

Nagarjuna Sagar Project (Acquisition of Land) Act, 1956

TELENGANA

India

Nagarjuna Sagar Project (Acquisition of Land) Act, 1956

Act 32 of 1956

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Nagarjuna Sagar Project (Acquisition of Land) Act, 1956(Act No. 32 of 1956)Last Updated 10th January, 2020The Nagarjuna Sagar Project (Acquisition of Land) Act, 1956 in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws Order, 2016 issued in G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

1. Short title, extent and commencement.

(1)This Act may be called the Nagarjuna sagar Project (Acquisition of Land) Act, 1956.(2)(a)It extends to the districts of [Guntur, Kurnool Nellore, Nalgonda and Khammam in the State of Andhra Pradesh] [Substituted for the words 'Guntur, Kurnool and Nellore in the State of Andhra' by Andhra Pradesh Act No. XVII of 1959.].(b)The Government may, by notification in the [Telangana Gazette] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] extend all or any of the provisions of this Act to any other district in the said State on such date as they may appoint.

2. Definitions.

- In this Act, unless the context otherwise requires,-(1)"Government" means the State Government;(2)"project area" means the area to which this Act extends under clause (a) or clause (b) of sub-section (2) of section 1;(3)"project purpose" means any purpose connected with the Nagarjunasagar Project.

3. Acquisition of lands in Nagarjunasagar project area.

(1)The Government may acquire any land in the project area for a project purpose.(2)The acquisition shall be made in accordance with the provisions of the Land Acquisition Act, 1894

(Central Act I of 1894) (hereinafter in this section referred to as the said Act), subject to the following modifications:-(i)For section 11 of the said Act, the following section shall be substituted, namely: -

11. "Enquiry and Award by Collector. - On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to inquire into the objections, if any, which any person interested has stated pursuant to a notice given under section 9 to the measurements made under section 8, into the market value of the land on the 1st July, 1953 and the value of any improvements to the land effected, after that date and before the date of the publication of the notification under sub-section (1) of section 4, into the value of the land at the date of the publication of the notification under sub-section (1) of section 4 and into the respective interests of the persons claiming the compensation and shall make an award under his hand of-

(i)the true area of the land;(ii)the compensation which in his opinion should be allowed for the land; and(iii)the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.";(ii)after sub-clause (ii) of clause (b) of sub-section (2) of section 17 of the said Act, as amended by [the Land Acquisition (Andhra Pradesh Amendment) Act, 1948 (Act XXI of 1948),] [Substituted for the original Short title by the First Schedule to the Andhra Pradesh Laws (Amendment of Short Titles) Act, 1961 (Andhra Pradesh Act IX of 1961).] the following shall be added, namely:-"or(iii)for any purpose connected with the Nagarjuna sagar Project in the area to which the Nagarjuna sagar Project (Acquisition of Land) Act, 1956, extends.";(iii)in sub-section (1) of section 23 of the said Act, for clause first, the following clause shall be substituted, namely:-"first, the market-value of the land on the 1st July 1953 and the value of any improvements to the land effected after that date and before the date of the publication of the notification under sub-section (1) of section 4 or the market value of the land on the date of the publication of the said notification, whichever is less;Explanation. - The Government may, on the request of the landowner, agree to give in exchange any Government land the cost of which is, in their opinion, equal to the cost of the land acquired, or agree to pay the cost of a portion of the land acquired and for the remaining portion give Government land the cost of which is in their opinion equal to the amount due".

3A. [Application of Central Act I of 1894 for acquisition of lands in certain project areas. [Inserted with marginal heading by Act XVII of 1959.]

(1)In this section,-(a)"Central Act" means the Land Acquisition Act, 1894 (Central Act 1 of 1894), with the subsequent Statutory modifications thereto as in force at the commencement of this Act in the territories of the State of Andhra Pradesh which, immediately before the 1st November 1956, were comprised in the State of Andhra;(b)"Hyderabad Act" means the Land Acquisition Act

(Hyderabad Act IX of 1309 F).(2)Notwithstanding anything contained in sub-section (2) of section 1 of the Central Act and in section 1 of the Hyderabad Act, the Central Act as amended by section 3 shall, and the Hyderabad Act shall not, apply to the acquisition of lands for project purposes in the districts of Nalgonda and Khammam.]

4. Application of the Act to pending cases of acquisition.

- The provisions of section 3 shall, so far as may be, apply also to every case in which proceedings have been started before the commencement of this Act, for the acquisition of any land in the project area for any project purpose:Provided that no award has been made by the Collector under section 11 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), [or section 10 of the Land Acquisition Act (Hyderabad Act IX of 1309 F.)] [Inserted by Act XVII of 1959.] before such commencement.[Explanation. - In this section, the expressions "commencement of this Act" and "before such commencement" shall in relation to the districts of Nalgonda and Khammam, mean the date on which the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959, comes into force.] [Added by Act XVII of 1959.]

5. Power to make rules.

(1)The Government may, by notification in the [Telangana] [Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.] Gazette make rules to carry out the purposes of this Act.(2)All rules made under this section shall be laid for not less than fourteen days before the Legislature, as soon as may be after they are made, and shall be subject to such modifications whether by way of repeal or amendment, as that Legislature may make during the session in which they are so laid.