

The 2nd June 1960

No. L.J.L. 47/59.—The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

(Received the assent of the President on the 27th May 1960)

ASSAM ACT No. XXI OF 1960

*Declared in effect
in AIR 1968 SC 374*

THE ASSAM ACQUISITION OF LAND FOR FLOOD CONTROL
AND PREVENTION OF EROSION (VALIDATION) ACT, 1959

(As passed by the Assembly)

[Published in the *Assam Gazette* Extraordinary, dated the 2nd June 1960]

An

Act

*to provide for the validation of acquisition of certain land for flood control and
prevention of erosion.*

Preamble

WHEREAS it is expedient to validate the acquisition of certain land for the purpose and in the manner hereinafter appearing ;

It is hereby enacted in the tenth year of the Republic of India as follows:—

Short title,
extent and
commence-
ment.

1. (1) This Act may be called the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Act, 1959.

(2) It extends to the whole of the State of Assam.

(3) It shall come into force at once.

Validation
of acquisition
already
made.

2. (1) Notwithstanding anything contained in the Assam Acquisition of Land for Flood Control and Prevention of Erosion Act, 1955 (hereinafter referred to as the 'said Act'), any land taken over for the purposes of constructions of embankments or carrying out works or other development measures in connection with flood control or prevention of erosion before this Act came into force, except where acquisition was made validly under any other law for the time being in force, shall be deemed to have been validly acquired under the provisions of the 'said Act' and the land shall absolutely vest and shall always be deemed to have been vested in the State Government from the date the land was actually taken possession of.

Assam Act
VI of 1959.

(2) The Collector shall, as soon as may be, after the commencement of this Act, publish, by notification in the official Gazette, the description of land deemed to have been acquired under sub-section (1).

Compensa-
tion.

3. The Collector shall, within a period of six months from the date of commencement of this Act, assess the value of land deemed to have been acquired under Section 2 in accordance with the principles contained in section 6 and make an award under Section 8 of the said Act respectively. The owner of the land shall further be entitled to an interest at the rate of 6 per cent per annum on the value of the award for the period from the date of the land was actually taken possession of to the date of award.

Protection of
action taken
in good
faith.

4. No suit, prosecution or other legal proceedings shall lie against any person for doing anything which is in good faith done or intended to be done in connection with the land deemed to have been acquired under Section 2 of this Act.

Application of the provisions of the Assam Act VI of 1955. 5. Except as otherwise provided in this Act, the provisions of the said Act shall apply, *mutatis mutandis* in respect of the acquisition of the land deemed to have been acquired under Section 2 of this Act.

Removal of doubts. 6. If any question arises as to the interpretation of the provisions of this Act, or the applicability of any of its provisions in respect of any land, the matter shall be referred to the Governor of Assam whose decision shall be final.

B. C. BARUA,
Secy. to the Govt. of Assam, Law Deptt.