

ORISSA ACT 25 OF 1979

**THE ORISSA PREVENTION OF LAND ENCROACHMENT
(AMENDMENT) ACT, 1979**

TABLE OF CONTENTS

PREAMBLE

SECTIONS

1. Short title
2. Amendment of section 3
3. Amendment of section 7

***THE ORISSA PREVENTION OF LAND ENCROACHMENT
(AMENDMENT) ACT, 1979**

[Received the assent of the Governor on the 13th October 1979 first published
in an extraordinary issue of the Orissa Gazette, dated the 17th October 1979]

AN ACT TO AMEND THE ORISSA PREVENTION OF LAND ENCROACHMENT ACT, 1972

BE it enacted by the Legislature of the State of Orissa in the
Thirtieth year of the Republic of India, as follows :—

Short title

1. This Act may be called the Orissa Prevention of Land
Encroachment (Amendment) Act, 1979.

Amendment
of section 3.

2. In section 3 of the Orissa Prevention of Land Encroachment
Act, 1972 (hereinafter referred to as the principal Act),—

Orissa Act 6
of 1972.

(a) in clause (a-1), for sub-clause (ii), the following sub-clause
shall be substituted, namely :—

“(ii) the total extent of the land (excluding his homestead)
owned by him along with the lands owned by all the
members of his family who are living with him in common
mess, is less than one standard acre;”;

(b) after clause (b), the following new clause shall be inserted,
namely :—

“(b-1) “standard acre” means a standard acre as defined in the
Orissa Land Reforms Act, 1960;”.

Amendment
of section 7.

3. In section 7 of the principal Act,—

(a) in sub-section 2,—

(i) for the words “two acres”, the words “one standard
acre” shall be substituted;

(ii) the Explanation shall be deleted;

(b) after sub-section (3), the following provisos shall be
inserted, namely :—

“Provided that the aggregate of the fines payable under the
sub-section shall in no event exceed an amount equal to twice the
market value of the encroached land:

Provided further that subject to such conditions as may be
prescribed, the Collector may, in suitable cases, either reduce or
remit the amount payable by way of fine under the sub-section.”.

*For the Bill see Orissa Gazette, Extraordinary, dated the 12th September 1979
(No. 1733).

**Came into force, with effect from the 17th October 1979