

The 8th July 1966

No.LJL.9/65/22.—The following Act of the Assam Legislative Assembly which received the assent of the President is hereby published for general information.

ASSAM ACT XXI OF 1966

(Received the assent of the President on the 1st July, 1966)

**THE ASSAM CONSOLIDATION OF HOLDINGS (AMENDMENT)
ACT, 1966.**

[Published in the *Assam Gazette*, Extraordinary, dated the 9th July 1966]

An

Act

to amend the Assam Consolidation of Holdings Act, 1960.

Preamble: Whereas it is expedient to amend the Assam Consolidation of Holdings Act, 1960, hereinafter called the principal Act, in the manner hereinafter appearing ;
It is hereby enacted in the Seventeenth Year of the Republic of India as follows :—

Assam Act
XIX of
1961.

Short title and extent. 1. (1) This Act may be called the Assam Consolidation of Holdings (Amendment) Act, 1966.

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

Retrospective operation of the Act. 2. The amendments made by this Act shall be deemed and always to have been deemed to have formed part of the principal Act, as if the principal Act had been enacted as so amended with effect from the date the assent to the principal Act was first published in the Official Gazette.

Amendment of Section 3 of Assam Act XIX of 1961.

3. In Section 3 of the principal Act:—

(1) the first proviso shall be deleted ;

(2) in the second proviso, the word "further" occurring between the words "Provided" and "that" shall be deleted.

Amendment of Section 5 of Assam Act XIX of 1961.

4. In Section 5 of the principal Act:—

(1) the second proviso to clause (a) shall be deleted ;

(2) after clause (a), the following shall be inserted as clause (aa), namely:—

"(aa) setting apart of land, where necessary, for public purposes, which shall include roads or village paths, play grounds, schools, burial and cremation grounds, grazing grounds, village tanks and wells ;"

(3) after clause (d), the following shall be inserted as clause (dd), namely:—

"(dd) wherever Co-operative Farming Societies are started the land pooled into the society shall, as far as practicable, be consolidated into one or two compact blocks ;"

Amendment of Section 6 of Assam Act XIX of 1961.

5. In Section 6 of the principal Act:—

(1) the bracket and figure "(1)" occurring after the figure "6" at the beginning of the first sentence shall be deleted ;

(2) in clause (b), between the words "plots therein," and "as", the words "including the setting apart of land for the purposes referred to in clause (aa) of Section 5," shall be inserted ;

(3) the existing item (iii) of clause (c) shall be renumbered as item (iv) and the following shall be inserted as item (iii), namely :—

"(iii) the amount of compensation, if any, which in the opinion of the Consolidation Officer, is payable to or by a person ;"

Insertion of Section 12A in Assam Act XIX of 1961. 6. After Section 12 of the principal Act, the following shall be inserted as Section 12A, namely :—

"Reserva-
tion of land
for public
purposes.

12A. (1) Notwithstanding anything to the contrary in any law for the time being in force or any custom, or any agreement or contract, expressed or implied, it shall be lawful for the Consolidation Officer, in consultation with the Consolidation Advisory Committee constituted under Section 4, to do the following, namely :—

(a) to direct that any land specifically reserved for any public purpose shall cease to be so reserved and to assign any other land in lieu thereof ;

(b) if in any area for which a scheme is under preparation, any land is reserved for any public purpose including extension of village sites, or if the land so reserved is considered inadequate; to

assign any other land for such purpose and to effect a proportionate reduction of the area of all holdings of the village/villages for the benefit of which such reservation has been made.

(2) Where a proportionate reduction in area in all the holdings of a village has been effected under sub-section (1), the State Government shall pay to every person affected thereby compensation in respect of the land covered by such reduction at the market value of the land at the date of the publication of the notification under Section 3."

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Law Department.