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GOVERNMENT OF ASSAM.
EXCLUDED AREAS SECRETARIAT.

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No.Ex/Misc/133/49/37, Shillong, the 18th June, 1949.

From

Sri R.V. Subrahmanian, I.A.S.,
Deputy Adviser to the Governor of Assam.

To

The Political Officers, Abor Hills.
Mishmi Hills.
Tirap Frontier Tract
Balipara Frontier Tract
Deputy Commissioners, Naga Hills
Cachar (North Cachar Hills)
Lakhimpur (Frontier Tract)
Superintendent, Lushai Hills.

Subject:- Settlement of land with outsiders in the
Excluded Areas.

Sir,

I am directed to say that in the matter of settlement of land in the Excluded Areas, Government have a responsibility to protect the interests of the Tribal and backward people of these areas. It is apprehended that unrestricted settlement with non-tribals will seriously jeopardise the interests of the tribal people. Government are, therefore, pleased to amplify the instructions already issued in letters No.Ex/SFT/32/47-Ad., dated the 7th May, 1948 and No.Ex/SFT/32/47-Ad., dated the 23rd June, 1948 and to direct that the following principles should in future regulate the settlement of land in the Excluded Areas of the province.

(i) No land should henceforth be settled with non-tribals except with the prior approval of Government. Tribal people are those who are the indigenous inhabitants of the Frontier Tracts or other Excluded Areas, as for instance Miris, Akas, Daflas, Abors, Mishmis, Nagas, Lushais, Kacharies etc., Ex-tea garden labourers, Gurkhas retiring from service in the Permanent Labour Corps and the Assam Rifles. Other people of a similar category and indigenous Assamese people living in the areas should also be regarded as eligible for settlement.

(ii) No one should be allowed generally to acquire by settlement or otherwise more land than is necessary to form an economic holding which in the plains has been fixed at 30 bighas admissible per family.

For the purpose of horticulture, other special cultivation such as sugar-cane, barley and wheat and joint cultivation by several persons as members of a Co-operative Society or otherwise in order to grow more food, this limit may be relaxed according to the capacity of individuals and groups for bringing the land under actual cultivation.

(iii) Non-tribals who have already obtained settlement of land within the district or the Frontier Tract but are not permanent residents thereof should not be permitted to acquire any more land by further purchase or otherwise. In such cases no acquisition in any form i.e. by settlement, transfer, lease or mortgage, should be permitted without the previous approval of Government.

(iv) No land in towns like Sadiya, Pasighat, Lokra, Charduar, Kohima, Dimapur, Aijal, Haflong, other trade centres and areas in their vicinity, should be settled without the prior approval of Government. For growing townships like Sadiya, Kohima, Aijal etc., there should be a town plan. Rules must be framed regarding the type of houses to be constructed, their sanitary arrangements etc., and allotment of land should be made only in conformity with the provisions of the plan.

(v) In cases where strict adherence to the procedure laid down above will cause hardship or where special circumstances exist, full details must be reported to Government for orders. In no case must a deviation from the procedure outlined above be made without the approval of Government.

(vi) In the case of settlements already made with non-tribals on an annual patta basis prior to the issue of these orders, these leases must not be converted into periodic leases without the prior approval of Government.

(vii) Although the Assam Land and Revenue Regulation 1886 is not wholly in force in the Excluded Areas, the spirit of the said Regulation should be followed in effecting settlements and in all other matters relating to lands.

(viii) Any point requiring further elucidation must be referred to Government for clarification.

Yours faithfully,

Sd/- R.V.Subrahmanian,

Deputy Adviser to the Governor of Assam.

Memo.No.Ex/Misc/133/49/40, Shillong, the 18th June, 1949.

Copy forwarded to the Secretary to the Govt. of Assam, Revenue Department, for information.

By order etc.,

Sd/- R.V.Subrahmanian,

Deputy Adviser to the Governor of Assam.