GOVERNMENT OF MEGHALAYA
MEGHALAYA LAND SURVEY AND RECORDS PREPARATION RULES
FOR THE YEAR 1982

MEGHALAYA LAND SURVEY AND RECORDS PREPARATION RULES, 1982

1.**Short titleand commencement**–(1) These rules may be called the Meghalaya Land Survey and Records Preparation Rules, 1982.

(2) They shall come into force at once.

2.**Definitions** – In these rules unless there is anything repugnant in the subject or context –

(a)"*Act*" means the Meghalaya Land Survey and Records Preparation Act, 1980.

(b)"*Form*" means a form appended to these rules.

(c)"*Rules*" means the Meghalaya Land Survey and Records Preparation Rules, 1982.

(d)Words and expressions used in these rules and not defined but defined in the Act shall have the meaning respectively assigned to them in the Act.

CHAPTER I

3.**Survey and preparation of records**–(1) The register to be maintained by the Survey Officer in respect of all surveyed lands shall be in Form 'A' where there is no dispute as to the ownership, boundaries, possession or other rights and in Form 'B' where there is any such dispute.

(2)The detailed survey maps shall be to the scale of 1:4000 in case of village lands and 1:1000 in case of town lands.

Explanation–"Town Land" means any land withina municipality or a notified area under the Meghalaya Municipal Act (Assam Municipal) Act, 1956 as adapted by Meghalaya) or a land within a Town Committee constituted by a District Council or any other land declared by the Government to be town land under these rules. "Village land"means any land other than town land.

(3) Possessions or occupation of any land in violation of any law in force shall be recorded in column 5 of Form 'B'.

4.**Classification of lands** – For the purpose of classification under these rules the following shall be the different classes of land, namely:

(1)*Town Lands* –

(a)*Residential Sites*:

(i) First Class.

(ii) Second Class.

(iii) Third Class.

(b)*Trade Sites*.

(i) Special Class;

(ii) First Class; and

(iii) Second Class.

(2)*Village lands*.

(i) Homestead.

(ii) Wet paddy land.

(iii) Dry or High paddy land

(iv) Horticultural.

(v) Miscellaneous crops.
(vi) Waste or fellow land.
(vii) Rocky and stony land.

Explanation–First class residential sites are those which have high rental value, enjoy locational advantage like proximityto main roads, shopping centres, educational institutions, hospitals and dispensaries.

Second class residential sites are those which have similar advantages as those of a first class residential site but of a lesser value.

Third class residential sites are those which are other than first and second class residential sites.

Special class trade sites are those which are located in a predominantly commercial area, have good communication links, are fit to utilised for permanent trading or commercial activities and have high rental value.

First classtradesitesare those which are located in a lesser predominantly commercial are, have less trade activities than special trade site and have relatively less rental value.

Second class trade sites are those which are neither special class nor first class trade sites.

Wet paddy lands are those which are either been irrigated or can easily be made to enjoy irrigation facilities.

Dry or high paddy lands are those where there is no possibility of having irrigation facilities.

Horticultural lands are those which are used for permanent fruit gardening like orchards, etc.

Miscellaneous crop lands are those where mustard, dal,ginger, potato, etc., are cultivated.

Waste or fallow lands are those which are lying uncultivated.

Rocky or stony lands are those lands which are full of rocks and stones and which are not cultivated.

5.**Submission of records prepaid**–(1) On completion of detailed survey and preparation of a register referred to in Rule 3 for every village, the Survey Officer shall forward the maps and the registers to the Director for having the records of land prepared by the Revenue Enforcement Inspector.

(2) The RevenueEnforcement Inspector shall, after complying with the provisions of Section 12 of the Act, enter the records in a register to be maintained in Form 'C' and the same and other relevant documents including objections filed by any person shall then be forwarded to the Director.

(3) Any possession or occupation of land in violation of any law for the time being in force shall be reported by the Director to the appropriate authority for action under the appropriate law.

6.**Reference to Civil Court by Director**–(1) In all cases of disputes regarding boundary, ownership, possession, rights and title to or interest in the land so surveyed which cannot be disposed of by the Directorunder Section 13 of the Act, the Director shall refer the disputes to the Civil Court of competent jurisdiction for decision.

(2) The party in whose favour the CivilCourt decides shall obtain a certified copy of the court's order and produce the said copy to the Director for entering the party's name in the record of land:

Provided that, when the Civil Court givesits decision after the survey and record preparation operation is over, the party in whose favour the court decides shall produce the certified copyof the authority specified undue Rule 15 (1) for entering the party's name in the Register.

7.**Submission of records to Government** – (1) For confirmation of the records by the State Government, the Director shall forward to the State Government a copy of register prepared under Rule 5 along with relevant maps.

(2)On receipt of the confirmation, the Director shall cause to be prepared sufficient copies of the register and maps; one copy each of the register and map shall be made over to be concerned Deputy Commissioner, Sub-divisional Officer, the Officer-in-charge of the Administrative Unit and the District Council under whose jurisdiction the village is situated. One copy each shall also be sent to the Director of Land Records and two copies to the authority specified in Rule 15 (1). The original records shall remain with the Directorate of Surveys.

(3)It shall be the responsibility of the authorities referred to in sub-rule (2) to maintain the registers and maps in proper and safe custody.

8.**Application for certified copy**–Certified copies of the extracts from theentries in the records of lands may be supplied to any person on application made by him to the Deputy Commissioner or theSub-divisional Officerunder whose jurisdiction the land is situated or the authority specified in Rule 15 (1). The application shall be accompanied by a fee of Rupee one and paise twenty only.

9.**Payment of daily allowance and cost**–(1) Any person required to attend before the Director under Section 5 (2) of the Act shall be paid Rupees ten per day*plus*the actual bus fare if the distance travelled is beyond eight kilometres.

(2)Cost of materials and other expenses referred to inSection 7 (1) of the Actshall be paid at the rates prevailing in the locality.

(3) Cost of labour supplied shall be according to rates fixed by the State Government. 10.

Assessment of compensation – The assessment of compensation referred to in Section 9 of the Act shall be made by the Director in consultation with the concerned Divisional ForestOfficer, District Agricultural Officer, Officers of the District Council or any other officer concerned in respect of trees and crops.

11. **Boundary marks**–(1) Where the village has been surveyed or is to be surveyed temporary boundary marks shall be erected at every point where the boundaries of three villages meet and on twosubsequent traverse stations of the tri-junction. The nature and

specification of then temporary boundary marks shall be decided by the Director in consultation with the Survey Officer. The temporary marks shall be replaced by permanent boundary marks before the conclusion of survey operation.

(2) Permanent boundary marks shall be the following specifications:
R.C.C. Prismtriangular cross section prop 1:2:4; main rod 12 mm dia., M.S. 6 mm. stirrup 15 cm. c/c/stone chips should be 20 mm. downgradedincluding 40 mm, thick first class local wood plank shuttering complete curing to be made at least 10 days. Casting to be done up to G.L. and M.S. Rod to be kept projection 45 cm. in length to make foundation of the pillar.

Foundation of the pillar

R.C.C. foundation of 20 cm. “20 cm. “45 cm. in proportion 1:3:6 (1 cement 3 sand and 6 stone chips) stone should be 20 mm. downgraded.

(3) Marks erected to showdemarcation ofother villageboundariesor for other special purposes viz., demarcation of disputed boundaries, Government land, etc. shall also be re-in forced cement concrete 60.96 cm. in height made into a prism of square being 10.16 cm. in length.

(4) The survey officer shall maintain a register of all boundary marks so as to ensure they are maintained and kept in good condition.

12. **Appeals** – (1) No appeal petition shall be entertained unless a fee at the prescribed rate is paid and is accompanied by a certified copy of the order appealed against.

(2) The appeal petition shall contain among other things -

(a)The date of the order appealed against;

(b)The name and designation of the officer who passed the order; and

(c)The grounds of appeal briefly but clearly set out.

(3) A Register of Appeals shall be kept by every appellate authority.

13. **Fees** – (1) A fee of rupees eleven only shall be paid in respect of any appeal petition made to the Director or to the Meghalaya of Revenue as the case may be.

(2) All fees payable under these rules shall be in Court Fee Stamps.

14. **Recovery of sums due**–(1) Everysum due under these rules shall be recoverable as arrear of land revenue and shall be paid to the Deputy Commissioner or Sub-Divisional Officer within whose jurisdiction the land is situated.

(2) Notice of recovery shall ordinarily be issued by and underthe seal of the Deputy Commissioner, Sub-divisional Officer or Extra Assistant Commissioner as the case may be.

CHAPTER II

15. **Updating of records**–(1)The State Government shall specify by notification the authority that shall be responsible for the updating of land records for each area, District or Sub-division.

(2)The authority specified under sub-rule (1) shall keep one copy each of the maps and register of each village in a proper Record Room under the charge of an officer not below the rank of an Assistant Revenue Enforcement Inspector or Supervisor Kanungo. Under no circumstances shall the records be removed out of the Record Room. One copy of each of the same maps and Register shall be in the charge of an officer not below the rank of a Revenue Enforcement Inspector / Revenue officer who shall be responsible for the making of the records up-to-date as a working copy.

16. **Alteration of the entries in the Register**–Whenever it comes to the notice of the authority specified in sub-rule (1) of Rule 15 that any change has occurred which affects any entry in the Registers and renders it necessary that alterations be made thereto the specified authority, after making such enquiry as may be necessary, shall makesuch alteration :

Provided that no such alteration shall be made without giving due notice to the holder, owner or occupier of the estate and to every person whose name is proposed to be registered as holder, owner or occupier of such estate before such registration is effected, and any objection which may be preferred within 15 days from the date of service of notice against the proposed change or registration shall be duly considered by the specified authority before the change or alteration is made.

Form D to the authority specified in Rule 15 (1) on payment of fee of rupees three and fifty paise in Court Fee.

(2) Due notice shall be given to the recorded holder, owner or occupier of the estate which the mutation will effect and to every person whose name is proposed to be mutated before such mutation is effected and any objection preferred within 15 days from the date of service of notice against the mutation shall be duly considered before mutation is given to.

18. **Correction in the Registers**–Any alteration of any entry in the Register under Rr. 16 and 17 shall be given effect to in the working copy of the Register maintained under sub-rule (2) of Rule 15. The Officer-in-charge of the working copy of the Register shall, after making changes or alteration as above supply all information of the change or alteration to the Officer-in-charge of the Register in the RecordRoom who shall likewise make the necessary correction in the Register. A copy of the information as above may also be sent to the Deputy Commissioner/Sub divisional Officers and District Councils concerned and to the Directorate of Land Records.

19. **Maintenance of Registers** – The Registers and maps in the Record Room shall be kept in the manner as directed by the State Government from time to time.

FORM A

[*See* Rule 3 (1)]

Field Register for Surveyed Villages

District …….Sub-division ……. Village ……

						Cropped land		Uncropped land				
o. . N1 S	o. N ot l P	r de hol / re upi c c o / r ne ow ss of e r dd nd a a g a nt e r a . P e m a N	avour f hose w n i son r pe of ss e r dd a nd a g a nt e r a P , e m a N) nd 17 s 16 a e ul R (d e nt s gar on i i ta ut m / on i t a r e	s a e r a l a ot T	nd a l ss of a l C	op r c of e m a N	a er A	d a e ste e om H	a e r A	ow l la f nd a e st a W	a e r A	ks. r a m e R
1	2	3	4	5	6	7	8	9	10	11	12	13

7

FORM B

[*See* Rule 3 (1) and 3 (3)]

Field Register for Surveyed Villages

District …….Sub-division ……. Village ……

o. N l ai r e S	o. N ot l P	ss e ddr a nd a g a nt e r a P , e m a N e sput n di s i e i t r pa of	e sput di of e ur t a N	ss e ddr a nd a g a nt e r a P , e m a N l ga elli n i found sons r pe of on it upa c oc / on ssi posse	a e r A l a ot T	nd a l ss of al C
1	2	3	4	5	6	7

Cropped land		Uncropped land						
op r c of e m a N	a e r A	d a e st e om H	a e r A	ow l l a f nd a e st a W	a e r A	, e sput di of se a c n I o t e nc e r e f e r of e t da	l ga e l l i se a c n I / on ssi posse of e t da on, i t upa c oc o t ng i t por e r	ks r a m e R
8	9	10	11	12	13	14	15	16

FORM C

[Rule 5 (2)]

Register of Records of Possession of land

District …….Sub-division ……. Village ……

Holding No.	Name, parentage and address of owner / occupier / holder	Name, parentage and address of person in whose name of alteration / mutation is granted (Rules 16 and 17)	Plot No.	Area	Remarks
1	2	3	4	5	6

FORM D

[Rule 17 (1)]

Application for Alteration of Names

1.Serial No. for the year in the Register of Applications ……2.Name, Husband's/ Father's name and address of the applicant……..

3.Plot No……..

4.Holding No……

5.Village, District / Sub-division in which the estate is situated…….

6.Name, Husband's /Father's name and address of present owner / holder / occupier……

7.Character of applicant's interest, whether owner / holder / occupier……..

8.Extent of applicant's interest…….

9.How derived – whether by purchase, inheritance, gift or otherwise……10. Date of applicant's coming into possession…….

11. Any other particulars…….

12. Remarks…….

Signature of Applicant _____