

## **SECTION – C : GENERAL**

### **CHAPTER : 21 – BUILDINGS AND LANDS**

(21.1)

**Government of Nagaland  
Finance & Revenue Department  
Revenue Branch**

#### **OFFICE MEMORANDUM**

No.FIN/REV/3/8/74

Dated Kohima, the 22<sup>nd</sup> April, 1975.

Of late it has noticed that proposals are being received for disposal of Government quarters alongwith sites to private parties.

Our State being a young one is still at its growing stage and we need many more quarters than we have today to accommodate Government servants in all areas. It is needless to mention that in many places not only for residential purposes but even for government offices we have not yet reached the stage where the availability of government quarters have reached the saturation point where we find it necessary to declare such quarters surplus to our requirements and hence could be disposed of.

In addition, due to land tenure system in the State, every piece of land owned by the Government has to be purchased from private parties and hence we are not in a position to dispose of such land.

Henceforth all authorities concerned should entertain no such request for disposal of government quarters/buildings/along with sties nor initiate such proposal.

The above does not apply to Government buildings/quarters which have become unsafe and have to be demolished so that new Government buildings could be put up on their sites. In such cases, the normal rules would be followed but on no account the land/site is to be disposed of.

This issues with the approval of the Governor, who further desires that all cases of proposal settlement, which are inconsistent with the above principles, and in which formal orders have not yet been issued should be reviewed.

**Sd/- H. ZOPIANGA.**  
Chief Secretary to the Govt. of Nagaland.

(21.2)

**Government of Nagaland  
Land Revenue Department**

NO.LR/16/73

Dated Kohima, the 22<sup>nd</sup> April, 1976.

Instances have come to the notice of the Government that during the past few year cases of settlement and transfer of land from tribals to non-tribals have increased considerably, particularly under Dimapur Sub-Division. It is apprehended that liberal settlement and transfer of land from tribals to non-tribals will seriously jeopardise the interests of the tribal people and it will go against the existing laws, regulations and instructions issued from time to time. The Assam Land and Revenue Regulation 1886 is applicable in full in the case of Dimapur mauza and the spirit of it is to be followed in the rest of the State. Section 162 (2) of the Assam Land and Revenue Regulation 1886 reads notwithstanding anything to the contrary in any law. Usage, contract or Agreement person shall acquire or possess by Transfer, exchange, lease. Agreement or settlement, any land in any area or areas constituted into belts or blocks in contravention of the provisions of sub-section (I).

Again, Section 162 (3) reads “From and after the commencement of the Assam Land and Revenue Regulation (Amendment) Act. 1964 no document evidencing any transaction for acquisition or possession of any land by way of transfer, exchange, lease, agreement or settlement shall be registered under the Indian Registration Act 1908 if it appears to the Registering Authority that the transaction has been affected in contravention of the provisions of sub-section (2). The Bengal Eastern Frontier Regulation 1873 and the Balipara Frontier Tract Regulation 1947 are still in force in Nagaland. The erstwhile Naga Hill and Tuensang Frontier Division were treated as Excluded Areas and beyond the “Inner line” drawn for the above mentioned areas, it was prohibited for and person not being a native of the District or Division mentioned above to acquire any interest in land or the production of the land beyond the inner line, clause (7) of the Bengal Eastern Frontier Regulation 1873 reads, It shall not be lawful for any person not being a native of the district comprising in the preamble (inclusive of the then Naga Hills) of this regulation, to acquire any interest in land or the product of the land beyond the said “Inner line” without the sanction of the State Government or such officer as the State Government shall appoint in this behalf.

The Bengal Eastern Frontier Regulation 1873 together with the Assam Land and Revenue Regulation 1886 has clearly amplified protection of the tribals of Nagaland in matter of settlement and transaction of Land. Even according to Article 371 (A) of the Constitution, no act of parliament in matters of land and its resources shall apply to the State of Nagaland unless the Legislative Assembly of Nagaland so decide.

Instructions issued by the Government of Assam in the excluded area Secretariat No.EX/MISC/133/40/37 dated 18th June, 1949 and the Government of Nagaland (Home Department) No. CON. 94/66 dated 24<sup>th</sup> September, 1966 (copies enclosed) has clearly shown as the importance of the Government policy in matters of settlement of land and transfer of land from tribals to non-tribals. In para 6 of the Government of Nagaland (Home Department) letter number mentioned above. It is clearly stated that “it should from the outset also be made quite clear to non-residents of Nagaland or other person who are precluded from acquiring an interest in land in Nagaland that no Government land will under any circumstances be given to them for the purpose of setting up of business etc. Any request made to the Deputy Commissioner or other

Departments. For land for such business should be turned down unless the scheme has been sponsored or approved by the Government of Nagaland and or any other allied facilities, but even so a reference should be made to the Government of Nagaland before any transfer or ownership etc. is permitted. As regards allotment of land in Dimapur town, the Nagaland Executive Council decided on 15<sup>th</sup> April, 1961 that no land should be settled in Dimapur with outsiders even for business purposes without the concurrence of the Executive Council (Now Cabinet). The Nagaland Cabinet, in a meeting held on 16<sup>th</sup> February, 1967 decided regarding settlement of land in the State with non-locals. The decision reads as follows.

The question of settlement of land with non-locals and non-Nagas was discussed at length. It was decided that all cases for settlement of land with non-locals and non-Nagas will have to be referred to the Government with the recommendation of the authorities concerned and each individual case has to be examined on its own merit and approval by the State Government prior to granting such settlement will have to be taken”.

In view of the rules, regulation, instructions, and decisions mentioned above, it is impressed upon all concerned that protective provisions made in the rules, regulations, instructions etc. should henceforth be strictly observed. No documents evidencing any transaction for acquisition or possession of land by way of transfer, exchange lease, agreement or settlement should be registered between a tribal and non-tribal under the Indian Registration Act 1908. Similarly recommendations for settlement of land to non-locals and transfer of land tribals to non-tribals or exchange of land, lease agreement etc. should be discouraged at all levels.

Where exception is to be made full justification for recommending such settlement or transfer of land should be furnished showing the particulars, antecedents and type of business or occupation held by the non-tribal if any the duration of stay of such person in Nagaland, whether or not the persons has not any other land in his possession in Nagaland either in his own name or in the name of the family members should be stated.

**Sd/- H. ZOPIANGA**  
Chief Secretary to the Govt. of Nagaland.

(21.3)

**Government of Nagaland  
Land Revenue Department**

**MEMORANDUM**

No.LR/2-118/76

Dated Kohima, the 16<sup>th</sup> May' 1977.

**Sub:- Transfer of Land from Tribal to non-Tribal without registration:**

It has been brought to notice of the Government that certain indigenous tribals of Dimapur Sub- Division under Kohima Districts are transferring their patta lands to non-tribals by way of sale or lease without bringing such transaction to the notice of the Government and that on such lands so transferred to the non-tribals, costly buildings are being constructed. All such transfers of land from tribals to non-tribals are against the existing laws and policies of the Government.

Transfers of land from tribals to non-tribals, though not registered and not brought to the notice of the Government, are illegal and as such the parties should be warned not to enter into such illegal transactions which will go against their own interest. All constructions or development of land so transferred illegally should be stopped forthwith. The DCs/ADCs and SDO (C) in charge of District or Sub-Divisions as the case may be should be vigilant and keep a watch on such constructions that are taking place, particularly in Dimapur area under Kohima, District and taken the timely action.

**Sd/ O. KATHIPRI**

Special Secretary to the Govt. of Nagaland

(21.4)

**Government of Nagaland  
Land Revenue Department**

**O R D E R**

NO. LR/3-10/74

Dated, Kohima the 13<sup>th</sup> Nov' 1978.

It has come to the notice of the Government that the District Authorities are allotting Government lands to private individuals without obtaining prior approval from the Government and later on refer the cases to the Government for formal approval.

Henceforth, no Administrative Officers should allot any Government's land to any individual or organisation without obtaining prior approval from the Government of Nagaland.

**Sd/ O. KATHIPRI**

Special Secretary to the Govt. of Nagaland.

(21.5)

**Home Department  
Secretariat Administration Branch**

**OFFICE MEMORANDUM**

No. SAB-11/3/80

Dated Kohima, the 15<sup>th</sup> May, 1980.

It has come to the notice of the Govt. that, there are some cases wherein, families both the husband and wife are in Government service and are staying of Government quarter that has been allotted in the name of wither of the spouse. But other member in whose name the quarter is not allotted is drawing house rent allowance. Again, there are reports wherein, both the parent and the children in the family are in government service. They all stay in Government quarters allotted in the name of one of them. In such family also the other members, in whose, name the quarter is not allotted are drawing house rent though staying in government quarter report also has come to the notice of the Govt. that there are some government employees who share their official quarter with other officials from whom the former realize house rent. The last and the most interesting part of this is that, there are some government officials who give their allotted official quarter on rent to others. Such in the official circles will be viewed seriously and should therefore, be checked immediately.

It is, therefore, decided that any Government official who has violated the instructions by sub-letting of Government quarters should immediately give information to the respective drawing and disbursing officers but not later than 15/6/80 in any case. Departmental action will be taken against the Government servants who do not give information to the authority within this specified period as admissible under rules.

This memorandum may be brought to the notice of all the Government officials in the respective Department and its receipt may kindly be acknowledge.

**Sd/- L.L. YADEN**

Special Secretary to the Govt. of Nagaland

(21.6)

**Government of Nagaland  
Home Department  
Secretariat Administration Branch**

NO.SAB-17/94/709PT)

Dated, Kohima, the 5<sup>th</sup> Aug 1983.

**MEMORANDUM**

**SUB:- REGULATIONS ON HOUSING FOR GOVERNMENT SERVANTS:**

It has been observed that accommodation for officers in Kohima and in many of the District and Sub-Divisional headquarters has become a major problem as the number of officers exceeds that of available Government quarters. Maximum difficulty is faced when there are transfers involving several officers due to shortage of house, adjustments cannot be made for months together thereby displacing families and causing a lot of inconvenience. Quite naturally without proper accommodation an officer does not feel sufficiently settled and in many cases is

unable to function effectively. This is problem which will increase rather than decrease in the coming years. In view of the extreme shortage of government accommodation and the problem being a growing one, the Government has been considering possible measures to mitigate the problem if only to a certain extent.

It is, therefore, decided that henceforth the following procedure/manner will be followed/adopted for occupation of house by the officer(s).

1. Government officers owning private houses in Kohima and in the District and Sub-Division Headquarters, which were constructed with help of Government loan/advance, should occupy their houses when posted to such places.

(Explanation:- This will apply in specific cases of houses / building against whose construction, loans/advance has been taken from the Govt. and the Government servants are posted in the same stations where such houses or building are located).

2.
  - (a) This is applicable to all officers in occupation of Govt. quarters at the time of issue of this memo. Should such officers despite instructions insist on or continue to occupy the Govt. quarter, full rent at market value shall be realized from them for such occupation.
  - (b) in the event private house is leased out by the Government servant and it is not vacant then he/she should occupy his/her private house on expiry of 6(six) months from the date of issue of this Memo. The grace period is given to enable the Government servant to make alternative adjustment.
- 3 This, however, shall not apply to the following officers/category of officers for whom earmarked or such quarters as available shall be provided.
  1. Chief Secretary
  2. Commissioner
  3. Secretary to the Governor
  4. Inspector General of Police
  5. Vigilance Commissioner
  6. Deputy Commissioner
  7. Superintendent of Police
  8. Officers on deputation from Government of India or other State
  9. Chairman and Members of N.P.S.C.
  10. Officers on tenure appointment
  11. Establishment of Governor and the High Court.
4. This regulation shall come into effect from the date of issue.

**Sd/- N. JAKHULU**

Additional Chief Secretary and Home Commissioner.

(21.7)

**Government of Nagaland  
Home Department  
Secretariat Administration Branch**

NO.SAB-11/44/80.

Dated Kohima, the 13<sup>th</sup> Sept, 1983.

**OFFICE MEMORANDUM**

**Sub:- Regulation on occupation of Govt. Quarter by Govt. Servant.**

In continuation of Home Department's O.M. No. SAB-1/3/80 dated 15/5/80 (copy enclosed), it has further been decided that the following procedure or manner will be followed or adopted for occupation of Govt. residential quarter by the Govt. Servants.

- (a) When husband, wife or children are all Govt. Servants residing in a Govt. quarter, no house rent will be admissible for any of them.
- (b) No. Govt. Servant who has been allotted a Govt. quarter will be allowed to share his/her quarter with any private members of the family running his/her own business. In case if relatives who are solely dependent on the Govt. servant, prior permission of the Govt. should be obtained for allowing them to stay in his/her allotted quarter.
- (c) No. Govt. employee will be allowed to share his/her quarter with any friend or relative who are Govt. servants without prior permission of the Govt. In case, where Govt. employees are permitted to share the quarters with their friends/relatives who are also Govt. servants, this facts should be reported to the heads of offices of both the Govt. servants.

**Sd/- N. JAKHULU**

Additional Chief Secretary & Home Commissioner

(21.8)

**Government of Nagaland  
Home Department  
General Administration Branch**

No.GAB-10/2/84

Dated Kohima, the 7<sup>th</sup> Feb,1987.

**OFFICE MEMORANDUM**

**Sub:- Allotment of unserviceable building along with sites to private individuals ban thereon:**

The attention of all the Departments DCs and ADCs is invited to the Home Department O.M. No SAB-11/2/84 dt. 17/6/86 wherein allotment of old unserviceable buildings alongwith sites to private individuals was specifically banned. In spite of this the Govt. continues to get proposals from various Depts. To allot old buildings alongwith sites to individuals/ retiring Govt. servants.

2. It is hereby brought to the notice of all concerned that they should refrain from making such proposals in future, because the Govt. will not be able to accept them. If old unserviceable buildings are allotted to any individual such individual should dismantle the building and remove the salvaged materials from the site within a period of three months leaving the site free for the Govt. to make further constructions.

3. The instructions contained herein may be strictly adhered to.

**Sd/- N. BENDANG AO**

Addl. Secretary & Officer on Special Duty.

(21.9)

**Government of Nagaland  
Finance Department  
(Expenditure Branch )**

**MEMORANDUM**

NO.FIN/EXPDR/B/1/87

Dated Kohima, the 16<sup>th</sup> Feb'1988.

It has come to notice of this Department that certain Departments are moving up for Finance concurrence of Expenditure for payment of Land compensation for development etc. without vetting through the Land Revenue Department.

2. Since the Land Revenue Department is maintaining land records and having certain rules/acts and land regulation to be followed by the State Government for such proposal of land compensation either by Central or State Government henceforth all such proposals should first be endorsed to them for their advice/comments before sending it for Finance concurrence without which Finance Department will not be in a position to examine the case.



3. Meanwhile Department should make out the following documents sufficiently for sending it to the Department of Land Revenue, Deputy Commissioner Office and Record Section of Nagaland Civil Secretariat for permanent records.

- (a) Traced map of the boundary (with scale done by technical staff of Land Revenue Department.
- (b) Sale Deeds/Agreement between land owner and the Government Department.
- (c) Copy of the prevailing rates of land compensation fixed by the DCs.
- (d) Name/list of the Land owners with particulars of land and amount required to be paid for each individual.

4. No fresh negotiation should be initiated except the rates fixed by the Deputy Commissioner. In order to avoid encroachment by publics, proper demarcations should be done with R.C.C. Pillars and the expenditures should be moved alongwith the land compensation proposals, payment for all such land compensation should be made through the Deputy Commissioner's office for proper records.

5. Relevant records/documents of above an upto date may now be forwarded to all concerned by the Department for which the compensation has already been paid upto date under intimation to Finance Department.

6. The receipt of this memorandum may kindly be acknowledged.

**Sd/- IMTIKUMZUK**

Joint Secretary to the Government of Nagaland.

**(21.10)**

**Government of Nagaland  
Land Revenue Department**

**NOTIFICATION**

No.LR/3-18/75

Dated, Kohima, the 14<sup>th</sup> March'1988

The Governor of Nagaland is pleased to constitute a '**TRIBUNAL**' for examining the land settlement matters in Nagaland consisting of the following members:-

- |                                      |   |              |
|--------------------------------------|---|--------------|
| 1. The Commissioner, Nagaland        | - | Chairman     |
| 2. Secretary Law Deptt.              | - | Member.      |
| 3. A Senior Officer from Home Deptt. | - | Member.      |
| 4. Secretary, Land Revenue           | - | Member Secy. |

**TERMS OF REFERENCE:**

2. (i) The Tribunal may consider the transfer of land case listed in Annexure-II (A)(B) (C) (D) and (E) the cases reported by the Land Settlement Fact Finding Board and all other unreported cases in and outside Dimapur Mouza falling within the Dimapur Sub-Division.
- (ii) The Tribunal may also inter-alia enquire about irregular allotment of land made to the Non-Nagas against the prevailing Land Settlement Policy, Act, Rules and the instruction issued by the Government from time to time.

- (iii) It may also enquire about the issue of the indigenous certificates to the Non-Nagas and fix responsibility on the erring officials. It should also suggest measures and actions to be taken against such officials.
  - (iv) Govt. has approved cut off year as on 1-12-1963 for Land settlement with Non-Nagas, All type of transfer of land affected in favour recommendations of the Tribunal. Such persons who owned land before cut off year should be given the right to transfer land and buildings to their legal heirs.
3. The Tribunal will have the right to co-opt any member as full member or associate member.
  4. The Tribunal may call for such information and take such evidence as it may consider necessary. Concerned Department/Offices of the government shall furnish all such information/documents and other assistance as may be required by the Tribunal.
  5. The Tribunal shall submit its report to the Government within 6(six) months from the date of issue of the Notification.

**Sd/- Z. OBED**

Chief Secretary to the Govt. of Nagaland.

(21.11)

**Government of Nagaland  
Home Department  
(General Administration Branch)**

**OFFICE MEMORANDUM**

Dated, Kohima the 22<sup>nd</sup> March, 1996

No. GAB-12/13/74 : : The existing criteria/conditions for recognition of villages in Nagaland having found inconsistent in the present context of administration, the Cabinet in their sitting on 30-06-1995 decided to modify the existing criteria/conditions. Therefore, superseding the Department's Memorandum No. GAB-13/17/1983 dated 20-7-1987, the existing criteria/conditions for the recognition of villages in Nagaland have been modified as follows with immediate effect:-

- (i) A new village should have a minimum of 50(fifty) houses with a population of not less than 250 (two hundred and fifty) people.
- (ii) A new village should have sufficient land expansion of the village and also for agriculture purposes.
- (iii) A new village should be constituted by indigenous inhabitants only.
- (iv) A new village constituted by members of more than one village should obtain from the Village Council Chairman a 'No Objection Certificate' of the parent village indicating that the boundaries of the new village.
- (v) A new village constituted by members of more than one village in a different location but within the ancestral land of the parent village, should obtain from the Village Council Chairman of the parent village a 'No Objection Certificate' indicating the boundaries of the new village. In cases where exact boundary demarcations cannot be defined due to scatter of pockets of land, the Village Council Chairman and all the GBs of the parent village should determine the nature of boundaries with the new village on any permanent basis acceptable to both the villages.

- (vi) In cases where GBs are appointed and allowed to function as the constitutional head of the village in matters of administration of the village land, the GBs concerned should attest their signatures in the 'No Objection Certificate' jointly with the Village Council Chairman.
- (vii) The entire area of the newly established village should be surveyed jointly by competent staff of Land Records & Survey and civil administration to clearly demarcate and map the village territory and also record the area in hectares.
- (viii) A new village on completion of the process of boundary demarcations with the neighbouring villages/parent village and also on completion of survey as required under (vii) given below, should erect pillars at its own expenses in the presence of competent staff as requisitioned under the same point.
- (ix) The following certificates/documents are required to accompany the proposal:
  - (a) Clearance from Forest Department issued by an officer not below the rank of DFO.
  - (b) Judicial clearance from a Class-I Magistrate.
  - (c) 'No Objection Certificate' from neighbouring village(s) duly countersigned by an Administrative Officer.
- (x) Administrative approval should be from an officer not below the rank of SDO(C).
- (xi) No approval is required from extra-constitutional body like students' union, tribal hoho(s).

**Sd/- L. COLNEY**

Addl. Chief Secretary to the Govt. of Nagaland

**(21.12)**

**Government of Nagaland  
Public Health Engineering Department  
Nagaland : Kohima**

### **NOTIFICATION**

Dated Kohima the 26<sup>th</sup> June 2001

No. PHE/Works/Reform/2001 : The Governor of Nagaland is pleased to notify that henceforth water supply projects in villages of Nagaland will be taken up only on the following terms and conditions:-

1. The acquisition/usage of all water source catchments and all other land related to water supply works shall be the sole responsibility of the beneficiaries and be free from all encumbrances. Further, there shall be no claim to any appointment to Government Service basing on water source and other land ownership rights.
2. The beneficiary village will take up all civil works and undertake jungle clearance, where required, as part of their contribution.
3. On commissioning of the project the beneficiary village will be solely responsible for operation and maintenance and shall bear the cost of such operation and maintenance. They will be allowed to levy a fee from the consumers at a rate approved by the Government.
4. The Village Council/Local Body of the village/habitation will sign an undertaking confirming their agreement to abide by the above terms and conditions before any projects is taken up.

The PHE Department will be responsible for the following:

1. Supply and fitting of water pipes and installation of all service reservoirs.
2. Facilitate in scheme selection, designs, and work out an effective monitoring and evaluation mechanism to ensure high quality of construction and sustainability of the investments.
3. Ensure effective integration and coordination of project components in the village levels.

**Sd/- TEMJEN TOY**

Secretary to the Government of Nagaland

**(21.13)**

**Government of Nagaland  
Home Department  
Secretariat Administration Branch 'B'**

No.SAB-11/10/95

Dated Kohima, the 14<sup>th</sup> March, 2005.

**Sub: Guidelines for Allotment of Quarters to the employees working in the Nagaland Civil Secretariat.**

With a view to streamline the allotment of Government Quarters to the employees working in the Nagaland Civil Secretariat the following guidelines shall be followed.

- (i) Government quarters shall be allotted as per the following entitlement:

Type VII-VIII	- Secretary and above
Type V-VI	- Under Secretary to Additional Secretary, Steno Sr. Grade to Steno Spl. Grade.
Type-IV	- UDA to Superintendent
Type-III	- LDA/Typist/Mechanic Grade-I/Steno Grade-III
Type-I-II	- All Grade IV employees.
- (ii) Applications will be made in the format prescribed (Annexure).
- (iii) The allotment shall be made on the basis of seniority in respect of members of the Nagaland Secretariat Service (NSS) and as per the entitlement. In respect of the members of the Indian Administrative Service (IAS) and the Nagaland Civil Service (NCS) the allotment shall be made on "first come first served" basis and according to the entitlement.
- (iv) On transfer or retirement the Government employees will be allowed to retain the Government Quarter for a maximum period of 3 (three) months only on application by the officer/official with formal Govt. approval.
- (v) In case of death in harness, the family members of the deceased Government employee will be allowed to retain the Government Quarter for a maximum period of 1 (one) year on application by the family of deceased with formal Govt. approval.

In case of over-staying in the Government Quarter beyond the maximum permissible period specified in clauses (iii) and (iv) above, the defaulter shall pay monthly rent @ 10 times the normal rent fixed for the quarter and shall, in addition, be liable to summary eviction.

**Sd/- E.T. SUNUP, IAS**  
Addl. Chief Secretary (Home)

**(21.14)**  
**Government of Nagaland**  
**Land Revenue Department**

**NOTIFICATION**

Dated Kohima, the 21<sup>st</sup> May, 2005.

No.LR/2-21/88 : : On the recommendation of the State Capital Complex Authority, the Governor of Nagaland is pleased to order and notify the following polices for proper management and maintenance of Government land to hold/holding by various Government Departments in the State Capitals, District Hqs. Sub-Divisional Hqs., Outposts, Public Institutions and other Government establishments extending all over the State of Nagaland for strict compliance henceforth.

1. Every Government Department shall have patta(s) in respect of Government land hold or/owned by them.
2. The patta should have proper entry of area, boundary and location supported by scale map in the book of Land Records (Chitha Register).
3. The Deputy Commissioners/Additional Deputy Commissioners may issue patta(s) to the Home Department (in respect of Secretariat Administration), Heads of Departments, Heads of Offices and Heads of Institutions by obtaining prior approval for regularization of land in favor of their respective Department(s) from the Government and after ascertaining proper land records from the concerned Land Records Officer.
4. Every patta holder Department is responsible for protection of their patta land(s) from encroachment.
5. No patta holder Department will have a right to sub-allot or temporarily allot or lease out any surplus land from their patta area possession to any other person or group or society or community or other sister Department, etc. If any Department has surplus land with them, they may surrender such surplus land to the District Administration by concerned authority in good time. Further, no Department has authority to issue 'NO OBJECTION CERTIFICATE' for all allotment of land to others from the land under their possession (patta land).
6. The Home Department (in respect of Secretariat Administration), various Heads of Departments, Heads of Offices, and Heads of Institution may apply their respective patta (s) for the land holding by them to the concerned Deputy Commissioner/Additional Deputy Commissioner in good time.

**Sd/- M. YANTHAN, IAS**  
Secretary to the Govt. of Nagaland

(21.15)

**Government of Nagaland  
Home Department  
General Administration Branch-I**

NO.GAB-1/COM/108/2005

Dated: Kohima, the 1<sup>st</sup> October, 2005

**OFFICE MEMORANDUM**

**Sub:- Criteria/Conditions for Recognition of New Villages in Nagaland.**

In addition to the instructions contained in this Department's O.M.No.GA-12/13/74 dated 22/03/96 on the above mentioned subject,' all cases' relating to recognition of new villages in Nagaland, shall henceforth, with' immediate effect, require a public notice to be issued by the Deputy Commissioner of the District concerned. The notice shall indicate the area of land/boundary of the village proposed for recognition, giving 30(thirty) days time for objection if any, to be filled.

2. All other conditions/criteria laid down in at O.M under reference shall remain unchanged.
3. It is hereby impressed on all concerned that any proposal for recognition of village in Nagaland which does not comply with the prescribed conditions shall be rejected. District Administration shall therefore ensure strict adherence to these conditions/criteria while recommending cases to the Government.

**Sd/- BANUO Z.JAMIR**

Principal Secretary to the Government of Nagaland

**(21.16)**  
**Government of Nagaland**  
**Planning & Co-Ordination Department**  
**(Planning Machinery)**

**NOTIFICATION**

Dated, Kohima, the 21<sup>st</sup> June 2006

NO.NL/LC-3/2006: In supersession of this Department's Notification of even number dated 27.11.1995 and 25.09.2003, the Governor of Nagaland is pleased to rename the "Capital Complex Authority" as the "State Land Acquisition Authority" with the following as members.

1. Chief Minister	-	Chairman
2. Minister, Planning	-	Vic Chairman
3. Minister, Land revenue	-	Member
4. Chief Secretary	-	Member
5. Principal Secretary (Law)	-	Member
6. Commr. & Secretary (Land Revenue)	-	Member
7. Principal Secretary, (Work & Housing)	-	Member
8. Commr. & Secretary, (Power)	-	Member
9. Commr. & Secretary, (PHE)	-	Member
10. Engineer-in-Chief (Work & Housing)	-	Member
11. Chief Engineer (Housing)	-	Member
12. Chief Engineer (Power)	-	Member
13. Chief Engineer (PHE)	-	Member
14. Chief Town Planner, Urban Dev. Deptt.	-	Member
15. Deputy Commissioner, Kohima.	-	Member
16. Addl. DGP (Prison)	-	Member
17. Development Commissioner	-	Member Secretary

2. The terms of reference, role and responsibility and authority of the State Land Acquisition Authority shall be as under:-
- Examine all proposals for land acquisition including compensation for buildings standing in the land to be acquired for the purpose of developmental projects or for public amenities or works of public benefit.
  - To decide on the area of land required to be acquired and allotted to various departments and agencies for developmental and public utilities.
  - To approve land compensation rates for various categories of land proposed to be acquired.
  - To determine additional areas of land to be acquired for use for future developmental projects.
  - To review the utilization or otherwise of land acquired and allotted to various departments and agencies which have remained unutilized for more than 3 years and decide on their cancellation or extensions if found warranted.
  - To direct enforcement of building Bye-laws and directions for construction of Government Directorates and Offices/establishments particularly in the new Capital Complex Areas.
  - To and effect eviction of encroachers of Government land within the State.
  - To direct preparation of master Plans for District headquarters, Administrative headquarters and strict adherence to the master Plans proposed by all concerned.

The jurisdiction of the State Land Acquisition authority shall extend to the whole State and also cover land and building required to be acquired by the State even outside the State.

**Sd/- LALHUMA**  
Chief Secretary & Development Commissioner.

(21.17)  
**Government of Nagaland**  
**Works & Housing Department**  
**(Works Branch)**

**NOTIFICATION**

Dated Kohima, the 2<sup>nd</sup> November, 2012

**No. WH/GEN2/2011(H):** The Governor of Nagaland is pleased to entrust the preparation of Detailed Project Reports (DPR) including drawings and designs in respect of all Government constructions to the Planning & Design Cell of NPWD which will work in close coordination with the State Quality Control Board (SQCB). For constructions outside the state or those requiring specialized designs, the services or private Consultants may be engaged with the prior approval of the Government. A Consultancy fee of 2% of the total project cost will be incorporated in all the DPRs prepared by the Planning & Design Cell which will be credited to the Government account. The Planning & Design Cell will ensure that all DPRs are prepared and submitted to the user Departments within a period of two months.

**Sd/- TEMJEN TOY**  
Commissioner & Secretary to the Govt. of Nagaland.

( 21.18)  
**Government of Nagaland**  
**Home Department**  
**General Administration Branch-I**

NO.GAB-1/COM/312/2012

Dated: Kohima, the 22<sup>nd</sup> October, 2014

**OFFICE MEMORANDUM**

**Sub:- Criteria/conditions for recognition of new villages in Nagaland.**

In addition to the instructions contained in this Department's O.M. No.GA-12/13/74dated 22-03-96 and O.M. No.GAB-1/COM/108/2005 dated 01.10.2005\* on the above mentioned subject, all cases for recognition of new villages in border areas. Particularly those in the Assam-Nagaland border areas shall henceforth have the clearance of the Border Affairs Department with immediate effect.

2. All other conditions/Criteria laid down in the O.M under reference shall remain unchanged.

**Sd/- PANKAJ KUMAR, IAS**  
Principal Secretary, Home

*\*Refer chapter 21.3*



**(21.19)**  
**Government of Nagaland**  
**Home Department**  
**Secretariat Administration Branch 'B'**

**OFFICE MEMORANDUM**

No. SAB-11/13/96 (Pt)  
Dated Kohima, the 21<sup>st</sup> May.' 2015.

**Sub: Guidelines for allotment of quarters to the employees in the Nagaland Civil Secretariat.**

With a view to streamline the allotment of Government quarters to the employees working in the Nagaland Civil Secretariat and in partial modification to the Guidelines issued vide this Department No. SAB-11/10/95 dated, 14<sup>th</sup> March, 2005, the following guidelines shall be implemented with immediate effect.

- (i) Government quarters shall be allotted as per the following entitlement:
  - Type-VI – VIII : Secretary and above
  - Type-V : Section Officer to Additional Secretary &  
all other class-I Gazetted Employees
  - Type-IV : All Class- II Gazetted/Grade-III Employees with  
Pay Band: PB-II and above
  - Type- III : All Grade-III Employees with Pay Band: PB-I
  - Type-I &II : All Grade-IV Employees.
- (ii) Application for quarter allotment shall be made in the prescribed format.
- (iii) The allotment shall be made on the basis of 'first come first serve' and as per entitlement in respect of the Indian Administrative Service (IAS) and the Nagaland Civil Service (NCS) members. In respect of the members of Nagaland Secretariat Service (NSS) and other subordinate employees, the allotment shall be made on the basis of seniority as per entitlement.
- (iv) On transfer or retirement, the Government Employee shall be allowed to retain the quarter for a maximum period of 3(three) months only on application by the concerned Officer/Official with formal Government approval.
- (v) In case of death in harness, the family members of the deceased Government employee will be allowed to retain the quarter for a maximum period of 1(one) year on application by the family of the deceased with formal Government approval. Further, the allotment of quarters occupied by the Government Servants shall be re-allotted only after the retirement of the occupant.
- (vi) In case of over-staying in the government quarter beyond the maximum permissible period specified in clauses (iii) and (iv) above, the defaulter shall pay monthly rent @ 10times the normal rent fixed for the quarter and shall, in addition, be liable to summary eviction.

**Sd/- NEIHU C. THUR, IAS**  
Home Commissioner to the Govt. of Nagaland

(21.20)  
**GOVERNMENT OF NAGALAND**  
**HOME DEPARTMENT :: NAZATAT BRANCH**

**OFFICE MEMORANDUM**

Dated Kohima, the 28<sup>th</sup> Sept, 2015.

No.NAZ-SMB-1-2001(Pt): : It is being observed that various repair, renovation and even structural modification of Office Rooms in the Secretariat Building are being carried out without the prior approval of the Home Department which is not correct.

Henceforth, Departments/Branches/Cells in the Secretariat Building shall not carry out any repair/renovation/structural modifications of any Office Room without the prior written approval of the Home Department.

**Sd/-PANKAJ KUMAR**  
Chief Secretary to the Govt. of Nagaland.

(21.21)  
**GOVERNMENT OF NAGALAND**  
**LAND REVENUE DEPARTMENT**

**NOTIFICATION**

Dated Kohima the 3<sup>rd</sup> Feb, 2016

NO.LR/6-45/LIT/2006 :: Whereas the Government have issued various O.Ms from time to time withdrawing the powers of Deputy Commissioner from allotment/settlement of land to individuals/parties/agencies in Nagaland.

Now, therefore on exercise of the power conferred by section 122 and section 139 of 'The Assam Land Revenue Regulation, 1886', the State Government reiterate and withdraw the powers exercisable by the Deputy Commissioner for settlement of land under the above Act in the State with immediate effect.

The settlement/allotment of land shall be made only with the prior approval of the state Government

**Sd/- PANKAJ KUMAR IAS**  
Chief Secretary to the Govt. of Nagaland