

**GOVERNMENT OF NAGALAND
DIRECTORATE OF AGRICULTURE**

NO.AGR/ADMN/2010/6299

Dated Kma, 15th June'2017

GENERAL INFORMATION

In continuation of this Department's "General Information" published on 09.06.2017 and to clear any confusion that may arise from the "Open Letter" of the Diphupar Village Council published on 14.06.2017, asking the Department to obtain their village patta as the Department land falls within their village Jurisdiction, the following information is issued for public awareness on the matter:

1. The Department's land located at 4th Mile, Dimapur, which is bounded on the west by the Dimapur-Kohima Highway (National Highway 39), never was and is not within the jurisdiction of Diphupar Village. The land in question was part of the area measuring 21,768.4 acres declared to be "Rangapahar Reserved Forest" by Governor in Council Vide Notification No.58-R dated 08.01.1924. Subsequently, in 1966, the Government of Nagaland by Notification NO.FOR-129/65 dated 01.07.1966, released the land measuring about **4896 acres from reserved forest for the purpose of sugarcane cultivation to feed the proposed Sugar Mill.**
2. In 1981, an attempt was made by 23 persons from Diphupar Village to encroach upon the land in question. In response, the Department filed a complaint for eviction before the Deputy Commissioner for Eviction, Dimapur, Nagaland, and the same was registered as **Case No. EV-3/81.** The said case was disposed of by the Deputy Commissioner Vide Judgment dated 03.12.1981, directing the encroachers to vacate the land before the 15th of January, 1982, failing which the structures and buildings shall be destroyed by force. The 23 encroachers from Diphupar Village filed an appeal under Section 12 of the 'Nagaland Eviction of Persons in Unauthorized Occupation of Public Land', against the judgment passed by the Deputy Commissioner for Eviction, Dimapur, before the Commissioner, Nagaland, and the appeal was registered as **Eviction Appeal No. 5/82.** The said appeal was dismissed by the Additional Commissioner, Nagaland, by Judgment dated 27.08.1982. The 23 villagers of Diphupar again filed a writ petition before the Hon'ble Gauhati High Court challenging the validity of the judgment dated 27.08.1982 passed by the Addl. Commissioner, Nagaland. The writ petition was registered as **Civil Rule No. 1305 of 1982/23(K)/86,** and the same was disposed of by the Division Bench of the Hon'ble High Court Vide Judgment dated 18.12.1990, whereby the writ petition was dismissed.
3. Despite having lost their case in all the above courts, the Diphupar Village Council have, on several occasions, made attempts to encroach upon the land in question, but through prompt action by the Department, the District Administration has prevented the encroachments. And, as a last resort, the Diphupar Village Council has been asking the Department to obtain their village patta for the land in question.
4. The demand of the Diphupar Village Council is preposterous. A village existing under the Government cannot dictate the Government. There is no law empowering the village to issue patta even to individuals. The record of the Government is supreme and no village authority can overrule the same.

Therefore, in view of the above, the Department reiterates the earlier statement (General Information published on 09.06.2017) and informs that any individual /party who purchases plots in the Department's land from any village/organization shall be doing so their own risk.

Sd/-
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Nagaland: Kohima.

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