

GOVERNMENT OF MEGHALAYA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

OFFICE MEMORANDUM

No.RDA.2/2006/10, Dated Shillong, the 27th March, 2006.

The question of correctly depicting the schedule of boundary and the correct measurement of the area proposed to be acquired in both the Notification under Section 4 and in the Declaration under Section 6 of the Land Acquisition Act, 1994 as amended, has been engaging the attention of the Govt. for quite sometime. With a view to prevent occurrence of any discrepancy relating to the area of land due to incorrect indication of the schedule of boundary in the land acquisition papers, it has now been decided as follows:-

- (a) (i) If the Requiring Department has itself surveyed the land or got surveyed the land through their Departmental surveyors or through District Councils/ District Collectors prior to the issue of the Notification under Section 4, such Departments may satisfy themselves of the correctness of the survey, the calculation and measurement of the area of the land proposed to be acquired. It should however, be noted that the point to point boundary of the land in every direction as available on the ground, whether natural or otherwise, are to be marked out and taken into account and clearly depicted on the map/land plan, to be duly countersigned by all concerned and clearly described in the accompanying schedule of boundaries. Measures are also to be taken to clearly indicate the schedule of boundary and clearly described in the accompanying schedule of boundaries as available in the ground in the preliminary Notification under Section 4(1).
- (ii) Before sending the land acquisition papers to the Requiring Department for conveyance of administrative sanction etc., the Collector is to satisfy himself of the correctness of the area of the land proposed to be acquired and its description in the schedule of boundary.
- (iii) If after publication of the Notification under Section 4(1), there are objections under Section 5A relating to boundaries of any plots of land and the area thereof, fresh survey of the land under Section 4(2) may be undertaken to ascertain changes in the schedule of boundary etc., that may be required to be correctly and accurately incorporated in the Draft Declaration under Section 6.
- (h) If the land proposed to be acquired has not been surveyed prior to the publication of the Notification under Section 4(1), a detailed survey of the land as provided under Section 4(2) is necessary. In this connection, it may be noted that the point to point boundary of the land as may be available on the ground in term of natural land mark etc., or otherwise, in all directions are to be marked out and taken into account and clearly shown in the map/land plan to be duly countersigned by all concerned including the land owner(s) and clearly and accurately depicted in the Draft Declaration under Section 6 and accurately described in the accompanying schedule of boundary.

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- (c) Besides, objections, if any made by interested Person(s) to the measurement of the area of the land during hearing under Section 9(2) may also be adequately recorded in the Order Sheet of the Collector and reconciled, after verification. As a matter of precaution, the Collector may also ask the persons interested to state their objections/no objections to the measurement etc., in writing. A copy of the Order Sheet relating to the hearing may be furnished to Govt. during submission of Draft Award.

All concerned are requested to take action accordingly with immediate effect and until further instructions on the subject are issued.

Sd--(W.M.S. Pariat)

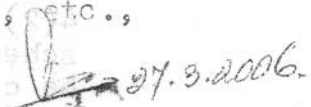
Principal Secretary to the Govt. of
Meghalaya, Revenue and Disaster
Management Department.

Memo No.RDA.2/2006/10-A Dated Shillong, the 27th March, 2006.
Copy for information and necessary action to:-

1. All Principal Secretaries.
2. All Commissioner and Secretaries.
3. All Administrative Departments.
4. All Head of Departments.
5. The Director General of Police, Meghalaya, Shillong.
6. The Secretary, Public Works Department.
7. The Principal Chief Conservator of Forest, Meghalaya, S Shillong.
8. The Member Secretary, Me.S.E.B., Meghalaya, Shillong.
9. The Inspector General of Border Security Force, Umpling.
10. All Deputy Commissioners.
11. All Sub Divisional Officers.
12. The Additional Director of Surveys, Meghalaya, Shillong.

Receipt of the Office Memorandum may kindly be acknowledged.

By order, etc.,


Joint Secretary to the Govt. of Meghalaya
Revenue and Disaster Management
Department.