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THE ASSAM LAND (REQUISITION
AND ACQUISITION) ACT, 1964

(ASSAM ACT XV OF 1964)

As amended up to 1985

GOVERNMENT OF ASSAM
DIRECTORATE OF LAND REQUISITION,
ACQUISITION AND REFORMS, ASSAM
AMBARI, GUWAHATI-1

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ACQUISITION) ACT, 1964

(Assam Act XV of 1964)
As amended up to 1985

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INTRODUCTION

Land Acquisition Act, 1894 has been the basic law on acquisition of land needed for public purposes. This Central Act which came into force from 1st day of March, 1894 continues to this day the main piece of legislation for land acquisition and determination of compensation in the entire country.

However, to meet the requirements of speedy acquisition the following three State legislations were enacted :

1. The Assam Land (Requisition & Acquisition) Act, 1948,
2. The Assam Acquisition of land for Flood Control and Prevention of Erosion Act, 1955.
3. The Assam Acquisition of Land for Flood Control for Prevention of Erosion (Validation) Act, 1959.

The above three Acts were applied in emergent cases of land acquisition in the State in the post Independence period. Hon'ble Guwahati High Court, however, opined that the Assam Acquisition of Land for Flood Control and Prevention of Erosion Act, 1955 was violative of the Article 31(2) of the Constitution and void under the Article 13 of the Constitution of India. Hon'ble High Court was also of the opinion that the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Act, 1959 had no powers to declare that the land taken possession of prior to the Act, 1955 could be deemed to have, been acquired under the 1955 Act. The Act of 1955 also suffered from the inherent defect as no procedure for payment of compensation was provided in the Act,

In the back ground of the above situation, the Assam Land (Requisition & Acquisition) Act, 1964 was brought into being, principally, to validate all actions taken under the Act, 1955 and also to consolidate the law of requisition and speedy acquisition of premises and land for public purposes mainly centering round requisition and acquisition on account of flood control and associated activities. With the enactment of the Assam Land (Requisition and Acquisition) Act, 1964 the Land Requisition and Acquisition

Acts 1948, 1955 and 1959 were all repealed. The Land (Requisition & Acquisition) Act, 1964 was only once amended in 1985.

In the present publication the Assam Land (Requisition and Acquisition) Act, 1964 is presented up-to date with the 1988 amendment together with the Assam Land (Requisition & Acquisition) Rules, 1964. It is hoped that the officials connected with land acquisition whether in Revenue, Flood Control or other Government departments would find the presentation handy. This volume will be also found useful for all the Revenue Courts and practitioners of Law.

27th March, 1991

D. K. Gangopadhyay,
Spl. Commissioner & Spl. Secretary,
Revenue Department, Dispur, Guwahati.

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THE ASSAM LAND (REQUISITION AND
ACQUISITION) ACT, 1964*
(Assam Act XV of 1964)
As amended upto 1985

(Received the assent of the President on the 29th July, 1964)

An Act to amend and consolidate the law for requisition and speedy acquisition of premises and land for certain public purposes.

Preamble :—Whereas it is expedient to amend and consolidate the law for requisition and speedy acquisition of premises and land for certain public purposes ;

It is hereby enacted in the Fifteenth Year of the Republic of India as follows :

1. **Short title, extent and commencement** :—(1) This Act may be called the Assam Land (Requisition and Acquisition) Act, 1964.

(2) It extends to the State of Assam.

(3) It shall come into force at once.

2. **Definitions** :—In this Act, unless there is anything repugnant in the subject or context :

(a) “Collector”, “Land” and “person interested” have the same meaning as in the Land Acquisition Act, 1894 (Act 1 of 1894) ;

Explanation :—Land for the purpose of this Act includes trees, buildings and standing crops on it, and assessment.

(b) “Court” means a Principal Civil Court of original jurisdiction and includes the Court of any Additional Judge, Subordinate Judge or Munsif whom the State Government may appoint, by name or by virtue of his office, to perform, concurrently with any such principal Civil Court, all or any of the functions of the Court under this Act within any specified local limits and, in the case of Munsif upto

* Published in the Assam Gazette, Extraordinary, dated the 3rd August, 1964:

the limits of the pecuniary jurisdiction with which he is Act
vested under Section 19 of the Bengal, Agra and XII
Assam Civil Courts Act, 1887 ; of
1887

(c) "displaced Person" means—

- (i) any person, who on account of this setting up on the two Dominions of India and Pakistan or on account of civil disturbances or the fear of such disturbances in any area now forming part of Pakistan has been compelled to leave his place of residence in such area after the 1st day of March, 1974 and who has subsequently been residing in India and is in distress, or
- (ii) a person who has been displaced due to various acquisition proceedings relating to land in Assam since 1943.
- (d) "Owner" means proprietor or patta holder and his co-sharer ; and
- (e) "Prescribed" means prescribed by rules made under this Act.

3. Power to requisition :—(1) If in the opinion of the State Government or any person authorised in this behalf by the State Government it is necessary so to do, for maintaining supplies and services essential to the life of the community or for providing proper facilities for accommodation, transport, communication, irrigation, flood control and anti-erosion measures including embankment and drainage or for providing land individually or in groups to landless, flood affected or displaced persons, or to a society registered under the Assam Co-operative Societies Act, 1949 (Assam Act I of 1950), or a company incorporated under the Companies Act, 1956 (Act I of 1950), or a company incorporated under the Companies Act, 1956 (Act I of 1956), formed for the benefit and rehabilitation of landless, flood affected or displaced persons [or to provide land for the purpose of construction of border fencing and allied works, including border roads and check posts connected therewith, along Bangladesh border] the State Government or the person so authorised, as the case may be, may by order in writing, requisition any land and may make such further orders as appear to it or to him to be necessary or expedient in connection with the requisitioning.*

*Words within [] were inserted vide Amendment Act, 1985 (Act X of 1985 published in the Gazette on 28th may 1985.)

(2) An order under sub-section (1) shall be served in the prescribed manner on the owner of the land and where the order relates to land in occupation of a tenant, also on such tenant.

(3) When the order for requisition is made by any authority other than the State Government, any person interested in the land, within 30 days from the date of service of the order, may appeal to the State Government and the decision of the State Government in such appeal shall be final.

(4) Power to take possession of requisitioned land—

(1) Where any land has been requisitioned under Section 3, the State Government or the person authorised in this behalf by the State Government may, by order in writing, direct the owner, the tenant, or any other person who may be in possession of the land whether at the time of requisition or at any time thereafter before the land whether at the time of requisition or at any time thereafter before the land is released from requisition or under Section 8. to surrender or deliver possession thereof to the Collector or any other person duly authorised by him in this behalf within such days of the service of the order as may be specified therein.

(2) If any person refuses or fails to comply with an order made under sub-section (1) the State Government or the person authorised in this behalf, in addition to any other provisions in this Act, may take possession of the land and may, for that purpose, use such force as may be necessary.

(3) An order under sub-section (1) shall be served in the prescribed manner on the owner of the land and where the order relates to land in occupation of a tenant or any other person also on such tenant or occupant.

(4) If after service of the notice on the owner, tenant or the occupant, any person other than the person on whom the notice is served enters into possession of the land, nothing in this sub-section shall be construed as requiring fresh notice on such person and such person shall deliver possession to the Collector or any other person duly authorised by him in this behalf, on the date previously notified, notwithstanding that no fresh notice has been served on him.

(5) If it is found that the person entering into unauthorised possession of the land under sub-section (4) has raised any crop or erected any building or other construction on the land, the Collector or any other person duly authorised by him in this behalf shall have the power to confiscate or destroy the crop so raised or the building or other construction so erected by such person and such person shall not be entitled to any compensation for any loss or damage so done.

5. **Repairs to buildings.** Where any land with building standing thereon is requisitioned under Section 3, the State Government or the person authorised in this behalf by the State Government may order the owner to execute such repairs as may be necessary and are usually made by landlords of that locality and as may be specified in the notice issued in this behalf within such reasonable time as may be mentioned therein and if the owner fails to execute any repairs in pursuance of such order, the State Government or the person authorised in this behalf by the State Government may cause repairs specified in the order to be executed at the expense of the owner and the cost thereof, may, without prejudice to any other mode of recovery, be deducted from the compensation payable to the owner in such proportion and over such period as may be prescribed :

Provided that where an order is made by an authority other than the State Government, to carry out repairs at the expense of the owner, the owner or any other person interested in the land, within 30 days from the date of service of the order, may appeal to the State Government, and the decision of the State Government on such appeal shall be final.

6. **Acquisition of land.**—(1) Where any land has been requisitioned under Section 3, the State Government may use or deal with it in such manner as may appear to it to be expedient and may acquire such land by publishing in the official Gazette, a notice to the effect that the State Government has decided to acquire such land in pursuance of this section.

(2) Where a notice as aforesaid is published in the official Gazette, the requisitioned land and premises shall, on and from the beginning of the day on which the notice

is so published, vest absolutely in the State Government free from all encumbrances and the period of requisition of such land shall end.

(3) Subject to the provisions of this Act on such vesting, the provisions of the Land Acquisition Act, 1894 (Act I of 1894) with the rules framed thereunder shall, so far as may be apply to such land.

7. Notice to persons interested.—(1) After the publication of a notice under sub-section (1) of Section 6, the Collector shall cause public notice to be given at convenient places or near the land to be taken stating that the State Government has acquired the land, and that claims to compensation for all interests in such land may be made to him.

(2) Such notice shall state the particulars of the land so acquired, and shall require all persons interested in the land to appear personally or by duly authorised agent before the Collector at a time and place therein mentioned (such time not being earlier than fifteen days after the date of publication of the notice) and to state the nature of their respective interests in the land and the amount and particulars of their claim to compensation for such interests. The Collector may in any case require such statement to be made in writing and signed by the party or his agent.

8. Release from requisition.—(1) Where any land requisitioned under Section 3 is not acquired and is to be released from requisition, it will revert to the owner or person interested who was recognised under sub-section (4) of Section 11 in as good a condition as the land was when possession thereof was taken subject only to the changes caused by reasonable wear and tear and irresistible force.

(2) The delivery of possession of such land to the person specified in the order made under sub-section (1) shall be a full discharge of any liability of the State Government to deliver possession to such person as may have rightful claim to possession thereof but shall not prejudice any right in respect of such land which any other person may be entitled by due process of law to enforce against the person to whom possession of the land is so delivered.

(3) Where the person to whom the possession of any land requisitioned under Section 3 is to be delivered cannot be found or is not readily traceable or has no agent or other person empowered to accept delivery on his behalf, the State Government shall publish in the official Gazette a notice declaring that such land is released from requisition and shall cause a copy thereof to be affixed on some conspicuous part of such land.

(4) When a notice referred to in sub-section (3) is published in the official Gazette, the land specified in such notice shall cease to be subject to requisition on and from the date of such publication and shall be deemed to have been delivered to the person entitled to possession thereof; and the State Government shall not be liable for any compensation or other claims in respect of such land for any period after the said date.

9. Speedy acquisition of land in certain cases.—(1) Notwithstanding anything contained herein before, if in the opinion of the State Government or the Collector it is necessary or expedient to acquire speedily any land for works or other development measures in connection with flood control and anti-erosion measures including embankment and drainage, [or for the construction of border fencing and allied works including border roads and check posts connected therewith along Bangladesh border], the State Government or the Collector by order in writing acquire the land stating the area and boundaries thereof.*

(2) The Collector shall cause the order passed under sub-section (1) to be served in such manner as may be prescribed on the owner of the land and also on the tenant or the occupant in cases where the owner is not in occupation of the land and also a notice to the same effect stating that claims to compensation for all interests in the land may be made to him within such time as may be prescribed.

*The words within [] were inserted vide Amendment Act 1985 (Act, X of 1985) preceded by the Assam Land (Requisition & Acquisition, Amendment Ordinance, 1984 (Assam Ordinance No. VII of 1984).

Provided that when the person to be so served is not readily traceable or the ownership of the land is in dispute, the Collector shall cause the above order and notice to be published in such manner as may be prescribed.

10. Vesting and taking possession of land acquired under Section 9.—(1) When an order of acquisition is served or published under sub-section (2) of Section 9, the land shall vest absolutely in the State Government free from all encumbrances on the date the order is so served or published.

(2) The Collector may, at any time after the land becomes so vested, proceed to take possession thereof.

(3) On such vesting, the order passed under sub-section (1) of Section 9 shall be published in the official Gazette in the manner prescribed.

11. Compensation.—(1) Subject to the provisions of sub-section (2), whenever any land is acquired under Section 6 or Section 9 there shall be paid compensation the amount of which shall be determined by the Collector. In determining the amount of compensation the Collector shall take into consideration the market value of the land for a period of five years proceeding the date of publication of the notice under sub-section (1) of Section 6 where the land is acquired under the said section, and where the land is acquired under Section 9, from the date of passing the order under sub-section (1) of the said section, and the amount of compensation payable shall be on the basis of the average market value so arrived at:

Provided that where any building is acquired under Section 6, the compensation shall be payable at the market value of the building on the date of publication of the notice under sub-section (1) thereof.

(2) In the case of land with respect to which any settlement has been made for special cultivation or which is included in any grant, if such land is lying fallow or unclutivated or is not utilised for the purpose for which the grant or settlement was made or for the purposes incidental thereto, then the compensation payable for acquisition of such land together with trees if any standing on it shall be an amount equal to ten times the annual

land revenue which, on the date of publication of the notice referred to in sub-section (1) of Section 6 or sub-section (1) of Section 9, is or would have been payable is such land is or had been assessable to revenue at full rates:

Provided that where any amount was originally paid to Government by the grantee as Price or premium for the land, an additional amount equal to the amount originally paid by the grantee shall also be payable.

Explanation.—“Special Cultivation” means Cultivation which involves, either owing to the nature of the crop or owing to the process of Cultivation, a much larger expenditures of capital per acre than is incurred by most of the Cultivators in the State, and includes Cultivation of tea.

(3) When the compensation has been determined under sub-section (1) or sub-section (2), the Collector shall make an award in accordance with the Principles set out in Section 11 of the Land Acquisition Act, 1894 (Act, 1894) (Act I of 1894), but no amount referred to in sub-section (2) of Section 23 of that Act shall be included in the award,

(4) Where any land is requisitioned under Section 3, there shall be paid subject to the provisions of sub-section (5) below, to every person interested such compensation as may be agreed upon in writing between such person and the Collector or in the absence of agreement, reasonable compensation in respect of—

(a) the requisition of such land: ; and

(b) the damage done during the period of requisition of such land other than what may have been sustained by reasonable wear and tear and irresistible force:

Provided that in determining the amount of compensation whether in the case of agreement or otherwise, such amount shall not exceed the rent payable under the provisions of the Assam Urban Areas Rent Control Act, 1961 (Assam Act II of 1962), or the Assam Non-Agricultural Urban Areas Tenancy Act, 1955 (Act XII of 1955) or the (Assam Temporarily Settled Districts) Tenancy Act, 1935 (Assam Act III of 1935) so far as they may be applicable

or of any of the statutory re-enactment or modification thereof.

(5) Notwithstanding the provisions of sub-section (2) of Section 12, in the case of land included in any grant or settlement made for special cultivation or other purposes which is lying fallow or uncultivated and which is requisitioned for the purpose of cultivation, the annual compensation payable under clause (a) of sub-section (4) shall in no case be more than double the annual land revenue which, on the date of order of requisition, is or would have been payable if such land is or had been assessable to revenue at full rates.

12. Reference to Court. (1) The Collector shall in every case.—

(a) Where any person aggrieved by an award made under Sub-section (3) of Section II makes an application requiring the matter to be referred to the Court; or

(b) Where there is any disagreement with regard to the compensation payable under Sub-section (4) of Section 11 on the application of the person entitled to compensation requiring the matter to be referred to Court.,

refer the matter to the decision of the Court.

(2) Subject to the provisions of this Act, the provisions of the Land Acquisition Act, 1894 (Act I of 1894), shall mutatis mutandis apply in respect of any reference made to the Court under sub-section (1).

13. Payment of interest.—When the amount of any compensation payable under this Act is not paid or deposited within thirty days from the date of the award the Collector shall pay the amount awarded with interest thereon at the rate of 6 percent per annum from the date of the award until it shall have been so paid or deposited.

14. Refund of Land Revenue.—After the publication of the notice referred to in Sub-section (1) of Section 6 or after taking possession of the land under Sub-section (2) of Section 10, as the case may be, no land revenue shall be pay-

able for any period thereafter and land revenue if any paid in respect of such period shall be refunded,

15. Power to enter upon land, etc. The State Government may, with a view to requisitioning any land or for the purpose of determination by the Collector of the amount of compensation payable under this Act, by order.

(a) require any person to furnish to such authority as may be specified in the order such information in his possession relating to the property as may be specified ;

(b) direct that the owner or occupier of the land shall not dispose of it or alter it without permission from the Government till the expiry of such period as may be specified in the order ;

(c) authorise any person to perform in respect of any land all or any of the functions referred to in sub-section (2) of Section 4 of the Land Acquisition Act, 1894 (Act I of 1894).

16. Penalty ;—If any person contravenes any order made under this Act he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both.

17. Saving:—Save as otherwise expressly provided in this Act no decision or order made in exercise of any power conferred by or under this Act shall be called in question in any Court.

18. Protection of action taken under this Act.—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of this Act or any order made thereunder.

(2) Save as otherwise expressly provided in this Act, no suit or other legal proceeding shall lie against the State Government for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Act or any rule or any order made thereunder.

19. Recovery of money payable to Government. Any money payable to State Government under this Act shall be recoverable as arrear of land revenue.

20. Power to make rules.—(1) The State Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing powers such rules may provide for all or any of the following matters, namely :

(a) the manner of service of orders on the owner or occupier of land referred to in sub-section (2) of Section 3;

(b) the manner of service of notice and orders on the persons referred to in sub-section (2) of Section 7 and in sub-section (2) of Section 9 respectively ;

(c) the manner and the conditions and terms on which land will be settled or disposed of by Government ; and

(d) the manner of disposal of any structure of tree standing on the land.

(3) Every rule made under this section shall be laid, as soon as may be after it is made, before the Assam Legislative Assembly while it is in session for a total period of fourteen days, which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the sessions immediately following, the Assam Legislative Assembly agree in making any modification in the rule or the Assam Legislative Assembly agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity or anything previously done under that rule.

21. Repeal and Saving.—(1) The Assam Land (Requisition and Aquisition) Act, 1948 (Assam Act XXV of 1948), the Assam Aquisition of Land for Flood Control and prevention of Erosion Act, 1955 (Act VI of 1955) and the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Act, 1959 (Assam Act XXI of 1960), are hereby repealed.

(2) Notwithstanding such repeal :

- (a) any rule made, any order issued, any notification published, any proceedings commenced, any action taken or anything whatsoever done under that Acts repealed, shall continue and deemed to have continued and have effect as if made, issued, published commenced, taken or done under the corresponding provisions of this Act ;
- (b) any action taken, order made or other acts and things done by any officer acting or purporting to act under the Acts repealed in connection with the requisition or acquisition of any land shall be valid and shall be deemed always to have been valid. and shall not be called in question in any Court on the ground of incompetency of the officer to act under the Acts repealed.

22, Validation of acquisition and compensation under the repealed Acts ;—Notwithstanding anything contained in any judgment, decree or order of any Court, all lands requisitioned, acquired, compensation paid for, work undertaken or purported to have been requisitioned, acquired, compensation paid or works undertaken under the Acts repealed, shall be deemed always to have been, as validly requisitioned, acquired, paid or undertaken as if the provisions of this Act were in force at all material times when such requisition or acquisition was made or compensation was paid or works were undertaken, and accordingly ;

(a) no suit or other proceeding shall be maintained or continued in any court against the State Government or any officer for the release of any land so requisitioned or acquired or for payment of any damages; and

(b) no Court shall enforce a decree or order directing the release of any land so requisitioned or acquired or for the payment of any damages.

ASSAM ACT NO. X OF 1985

(Received the assent of the President on 17th May, 1985)

THE ASSAM LAND (REQUISITION AND ACQUISITION)

(AMENDMENT) ACT, 1985

ASIAN ACT NO. 1 OF 1985

Received the assent of the President on 17th May, 1985

THE ASIAN LAND RESIGNATION AND ACQUISITION

ACT, 1985

ASSAM ACT No. X OF 1985

(Received the assent of the President on 17th May, 1985)

THE ASSAM LAND (REQUISITION
AND ACQUISITION) (AMENDMENT)
ACT, 1985

An

Act

*to amend the Assam Land (Requisition and
Acquisition) Act, 1964.*

Preamble.

Whereas it is expedient to amend the Assam Land (Requisition and Acquisition) Act, 1964 (Assam Act XV of 1964) hereinafter called the principal Act in the manner hereinafter appearing;

Assam
Act XV
of 1964.

It is hereby enacted in the Thirty-sixth year of the Republic of India as follows, namely:—

Short title
and com-
mencement.

1. (1) This Act may be called the Assam Land (Requisition and Acquisition) (Amendment) Act, 1985.

(2) It shall come into force at once.

Amendment
of Section 3.

2. In the principal Act, in Section 3, in sub-section (1), between the words "flood affected or displaced persons" and "the State Government" the words

"or to provide land for the purpose of construction of border fencing and allied works, including border roads and check posts connected therewith, along Bangladesh border" shall be inserted.

Amendment
of Section 9

3. In the principal Act, in Section 9, in sub-section (1), between the words "including embankment and drainage" and "the State Government" the words

“or for the construction of border fencing and allied works, including border roads and check posts connected therewith, along Bangladesh border” shall be inserted.

Repeal and
Savings.

4. (1) The Assam Land (Requisition and Acquisition) (Amendment) Ordinance, 1984 (Assam Ordinance No. VII of 1984) is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act came into force on the 22nd day of December, 1984.

MD. SAADULLAH,
Secretary to the Govt. of Assam
Legislative Deptt.

THE ASSAM LAND (REQUISITION ACQUISITION)

RULES, 1964.

THE ASSAULT AND REQUISITION ACQUISITION

RULES 1934

THE ASSAM LAND (REQUISITION AND ACQUISITION) RULES, 1964.

1. Short title and commencement.- (1) These Rules may be called the Assam Land (Requisition and Acquisition) Rules, 1964.

(2) They shall come into force at once.

2. Definition.- In these Rules, unless there is anything repugnant in subject or context:

(a) "The Act" means the Assam Land (Requisition and Acquisition Act, 1964.

(b) "Form" means the form appended to these rules,

(c) "Section" means a section of the Act.

(d) All words and expressions used in these rules and not defined herein be defined in the Act shall respectively have the same meaning as assigned to them in the Act.

3. Manner of submission of representation by interested person when land is necessary to be requisitioned for landless or displaced persons:- Where it is necessary to requisition any land for landless or displaced persons, the person interested in the land shall be informed of the intention of requisitioning his land and such person may make written representation, if any, against it within 15 days from the date of receipt of such information. The information shall be in the form of a notice in form "A".

Such representation when received shall be disposed of by the State Government or the person authorised to requisition the land as the case may be, after due consideration. If necessary by local inquiry, by an officer, not below the rank of a Sub-Deputy Collector.

4. An order of requisition under Section 3 (1) shall be in form "B" as far as may be, with such modification, if any, as may be necessary.

5. An order under Section 4(1) of the Act shall be in Form "C" where the surrender or delivery of possession is to be made to any person other than the Collector, the letter shall issue on order authorising the person before an order for surrender or delivery of possession is issued.

6. Breaking open of locks on requisitioned property. Where the possession of the requisitioned property is not handed over in compliance with an order issued under sub-section (1) of Section 4 of the Act, and or the premises are found locked, the collector or any other person authorised by it in writing in this behalf may break open the lock in the presence of the witnesses and take possession of the property :

Provided that :

- (i) before any such action is taken, the competent authority shall satisfy itself that the order under sub-section (1) of Section 4 has been duly served on the party concerned and that the party is evading compliance with the order;
- (ii) the powers under this rule shall not be exercised at any time after sun set or before sunrise; and
- (iii) where possession is taken in pursuance of the powers conferred by the rule, an inventory of the articles found in the premises shall be made in the presence of two witnesses and such articles should be stored in safe custody.

7. A notice under Section 6 (1) shall be in form "D"

8. A notice under Section 8 (3) shall be in form "E"

9. An order under Section 9 (1) shall be in form "F"

section and a notice under Section 9(2) shall be in form "G"

The publication of the order under Section 9 (1) and of the notice under Section 9 (2) as required by the proviso to the said sub-section shall be made by affixing a copy each of the order and notice in form "F" and "G" respectively in some conspicuous part of the land or premises acquired.

10. The publication of an order under Section 9(1) of the Act as required by Section 10(3) shall be in form "F"

11. Manner of Service of order.—Every order passed under sub-section (1) of Section 3, sub-section (1) of Section 4 and sub-section (1) of Section 9 and every notice giving an opportunity to make representation under the second proviso to sub-section (1) of Section 3 and every notice under sub-section (1) of Section 5 and which is under sub-section (2) of Section 9 shall be served on the owner of land or the tenant or the occupier, as the case may be, in the following manner :

(a) in the case of any order affecting an individual, corporation or firm in the manner provided for the service of summons in Rule 2 of Order XXIX or Rule 3 of Order XXX, as the case may be in the First Schedule of the Code of Civil Procedure 1908 (V of 1908),

(b) in the case of any order affecting an individual person (not being a corporation or a firm)—

(i) by delivering or tendering to that person ; or

(ii) if this cannot be so delivered tendered, by delivering or tendering these to any officer of such person or any adult member of the family of such person, or by affixing a copy thereof on the outer door or in some conspicuous part of the premises in which that person is known to have last resided or carried on business or personally worked for gain; or failing serving by these manners ;

(iii) by registered post;—

Provided that when the person to be so served is not readily traceable and the order and the notice cannot be served without undue delay or when the ownership of the land is in dispute, the order and the notice shall be published in the Official Gazette.

(2) A return by the serving officer stating the date of affixing the copies under item (ii) of clause (b) to sub-rule (1) and attested by two persons present at the time of affixing shall be considered sufficient proof of service.

12. Allotment of requisitioned land.—Soon after requisition of a particular area, it shall be properly demarcated and allotted to respective individuals or groups of individuals.

13. Manner of payment of compensation.—The individuals or groups who are allotted land shall be jointly and severally liable to pay local rate and also compensation as assessed by Government (i) for use and occupation of the land during the period of requisition, (ii) for any damage wilfully caused to such land during the period under their occupation, and (iii) for acquisition of such land if acquired at any time later.

14. Period for payment of compensation.—The compensation for use and occupation of land shall be payable annually during the period of requisition on or before the fifteenth day of February following the year of requisition and any arrear shall be realisable as arrear of land revenue subject to Rule 15 ;

Provided the compensation for any requisitioned building shall be payable monthly.

15. Cancellation of allotment on failure to pay compensation. In case of default of payment of compensation or any part thereof as mentioned in Rule 13 the allotment shall be liable to cancellation and the allottees to summary eviction.

16. Advance payment of compensation.—The individuals or group may be allowed to make part payment of compensation for acquisition in advance if they so desire before or after the actual allotment and such payment shall be credited to treasury under the head "IX—Land Revenue--Miscellaneous--Miscellaneous Receipts."

17. Disposal of trees and standing crops.—Trees on requisitioned land when required to be felled and crops thereof shall be sold in public auction after due notice in the locality concerned. The sale proceeds of the auction sale on trees shall be payable to the owner after deduction of the royalty, if any, and also subject to rule 18 :

Provided that when the owner of the land wishes to take away the trees himself, he shall be allowed to do so within two months from the date of taking over the possession of the land on written assurance that the owner shall not claim any compensation for trees. In that case the Forest Department, shall realise the royalty direct from the owner.

18. Government demand to be deducted from the compensation payable to the owner.--From the amount realised under clause (i) of Rules 13 and 17 the arrears of land revenue and local rate, if any, shall be deducted and balance paid to the owner.

19. **Apportionment of compensation in case of dispute**—If any dispute arises as to the apportionment of the amount payable to the owner under Rule 18, the Deputy Commissioner or any officer authorised under Section 3 shall keep the amount in 'revenue deposit' until the disputes are finally disposed of by him, and on such disposal shall pay to the person or persons concerned the amount due to him or them.

20. **Manner of settlement on acquisition of requisitioned land** :—After acquisition of any requisitioned land under Section 6, settlement of the allotted land shall be offered to those allottees who make full payment of their share of compensation under Rule 13 (i) and outstanding compensation if any, under Rule 13 (i) and (ii) and if accepted, annual leases in the first instance shall be issued to them and thenceforth the land shall be assessable to annual land revenue and local rate at the rates payable for similar class or classes of land in the neighbourhood.

21. **Annual lease of the land** :—Subject to any general prohibition or restriction laid down by Government from time to time the annual leases mentioned in Rule 20 above shall be convertible to periodic when such land becomes fit to be made periodic under the Revenue law in force and also when the annual lease-holders make full payment of their share of compensation under Rule 13.

22. **Summary eviction** :—If any allottee of any requisitioned land keeps the land fallow for one year from the date of allotment, he shall be liable to summary eviction at the end of the year.

23. Execution of bond for settlement of requisioned

land :—The individuals or groups who are allotted land shall execute a bond in the terms of the conditions mentioned in the foregoing rules within thirty days from the date of the allotment. It shall be specifically mentioned in the bond that all money payable to Government shall be realisable as arrears of land revenue. Failure to execute such a bond within the stipulated time shall make the allotments liable to cancellation and the allottees to summary eviction.

24. Repairs to requisitioned premises :—(1) A

notice under Section 5 shall be in Form 'H'. The time for execution of repairs to be specified in the notice shall be such as may be specified in the notice.

(2) In case where the State Government or the person authorised by the State Government execute the repairs, the cost shall be realised from the owner in monthly instalments and ordinarily at a rate not exceeding 50 percent of the monthly requisition compensation payable to him and the number of instalments fixed accordingly provided that where the cost of repairs exceed three times the monthly requisition compensation the instalment may be equal to 75 percent the requisition compensation monthly payable.

FORM 'A'

Notice and Order

[(See rule 3 and second proviso to Section 3(1)]

Whereas the land described in the schedule hereto annexed is necessary to be requisitioned and it is proposed that the said land should be requisitioned for providing land to landless or displaced persons.

Now, therefore, in exercise of the powers conferred by second proviso to Section 3 (1) of the said Act, I, hereby call upon you being the person interested in the said land to make representation in writing within fifteen days of the date of service of this notice why the said land should not be requisitioned.

SCHEDULE

Secretary to the Government of Assam.
Revenue Department,

× _____
Person authorised by the State
Government u/s. 3 (1),

To

Shri.....

FORM 'B'

Order

[(See rules 4 and Section 3 (1))]

In exercise of the powers conferred on me under Section 3 (1) of the Assam Land (Requisition and Acquisition) Act, 1964 (Act XV of 1964) under Notification No.....
date.....
 I do hereby requisition under Section 3 (1) of the Assam Land (Requisition and Acquisition) Act, 1964, the land described in the Schedule below with effect from the date of this order, for the purpose of +.....

SCHEDULE

District _____

Mauza/Pargana _____

Village _____

Dag No. _____

Patta No. _____

Area _____

Name and address of the owner of the land _____

Name of the tenant, if any, in occupation of the land and his address _____

Boundaries of the land

North—

South—

East—

West—

Secretary to the Government of Assam
Revenue Department.

X _____

Person authorised u/s. 3(1)

Date

X Strike off the irrelevant words,

* Here enter name and designation.

+ Here enter purpose in details.

FORM C

[See Rule 5 and Section 4(1)]

Whereas the land described below has been requisitioned under Section 3(1) of the Assam Land (Requisition and Acquisition) Act, 1964 (Act XV of 1964) you, being the owner/tenant/person in occupation of the said land, are directed to surrender or deliver possession of the requisitioned land to the Collector of/or.....being the person authorised in this behalf by the Collector within days from the date of service of this order.

DESCRIPTION OF THE LAND

District _____

Mauza/Pargana _____

Village _____

Dag No. _____

Patta No. _____

Area _____

Name and address of the owner of the land _____

Name and address of the tenant, if any _____

Name and address of the person in occupation, if any _____

Secy. to the Govt. of Assam,
Revenue Department.

*.....
Person authorised u/s. 3(1) & 4(1).

*Strike off the irrelevant portion.

Notice

Dated.....

Under Section 6(1) of the Assam Land (Requisition and Acquisition) Act, 1964.

No.....It is hereby notified that in pursuance of Section 6(1) of the Assam Land (Requisition and Acquisition) Act, 1964 (Assam Act XV of 1964), the Governor of Assam is pleased to decide the acquisition with effect from the date of publication of this notice of the land requisitioned under Section 3(1) of said Act as per schedule below measuring an area of bigha, katha lessas/chittacks in mauza/pargana..... village..... in the district of, for.....

SCHEDULE

District _____

Mauza/Pargana _____

Village _____

Dag No. _____

Patta No. _____

BOUNDARIES

Secy. to the Govt. of Assam,
Rev. Deptt.

FORM "E"

Notice

(See Rule 8 and sub-section 3 of Section 8)

Whereas the property specified in the schedule below was requisitioned by the order of the..... No.dated.....with effect from.....

And whereas, the State Government have decided that the said property shall be released from requisition ;

And whereas, the person to whom the possession of the requisitioned land is to be delivered cannot be found or is not readily available or has no agent or other person empowered to accept delivery on his behalf ;

Now, therefore, in exercise of the powers conferred by sub-section (3).....of Section 8 of the said Act, the Governor of Assam do hereby declare that the said property is released from requisition.

SCHEDULE

District.....
Mauza/Pargana...
Village.....
Dag No.....
Patta No.....

North
South
East
West

Secretary to the Govt. of Assam,
Revenue Department.

To Secretary to the Govt. of Assam,
Revenue Deptt.

Shri.....

.....
Dated.....

FORM "F"

(Form of order under sub-section I of Section 9)

Whereas in the opinion of the Governor of Assam/the Collector of..... it is expedient or necessary to acquire land speedily for works or other developmental measures or in connection with flood control and anti-erosion measures, embankment and drainage, now, therefore in pursuance of Section 9 of the Assam Land (Requisition and Acquisition) Act, 1964, the Governor of Assam/the Collector of..... is pleased to order that the land as per schedule below measuring an area of bighas..... kathas..... lessas/chittacks..... in the village..... Mauza..... in Subdivision..... of..... District shall be acquired.

Schedule of the land

1. Area..... Pattadar's name..... Patta No..... Dag No.....

2. Description of the boundaries—

North—
South—
East—
West—

3. Name of village and mauza in which situate—

To

Name and address of the owner.....

Name and address of the tenant, if any.....

Name and address of the occupant, if any.....

Secretary to the Govt. of Assam,
Revenue Deptt.

Collector

Dated.....

FORM "G"

(Notice under sub-section 2 of Section 9)

Whereas an order has been passed to acquire the land described below in _____ subdivision of _____ for works or other development measures in connection with flood control and anti-erosion measures, embankment and drainage, under sub-section 1 of Section 9 of the Assam Land (Requisition and Acquisition) Act, 1964.

Now, therefore, I hereby give notice that, claims to compensation if any, for all interest in the land shall be received by the Collector within 10 days of the service or publication as the case may be, of this notice.

Notice is further given that possession of the said land will be taken over by the Collector or any officer deputed by him on his behalf under sub-section 2 of Section 10 of the Act on _____

Description of the land

District _____

Mauza/Pargana _____

Village _____

Dag No. _____

Patta No. _____

Area _____

1. Description of the boundaries—

North—

South—

East—

West—

2. Area _____

To

Name and address of the owner of the land _____

Name and address of the tenant, if any _____

Name and address of the person in occupation of the land if any _____

Collector _____

Dated _____

FORM "H"

(See Rule 24 and Section 5)

Notice

Whereas the premises described below..... have been requisitioned under Section 3(1) of the Assam Land (Requisition and and Acquisition) Act, 1964 or are deemed to have been requisitioned under Section 21 of the said Act.

And, whereas, the said premises are in need of repairs specified in the Schedule hereto appended :

Now, therefore, in exercise of the powers conferred by Section 5 of the said Act, I.....(enter name" (enter designation, being the person authorised under the said Act, do hereby order..... the owner of the said premises to execute the repairs specified in the Schedule, being repairs which are necessary and are usually made by land-lords in the locality in which the premises are situated within a period of..... from the date of service of the notice.

If the said owner fails to execute repairs specified in this order within the aforesaid period, I shall cause the same to be executed at his expense and the cost thereof shall, without prejudice to any other mode or recovery be deducted from the compensation payable to him in accordance with the rules framed in this behalf.

Description of the premises:

Schedule.. ..

Secretary to the Govt. of Assam,
Revenue Deptt.

Person authorised u/s. 5(1).

To

Strike off the underlined portion if order is issued by the State Government.

*Strike off the irrelevant words.

**ASSAM ACT NO. 1 OF 1975
THE ASSAM LAND HOLDING (ADOPTION OF
RELATIONSHIP UNDER THE ASSAM LAND
AND REVENUE REGULATION, 1886 IN
THE ACQUIRED PERMANENTLY
SETTLED ESTATES) ACT, 1974.**

(As amended upto 1990)



**GOVERNMENT OF ASSAM
DIRECTORATE OF LAND REQUISITION,
ACQUISITION & REFORMS**

ASSAM ACT, NO I OF 1975

THE ASSAM LAND HOLDING (ADOPTION OF RELATIONSHIP
UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886 IN
THE ACQUIRED PERMANENTLY SETTLED ESTATES) ACT, 1974.

(As amended upto 1990)

PUBLISHED BY THE DIRECTORATE OF
LAND REQUISITION, ACQUISITION AND REFORMS,
ASSAM, AMBARI, GUWAHATI.

GOVERNMENT OF ASSAM
DIRECTORATE OF LAND REQUISITION, ACQUISITION & REFORMS.

PUBLISHED BY THE DIRECTORATE OF
LAND REQUISITION, ACQUISITION AND REFORMS,
ASSAM, AMBARI, GUWAHATI-1

PRICE Rs. 4.00

INTRODUCTION

Almost two centuries back the British brought into being the historic permanent settlement, confirming decennial settlement of Bengal (1791-92). Principally, erstwhile Goalpara District and Sylhet District's land settlement was characterised by the permanent settlement of 1793. When the Province of Assam was placed under a Chief Commissioner in 1874 Goalpara and Sylhet Districts continued with the permanent settlement arrangement. The Assam Land and Revenue Regulation, 1886 granted the same the proprietary rights and privileges which the Zamindars used to exercise under the permanent settlement. The Zamindari privileges continued till enactment of the State Acquisition of Zamin-daries Act, 1951.

Soon after Independence, however, land reforms assumed great significance. The cornerstone of Independent India's Land Reforms was abolition of Zamindari System and also the landed intermediaries together with conferment of Tenancy rights to ryots bringing them in direct relationship with the State instead of leaving the tenants at the mercy of the landed aristocracy. While the rest of Assam where Temporary Settled Estates existed, the intensive Tenancy reforms were carried out under the Assam (Temporarily Settled Areas) Tenancy Act, 1971 the Govt. of Assam felt the necessity to introduce the same pattern of tenancy and revenue administration in the permanently settled districts of erstwhile Goalpara and Karimganj Sub-Divisions (Karimganj had been all along a Sub-Division of the Sylhet District except during 1947-1983 when it was under Cachar District). As a result of this the Assam Land Holding (Adoption of Relationship under the Assam Land And Revenue Regulation, 1886 in the Acquired permanently Settled Estates) Act, 1974 was brought into being which is of considerable significance for the State in as much as this professes to bring the tenant under the erstwhile Zamindars and other intermediaries in direct relationship with the State Govt.

With this Act coming into force, not only an 18th Century legacy is sought to be put an end but the whole of Assam would be ushered into a single system of land holders i.e. settlement holders, under which every owner of land will be under contract with the State as settlement holder directly enjoying rights and privileges and with the obligation of payment of land revenue direct to the State instead of any Zamindar. If this objective is achieved, the State will have a simplified and uniform land tenure system in which all ryots will enjoy equal rights and privileges without discrimination.

I am confident the present edition of the Act will help the Revenue Officers in discharging their duties towards this goal efficiently.

Dated Guwahati, the
11th March, 1991.

D. K. Gangopadhyay
Spl. Commissioner & Spl. Secretary
Revenue etc. Deptt.

ASSAM ACT I OF 1975

Received the assent of the President on the 18th January, 1975

THE ASSAM LAND HOLDING (ADOPTION OF RELATIONSHIP UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886 IN THE ACQUIRED PERMANENTLY SETTLED ESTATES) ACT, 1974.
(As amended upto 1990)

(Published in the Assam Gazette Extraordinary, dated 19th February, 1975).

An

Act

to introduce uniform pattern of land revenue administration in the areas formerly known as permanently settled areas of Goalpara District and Karimganj Sub-division of Cachar District after abolition of Zamindari system.

Preamble.

Whereas it is expedient to introduce uniform land holding pattern and tenancy system in the areas formerly known as permanently settled areas of Goalpara District and Karimganj Sub-division of Cachar District ;

It is hereby enacted in the Twenty-fifth year of the Republic of India as follows :—

Short title extent and commencement.

1. (1) This Act may be called the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation, 1886 in the Acquired Permanently Settled Estates) Act, 1974.

(2) It extends to the areas known as permanently settled areas of the District of Goalpara inclusive of the areas known as "acknowledged estates" covered by erstwhile Bijni and Sidli estates and the permanently settled areas of Karimganj Sub-division of Cachar District.

Definition.

(3) It shall come into force at once.

(2) In this Act unless there is anything repugnant in the subject or context—

Assam Act-XVIII
of 1951.

(1) "Area" means the area in which the Assam State Acquisition of Zamindaries Act, 1951 is applicable ;

(2) "Land" includes both agricultural and non-agricultural lands ;

(3) "Notification" means notification published in the official Gazette ;

(4) "Regulation" means the Assam Land Revenue Regulation, 1886 and the Rules made there under ;

(5) "Schedule" means the schedule appended to this Act ;

(6) All words and expressions used and not defined herein but defined in the Assam Land and Revenue Regulation, 1886 and the rules made thereunder shall respectively have the meanings assigned to them in the Assam Land and Revenue Regulation and the rules made thereunder.

Act. to over ride
other laws etc.

3. Notwithstanding anything contained in any other law or any custom or usage or any contract expressed or implied, inconsistent with the provisions of this Act, the provisions of this Act shall have effect.

Conferment of land
holder's status to
persons holding
land under Govern-
ment.

4. (I) Any person, on the commencement of this Act, holding any land directly under Government in the area under any of the provisions of the Assam State Acquisition of Zamindaris Act, 1951, shall continue to hold the same under the Regulation with the status of a land-holder subject to payment of such land revenue as may be assessed as per provision under the Regulation.

Assam Act-XVIII
of 1951.

Provided that till the assenment of land revenue is made the person holding land under Government

ment shall continue to pay the amount which he earlier paid as rent or the amount which he was liable to pay before the commencement of this Act. *

Assam Act, XXIII
of 1971.

(2) Every person holding any land as a tenant of another person in the area shall continue to hold the same with the status of a tenant as per provisions of the Assam (Temporarily Settled Areas) Tenancy Act, 1971 :

Provided that the rent payable by such tenant shall not exceed the maximum fixed under the Assam (Temporarily Settled Areas) Tenancy Act, 1971 ;

Provided further that nothing in this section shall be deemed to affect any right already acquired by such tenant to his disadvantage.

Explanation

(1) Any ex-proprietor or ex-tenure holder holding any land or holding any homestead land in the Area free from payment of land revenue under sub-section (4) of section 6 of the Assam State Acquisition of Zamindaris Act, 1951 is also liable to pay land revenue as may be assessed as per provisions under the Regulation.

Assam Act, XVIII
of 1951.

Assam Act, XVIII
of 1951.

(2) Any occupancy or non-occupancy tenant of the ex-proprietor or ex-tenure holder holding land in the areas after the acquisition under the Assam State Acquisition of Zamindaris Act, 1951 shall acquire the status of a land holder under the Regulation.

(3) Any person holding land under another person in the area shall be deemed to be a tenant under the provisions of the Assam (Temporarily Settled Areas) Tenancy Act, 1971.

* Substituted vide Amendment Act, 1990 (Assam Act, No. X of 1990).

(4) Any person holding non-agricultural land under another person in the areas shall be deemed to be a tenant under the Assam Non-Agricultural Urban Areas Tenancy Act, 1955.

4. A Notwithstanding anything contained in Law for the time being in-force or in any agreement or contract expressed or implied the State Government shall be entitled to realise or recover as arrear of land revenue, all arrears of rent, royalties, cesses, fees and any other dues or amount which are payable to Government by any person for holding the land directly under the Government under any of the provisions of the Assam Acquisition of Zamindaris Act, 1951. *

Repeal and saving and enforcement of Assam Act, XXIII 1971.

Assam Act, XXIII of 1971.

5 (1) On and from the date of commencement of this Act, the Acts mentioned in the Schedule shall be repealed and on such repeal the Assam (Temporarily Settled Areas) Tenancy Act, 1971 shall come into force in the area.

(2) Notwithstanding such repeal.

any rule made, any order issued, any notification published, any proceedings commenced, any action taken or anything whatsoever done under the Acts so repealed, shall continue and be deemed to have continued and have effect as if made, issued, published, commenced, taken or under the provisions of this Act.

Presumption as to the correctness of record.

6. Until a settlement operation under the Regulation is completed in the area any records prepared under the Acts, mentioned in the Schedule, or revised under any other Act, shall be deemed to be correct unless contrary is proved.

Immunity.

7. No suit shall lie against any officer for anything done by him in good faith under this Act.

* Inserted vide Amendment Act., 1990 (Assam Act. No. X of 1990).

Bar to jurisdiction.

8. No Civil Court shall exercise jurisdiction in any matter covered by this Act.

SCHEDULE

- 1. The Goalpara Tenancy Act, 1929 (Assam Act. 1 of 1929).
- 2. The Sylhet Tenancy Act, 1936 (Assam Act. XI of 1936).

Act.

to amend the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation, 1936 in the Assam Permanently Settled Estates) Act, 1934.

Whereas it is expedient to amend the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation, 1936 in the Assam Permanently Settled Estates) Act, 1934 hereinafter called the principal Act, in the manner hereinafter appearing :

It is hereby enacted in the Forty-first Year of the Republic of India as follows :-

1. (1) This Act may be called the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation, 1936 in the Assam Permanently Settled Estates) (Amendment) Act, 1957.

2. It shall have the like extent as the principal Act.

3. It shall come into force at once.

4. In the principal Act, in section 4, the existing provisions under sub-section (1) shall be substituted by the following namely :-

ASSAM ACT No. X OF 1990

(Received the assent of the Governor on 8th May, 1990)

THE ASSAM LAND HOLDING (ADOPTION OF RELATIONSHIP UNDER THE ASSAM LAND AND REVENUE REGULATION, 1886 IN THE ACQUIRED PERMANENTLY SETTLED ESTATES) (AMENDMENT) ACT, 1990.

An

Act.

to amend the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation 1886 in the Acquired Permanently Settled Estates) Act, 1974.

Preamble

Whereas it is expedient to amend the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation, 1886 in the Acquired Permanently Settled Estates) Act, 1974 hereinafter called the principal Act, in the manner hereinafter appearing ;

Assam Act
I of 1975

It is hereby enacted in the Forty-first Year of the Republic of India as follows :—

Short title extent and commencement.

1. (1) This Act may be called the Assam Land Holding (Adoption of Relationship under the Assam Land and Revenue Regulation, 1886 in the Acquired Permanently Settled Estates) (Amendment) Act, 1990.

2. It shall have the like extent as the principal Act.

3. It shall come into force at once.

Amendment of Section 4 of the Assam Act, I of 1975.

2. In the principal Act, in section 4, the existing proviso under sub-section (1) shall be substituted by the following namely :—

"Provided that till the assessment of land revenue is made the person holding land under Government shall continue to pay the amount which he earlier paid as rent or the amount which he was liable to pay before the commencement of this Act."

Insertion
of new
Section
4 A.

3. In the principal Act, after Section 4, the following new Section shall be inserted as Section 4 A namely :—

Power
to realise
arrear
rent by
Government.

4. A Notwithstanding anything contained in any law for the time being in force or in any agreement or contract expressed or implied the State Government shall be entitled to realise or recover as arrear of land revenue, all arrears of rent, royalties, cesses, fees and any other dues or amount which are payable to Government by any person for holding the land directly under the Government under any of the provisions of the Assam State Acquisition of Zamindaris Act, 1951.

Assam Act
XVIII of
1951.

K. LASKAR
Secretary to the Govt. of Assam
Legislative Department.

Provided that if an assessment of land revenue is made the person paying land under Government shall continue to pay the amount which he earlier paid as rent or the amount which he was liable to pay before the commencement of this Act.

2. In the principal Act after section 4 the following new section shall be inserted as section 4 A namely:-

4 A Notwithstanding anything contained in any law for the time being in force, or in any agreement or contract entered into or made by the State Government, all land revenue, all taxes or cesses or duties and any other dues or amounts which are payable to Government by any person for holding the land directly under the Government under any of the provisions of the Assam State Acquisition of Land Act, 1951.

Assam
1951

N. LAKSHY
Secretary to the Govt. of Assam
Legislative Department