

THE ORISSA LAND REFORMS (AMENDMENT) ACT, 1976

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***THE ORISSA LAND REFORMS (AMENDMENT) ACT, 1976**

[Received the assent of the President on the 7th May 1976, first published in an extraordinary issue of the Orissa Gazette, dated the 19th May 1976]

AN ACT TO AMEND THE ORISSA LAND REFORMS ACT, 1960

BE it enacted by the Legislature of the State of Orissa in the Twenty-seventh Year of the Republic of India, as follows:—

Short title

1. This Act may be called the Orissa Land Reforms (Amendment) Act, 1976. Orissa Act
16 of 1960

Amendment of section 14.

2. In section 14 of the Orissa Land Reforms Act, 1960 (hereinafter referred to as the principal Act),—

(a) in sub-section (2), after the words, figure and brackets “the provisions of sub-section (1)”, the commas, words, figures and brackets, “but subject to the provisions of sub-sections (4) and (5),” shall be inserted;

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

“(4) Where the landlord, being a person under disability within the meaning of sub-clause (e) or sub-clause (f) of clause (21) of section 2, ceases to be a person under disability by reason of acquisition of additional land through inheritance, bequest, gift, purchase or otherwise, he shall not be entitled to evict any tenant holding any land under him, but may resume lands for personal cultivation in accordance with the provisions contained in Chapter III and the tenant shall be entitled to acquisition of rayati right in respect of the non-resumable land in accordance with the said Chapter.

(5) For the purposes of sub-section (4) the provisions contained in sections 24 to 36 (both inclusive) shall, so far as may be, apply subject to the modification that the period of limitation in respect of an application to be made under section 26, either by the landlord or by the tenant, shall be six months from the date of such acquisition of additional land.”

Amendment of section 36-A.

3. In section 36-A of the principal Act as amended by the Orissa Land Reforms (Second Amendment) Act, 1975, in the proviso to sub-section (1),—

(a) the word “or” occurring at the end of clause (b) shall be deleted;

(b) clause (c) shall be deleted.

Amendment
of section 46.

4. In section 46 of the principal Act,—

- (a) in the marginal heading, the word “compensation” shall be deleted;
- (b) for the words and figure “determine the compensation amounts under section 47”, the words and figure “determine under section 47 the amount payable by Government in respect of the surplus lands” shall be substituted;
- (c) the word “compensation”, as it occurs for the second time shall be deleted.

Amendment
of section 47.

5. In section 47 of the principal Act,—

- (a) in the marginal heading, for the word “compensation”, the word “amount” shall be substituted;
- (b) in sub-section (1), for the word “compensation”, the word “amount” shall be substituted;
- (c) in sub-section (2),—
 - (i) for the words “The amount of compensation”, the words “The amount” shall be substituted;
 - (ii) for the words “Rate of compensation”, the words “Rate of amount” shall be substituted.

Amendment
of section
48.

6. In section 48 of the principal Act, including its marginal heading, the word “compensation” wherever it occurs, shall be deleted.

Amendment
of section
49.

7. In section 49 of the principal Act, including its marginal heading, the word “compensation” wherever it occurs shall be deleted.

Amendment
of section
50.

8. In section 50 of the principal Act as amended by the Orissa Land Reforms (Second Amendment) Act, 1975,—

- (a) in the marginal heading, for the word “compensation”, the word “amount” shall be substituted;
- (b) the words “of compensation” shall be deleted;
- (c) for the words “balance of the compensation”, the words “balance of the amount” shall be substituted.

Amendment
of section
57-A.

9. In section 57-A of the principal Act, after sub-section (3), the following provisos shall be inserted, namely:—

“Provided that no application under this sub-section shall be maintainable if it relates to a trust which has been created or established after the 26th day of September, 1970:

Provided further that nothing in the preceding proviso shall affect any declaration made prior to the date of commencement of the Orissa Land Reforms (Amendment) Act, 1976.”.