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PART-IIA

GOVERNMENT OF MEGHALAYA
DISTRICT COUNCIL AFFAIRS DEPARTMENT

NOTIFICATION

The 30th March, 2022.

No.DC/L/VII/7/2019-2022/102/403. – In pursuance of paragraph 11 of the Sixth Schedule to the Constitution of India, the following Act of the Khasi Hills Autonomous District Council is hereby published for general information:-

**THE KHASI HILLS AUTONOMOUS DISTRICT
(REGULATION AND ADMINISTRATION OF LAND)
ACT, 2021.**

(Passed by the Khasi Hills Autonomous District Council on the 10th November, 2021)

(Received the assent of the Governor on 30th August, 2022)

(Published in the Gazette of Meghalaya Extraordinary issue dated the 2nd September, 2022)

AN

ACT

to codify and make provision for the regulation and administration of land in consonance with the prevailing practice of land tenure system in Khasi Hills;

Whereas with an objective to protect and conserve the land tenure system prevailing in the Tribal Areas of Khasi Hills; the ideal practices that have preserved the socio-cultural ethos of Khasi society; to negate the effect of the globalized socio-economic environment, and to provide for a legislation for administration and regulation of land to uphold the custom, usages and the Land tenure system prevailing in Khasi Hills Autonomous District within the provisions of the Sixth Schedule to the Constitution of India;

NOW, THEREFORE, the District Council of the Khasi Hills Autonomous District in exercise of the powers conferred upon it under Clause (a) of Sub-Paragraph (1) of Paragraph 3 of the Sixth Schedule to the Constitution of India and of all other powers enabling it on that behalf, deems it expedient and necessary to codify and make laws for regulating and administering the allotment, occupation or use and/ or the setting apart of land in the Khasi Hills Autonomous District (other than any land which is reserved forest) for the purpose of agriculture, residential and other purposes for the promotion of the interest of the inhabitants of the District.

Be it enacted in the Seventy-first year of the Republic of India as follows:-

**Short title, extent
and commencement.**

1. (1) This Act may be called the Khasi Hills Autonomous District (Regulation and Administration of Land) Act, 2021.
 (2) It extends to the whole of the Khasi Hills Autonomous District but shall not apply or extend to land belonging to the Government.
 (3) It shall come into force with effect from the date of its publication in the Official Gazette of the State of Meghalaya.

Definitions

2. (1) In this Act, unless there is anything repugnant in the subject and context
 - (i) “**Allotment**” means providing land to any person for occupation and use for a definite purpose as per the prevailing custom.
 - (ii) “**Chief and his Dorbar**” means the Executive Dorbar of an Elaka as defined in their respective Acts or any other relevant Acts.
 - (iii) “**Chief**” means a Syiem, a Lyngdoh, a Sirdar, or a Wahadadar as the case may be of any Elaka.
 - (iv) “**Corporation or Company**” shall carry the same meaning as defined in Section 2 of the Companies Act, 2013.
 - (v) “**District Council**” means the Khasi Hills Autonomous District Council.
 - (vi) “**District**” means the Khasi Hills Autonomous District.
 - (vii) “**Dorbar Raid**” means a Durbar of the Raid consisting of the Syiem Raid, Lyngdoh Raid, Basan, Sordar Raid, Longsan (representatives elected by the clans) and the representative of each village under the Raid as the case may be or the respective clan(s) who has customary rights to administer the Raid Land.

- (viii) "**Dorbar Shnong**" means the traditional village institution of the village of the Khasis and composed of all adult Khasi inhabitants of not less than 18 years of age, where the prevailing age-old customary and traditional governance and adjudication are carried out and as defined in relevant Acts and Rules.
- (ix) "**Dulir**" means a title deed of conveyance between two or more parties indicating the particulars of the owner, showing the description of the land and other details of the land.
- (x) "**Dulir Pynskhem**" means a prevailing customary land title document confirmed and issued by the Chief and his Dorbar or by the Dorbar Raid as the case may be under the provisions of this Act.
- (xi) "**Elaka**" means an administrative unit in the District as specified in Appendix – I, I(A) and II or any other administrative unit to be constituted and declared as such by the Executive Committee.
- (xii) "**Executive Committee**" means the Executive Committee of the Khasi Hills Autonomous District Council.
- (xiii) "**Executive Member In-charge Land**" means the Executive Member of the Khasi Hills Autonomous District Council authorized by the Chief Executive Member to perform the duties pertaining to land administration.
- (xiv) "**Government**" means the Government of India which includes its various departments, agencies and corporations established by the Government of India and the Government of Meghalaya which includes its various departments, agencies and corporations established by the Government of Meghalaya.
- (xv) "**Headman**" means the traditional head of a village which shall include a Sordar Shnong, a Rangbah Shnong and a Myntri Shnong falling within the jurisdiction of each of the existing Elaka as specified in Appendix – I, I(A) and II and elected as per the prevailing custom in the village or Elaka.
- (xvi) "**Industry**" means any business, trade, undertaking, manufacture, or calling of employers and includes any calling, service, employment, handicraft or industrial occupation or a vocation of work men.

- (xvii) "**Khasi**" means a person belonging to the Khasi indigenous tribe who may be a Khynriam, Pnar, War, Bhoi, Maram or Lyngngam or who is recognized or deemed as such under prevailing Khasi Custom or the Khasi Hills Autonomous District (Khasi Social Custom of Lineage) Act,1997.
- (xviii) "**Land**" means and includes Ri Kynti and Ri-Raid Lands either vacant or occupied and includes all benefits arising out of the land and things attached to the earth or permanently fastened to anything attached to the earth.
- (xix) "**Land Recording Officer**" means an officer appointed by the Executive Committee to act as such.
- (xx) "**Owner**" for the purpose of this Act, means and includes a person(s) having a Land Title Rights Certificate in respect of any Ri-Kynti or Ri-Raid land as well as a Settlement Holder whose name has been entered as such in the Record of Rights maintained by the District Council as by law established or the person(s) having the Dulir Pynskhem issued by the Chief and his Dorbar or the Dorbar Raid as the case may be or the person(s) having the Dulir, Patta, Land document issued by the concerned Clan or Dorbar Shnong or Dorbar Raid under the provisions of this Act and Rules framed there under.
- (xxi) "**Prescribed**" means prescribed under this Act or by Rules or Notification made there under.
- (xxii) "**Raid**" means any administrative unit composed of one or more villages and recognised as such within that Elaka.
- (xxiii) "**Record of Land Title Rights**" means a record maintained by the District Council as per the provision of this Act and Rules framed there-under, recording the name of the owner or settlement holder of land within the District including the type of the land, area and size, boundary and the location of the land.
- (xxiv) "**Land Title Rights Certificate**" means a statutory certificate issued by the Executive Committee or any officer authorized by it as per the provisions of this Act and Rules framed there-under.

- (xxv) "**Ri-Kynti**" means a private land or a land absolutely owned by a person or Clan(s).
- (xxvi) "**Ri Raid**" or "**Raid Land**" means lands set apart for the community over which no person(s) has proprietary, heritable or transferable rights excepting the right of use and occupancy. Heritable and transferable rights over the Ri Raid lands accrue when the occupant has made permanent improvements on the land. These rights lapse if the occupant completely abandons the land continuously for more than three years or for a period as the Dorbar Raid and the Executive Committee deems long enough.
- (xxvii) "**Setting Apart**" means to separate and keep for a purpose or reserve the land for occupation and use for a definite purpose.
- (xxviii) "**Settlement Holder**" means any person(s) who has been allotted with land set apart and recognized by the Executive Committee under the provisions of this Act.
- (xxix) "**Sirdarship**" means those Elaka in the Khasi Hills District as specified in Appendix -II;
- (xxx) "**Syiemship**" means those Elaka in the Khasi Hills District formerly known as Khasi States and it includes Wahadadarship, Lyngdohship and Sirdarship as specified in Appendix-I and Appendix-I (A).
- (2) All other words or phrases, the meaning of which has not been assigned here-under shall have the same meaning as defined under the Meghalaya Autonomous District (Constitution of District Council) Rules or as amended by the Khasi Hills Autonomous District Council or under any law enacted by the District Council from time to time and unless the context otherwise requires, the former shall prevail over the latter in case of contradiction.
- (3) That this Act shall be in addition to the Meghalaya Transfer of Land Regulation Act, 1971.
- Powers of the Clan to issue the Land document.**
3. (1) In any land belonging to or managed and administered by a particular clan, the authorized person of such clan shall have the authority to issue a Dulir or Patta or Land document as per the prevailing customary practice on any of the following:-

(i) Any transfer of such land which includes sale, gift, lease, mortgage and alienation of land.

(ii) Any mutation of such land which includes succession, survivorship, inheritance, participation, will, gift, exchange, family settlement, as the case may be:

Provided that such document shall be executed in the presence of the concerned Local Headman, village functionary and witnesses:

Provided further, that such copy of the issued Dular or Patta or Land document shall be forwarded to the respective Dorbar Shnong, Dorbar Raid, Chief and his Dorbar and the Officer authorized by the District Council.

(2) It shall be the duty of the respective Dorbar Shnong, Dorbar Raid, the Chief and his Dorbar and the Officer authorized by the District Council to record all the information received from the Clan.

(3) The Officer authorized by the Executive Committee on receipt of information from the Head of the Clan shall issue an acknowledgment letter to the land owner and settlement holder with a copy to the Headman in a prescribed format provided in the Rules.

**Powers of the
Dorbar Shnong to
issue the Land
document.**

4. (1) A Headman of a Dorbar Shnong within his territorial jurisdiction shall have the power to issue a Dular or Patta or Land document on any of the following:-

(i) Any transfer of land within the village which includes sale, gift, lease, mortgage and alienation of land.

(ii) Any mutation of land which includes acquiring of land by succession, survivorship, inheritance, partition, will, gift, exchange, family settlement or otherwise any right in any Ri-Kynti land in the village.

(iii) Any allotment of Ri-Raid land to any person within the village:

Provided that such copy of the issued Dular or Patta or Land document shall be forwarded to the concerned Dorbar Raid, Chief and his Dorbar and the officer authorized by the District Council.

(2) It shall be the duty of the respective Dorbar Raid, the Chief and his Dorbar and the Officer authorized by the District Council to record all such information received from the Headman.

- Powers of the Dorbar Raid to issue the Land document.**
5. (3) The Officer authorized by the Executive Committee on receipt of such information from the Headman, shall issue an acknowledgment letter to the land owner and settlement holder with a copy to the Headman in a prescribed format provided in the Rules.
- (1) Any Dorbar Raid having the customary power to issue a Dulir or Patta or Land document as per prevailing practice shall have the power to issue a Dulir or Patta or Land document on any of the following:-
- (i) Any transfer of land within the raid which includes sale, gift, lease, mortgage and alienation of land.
 - (ii) Any mutation of land which includes acquiring of land by succession, survivorship, inheritance, partition, will, gift, exchange, family settlement or otherwise any right in any Ri-Kynti land in the Raid.
 - (iii) Any allotment of Ri-Raid land to any person within the village:
- Provided that such document shall be executed in the presence of the concerned Local Headman, village functionary and witnesses:
- Provided further that such Dulir or Patta or Land document shall be forwarded to the concerned Dorbar Shnong, Chief and his Dorbar and the Officer authorized by the Executive Committee.
- (2) It shall be the duty of the Dorbar Shnong, the Chief and his Dorbar and the Officer authorized by the District Council to record all the information received from the Dorbar Raid.
- (3) The Officer authorized by the Executive Committee on receipt of information from the Dorbar Raid shall issue an acknowledgment letter to the landowner and settlement holder with a copy to the Headman in a prescribed format provided in the Rules.
- Dulir Pynskhem for Ri-Kynti Land.**
6. (1) The Chief and his Dorbar or the Dorbar Raid as the case may be, shall have the power to issue the Dulir Pynskhem for Ri Kynti Land as per the prevailing custom.
- (2) On and from the date of commencement of this Act, an owner of any Ri-Kynti land who is willing to obtain the Dulir Pynskhem may apply for the same and it shall be issued as per the prevailing customs and under the provisions of this Act and Rules framed thereunder.
- (3) All applications for issuance of the Dulir Pynskhem of land shall be submitted to the Chief and his Dorbar or the

Dorbar Raid as the case may be, accompanied by a Dulir or Patta or any Land document from the local Headman or Clan or the Dorbar Raid as the case may be.

- (4) On receipt of such application, the Chief and his Dorbar or the Dorbar Raid as the case may be, shall issue Public Notice giving thirty days for filing of claims and objections.
- (5) If after the expiry of the thirty days, there is no objection whatsoever, the Chief and his Dorbar or the Dorbar Raid as the case may be, shall issue the Dulir Pynskhem accordingly.
- (6) In the event of any objection(s), the Chief and his Dorbar shall dispose of such objection(s) within six months from the date of its filing, excluding the period adjourned at the instance of the applicant praying for issuance of the Dulir Pynskhem. In case of rejection of the application or in case of a decision by way of a contest by the parties, the application shall be disposed of by way of a speaking, reasoned order.
- (7) On and from the date of commencement of this Act, the Dulir Pynskhem issued by the Chief and his Dorbar or by the Dorbar Raid as the case may be, issued under the provisions of this Act, shall be recognized as a valid land title document:

Provided that Land Owners having registered statutory land documents, Dulir, Dulir Pynskhem and Land Records may apply for regularization of such documents as per the provisions of this Act and the Rules made there-under.

- (8) All fees for the Dulir Pynskhem, identification, recommendation, Dulir, Patta, No Objection Certificate and other documents shall be as prescribed and notified by the Executive Committee, from time to time.
- (9) It shall be mandatory for the Chief and his Dorbar, Dorbar Raid, the Headman and the Clan(s) who have customary right to issue land documents to keep a proper record of all Ri Kynti lands within their respective jurisdiction as per the format prescribed under the Rules framed under this Act.
- (10) If anything is done in contravention of the provisions of this Act and the Rules framed there-under, the Executive Committee shall have the power to annul the whole process by a speaking order after the parties have been heard.

Record of Raid Land.

7. (1) All lands considered, classified and used as Raid land shall be recorded by the Executive Committee or the duly appointed officer as such Raid land on an application made by the respective Chief and his Dorbar or Dorbar Raid or

Village Dorbar or the Clan, through their authorized representatives.

- (2) Every application to record an existing Raid land in respect of any village or Raid shall be made in the manner prescribed under this Act and Rules framed there-under and on payment of such fees as may be prescribed by the Executive Committee from time to time.
- (3) On receipt of such application, the Executive Committee or its authorized Officer shall issue a General Notice giving thirty days' time calling for objection/ invitation against the prayer to record and on hearing such objection, if any, shall dispose of the application either by recording the name of the village/ Raid represented by its Chief and his Dorbar or Headman, as the case may be, as the holder of the land in the Record of Land Title Rights of Raid land or refusing to do so. Every such application shall be disposed of within six months from the date of its filing, excluding the period adjourned at the instance of the applicant, praying for a record of rights.
- (4) The Land Recording Officer shall order for survey and demarcation of the boundaries of such Raid Land by any qualified surveyor as per procedure, as prescribed in the rules framed under this Act.
- (5) On completion of the survey and upon approval of the Executive Member In-charge Land, the details of the land shall be entered in the Record of Land Title Rights of Ri-Raid or Raid Land maintained by the Executive Committee under the provisions of this Act and Rules framed there-under.
- (6) On and from the date of commencement of this Act, the Raid land document entered in the Record of Land Title Rights maintained under the provisions of this Act, shall be recognized as a valid land document:

Provided that all settlement holders of Raid land who possess an allotment order issued by the Village Headman or Raid or Clan duly confirmed by the Chief and his Dorbar as the case may be, before the commencement of this Act, may apply for regularization as per the provisions of this Act and the Rules framed there-under.

- (7) It shall be mandatory for the Chief and his Dorbar, the Dorbar Raid and the Headman at the village level to keep a proper record of all Ri Raid lands within their respective jurisdiction as per the format prescribed under the Rules framed under this Act and also to report and inform the

same to the Executive Committee or Officer appointed by the Executive Committee.

**Record of Land
Title Rights**

8. (1) The Land Recording Officer shall maintain the Record of Land Title Rights in the manner and format as prescribed by this Act and the Rules framed there-under.
- (2) On and from the date of commencement of this Act, an owner of any Ri Kynti land or any landholder in Raid land who is willing to obtain the Land Title Rights Certificate may apply for the same and it shall be issued under the provisions of this Act and Rules framed there-under.
- (3) All applications for issuance of Land Title Rights Certificates shall be submitted to the Land Recording Officer accompanied by a Dulir or Patta or any Land document from the local Headman or Clan or the Dorbar Raid as the case may be and the Dulir Pynskhem issued by the Chief and his Dorbar or by the Dorbar Raid, as the case may be.
- (4) On receipt of the application from the landowner, the Land Recording Officer after scrutiny of all the documents submitted, shall order for survey and demarcation of the boundaries of such land by any qualified surveyor, as per the provisions of this Act and Rules framed there-under.
- (5) On completion of the scrutiny and survey and upon approval of the Executive Member In-charge Land, the details of the land shall be entered in the Record of Rights of land maintained by the Executive Committee under the provisions of this Act and Rules framed under this Act.
- (6) The Land Recording Officer shall issue the Land Title Rights Certificate to the Land Owner on payment of such fee as prescribed by the Executive Committee from time to time.
- (7) The Land Title Rights Certificate shall indicate the name of the owner/settlement holder of land, including the type of the land, area and size, boundary and the location of the land.
- (8) The Land Recording Officer, shall forward the Record of Land Title Rights maintained for the purpose, to the Director of Land Records and Survey, Government of Meghalaya for creating a database of Land Records as per existing Laws:

Provided that the Record of Land Title Rights shall be furnished quarterly in the database by the Director of Land

Records.

- (9) The Land Title Rights Certificate, the Dulir Pynskhem and the Dulir or Patta or Land document issued under the provisions of this Act and Rules framed there-under, shall be recognized and considered as valid legal land title documents or instruments to prove the ownership and absolute possession over the land by any authority(s) including Banks and other financial institutions.
- (10) The Land Recording Officer shall also be competent to issue No Objection Certificate for mortgage, land valuation certificate and non-encumbrance certificate:

Provided that the process above shall be completed within three months and any reason for such delay shall be recorded in writing.

**Allotment,
Occupation, Use
and Setting Apart
of Raid Land.**

9. (1) On and from the date of commencement of this Act, no Raid land within the District shall be allotted to any person without the prior permission of the Executive Committee.
(2) Allotment of any Raid land by any means affected otherwise than by or under the previous permission of the Executive Committee, shall be illegal and void.
(3) No allotment made henceforth shall be effective if the name of the Settlement Holder is not recorded and duly entered in the Record of Land Title Rights maintained by the Executive Committee under the provisions here-in-after contained.
(4) The Executive Committee while approving allotment of any land shall also be competent to prescribe and limit the duration of such allotment as well as the purpose for which the land allotted, may be utilized.
(5) All raid lands so allotted, set apart or occupied shall be identified by the Headman and the Dorbar Shnong, certified by the Dorbar Raid and confirmed by Chief and his Dorbar and shall be entered in the Record of Land Title Rights as prescribed:
Provided that in certain Raid land where the Chief has no customary rights to confirm, the Dorbar Raid shall certify and confirm the same.
(6) Under no circumstances shall any Raid land or any part there-of be permitted to be transformed into a Ri-Kynti land or be settled to any person other than tribes of Meghalaya:
Provided that preference shall always be considered in

favour of a landless Khasi inhabitant of the area over other aspirants while considering allotment and setting apart of any Raid land.

- (7) No land or any part thereof which is being used hitherto as Raid land or recorded as such under this Act shall be used for any purpose so as to destroy the natural topography of the land or in any other manner so as to deprive the Village Community for which the land has been reserved and preserved as Raid land.
- (8) Any settlement holders of Raid land possessing an allotment order issued by the Village Headman or Raid or Clan duly confirmed by the Chief and his Dorbar as the case may be, before the commencement of this Act, may apply for regularization as per the provisions of this Act and the Rules framed there-under.

Power of the Executive Committee to cancel Raid land already set apart.

- 10. (1) If at any time any Ri-Raid land already allotted or set apart is found to have not been occupied, cultivated, improved or utilized in any manner for a period of three years continuously or in any manner in contravention of any condition laid down by the authority under this Act, the order of settlement, allotment, setting apart pertaining to such land shall be cancelled and the said Ri-Raid land shall be resumed by the Raid or village concerned, unless:-

 - (i) The allottee concerned is able to satisfy the Executive Committee that there is reasonable ground for leaving the land fallow, or that;
 - (ii) There is sufficient material evidence to satisfy the Executive Committee that earnest and visible attempts are being made to utilize the land in the manner laid down.

Rights of the Land owner and of the Settlement Holder.

- 11. (1) Every person who, at the commencement of this Act, possesses any Ri-Kynti land, shall be deemed to be the owner of the land and shall:-

 - (i) have both the surface right as well as sub-surface rights over the land including the underground minerals;
 - (ii) have permanent, heritable and transferable rights in the land subject to other laws for the time being in force;
 - (iii) be entitled by himself, his servants, agents or other representatives there-on for the better cultivation of the land or its convenient use:

Provided that there shall be no bar to the owner of the Ri-Kynti land to apply for the Dulir Pynskhem and get the

land entered in the Record of Land Title Rights maintained under the provisions of this Act.

- (2) Nothing in sub-clause (i) of sub-section (1) of this Section, shall entitle a settlement holder to use his land to the detriment of any adjoining land which is not his or in contravention of the provisions of any other law for the time being in force and applicable to such land.
- (3) The settlement holders of Raid land who possess allotment orders issued by the Village Headman or Raid or Clan duly confirmed by the Chief and his Dorbar as the case may be, shall have heritable and transferable right over the Raid land when he has made a permanent improvement on the land. The settlement holder shall also be entitled by himself, his servants, agents or other representatives there-on for the better cultivation of the land or its convenient use.

Regulation on use of Land. 12. (1) All land allotted shall be used for the specific purpose for which it was allotted. However, if the owner of the land intends to change the purpose, he shall make an application to the Executive Committee through the Chief and his Dorbar, for such changes.

Provided that such an application for permission shall be disposed of within a period of three months:

Provided further that if approval is refused, the ground for such refusal shall be recorded in writing.

- (2) As per the prevailing custom, the Chief and his Dorbar shall have the power and the authority to regulate Sale, Gift, Lease, Mortgage and alienation of Land which shall not be in contravention of the Meghalaya Transfer of Land (Regulation) Act,1971(as amended).
- (3) The Executive Committee in consultation with the landowner, Village Dorbar and the Chief and his Dorbar may by notification, declare any land(s) as a catchment area.
- (4) The Executive Committee may by Rules, prohibit the conversion of agricultural land to non-agricultural land.
- (5) On any sanction made under sub-section (1) and (2) of this Section, fees shall be levied from the person in whose favour sanction is made, at the rate(s) fixed and revised by the Executive Committee from time to time.

Mutation.

13. (1) Any person acquiring by succession, survivorship, inheritance, partition, will, gift, exchange, family settlement or otherwise, any right in any Ri-Kynti land or Ri Raid, shall inform of his acquisition of such right to the Clan, Dorbar Shnong, Dorbar Raid and to the Chief and his Dorbar.
- (2) The Clan, Dorbar Shnong, Dorbar Raid and the Chief and his Dorbar shall follow the same procedure as provided for approving Mutation and issuing the Dulir, Patta, Land document and the Dulir Pynskhem.

Classification of Land.

14. The type of lands within the Khasi Hills Autonomous District are classified as follows:-
- (1) Ri-Kynti Land includes-Ri Kur, Ri Nongtymmen, Ri Maw, Ri Seng, Ri Khain, Ri Duwat, Ri Khurid, Ri Bitor, Ri Dakhola, Ri Shyieng, Ri Phniang, Ri Iapduh, Ri Lynter, Ri Spah, Ri Longdung, Ri Pud, Ri Kut and Ri Lyngdoh, Ri Syiem, Ri Khain Raibuh or by any other similar connotations recognized as such in the respective Elaka.
- (2) Ri Raid lands include-Ri Shnong, Ri Shnat, Ri Kuna, Ri Bam Syiem, Ri Law-Kyntang, Ri Law Lyngdoh, Ri Niam, Ri Law-a-dong, Ri Law Sang, Ri Law Sumar, Ri Bam Lang, Ri Lynter, Ri Leh Mokotduma, Ri Aiti Mon Sngewbha, Riphlang, Ribamduh, Ridiengsai-diengjin, Ri Samia or by any other similar connotations recognized as such in the respective Elaka.

Setting Apart of Land.

15. (1) The Executive Committee may, with the consent of the Chief and his Dorbar, Dorbar Raid, Dorbar Shnong or the Land Owner or clan(s) as the case may be, declare and set apart any area of land as Land Bank. Such a declaration shall be reported to the District Council in Session.
- (2) The Declared Land Bank shall be allotted only to a land less person or persons who are below the poverty line (BPL) belonging to the Khasi Tribe, to sustain their livelihood, for settlement under terms and conditions as may be prescribed by the Rules framed there-under.
- (3) The administration and management of the area declared as Land Bank shall lie with the Committee constituted by the Executive Committee consisting of the Executive Member In-charge Land, Representatives from the Chief and his Dorbar, Dorbar Raid, Dorbar Shnong or any landowner as the case may be, including some respected members of

reputed Civil Society. An officer of the Executive Committee shall be the Member Secretary of the Committee:

Provided that land may also be set apart for afforestation and re-afforestation schemes as per directions issued from time to time under the Environmental Laws, for the time being in force.

**Fixation of Ceiling
on Raid Land
Holding.**

16. The Executive Committee after prior consultation with the respective Dorbar Shnong, Dorbar Raid and the Dorbar Hima may by notification, fix a ceiling over the settlement, allotment or setting apart of raid land made by it or under its sanction under the provisions of this Act. In fixing such a ceiling, the Executive Committee may prescribe a limit both in the number of plots as well as the size of the land that each person or family may hold. Any area found in possession or occupation of any person in excess of the ceiling so fixed, shall be illegal and void:

Provided that the Executive Committee may vary the ceiling from time to time as may be deemed necessary and may also prescribe a different ceiling for a different purpose for which the land is to be put or being put into use and further, prescribe different ceilings for different areas or locality within the District, taking into consideration the demand for and the availability of land:

Provided further, that the Executive Committee may exempt the operation of such ceiling in respect of plots where permanent cultivation is being carried out or permanent buildings or structures already exist immediately before the commencement of this Act or in the case or cases wherein the ceiling could not be effected without causing extreme hardship to the settlement holder in question.

Penalties.

17. (1) Whoever contravenes any provision of this Act or charges any fee in excess of what has been provided under the provisions of this Act and Rules framed there-under or causes any undue delay in the process of issuance of the Dulir Pynskhem or Certificate of Identification or Land Title Rights Certificate or issues illegal Land documents, the Executive Committee shall have the power to penalize such contraventions as per the existing Acts and Rules enacted by the District Council from time to time or proceed with legal action or with both, as per law.
- (2) The Clan or the Dorbar Shnong or the Dorbar Raid or the Chief and his Dorbar are strictly prohibited to issue multiple Land documents to different persons for the same plot of land, failing which, the person(s) who issued such Land

document shall compensate the losses incurred by the person(s) to whom the land document was issued.

Delegation of powers.

18. Subject to the provision of Section 17, the Executive Committee may, by notification, delegate to the Executive Member In-charge Land or to any Officer under it, any of the powers conferred on it by this Act, subject to restrictions and conditions as may be specified in the said notification.

Protection of action taken in good faith.

19. No suit, prosecution or other proceeding shall lie–
- (i) against any Officer or authority of the District Council or Chief or his Officer or Head of Dorbar Raid or Headman for anything done in good faith or intended to be done under this Act; and
 - (ii) against the Executive Committee for any damage caused or likely to be caused or any injury suffered or likely to be suffered by anything done in good faith or intended to be done under this Act.

Appeal.

20. (1) Appeals against any order made by any authority under the provisions of this Act shall lie to the Executive Committee of the District Council, whose decision shall be final:

Provided that the Executive Committee may authorize any two of its Executive Members to exercise power or powers conferred upon them under the provisions of this Act. Anything heard, any act done or order passed by such members of the Executive Committee shall be deemed to have been heard, done or passed by the Executive Committee.

- (2) Every appeal made under this section shall be preferred by a party within three months from the date of the order appealed against. However delay, if any, in filing the appeal beyond the period of one month may be condoned by the appellate authority on good and sufficient reasons shown by the appellant for such delay.

Review of Orders.

21. (1) The Executive Committee may, either on its own motion or on the application of any party interested, review any order passed by itself or by any of its predecessors-in-office and/or revise any order passed by any authority of the District Council acting under this Act and pass such order in reference there-to, as it deems necessary.
- (2) No order affecting any question of right between or amongst private persons shall be reviewed/ revised except

after notice to any party likely to be affected and no application for review of such order shall be entertained unless it is made within 90 (ninety) days from the date of the order.

(3) No order shall be reviewed at the instance of any party except on the following grounds, namely;—

- (i) discovery of new and important matter of evidence; or
- (ii) some mistake or error apparent on the face of the record; or
- (iii) any other sufficient reason.

Power to remove difficulties.

22. If any difficulty arises in giving effect to any provision of this Act, the Executive Committee may as occasion requires, take any action not inconsistent with the provisions of this Act, which may appear to it necessary for the purpose of removing the difficulty:

Provided that no such action shall be taken after two years of the coming into force of this Act:

Provided further, that any action taken under this Section, shall be placed before the Council in Session for approval.

Power to make Rules.

23. (1) The Executive Committee shall, with the approval of the Governor, make Rules for the purpose of carrying out the provisions of this Act in consultation with the Chief and his Dorbar.

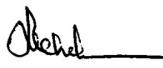
(2) Such rules when published in the Official Gazette, shall have the force of law.

STATEMENT OF OBJECT AND REASONS

Whereas it has become expedient to codify the prevailing Land tenure system and to regulate and administer the settlement, allotment, occupation, use or setting apart of land in the District, it is therefore considered necessary to enact this Act for proper regulation, administration and use of land so as to protect and promote the interest and welfare of the inhabitants of the District.

Hence, this Act.

Certified that the abovementioned Act was passed by the Khasi Hills Autonomous District Council on the 10th November, 2021, as modified by the Select Committee.


(Shri Lamphrang Blah)
Chairman,
Khasi Hills Autonomous District Council,
Shillong.

No. _____

I assent this Act.

Dated Shillong,
The 30th August, 2022


SATYA PAL MALIK,
GOVERNOR OF MEGHALAYA

APPENDIX – I
[See Section 2 (8) 2 (11) and 2 (25)]

| | | |
|-------------------|---|---------------|
| KHYRIM | - | SYIEMSHIP |
| MYLLIEM | - | SYIEMSHIP |
| NONGKHLAW | - | SYIEMSHIP |
| SOHRA | - | SYIEMSHIP |
| NONGSTOIN | - | SYIEMSHIP |
| MAHARAM | - | SYIEMSHIP |
| NONGSPUNG | - | SYIEMSHIP |
| LANGRIN | - | SYIEMSHIP |
| MAWSYNRAM | - | SYIEMSHIP |
| MYRIAW | - | SYIEMSHIP |
| RAMBRAI | - | SYIEMSHIP |
| MAWIANG | - | SYIEMSHIP |
| BHOWAL | - | SYIEMSHIP |
| MALAISOHMAT | - | SYIEMSHIP |
| NOBOSOHPHOH | - | SYIEMSHIP |
| JIRANG | - | SYIEMSHIP |
| SOHIONG | - | LYNGDOHSHIP |
| MAWPHLANG | - | LYNGDOHSHIP |
| LYNGIONG | - | LYNGDOHSHIP |
| MAWDON | - | SIRDARSHIP |
| PAMSANNGUT | - | SIRDARSHIP |
| NONGLWAI | - | SIRDARSHIP |
| MAWLONG | - | SIRDARSHIP |
| DWARANONGTYRNEM | - | SIRDARSHIP |
| SHELLACONFEDERACY | - | WAHADADARSHIP |

APPENDIX – I (A)

| | | |
|------------|---|-----------|
| NONGMYNSAW | - | SYIEMSHIP |
|------------|---|-----------|

APPENDIX – II
[See Section 2 (8), 2 (11) and 2 (24)]

| | | |
|--------------------|---|------------|
| WAHLONG | - | SIRDARSHIP |
| JYRNGAM | - | SIRDARSHIP |
| LAITLEYNGKOT | - | SIRDARSHIP |
| LAITKROH | - | SIRDARSHIP |
| MYRDON | - | SIRDARSHIP |
| MAWMLUH | - | SIRDARSHIP |
| MAWBEHLARKHAR | - | SIRDARSHIP |
| MAWSMAINONGTHYMMAI | - | SIRDARSHIP |
| MARBISU | - | SIRDARSHIP |
| MYNTENG | - | SIRDARSHIP |
| NONGPOH | - | SIRDARSHIP |
| NONGKROH | - | SIRDARSHIP |
| NONGJRI | - | SIRDARSHIP |
| NONGRIAT | - | SIRDARSHIP |
| NONGSHLUID | - | SIRDARSHIP |
| RIANGSIH | - | SIRDARSHIP |
| NONGLANG | - | SIRDARSHIP |
| NONGLYNGKIEN | - | SIRDARSHIP |
| NONGLAIT | - | SIRDARSHIP |
| RAMDAIT | - | SIRDARSHIP |
| SAITSOHPEN | - | SIRDARSHIP |
| SYNNEI | - | SIRDARSHIP |
| SINAI MAWSHYNRUT | - | SIRDARSHIP |
| SOHBAR | - | SIRDARSHIP |
| TYRNA | - | SIRDARSHIP |
| TYNRONG | - | SIRDARSHIP |
| TYNRIANG | - | SIRDARSHIP |
| UMNIUH-TMAR | - | SIRDARSHIP |