

The 19th December 1960

No.LJL.14/60.—The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

Received the assent of the Governor on the 17th December 1960

ASSAM ACT No.XXXIV OF 1960

THE ASSAM LAND (REQUISITION AND ACQUISITION) (AMENDMENT) ACT, 1960

(As passed by the Assembly)

[Published in the *Assam Gazette*, Extraordinary, dated the 20th December 1960]

An

Act

further to amend the Assam Land (Requisition and Acquisition) Act, 1948.

Assam Act
XXV of
1948.

Preamble

Whereas it is expedient further to amend the Assam Land (Requisition and Acquisition) Act, 1948, hereinafter referred to as the Principal Act, in the manner hereinafter appearing ;

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

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Land (Requisition and Acquisition) (Amendment) Act, 1960.
(2) It shall have the like extent as the Principal Act.

Insertion
a new section
3A in
Assam Act
XXV of
1948.

(3) It shall come into force at once.
2. After section 3 of the Principal Act, the following new section shall be inserted, namely:—

“Power to
take posses-
sion of re-
quisitioned
land.

3A. (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 as well as 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 is released from requisition under section 6, 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 the 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 such person.

(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.”