

LAND DISPOSALS

THE NATIONAL LAND CODE 1965

- LAND DISPOSALS UNDER THE NATIONAL LAND CODE 1965 (NLC)
 - LAND DISPOSAL MEANS ANY DISPOSAL OF LAND BY THE STATE AUTHORITY

THE NATIONAL LAND CODE 1965

- DEFINITION OF LAND

- THE SURFACE OF THE EARTH AND ALL SUBSTANCES FORMING THAT SURFACE
- THE EARTH BELOW THE SURFACE AND ALL SUBSTANCES THEREIN
- ALL VEGETATION AND OTHER NATURAL PRODUCTS
- ALL THINGS ATTACHED TO THE EARTH OR PERMANENTLY FASTENED TO ANY THING ATTACHED TO THE EARTH
- LAND COVERED BY WATER

THE NATIONAL LAND CODE 1965

- **POWERS OF DISPOSAL**

- TO ALIENATE STATE LAND
- TO RESERVE STATE LAND AND GRANT LEASES OF RESERVED LAND
- TO PERMIT THE OCCUPATION OF STATE LAND, RESERVED LAND AND MINING LAND UNDER TEMPORARY OCCUPATION LICENSES
- TO PERMIT THE EXTRACTION AND REMOVAL OF ROCK MATERIAL
- TO PERMIT THE USE OF AIR SPACE

THE NATIONAL LAND CODE 1965

POWERS OF DISPOSALS

- TO DISPOSE OF ANY LAND FOR THE PURPOSES OF MINING
- TO PERMIT THE EXTRACTION OR REMOVAL OF ROCK MATERIAL FROM ANY LAND FOR THE PURPOSE OF OBTAINING METAL OR MINERAL
- TO DISPOSE OF ANY LAND FOR THE PURPOSE OF THE REMOVAL OF FOREST PRODUCE
- TO ALIENATE AGRICULTURE LAND LESS THAN ONE ACRE TO BE HELD BY MORE THAN ONE PERSON

THE NATIONAL LAND CODE 1965

- PERSONS AND BODIES ENTITLED FOR DISPOSAL
 - NATURAL PERSONS OTHER THAN MINORS
 - CORPORATIONS HAVING POWER UNDER THEIR CONSTITUTIONS TO HOLD LAND
 - SOVEREIGNS, GOVERNMENTS AND ORGANIZATIONS AUTHORIZED UNDER THE DIPLOMATIC AND CONSULAR PRIVILEGES ORDINANCE 1957
 - BODIES EXPRESSLY EMPOWERED TO HOLD LAND UNDER ANY OTHER WRITTEN LAW

THE NATIONAL LAND CODE 1965

- LAND ALIENATION

- ALIENATE MEANS TO DISPOSE OF STATE LAND IN PERPETUITY OR FOR A TERM OF YEARS
- ALIENATED LAND MEANS ANY LAND IN RESPECT OF WHICH A REGISTERED TITLE FOR THE TIME BEING SUBSISTS, WHETHER FINAL OR QUALIFIED AND WHETHER IN PERPETUITY OR FOR A TERM OF YEARS

THE NATIONAL LAND CODE 1965

- LAND TITLES
 - THE END PRODUCT OF ALIENATION IS LAND TITLE
 - PARTICULARS ON LAND TITLES ARE
 - THE PROPRIETOR
 - LAND IDENTIFICATION
 - ANNUAL RENT (QUIT RENT)
 - CONDITIONS
 - RESTRICTIONS
 - MEMORIALS
 - TRANSFER
 - LEASE
 - CHARGE
 - EASEMENT
 - CAVEATS

THE NATIONAL LAND CODE 1965

- LAND TITLES (CONT.)

- THE SIGNIFICANCE OF A LAND TITLE IS EMPHASIZED BY SECTION 78(3) OF THE NLC WHICH PROVIDES THAT THE LAND IS STILL STATE LAND UNTIL A TITLE IS REGISTERED AND NOT WITHSTANDING THAT ITS ALIENATION HAS BEEN APPROVED

THE NATIONAL LAND CODE 1965

- TYPES OF LAND TITLES

- FINAL TITLE (FT) AND QUALIFIED TITLE (QT)

- THE BOUNDARIES OF LAND UNDER A QT ARE ONLY PROVISIONAL
 - QT IS PROVIDED IN THE NLC TO ENABLE LAND TO BE ALIENATED IN ADVANCE OF SURVEY OR TO ENABLE TITLE TO BE ISSUED IN ADVANCE OF SURVEY
 - FT IS LAND DULY SURVEYED AND A CERTIFIED PLAN HAS BEEN APPROVED BY THE DIRECTOR OF SURVEY

THE NATIONAL LAND CODE 1965

- TYPES OF LAND TITLES

- REGISTRY TITLE AND LAND OFFICE TITLE

- FT COMPRISE OF REGISTRY TITLE AND LAND OFFICE TITLE WHILE QT COMPRISE OF QT CORRESPONDING TO REGISTRY TITLE AND QT CORRESPONDING TO LAND OFFICE TITLE
 - REGISTRY TITLE IS REGISTERED BY THE REGISTRAR IN THE REGISTRY OF TITLES AND A LAND OFFICE TITLE IS REGISTERED BY THE LAND ADMINISTRATOR AT THE LAND OFFICE OF THE DISTRICT
 - A REGISTRY TITLE IS ISSUED IN THE CASE OF TOWN OR VILLAGE LAND OR ANY LOT OF COUNTRY LAND EXCEEDING FOUR HECTARES IN AREA AND ANY PART OF THE FORESHORE OR SEABED
 - A LAND OFFICE TITLE IS ISSUED IN THE CASE OF LAND NOT EXCEEDING FOUR HECTARES

THE NATIONAL LAND CODE 1965

- FINAL REGISTRY TITLES
 - DOCUMENTS PREPARED ARE THE REGISTER DOCUMENT OF TITLE AND ISSUE DOCUMENT OF TITLE
 - TWO FORMS OF REGISTRY TITLE
 - GRANT IN FORM 5B
 - STATE LEASE IN FORM 5C

THE NATIONAL LAND CODE 1965

- FINAL LAND OFFICE TITLES
 - DOCUMENTS PREPARED ARE THE REGISTER DOCUMENT OF TITLE AND ISSUE DOCUMENT OF TITLE
 - TWO FORMS OF LAND OFFICE TITLE
 - MUKIM GRANT IN FORM 5D
 - MUKIM LEASE IN FORM 5E

THE NATIONAL LAND CODE 1965

- QUALIFIED TITLE CORRESPONDING TO REGISTRY TITLE
 - DOCUMENTS PREPARED ARE THE REGISTER DOCUMENT OF TITLE AND ISSUE DOCUMENT OF TITLE
 - ONE FORM OF TITLE
 - QT(R) IN FORM 11A

THE NATIONAL LAND CODE 1965

- QUALIFIED TITLE CORRESPONDING TO LAND OFFICE TITLE
 - DOCUMENTS PREPARED ARE THE REGISTER DOCUMENT OF TITLE AND ISSUE DOCUMENT OF TITLE
 - ONE FORM OF TITLE
 - QT(M) IN FORM 11B

THE NATIONAL LAND CODE 1965

- APPROVING AUTHORITY FOR LAND ALIENATION
 - THE STATE AUTHORITY
 - POWERS CAN BE DELEGATED TO THE DIRECTOR OF LANDS AND MINES AND THE LAND ADMINISTRATOR

THE NATIONAL LAND CODE 1965

- CONTENT OF PAPER FOR CONSIDERATION OF THE STATE AUTHORITY
 - PARTICULARS OF APPLICANT
 - ELIGIBILITY OF APPLICANT
 - THE INTENDED USE OF LAND
 - LOCATION OF LAND
 - DESCRIPTION OF LAND
 - VIEWS OF RELEVANT DEPARTMENTS
 - THE AREA RECOMMENDED FOR APPROVAL
 - THE PERIOD OF ALIENATION
 - THE RECOMMENDED RENT
 - THE RECOMMENDED PREMIUM
 - THE RECOMMENDED CATEGORY OF LAND USE
 - THE RECOMMENDED RESTRICTION IN INTEREST
 - THE RECOMMENDED EXPRESS CONDITION

THE NATIONAL LAND CODE 1965

- TEMPORARY OCCUPATION LICENSE (TOL)
 - THE STATE AUTHORITY MAY PERMIT THE TEMPORARY OCCUPATION UNDER LICENSE FOR
 - STATE LAND
 - MINING LAND NOT FOR THE TIME BEING USED FOR PURPOSES OF MINING
 - RESERVED LAND
 - A TOL CANNOT BE ISSUED WITHIN A PERMANENT RESEVED FOREST AS DEFINED IN THE NAIONAL FORESTRY ACT 1984
 - A TOL CAN ONLY BE ISSUED TO THOSE QUALIFIED UNDER SECTION 43
 - ONE TOL SHOULD BE ISSUED ONLY TO ONE PERSON

THE NATIONAL LAND CODE 1965

- TEMPORARY OCCUPATION LICENSE (TOL)
 - AUTHORITY TO ISSUE A TOL
 - BY THE LAND ADMINISTRATOR
 - IN RESPECT OF MINING LAND BY THE LAND ADMINISTRATOR WITH THE APPROVAL OF THE SENIOR INSPECTOR OF MINES OR OTHER SUCH OFFICERS
 - IN RESPECT OF RESERVED LAND BY THE LAND ADMINISTRATOR WITH THE APPROVAL OF THE CONTROLLING OFFICER

THE NATIONAL LAND CODE 1965

- TEMPORARY OCCUPATION LICENSE (TOL)
 - CONDITIONS OF TOL
 - EXPIRE AT THE END OF THE YEAR UNLESS FOR PUBLIC EXHIBITION OR ENTERTAINMENT
 - USE FOR STATED PURPOSES ONLY
 - NOT TO BE PLANTED WITH PERMANENT CROP
 - NO ERECTION OF PERMANENT BUILDING OR STRUCTURE
 - MAY BE RENEWED ANNUALLY. NOT MORE THAN 3 RENEWALS BY THE LAND ADMINISTRATOR UNLESS PRIOR WRITTEN APPROVAL OF THE STATE AUTHORITY HAS BEEN OBTAINED
 - NOT CAPABLE OF ASSIGNMENT
 - TERMINATE IN THE EVENT OF DEATH OF THE PERSON ISSUED UPON
 - CANCELLED IMMEDIATELY UPON BREACH OF CONDITIONS
 - CAN BE CANCELLED WITH PAYMENT OF COMPENSATION

THE NATIONAL LAND CODE 1965

- COMBINED TEMPORARY OCCUPATION LICENSE (TOL) AND PERMIT
 - THE PURPOSE OF ISSUING SUCH LICENSE IS TO CATER FOR A SITUATION WHERE THE EXTRACTION OF ROCK MATERIAL CANNOT BE DONE DUE TO NO RIGHTS OF OCCUPANCY. WITH A COMBINED TOL AND PERMIT, THE LICENSEE CAN OCCUPY THE LAND AND AT THE SAME TIME EXTRACT, PROCESS, REMOVE AND TRANSPORT THE ROCK MATERIAL

THE NATIONAL LAND CODE 1965

- COMBINED TEMPORARY OCCUPATION LICENSE (TOL) AND PERMIT
 - CONDITIONS OF COMBINED TOL AND PERMIT
 - EXPIRES AT THE END OF THE SPECIFIED TERM. TERM NOT EXCEEDING 5 YEARS. NOT RENEWABLE
 - USE FOR THE PURPOSES OF EXTRACTION, PROCESSING AND REMOVAL OF ROCK MATERIAL
 - QUANTITY OF ROCK MATERIAL EXTRACTED SHOULD NOT EXCEED THE QUANTITY SPECIFIED
 - NOT CAPABLE OF ASSIGNMENT
 - TERMINATE IN THE EVENT OF DEATH OF THE PERMIT HOLDER
 - CANCELLED IMMEDIATELY FOR BREACH OF CONDITIONS
 - CANCELLED WITH COMPENSATION
 - PAYMENT OF DEPOSIT AS SECURITY FOR PERFORMANCE ACCORDING TO THE PERMIT PROVISIONS AND REHABILITATION

THE NATIONAL LAND CODE 1965

- PERMIT TO EXTRACT, REMOVE AND TRANSPORT ROCK MATERIAL
 - THE STATE AUTHORITY MAY GRANT A PERMIT TO EXTRACT, REMOVE AND TRANSPORT ROCK MATERIAL
 - THE PERMIT MAY BE ISSUED IN RESPECT OF
 - STATE LAND
 - ALIENATED LAND
 - MINING LAND
 - RESERVED LAND

THE NATIONAL LAND CODE 1965

- PERMIT TO EXTRACT, REMOVE AND TRANSPORT ROCK MATERIAL
 - PERMIT CANNOT BE ISSUED FOR THE PURPOSE OF OBTAINING METAL OR MINERAL FROM THE LAND OR FOR THE PURPOSE OF REMOVAL OF FOREST PRODUCE
 - AUTHORITY TO ISSUE PERMIT
 - THE LAND ADMINISRATOR
 - THE LAND ADMINISTRATOR SUBJECT TO THE APPORVAL OF THE LAND OWNER OF ANY ALIENATED LAND FOR PERMIT TO BE GIVEN TO ANOTHER PERSON
 - THE LAND ADMINISTRATOR WITH THE APPROVAL OF THE SENIOR INSPECTOR OF MINES FOR MINING LAND
 - THE LAND ADMINISRATOR FOR RESERVED LAND APPROVED BY THE CONTROLLING OFFICER

THE NATIONAL LAND CODE 1965

- PERMIT TO EXTRACT, REMOVE AND TRANSPORT ROCK MATERIAL
 - CONDITIONS OF PERMIT
 - EXPIRE AT THE END OF THE YEAR EVENTHOUGH SPECIFIED QUANTITY HAS NOT BEEN EXTRACTED
 - USE ONLY FOR THE EXTRACTION, REMOVAL AND TRANSPORTATION OF ROCK MATERIAL
 - QUANTITY EXTRACTED MUST NOT EXCEED STATED QUANTITY
 - NOT CAPABLE OF ASSIGNMENT
 - TERMINATE IN THE EVENT OF DEATH OF PERMIT HOLDER
 - CANCELLED IMMEDIATELY FOR BREACH OF CONDITIONS
 - CANCELLED IMMEDIATELY WITH COMPENSATION
 - NO RENEWAL OF PERMIT
 - THE LAND ADMINISRATOR MAY REQUEST FOR A DEPOSIT

THE NATIONAL LAND CODE 1965

- PERMIT TO USE AIR SPACE ABOVE STATE LAND AND RESERVE LAND
 - THE STATE AUTHORITY CAN ISSUE A PERMIT FOR THE PURPOSE OF ERECTING, MAINTAINING AND OCCUPYING A STRUCTURE OVER STATE LAND OR RESERVED LAND AS AN ADJUNCT TO ANY STRUCTURE ON THE ADJOINING LAND
 - THE PERMIT IS FOR A PERIOD NOT EXCEEDING 21 YEARS
 - IF APPLICATION IS IN RESPECT OF RESERVED LAND APPROVAL FROM THE CONTROLLING OFFICER IS REQUIRED

THE NATIONAL LAND CODE 1965

- PERMIT TO USE AIR SPACE ABOVE STATE LAND AND RESERVE LAND
 - THE STRUCTURE USING AIR SPACE MUST BE APPROVED BY THE APPROPRIATE PLANNING AUTHORITY.
 - THE APPROVAL CAN BE IN THE FORM OF
 - A PLANNING PERMISSION
 - A DEVELOPMENT ORDER
 - A DECISION OF A LOCAL AUTHORITY OR A BODY VESTED WITH POWERS RELATING TO TOWN PLANNING UNDER THE ENACTMENTS

THE NATIONAL LAND CODE 1965

- CONDITIONS OF PERMIT
 - THE PERMIT IS SUBJECT TO AN ANNUAL PAYMENT
 - THE PERMIT CANNOT BE ASSIGNED EXCEPT WITH THE APPROVAL OF THE STATE AUTHORITY
 - DEPOSIT WITH THE APPROVAL OF THE STATE AUTHORITY CAN BE COLLECTED
 - THE PERMIT CAN BE CANCELLED UPON BREACH OF CONDITION
 - STATE AUTHORITY CAN CANCEL PERMIT WITH COMPENSATION

THE NATIONAL LAND CODE 1965

- RESERVATION OF LAND FOR PUBLIC PURPOSE
 - RESERVED LAND ARE LAND FOR THE TIME BEING RESERVED FOR A PUBLIC PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 62 OR OF ANY PREVIOUS LAW
 - RESERVED LANDS ARE NORMALLY MAINTAINED BY THE OFFICERS OF THE STATE OR FEDERAL DEPARTMENTS
 - RESERVED LAND CAN BE LEASE FOR A MAXIMUM PERIOD OF 21 YEARS
 - A LEASE OF RESERVED LAND IS GRANTED IN FORM 4E OF THE NLC

THE NATIONAL LAND CODE 1965

- RESERVATION OF LAND FOR PUBLIC PURPOSE
 - MATTERS DETERMINED BY THE STATE AUTHORITY IN APPROVING LEASES ON RESERVED LAND
 - ANNUAL RENT
 - THE USE OF LAND
 - THE AREA WHETHER WHOLE OR PART
 - THE PERIOD OF LEASE
 - OTHER CONDITIONS APPROPRIATE
 - RESERVED LANDS ARE NORMALLY MAINTAINED BY THE OFFICERS OF THE STATE OR FEDERAL DEPARTMENTS
 - RESERVED LAND CAN BE LEASE FOR A MAXIMUM PERIOD OF 21 YEARS
 - A LEASE OF RESERVED LAND IS GRANTED IN FORM 4E OF THE NLC

THE NATIONAL LAND CODE 1965

- DISPOSAL OF UNDERGROUND LAND
 - DISPOSAL OF UNDERGROUND LAND CAN BE IN DIFFERENT FORMS:
 - ALIENATION
 - UNDERGROUND STATE LAND BELOW STATE LAND
 - UNDERGROUND LAND WHICH IS STATE LAND BELOW ALIENATED LAND WITH DEPTH SPECIFIED
 - UNDERGROUND LAND BELOW ALIENATED LAND WITHOUT DEPTH SPECIFIED
 - GRANTING OF THE RIGHT TO USE
 - THE USE IS FOR A DIFFERENT AND UNRELATED PURPOSE THE WHOLE OR PART OF THE UNDERGROUND LAND BELOW ALIENATED LAND WITHOUT DEPTH SPECIFIED

THE NATIONAL LAND CODE 1965

- DISPOSAL OF UNDERGROUND LAND
 - DISPOSAL OF UNDERGROUND LAND CAN BE IN DIFFERENT FORMS (CONT):
 - LEASE
 - UNDERGROUND LAND BELOW RESERVED LAND
 - UNDERGROUND LAND BELOW THE UNDERGROUND LAND OVER WHICH A LEASE HAS BEEN GRANTED
 - UNDERGROUND LAND VESTED IN THE STATE AUTHORITY BELOW THE RESERVED LAND OVER WHICH A LEASE WITH DEPTH SPECIFIED HAS BEEN GRANTED
 - GRANTING OF THE RIGHT TO USE
 - THE RIGHT TO USE FOR A DIFFERENT AND UNRELATED PURPOSE THE WHOLE OR PART OF THE UNDERGROUND LAND BELOW THE LEASED RESERVED LAND WITHOUT DEPTH SPECIFIED

THE NATIONAL LAND CODE 1965

- DISPOSAL OF UNDERGROUND LAND
 - THE TITLE HAS TO BE A REGISTRY TITLE
 - A QT CANNOT BE REGISTERED IN RESPECT OF UNDERGROUND LAND
 - THE STATE AUTHORITY MAY DETERMINED THE DEPTH