collected are about 20 to 11 crores which are mostly arrear. After collection of 4 to 5 crores every year the arrear remains to the tune of 10 to 11 crores, the total demand on land revenue is 15 crores of which we are collecting only 5 crores."

If this is so, it is expected that the budget estimate on account of current and arrear demand should have been found reflected in estimates of collection to be made. Sometimes it is seen that as high as 110% of variation is found between estimates and actuals. Such wide variation must necessarily imply that in making an estimate of realization both in respect of current and arrears is assessed in most casual manners. From the



extent of realization made on account of arrear revenue in successive years, the Department should have been in a position to anticipate on the average the amount that could be collected on account of arrear land revenue. In the light of fact that 75% of the current revenue remaining unrealised, the projection made in the budget figures, so far the estimates are concerned about the collection to be made in a particular year's is misleading when read with figures given in actuals which includes the collection of arrears too.

2.3.2. A casual observer of the chart at Para 1.2.1 of the 46th Report will derive satisfaction that the Land Revenue Department is doing a good job by collecting 100% more than the estimated amount of the budget. Unless analysed, few will know that the Revenue Department is in such a samblance that it cannot even collect 75% of the current demand.

2.3.3. The Public Accounts Committee, therefore, recommonds that to reflect the actual state of affairs, the Land Revenue Department should specifically state in their budget statement the actual estimate made of the anticipated collection of both current and arrear and amount realised under two heads in a particular year. The Department's views are to be intimated to the Committee within a period of 3 months from the date of presentation of this Report before the House.



## RETENTION OF REVENUE COLLECTION

(Para 2.3.1, 2.3.2, 2.3.3 & 2.3.4 of the 46th Report of Public Accounts Committee on Audit Paras 3.2/CAG81-82 4.2/CAG-82-83, 5.3/CAG 83-84 and 5.2/CAG 84-85 on Revenue Receipt)

### RECOMMENDATIONS IN 46th REPORT.

3.1.1. The Committee is happy to note that a sizeable number of cases of irregular retention of revenue collection in hand by the Mauzadars have been reduced to permissible limit on being pointed out in audit. The Committee, while appreciating the sincere efforts of the concerned officials of the Revenue Department as well as the District & Sub-divisional and circle, would like to know the position of retention of revenue collection within permissible limit for the subsequent three years in respect of all these Mauzas involved in this chapter. The Public Accounts Committee feels that there should have been a Monitoring Cell attached with each collectorate to Supervise & assess the monitory aspects of Mauzadari Collection as well as enforcement of periodic inspections fixed under the existing Rules.

3.1.2. The Committee is also constrained to note that a large No. of cases of retention of heavy cash balance in the nature of misappropriation is yet piling for years together and felt distressed for not taking appropriate remedial measures to arrest the cases of such irregular retention beyond permissible limit.

3.1.3. The Committee, therefore, recommends that Mauza Accounts of the entire State should be made up-to-date and no Mauzadar should be allowed to retain revenue collection in cash in hand beyond the permissible limit. The Committee further recommends that responsibility should be fixed on the officers who are entrusted to inspect the Mauza account timely to avoid irregular retention and risk of misappropriation of the Government money by the Mauzadars.



## REPLY OF THE DEPARTMENT.

3.2.1. Department have instructed all Deputy Commissioners and Sub-Divisional Officers to submit report regarding present position as on 30th June, 1989 of the cash in hand of each Mauzadars and also about the action taken against each concerned Mauzadars.

Deputy Commissioners and Sub-Divisional Officers also requested to take firm action against the Mouzadars who have cash in hand beyond permissible limit. The report from Deputy Commissioners and Sub-Divisional Officers are awaited. However follow up action being followed from this Department.

3.2.2. The Deputy Commissioner, Kamrup, reported that for realisation of misappropriated amount the Bakijai cases have already been started and matter will be disposed of in accordance with law.

3.2.3. The Deputy Commissioners have been instructed that no Mouzadars should be allowed to retain cash in hand out of the collected land revenue beyond permissible limit. Further it was instructed that the Mouza account should be inspected timely and deviation thereof should be reflected in their A.C. Rs. Deputy Commissioners were also instructed to setting up of monitoring cell for the purposes. The reports are awaited.

## OBSERVATIONS/RECOMMENDATIONS

3.3.1. It is observed that inspite of action taken and proposed to be taken by the Department to realise undeposited land revenue remaining in the hands of the Mauzadars as stated in the departmental reply, some astounding facts have been revealed in course of hearing. The Commissioner, Revenue Department was kind enough to supply information about retention of money by the Mauzadars. The District-wise chart is as follows:—

District	Mouza	Information from Mouzas	Cash in hand	Average Per Mouza
1. Barpeta	26	26	2,20,438.00	8,478.00
2. Nalbari	24	24	2,82,712.91	11,798.00



3. Kamrup	41	41	1,34,043.00	5,701.00
4. Nowgang	54	30	11,06,014.00	36,887.00
5. Golaghat	18	9	2,69,346.00	29,927.00
6. Jorhat	27	24	83,619.00	3,484.00
7. Sibsagar	24	18	38,134.00	3,235.00
8. Dibrugarh	31	30	16,64,171.00	55,472.00
9. Lakhimpur	18	18	1,11,791.00	7,210.00
10. Sonitpnr	26	18	1,62,925.00	9,041.00
11. Darrang	27	17	3,66,542.00	21,564.00
Total—	317		45,29,803.91	

From the above chart, which does not cover all the Mouzas of the State, it is seen that an amount of Rs. 45,29,803.91 only remains to be deposited as on 30th June, 1989. Leaving aside the sum of Rs. 5,000/- only which a Mauzadar can retain in hand as per Rules, the outstanding amount nonetheless is quite substantial. The witness further deposed: "strickly speaking it is not a case of misappropriation because we will find that in a number of cases Government has not paid the commission to the Mauzadars. Of course that is a different issue and unfortunately Government have not paid the commission because of stringent financial position. Therefore it is not that the entire amount is misappropriated. But we are nuhappy about the fact that after collecting the money they have retained it in their hands. It is a temporary misappropriation in the real sense. That is why they are being charged."

3.3.2. In the light of the facts stated above, the Committee feels that some arrangement with the Mauzadars be made so that they may be paid their due commission at source from the amount collected by them without involving into temporary misappropriation as alleged. The Committee deprecates the present position where the Department has to live up with facts of misappropriation even if temporary. The Committee would like to know what steps the Government has taken and proposed to take to put an end to such practices.



3.3.3. The Committee would also like to request the Department to undertake a comparative study between Mauzadary and Tahsildary system of land revenue collection so that the desirability of having more efficient system of revenue collection can be assessed. The report of the above study may be made available to the Committee within a period of 3 months from the date of presentation of this Report before the House.

### NON-ACCOUNTAL OF LAND REVENUE AND LOCAL RATES

(Paras 3.3.1 & 3.3.2 of the 46th Report on the Audit paras 3.3/CAG-81-82, 5.5/CAG-83-84 and 5.3/CAG-84-85 on Revenue Receipts)

#### RECOMMENDTION IN 46TH REPORT

4.1.1. The Committee is constrained to note that the Government has not persuad the cases of recovering the amount an account of non-accountal of Land revenue and local rates illegally retained by the Mauzadars in utter disregards and violation of the existing rules and Government directions. The Committee has also failed to understand as to why the periodic inspection has been carried on for the proper maintenance of Dainik Amdani Registers and case book of different Mauzadars.

4.1.2. The Committee therefore recommends that the Government should issue strict directions to all District Revenue officers to carry out the time bound inspection of the Mauza accounts for ensuring the diposit of land revenue and local rates collected by the Mauzadars. The Committee also reiterates its earlier recommrndations made in its 35th Report. The monitoring cell as recommendad in the forgoing Chapter can also be entrusted with the task in this purpose in the light of the ovservation made.

#### REPLY OF THE DEPARTMENT

4.2. Deputy Commissinners have been instructed that no Mouzadars should be allowed to retain case in hand out of the collected land revenue beyond permissible limit.



Further it was intructed that the Mouza account should be inspected timely by the officers who are entrusted and their performance should be reflected in their A.C. Rs. Deputy Commissioners were also instructed to setting up of monitoring cell for the purposes. The reports are awaited.

### OBSERVATIONS/RECOMENDATIONS

4.3.1. This para is more or less analogous to earlier paras 2, 3, 1 to 2, 3, 4, of the 46th Report. It appears from the reply that the Revenue Department in pursuance of recommendations made by the Public Accounts Committee in their 46th Report in respect of para 3. 3. 1. and 3. 3. 2. had issued some instruction to concerned officials about the necessity of regular inspection and supervision to stop recurrence of irregularities committed by Mouzadars.

4.3.2. The Committee would be interested to know as to what has been achieved since then. Accordingly, the Department will please submit a report about improvement affected within a period of 3 months from the date of presentation of this Report before the House.

### NON-CONVERSION OF LANDS UNDER ANNUAL PATTAS INTO PERIODIC AND NON-REALISATION OF PREMIA.

(Paras. 4.2.4 & 4.3.1 of the 46th Report on the Audit paras 3.4/CAG—81-82 5.2/CAG—82-83 and 4.5/CAG—83-84 on Revenue Receipts)

### RECOMMENDATIONS IN 46th REPORT.

5.1.1. In the lights of the proceedings quoted above, the Committee feels that there is a chronic resistance in the Department so far the implementation of the land polices of 1972 & 1978 on conversion of pattas are concerned. In the face of persistant observations made in various Reports of the Comptroller and Auditor General of India as to the huge financial loss occurring to the state years to years and constant insistance of the public Accounts Committee in their various Reports for the observation of policy relating to conversion. Unfortunately there is no visible reaction from the Revenue Department till date.



5.1.2 The public Accounts Committee is of the firm view that nature of the proprietary rights in land should not remain in perpetual flux and accordingly recommends the strict implementation of existing provisions of the Land Loss in the light of the Land policies innumerciated from time to time. In the premises, the Department should take appropriate action to get land held by paying Tauji Bahir rent converted to Annual pattas and the Annual pattas in their turn to periodic pattas. The Committee further recommends that the Districts of Barpeta, Lakhimpur, Nagaon & Sonitpur be taken-up for implementation of the foregoing observations, so that the sum total effect of the transactions relating to conversions of various categories of tenures in question may be assessed in the light of difficulties, limitations as well as advantage of the policy decision of the State rather than evading it.

#### REPLY OF THE DEPARTMENT.

5.2.1 The process of conversion of Annual Patta land into periodic pattas both in rural and urban areas in all the plains district of the State has been going on as per rules and the Government Land Policy in force. In the latest Land Policy 1989, it has been emphasised that the conversion of A.P. lands into periodic pattas should be done expeditiously as per rules. The copies of the new Land Policy 1989 have been sent to all the D.Cs, S.Os, and S.D.Os of the plains districts in August '89 for taking necessary action. It may be mentioned here that the Circle Officers have been authorised to grant conversion of A. P. lands into periodic pattas in the rural areas as before, and the D. Cs have been authorised to grant conversion of A. P. lands into periodic in the areas falling within the radius of 3 Kms. from the peripheries of the Municipal and Revenue owns' while D. C., Kamrup has been authorised to grant such conversion of A. P. lands within the radius of 10 Kms. from the periphery of the Guwahati City as per new Land Policy 1989 Government have reserved the power to convert A. P. lands into periodic Pattas in all Municipal/Revenue Towns and Gauhati City only.

The process of automatic conversion of A. P. lands into periodic pattas has now been discontinued as per new Land Polic in view of practical difficulties and also to avoid possible irregularities in the conversion cases.



The Government have also issued a circular to all D. Cs. S. Os. and S. D. Os for conversion of A. P. lands into periodic Pattas expeditiously vide No. RSD: 8/87/32 dated 26th September 1989 (Annexure) 1). Government have also asked the officers to furnish quarterly progress reports on conversion of A. P. lands to the Government in prescribed format.

5. 2. 2. The complete figures of conversion of A. p. lands of the districts/Sub/Divisions are not readily available in the Revenue Department now, The following are the figures of conversion of A. p. lands of some Sub-Divisions as per progress reports received in the Department.

District/Sub-Division	Area of A.P. lands converted into periodic B-K-L.	Period,
i. Dibrugarh	668 B-4K-11 L	1989-90 (1st Qr.)
	345B-OK-6L	1989-90 (2nd Qr)
	363B-1K-10L	198-90 (3rd. Qr.)
ii. Mangaldoi	759B-OK-3L	1988-89 (4th Qr.)
iii. Barpeta	499B-4K-4L	1988-89 4th Qr.)
	120B-2K-14L	1989-90 (3rd Qr.)
iv. Cachar	58B-16 -K11Ch	1988-89 (4th Qr.)
v. Karimganj	26B-7K-9Ch	1988-89 (4th Qr.)
	81B-12K-10Ch	1989-90 (2nd Qr.)
vi. Dhubri	66B-OK-13L	1988-89 (4th Qr.)
vii Nagaon	70B-1K-18L	1988-89 (4th Qr.)
	10B2K-11L	1989-90 (2nd Qr.)
	75B-1K-10L	1989-90 (3rd Qr.)
viii. Morigaon	175B-4K-1L	1988-89 (4th Qr.)
ix. Sadia	47B-2K-0L	1989-90 (2nd Qr.)
x. Jonai	12B-4K-1L	1988-89 (4th Or.)
	48B-4K-17L	1989-90 (1st Qr.)



From the figures of the progress reports of the districts/ Sub-Divisions shown above it is clear that the process of conversion of A. P. lands into periodic has been going on in the districts/Sub-divisions.

Government have issued instructions to the D. Cs/S. D. Os from time to time for taking up the works of settlement of land, specially regularisation of the old occupations of land by granting settlement with the deserving persons as per Settlement Rules and the Land Policy in force. The process of Settlement of Government khas lands, dereserved lands, and acquired ceiling surplus lands with the deserving persons has been going on in all the plains districts.

Government have recently issued two circulars under No. RSD. 8/87/26, dated 22nd September 1989 and No. RSS. 36/89/49, dated 23rd January 1990 (Annexures II & III) to all D.Cs/S.D.Os by which emphasis has been given on expeditious settlement of the lands already allotted to the landless persons under M.N.P. Scheme or outside such Scheme as per Land Policy in force. With the Settlement of the already allotted lands and regularisation of the old occupations of lands by granting Settlement as per Settlement Rules and as per land Policy in force, the areas under the T.B. revenue-system will decrease to a great extent.

5.2.4. Government land under occupation of persons in rural areas, and settlement thereof during 1989-90 :—

	Barpeta	Nagaon	Sonitpur
(i) Total area of land (in bighas approx)	2,04,213	2,70,750	25,899
(ii) No. of occupants	50,270	62,216	6,160
(iii) No. of Settlement petitions received so far.	2,587	6,366	N. A.
(iv) No. of settlement petitions disposed so far.	37	935	250



(v) Area of land settled B--K--L B--K--L B--K--L  
so far. -----

36-3-14 961-1-2 763-2-1

(vi) No. of beneficiaries 28 142 128

The process of settlement of land specially for regularisation of the old occupations on Government land (excluding reserves) with the deserving landless persons has been going on in all the districts. The Government have also issued necessary instructions to all D. Cs to expedite settlement of land with the deserving landless persons in the rural areas as per Settlement Rules and the present Land Policy of Government.

(B) Government land allotted as house sites to landless agriculturists in rural areas in the 3 districts under M.N.P. Scheme during 1989-90.

	Barpeta	Nagaon	Sonitpur
(i) Total area allotted so far. (In bighas anarex)	325	524	320
(ii) No. of beneficiaries (family wise)	325	514	230
(iii) No. of families as per target for the year 1989-90.	480	120	560

(C) Conversion of Annual Patta lands into periodic Pattas in the 3 districts during 1989-90.

	Barpeta	Nagaon	Sonitpur
(i) Total area of Annual Pattas converted into periodic Pattas.	B-K-L 12-2-14	B-K-L 10-2-11	B-K-L (2nd N.A.)
	499-4-4	(4th Or) 75-1	(Or) 10(3rd Or-)
		70-1	18(4th Or)
	620-1-18	156 0	19

The process of conversion of Annual Pattas land into periodic pattas in rural areas in all the plain Districts of the State has been going on. Government has issued necessary instructions in this regard from time to time to all D.Cs. & S.D.Os.



## OBSERVATIONS/RECOMMENDATIONS

5.3.1. The Committee in their 46th Report made strong remarks in the areas dealing with observations/recommendations relating to conversion of annual patta land into periodic patta. It was felt that there was a chronic resistance in the Department so far the implementation of Land Policies of 1972 and 1978 on conversion of pattas are concerned and called for a report apartaining to conversion of pattas. The Department in their replies supplied information in the nature of sample survey of conversion proceedings undertaken in various Districts.

5.3.2. That nothing significant could be achieved in pursuance of the Land Policies of 1972 and 1978 is found evident in face of the records supplied now. It is seen that in the present Barpeta District. (a part of the then undivided Kamrup District) out of 1587 settlement petitions for conversion, only 37 could be disposed of. In Nagaon District, out of 6366 conversion petitions, only 935 had been disposed of. The total picture of the State as a whole can be inferred from above.

5.3.3. In face of such facts, perhaps the Governments at last long came up with a new Land Policy in July, 1989. The earlier provision of automatic conversion has been given a good-bye. The Government has gone back to earlier system of conversion with that much of modification that conversion can now be granted without any reference to the Deputy Commissioner and Government, the Circle Officer being now competent to grant conversion and in pursuance of this a circular has been issued vide Annexure--I

5.3.4. The circular issued as mentioned is in respect of conversion of A. P. Land into P. P. Land. It is to be seen that improvement under the new arrangement is made in disposing of staggering number of pending petitions. A report containing the Sub-division-wise figures showing the number of cases disposed of vis-a-vis pending cases may be furnished to the Committee.

5.3.5. The Public Accounts Committee in their 46th Report commented: "The nature of proprietary right of land should not remain in a flux——— the Department should take appropriate action to get land held by paying



Tauji Bahir rent converted to A. P. and A. P. in their turn to periodic patta". In course of hearing, it has come out that the substantial area of land in the State are being occupied by agriculturists paying Tauzi Bahir rent, in some cases, for decades. What action the Government proposes to take in respect or such occupation is not stated or any circular issued to that effect. As a result State is continuing loss of huge amount of revenue which would have been other wise collected from these prospective settlement holders. The Public Accounts Committee would like to have information about steps to be taken in this respect within a period of 3 months from the date of presentation of this Report before the House.

5.3.6. In course of hearing it is revealed by most of the Hon. Members that in their capacity as the members of the Sub-divisional Land Advisory Committee, they observed that very few settlement/allotment cases are processed to the Committee for consideration and approval in the fact of staggering number of pending cases. The Committee, therefore, requests the Department to submit a report showing the number petitions forwarded to L. A. C. in between 1975-76 to 1989-90 Yearwise, Sub-division-wise with reference to number of pending cases.

## LOSS OF LAND REVENUE DUE TO IRREGULAR REMISSION

( Para 5.3.1 of 46th Report of PAC and Audit  
Para 3. 5/C. A. G. 1981-82 R/R )

### RECOMMENDATION IN 46TH REPORT

6.1 The Committee is happy to note that the land policy Resolution of 1978 is given effect to here and there and the instant case is an example thereof. The Committee would like to know the total No. of beneficiaries covered under the above case of remission and whether similar benefits were also extended to other Districts.



## REPLY OF THE DEPARTMENT

6. 2. 1. The amount of Rs. 19,267.00 as mentioned in the Audit para was exempted from the revenue demand for 1978-79 due to exemption of land revenue of rural agricultural land in respect of cultivators/pattadars of Kokrajhar District who possessed land below 10 (ten) bighas as per Government policy of 1978.

6. 2. 2. The benefit of exemption from payment of land revenue in respect of agricultural land of pattadars having less than 10 bighas per family has been in all the plain Districts of the State since adoption of the policy of 1978.

The figures of remission of the land revenue of all the districts under the said policy of 1978 are not readily available in Revenue Department. However, such figures relating to Guwahati subdivision of Kamrup & Dibrugarh District for the last year are furnished below :

District/ Sub-Division	Amount of land Revenue	Area involved	No. of beneficieries
1. Guwahati	Rs. 2,30,392,09	2,01,460 B 3 K-15 L	91,029
2. Dibrugarh	Rs. 2,31,516,85	2,02,491 B 4 K-13 L	63,792

## OBSERVATIONS/RECOMMENDATIONS

6.3. The Committee would like to know the exemption given from payment of revenue on account of holdings being below 10 bighas in pursuance of Land Policy of 1978 onwards vis-a-vis total amount of land revenue realised yearwise and the arrears involved.



## ENCROACHMENT OF GOVT. LAND

(Para 6.3.1. & 6.3.2. of 46th Report of P. A. C. and Audit Para 4.3/C.A.G.-82-83 R/R)

### RECOMMENDATIONS IN 46th REPORT

7.1.1. The Committee could not understand as to why the Departmental witness while coming up for tendering evidence failed to explain the material facts of the case. The Report of the C. A. G. for 1982-83 (R/R) in which the Audit Para is incorporated, was laid before the House on 3.9.84 and the Department was due to submit replies within three months as per norms. Had the Department been particular for disposal of the audit objections they could have collected all the relevant records and prepared for tendering evidence before the Committee. In the premises, the Committee expects that in future, the Department will deal with the matter of P. A. C. with utmost care so that non-availability of information should not serve as a plea.

7.1.2. The Committee recommends that a detail report of the 25 cases of encroachment of Government Land in Kamrup District as reported in the Audit Para may be furnished immediately. The Committee further recommends that the departmental witness while coming-up for tendering evidence may come fully prepared with records to reply all the material questions arising out of the issue under examination.

### REPLY OF THE DEPARTMENT

7.2. The position of the 25 Encroachment cases of Kamrup District as reported is as follows:—

- (1) The encroachers involved in Enc. case No. 28/79-80 and No. 14/80-81 have been evicted long before and the two cases have been dropped by the D. C., Kamrup.



(2) The encroachers involved in 17 Enc. cases viz, No. 4/79-80, 5/79-80, 7/79-80, 8/79-80, 9/79-80, 14/79-80, 29/79-80, 45/79-80, 9/80-81, 13/80-81, 18/80-81, 20/80-81, 25/80-81, 26/80-81, 29/80-81, 57/80-81, and 24/80-81 have vacated the encroached land long before and accordingly the cases have been dropped.

(3) The encroachers involved in the remaining 6 Enc. cases viz. No. 6/79-80, 31/79-80, 15/80-81, 16/80-81, 17/80-81 and 28/80-81 have been found landless and deserving persons for getting settlement of land on account of their long occupation as per Settlement Rules and Govt. Land Policy, The matter of settlement of land with these occupants is under consideration at District level. The question of imposition of fine on such landless encroachers involved in the Enc. cases has not been considered necessary.

### RECOMMENDATIONS/ OBSERVATIONS

7.3.1. The Committee is happy to see that the Department could supply some information in respect of 25 encroachment cases referred to in Audit Para 4.3/C. A. G. 82-83 (R/R). It appears that 17 encroachment cases are dropped either because of the encroachers having vacated or they are evicted from the involved land. In the remaining 6 cases the Department is considering to give them settlement to the encroachers because of their long occupation. These are cases of 1979-80 and 80-81. We are at a loss to understand why the encroachment cases could not be finalised even after a decade.

7.3.2. The Committee would like to know the number of encroachment cases started from 80-81 to 89-90 and cases disposed of subdivision-wise, year-wise with area involved vis-a-vis number of pending cases.

### LOSS OF PREMIUM DUE TO NON- SETTLEMENT OF LAND ACQUIRED BY GOVERNMENT

(Para 7.3.1. & 7.3.2 on the 46TH report of public accounts committee and audit para 4.4 comptroller and auditor general of india 1982-83 R/R)



## RECOMMENDATION IN 46TH REPORT

8.1.1. The Committee feels that the Government, in this case, did not utilise its asset for remunerative purposes. The Government has opinion whereby they acquire land for public purpose or on default of payment of rent penalty etc. and can also decide the purpose for which it will be used. But, at the same time, the Collector is supposed to see that it is used in gainful way. In the instant case Government sustained a loss of Rs. 2.43 lakhs for non-settlement of 2.3 bighas of land. The final picture could not be ascertained as the date of correction of land Records has not been furnished to the Committee.

8.1.2. The Committee, therefore recommends that the Department would expeditiously re-examine this case in the light of observation made above. Action taken on this may also be intimated to the Committee within three months from the date of presentation of this Report.

### Reply of the Department

(No reply was received)

### Observation / Recommendations

8.3.1. At the time of hearing it is found that no reply from the Department was received on the paras of this part. Though requested to furnish the same to clarify the departmental position, nothing was made available till writing of this Report.

8.3.2 In view of the serious nature of audit objection the Committee deems it necessary to re-capitulate same facts of the case involved.

7.1.2. It was noticed in the audit (December 1989) of accounts of Nutan Dehar Mauza under Nalbari Circle that 243 bighas of rural agricultural land were purchased (April 1978) by the State Government for a nominal price of Re. 1. The lands thus acquired however remained un-



settled as no action was initiated by the revenue authority for disposal thereof. Consequently, the lands continued to be with the previous occupants unauthorisely even after their purchase by Government. As per Government instructions (September 1979), 50 percent of the market value of agricultural land should be realised when such land under up-authorized occupation is settled in rural areas. Due to non-settlement of acquired land, premium to the extent of Rs. 2.43 lakhs circulated on the basis of 50 percent of the prevailing market value of land (Rs.2.000 per bigha) in rural areas, could not be demanded and realised (October 1981). The matter was reported to Government in October, 1981, their reply is awaited (December 1983).

(7.2.1.) The Department, in their written reply have stated that in the instant cases, the record of rights had not been corrected, and as such the land in question remained as private land which could not be settled allotted by the Government. However, the records of the sale cases have not been traced out and necessary correction of records have been made later. It may be stated here that no premium is realised on settlement/allotment of agricultural land in the rural areas (except on conversion of A. P. land). Therefore, the question of less of premium for non-settlement of land does not arise.

(7.2.2) At the time of oral deposition, the Commissioner, Revenue has stated that it is the privilege of the Government to settle a piece of land or not, and hence it cannot be said that there is a loss of revenue to the tune of Rs. 2.43 lakhs as mentioned in Audit. The witness, however, could not reply specifically, when asked for, as to whether, any revenue was collected from the person after purchases of the land by Government and the date when the record of the land was corrected.

8, 3.3. In the light of the facts that transpired, 243 bighas of agricultural land due come into the possession of the state. Certainly, Government would have received Rs. 2.43 lakhs as printed put in quilit by way of settlement premium. It is also of interest to note that inspite of acquirement of this land supposed to be free from all encumbrances, the land continued to be retained with the previous occupant unauthorisely. Are we to presume that the previous owner was not evicted by same arrangement?



8. 3. 4. The Commissioner's view in course of reposition, that "it is the privilege of the Government to settle a piece of land or not and hence it cannot be said that there was a loss of revenue to the tune of Rs. 2.43 lakhs as mentioned in aultit" could not be accepted. There may be some revileges vested in the Government but it loes not imply that the privileges arc to be exercised in detriment to the interest of state exchequre. The Department's view that even if this land were settled allotted by the Government no premium could be realised as it was not the practice is realise presume on settled/allotted land. The Committee is unable to understand the reasening. Had the land been settleed annually at the initials stage at the time of subsequent conversion to periodic land, the Government would have received the premium as per Rules in foree. Alternately the land could be settled with the land hungry landlrss agriculturists. The Public Accounts Committee feels that the Department is not comming forward with a clear cut case for reasons best known to them.

It is accordingly recommended that a high level enquiry be made to find-out as to the actual state of affairs pertaining to this 243 bighas of land in question. The Department should specify whether the land has been freed from the previous occupant and when and wheteer any rent/revenue was collected from him and the present position pertaining to the land the question,

## OMISSION TO REASSESS TOWN LAND

### Recomendation in 46th Report

(Para 8. 3. 1. & 8. 3. 2. of the 46th Report of Public Accounts Committee and audit para 5. 6/Cag 1983-84 R/R)

9. 1. 1. The Committee observes that the Accountant General Assam conducted audit in the office of the Deputy Commissioner, Nagaon on the basis of records made available to them. On the basis of such records as made available to them Audit based their objections about omi-ssion to reassess town Land.



9.1.2. The Department as per procedure laid down can meet audit objections at the first instance when draft audit Paras' are prepared and made available to the Department. If the Department does not come forward to clarify the position in relation to audit objections raised, the draft audit Paras are made final and forwarded to Government. At this stage, another opportunity is made available to Government to meet the audit objections. If the Government fails to avail this occasion, audit objections find place in the Report of the Comptroller and Auditor General of India and presented to the Governor who cause it to be laid before the House under Art. 151 of the Constitution of India. In the instant case the audit objection was intimated to Government in July, 1984 and awaited for replies till February, 1985 and thereafter the objection as a part of the Comptroller and Auditor General of India's Report is laid to the House on 18th July, 1985.

### Reply of the Department

9.2 In exercise of the powers conferred by Sub-Section (I), of Section 3 of the Assam Land & Revenue Re-assessment Act, 1936, action has already been taken by the Government in the Revenue Department to declare the Araes within the boundaries of 9 Villages of Niz-Sahar Mauza, Kachamars Mauza and Pakhimoria Mauza in Nagaon District to be town land known as Extended Nagaon Revenue Town vide Government Notification No. RSR 7/87/9, Dated 24th March 1990. The Notification has not yet been published in the official Gazette. In the meantime the A. D. C. (Revenue) Nagaon has requested Government to publish a Corrigendum in respect of the said Government Notification vide his letter No. NRK. 260/86/Pt/6, dated 2nd March 1990. The Corrigendum has been sent to the publisher, Assam Gazette, Bamunimaidan for publication in the next issue of the Assam Gazette vide Government Letter No. RSR. 7587/19, dated 10th July, 1990.



In the said Government Notification, objections, if any, have been invited through the D. C., Nagaon as provided for U/S 3 (3) of the said Act from the persons to be effected by the proposed declaration of Extended Nagaon Revenue Town within six weeks from the date of publication of the Notification in the Assam Gazette and final Notification declaring the area as Revenue Town will be made U/S. 8 (4) of the Act after disposal of objections, if any, received from the persons to be affected in the regard.

#### OBSERVATIONS/RECOMMENDATIONS

9.3.1. The Audit case is that by a notification issued on 25th January, 1979 Government specified areas under seven villages in Niz-Sahar Mauza (Nagaon District) comprising 1290 bighas as town land. The specified areas has not however been classified for the purpose of reassessment of land revenue. The Department in their reply stated that no revenue town has been constituted as mentioned in audit para and as such there was no question of classification and realisation of enhanced rate of land revenue. The Notification of inclusion of these 7 villages as a part of revenue town was made in June, 1987.

9.3.2. The audit objection in relation to this para was intimated to Government in July, 1984 which was not replied till February, 1985 and accordingly the objection was incorporated in the Report of the Comptroller and Auditor General of India for 1983-84 (R/R) and presented to the House on 18th July, 1985.

9.3.3. Had the department responded to the audit objection with the facts that the villages were not made a part of the revenue town much of the time, energy and papers would have been saved. Nonetheless, question remains why the 7 villages which were made a part of town land by a Notification of 21st September 1979 was not included in so called revenue town as had been done later by Notification of 1987. It is clear that the object of inclusion of additional rural area was to enlarge the area of the town. Had it been done initially Government would have been benefited from enhanced rate of revenue since 1979. The Committee would like to have the views of Government on this point. The Committee, further, reiterates its observations made in para 8.3.1. to 8.3.6. of their 46th Reports as to avoid repetition of these type of useless exercises, and enjoins on the department to meet audit objection timely with appropriate answer.



## MISAPPROPRIATION OF REVENUE COLLECTION.

(Para 9.3.1. and 9.3.2. of 46th Report and Audit  
Para 5.7/CAG-83-84 (R. R.)

### RECOMMENDATION IN 46TH REPORT.

10.1.1. The Committee is constrained to note that the latest position of realization of defaulcated amounts in respect of 7 Mauzas in the Kamrup District could not be intimated for want of particulars from the D. C. concerned. The Committee is also distressed to note that the Departmental proceedings and criminal case instituted against the Cashier-cum-Accountant of the office of the S. D. C., Chabua is pending for last 10 years (since 4th August, 1979).

10.1.2. The most of the defaulcating cases it is observed that no follow up action are pursued. In some cases it is observed that criminal cases were instituted but no departmental proceedings were drawn up. It appears that there is a confusion as to the appropriate steps to be taken by the authority. It is found that the Authority thought it sufficient by bringing criminal cases only whereas a delinquent official under the circumstances of the case may not be found guilty criminally but nonetheless became liable for punishment for violation of Departmental Rules. The Committee is of opinion that criminal prosecution is no substitution for departmental proceedings or vice-versa.

### REPLY OF THE DEPARTMENT

10.2. The Deputy Commissioner, Dibrugarh vide his letter, dated 28th November, 1989 has reported that the departmental proceedings against the U. D. A. cum Cashier of Chabua Tahsil who misappropriated the collected revenue has been finalised and he has been dismissed from service. The criminal case instituted against said Cashier is under process. Further report on this and also about realization of the misappropriated amount is waited

### OBSERVATION/RECOMMENDATIONS

10.3.1. The Audit cases were that in 7 Mauzas, (Beltola, Pub Borigog, Rampur, Pachim-Borigog, Pub-par, Pub-Bongsor and Patidarrang) in Kamrup District, the



Mauzadars retained revenue collections for in excess of the prescribed limit and misappropriated the collections amounting to Rs. 6,55,570.00 during the period from 1957-58 to 1980-81. The Mauzadars were dismissed from services between July, 1981 and March, 1982. Out of Rs. 6,55,570.00 recoveries amounting to Rs. 1,52,428.00 were subsequently made from them through Bakijai and other processes, leaving a balance of Rs. 5,03,142.00 which is still recoverable. Audit further pointed out that the Cashier and Jarikarak under the S. D. C. Chabua also misappropriated revenue collections amounting to Rs. 82,810 during the period from 25th October 1977 to 5th September 1979. On the irregularities being pointed out in audit, the Deputy Commissioner, Dibrugarh stated that on further verification of the accounts of mauzas and Circle office, actual amount of misappropriation was found to be Rs. 80,062. The Deputy Commissioner also stated that action was being taken to realise the misappropriated amount through bakijai process.

10.3.2. The position of outstanding realization as stated by the Department to the Committee earlier was;

Mauza	Amount outstanding	Last position as intimated to P.A. C.
(a) Beltola Mauza	Rs. 37,655.40	A Bakijai case is pending.
(b) Pub-Borigog	Rs. 1,15,996.00	A Bakijai case is pending.
(c) Rampur	Rs. 76,193.00	Landed property of the defaulting Mauzadar was attached in the Bakijai case. Matter is pending before the appellate authority.
(d) Pachim Borigog	Rs. 31,952.00	Bakijai case instituted and landed property attached.
(e) Pubpar	Rs. 34,192.30	A Bakijai case is pending.



- (f) Pub-Bongsor Rs. 41,128 00 A Bakijai case is pending.
- (g) Patidarrang Rs. 43,758.00 A Bakijai case is pending.
- (h) S. D. C. Chabua Rs. 80,062.00 The Cashier was dismissed. A criminal case is pending.

10.3.3. In absence of the specific reply from the Department the Committee is unable to know the latest position of realization of misappropriated amounts by the Mauzadars and the Circle Office, Chabua. From records it is seen that the Bakijai cases are being dealt-with for more than 7/8 years except in one case, no final position of the remaining cases could be given by the Department. The Committee would like to know the total number of Bakijai cases instituted since 1982-83 with the present position. The Committee further recommends that the latest position of realization of the outstanding amounts or all further action taken be intimated within a period of three months from the date of presentation of the Report before the House.



## ANNEXURE—I

GOVERNMENT OF ASSAM  
REVENUE (SETTLEMENT) DEPARTMENT :: SETTLEMENT BRANCH

No. RSD. 8/87/32, Dated Dispur, the 26th Sept/1989.

From : Shri D. K. Gangopadhyay, IAS,  
Commissioner & Secy. to the Govt. of Assam.

To : 1) All Deputy Commissioners.  
2) All Settlement Officers.  
3) All Sub-Divisional Officers.

(Except Karbi-Anglong & N. C. Hills Districts)

Sub : Conversion of Annual Patta lands into periodic

Sir,

I am directed to say that the Government have given certain guidelines for expeditious conversion of the Annual Pattas/Short leases into periodic Pattas in both rural and urban areas as incorporated in the Para-II of the Govt. Land Policy, 1989 published recently. Government have observed that the progress of works of conversion of Annual Pattas/Short leases into periodic pattas is not very satisfactory in all the districts, though instructions were issued from time to time in this regard. You are advised to look into the matter and take steps for expeditious conversion of Annual Pattas/Short leases into periodic in the fit cases as per provisions of Law.

The decision of the Government as published in the Land Policy, 1989 in this regard is mentioned below:—

- (i) Conversion of Annual Patta lands into periodic in rural areas, excluding the areas falling within the radius of 3 Kms. from town boundary and the areas falling within the radius of 10 Kms. from the boundary of the Guwahati Municipal Corporation will be granted by the Sub-Deputy Collectors or Extra Asstt. Commissioners, incharge



of the Circles, observing all the necessary formalities as per Rule 105 of the Assam Land Records Manual, subject to the limit of the maximum area allowed to be held in rural areas as per provisions of the Assam Fixation of Ceiling on Land Holdings Act, 1955 (as amended), inclusive of the periodic patta lands already held by the family of the settlement holder, and subject to payment of due premium as fixed by Government.

While granting conversion of Annual lease into periodic in rural area, no portion of land of the Annual lease falling within 75 ft. from the centre line of the P. W. D. Road/N. H. Way and within 50 ft. from the centre line of the road other than the P. W. D. Road/N. H. Way will be converted into periodic.

- (ii) Conversion of Annual Patta lands into periodic within the radius of 3 Kms. from the boundary of Municipal/Revenue Towns and within 10 Kms. from the boundary of the Guwahati Municipal Corporation, will be granted by the Deputy Commissioner after observing all necessary formalities and subject to realisation of the due premium as fixed by the Government.

Conversion of the Annual Patta lands into periodic within the area falling within 3 Kms. from the boundary of Municipal/Revenue Towns and within 10 Kms. from the boundary of the Guwahati Municipal Corporation is limited to the ceiling fixed under the Assam Fixation on Ceiling on Land Holdings Act 1956, as amended, and inclusive of all periodic patta lands already held in the family of the settlement holder.

While allowing conversion of Annual Patta land in such rural area, no portion of the land of the Annual Patta falling within 75 ft. from the centre line of P. W. D. Road/N. H. Way and within 50 ft. from the centre line of other road than P. W. D. Road/N. H. Way will be converted into periodic.



- (iii) Conversion of Annual Pattas/Short leases in Towns/ City will be granted by Government on receipt of the proposals from the Deputy Commissioners and the Sub-Divisional Officers are concerned. Hence Deputy Commissioners and the Sub-Divisional Officers are requested to submit such proposals with necessary documents, like copies of map, chitha, Jamabandi and sale statement of regd. deeds for last 3 consecutive years in respect of the land of the same class/utility in the vicinity expeditiously after receipt of conversion applications.

You are also requested to get a register maintained regularly showing therein all conversion of Annual Pattas/Short leases into periodic separately for rural and urban areas and also the amounts of premium realised. You are further requested to submit quarterly progress reports to Revenue (Settlement) Department in this regard at the end of each quarter punctually. In this connection, this Department's letter No. RSS 473/88/25, dated 16th June 1989 may also please be referred to.

Yours faithfully,

S/- D. K. GANGOPADHYAY,  
Commissioner & Secy. to the Govt. of Assam,  
Revenue (Settlement) Deptt.



## ANNEXURE—II

GOVERNMENT OF ASSAM  
 REVENUE (SETTLEMENT) DEPARTMENT  
 SETTLEMENT BRANCH

No. RSD. 8/87/26 Dt. Dispur, the 22nd September, 1989.

From ; Sbri D. K. Gangopadhyay, IAS,  
 Commissioner & Secretary to the  
 Govt. of Assam.

To ; (1) All Deputy Commissioners,

(2) All Sub-Divisional Officers  
 (except Karbi Anglong & N. C. Hills Districts)

Sub : Allotment and Settlement of land for homestead  
 purpose in rural areas.

Sir,

I am directed to invite your attention to the Paras 3.1 and 3.2 of the Government Land Policy 1989 and to request you to take necessary steps for providing land for homestead purpose to the indigenous deserving homesiteless families as warranted and as per rule in force expeditiously.

2. The D.Cs and the S. D. Os of the outlying Sub-Divisions will allot land to the indigenous deserving families, who do not have homestead land at all in their joint families, not exceeding 1 (one) Bigha per family in in the rural area as per list of such families varified locally and approved by the respective Sub-Divisional Land Advisory Committees.

3. While preparing the lists of beneficiaries preference should be given to the families belonging to the Scheduled Tribes, Scheduled Castes and More Other Backward Classes.

4. The benefit of financial assistance should also be extended to the families of cultivators and agricultural workers under the Schemes of the Minimum Needs Programme for General areas, Scheduled Tribes Plan areas and Scheduled Castes Component Plan areas annually, as funds made available for such purposes.



5. The plots of land neither to allotted as house sites to the landless families, under M. N. P. Scheme or outside M. N. P. Scheme, should be settled on periodic lease expeditiously, on realisation of due premium, if the period of 3 years of allotment of the land has expired already, and if the allotted plots of land have been found properly utilised by constructing dwelling houses and residing thereon. Government have authorised the D. C. s to settle such allotted land expeditiously after causing spot enquiry as necessary on receipt of the settlement applications from the allottees or the heirs of the deceased allottees.

6. You are also requested to get a Sub Divisional register maintained to show all the particulars of annual allotment and settlement of land for homestead purpose in rural areas for future reference and necessary action. A proforma for such register is also prescribed from this end (copy enclosed).

Yours faithfully,

ILLEGIBLE,

Commissioner & Secy. to the Govt. of Assam,  
Revenue (S) Department.



## ANNEXURE—III

GOVERNMENT OF ASSAM  
REVENUE (SETTLEMENT) DEPTT. SETTLEMENT  
BRANCH

No RSS.36/89/49.— Dated Dispur the 23rd January, 1990

From : Shri D. K. Gongopadhyay IAS,  
Commn. and Secretary to the Government of  
of Assam.

- To
- (1) All Deputy Commissioners.
  - (2) All Settlement Officers.
  - (3) All Sub Divissional Officers.

(Except Karbi Anglong and N. C. Hills District)

Sub. : Allotment and Settlement of land in rural areas.

Sir,

It has come to the notice of the Government that lands allotted to the deserving landless person under M. N. P. Schemes or outside M. N. P. Scheme in rural areas have not been settled allotted with the allottees in most cases, even after lapse of 3 years or more, though the allottees have utilised the allotted lands. The system of Tauzi Bahira Land Revenue in such allotted lands should not continue for a very long period. D. Cs. are therefore requested to look into this matter, and take steps for settlement of the already allotted lands with the allottees initially on annual lease basis, expeditiously, provided the lands so allotted have been properly utilised by the allottees. In this connection, Paras 1 and 3 of the Land Policy 1989 may also please be referred to S. D. Os. will submit all such settlement proposals to the D, Cs. concerned for necessary orders.

2. The lands at the disposal of the Government may initially be given to deserving indigenous landless persons by way of allotment first for the purpose of agriculture as well as for homestead purpose under the M. N. P. Schemes as laid down in Paras 1 and 3 of the land Policy 1989.



D. Cs and S. D. Os are requested to take steps for allotment of such available and suitable lands for the agriculture and homestead purposes within admissible limit to the deserving indigenous landless persons in the rural areas.

3. The Government have also observed that the old occupations of land fit for settlement in the rural areas are not regularised completely and to the desired extent, though the Government issued a circular No. RSS-96/71/25, dated 24th November 1978 authorising the D. Cs to regularise the old occupations of land in the deserving cases by granting settlement within admissible limits. Various organisations, specially of the Scheduled Castes, Scheduled Tribes and Other Backward Classes have submitted their memoranda to the Government at different times expressing their resentment for not getting pattas for their lands under their long occupations. The Deputy Commissioners are therefore, requested to look into this matter, and to take steps for disposal of such pending cases of settlement of land under occupation of the deserving persons after causing spot enquiry and due verification of records expeditiously. The Sub-Divisional Officers will submit proposals for settlement of such land to the Deputy Commissioners concerned for necessary orders.

4. As regards town lands and lands falling within the radius of 3 Kms. from the periphery of all Municipal and Revenue towns Deputy Commissioners will submit proposals to the Government for necessary orders.

5. The Deputy Commissioners and Sub Divisional Officers are requested to submit the quarterly progress reports on allotment and settlement of land to the Government invariably at the end of each quarter sub-division wise.

Yours faithfully,

Sd/—

Commissioner & Secretary to the Govt, of Assam,  
Revenue (S) Deptt,