

# The U.P. Government Estates Thekedari Abolition Act, 1958

UTTAR PRADESH

India

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### Act 1 of 1959

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The U.P. Government Estates Thekedari Abolition Act, 1958(U.P. Act No. 1 of 1959)[Dated 14th January, 1959]For Statement of Object and Reasons see U.P. Gazette Extraordinary, dated October 21, 1957. Received the assent of the President on January 14, 1959 and was published in the U.P. Gazette Extraordinary, dated January 20, 1959.An Act to provide for the abolition of Thekedari System in Government Estates with a view to facilitating the introduction of land reforms therein.Whereas it is expedient to provide for the abolition of Thekedari System in Government Estates with a view to facilitating the introduction of land reforms therein and for other matters connected therewith:It is hereby enacted in the Ninth Year of the Republic of India a follows:

### 1. Short title, extent and commencement.

(1)This Act may be called the U.P. Government Estates Thekedari Abolition Act, 1958.(2)[ It extends to such districts of Uttar Pradesh as may be notified from time to time.] [Sub-sections (2) and (3) of Section 1 stand omitted in relation to territories transferred to U.P. from Bihar vide Serial No. 6 of the Schedule to U.P. Act No. 52 of 1976.](3)[ It shall come into force on such date as the State Government may, by notification in official Gazette, appoint and different dates may be appointed for different areas of the State.] [Sub-sections (2) and (3) of Section 1 stand omitted in relation to territories transferred to U.P. from Bihar vide Serial No. 6 of the Schedule to U.P. Act No. 52 of 1976.]

### 2. Definitions.

- In this Act, unless there is anything repugnant in the subject or context-(1)"Collector" includes an Assistant Collector of the 1st Class incharge of a sub-division and any other Assistant Collector of the 1st Class empowered by the State Government by notification in the official Gazette to discharge all or any of the functions of the Collector under this Act;(2)"decree" has the meaning assigned to it in

the Code of Civil Procedure, 1908;(3)"Government Estate" means any land owned by the State Government in Uttar Pradesh;(4)"Land" means land held or occupied for purposes connected with agriculture, horticulture or animal husbandry;(5)"lease" means a theka or patta in respect of a Government Estate made by or on behalf of the State Government;(6)"lessee" means a thekedar or pattadar under a lease by whatever name called and includes his heirs and assigns;(7)"legal representative" has the meaning assigned to it in the Code of Civil Procedure, 1908;(8)"prescribed" means prescribed by rules made under this Act;(9)"previous agricultural year" means the agricultural year immediately preceding that in which the date of determination falls;(10)"State Government" means the Government of Uttar Pradesh;(11)the words and expressions "cess", "hereditary rights", "hereditary tenant", "Rent", "tenant" and "Sayar" shall have the meaning assigned to them in the U.P. Tenancy Act, 1939 [and the expression 'ceiling area' shall have the meaning assigned to it in the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960, as amended from time to time] [In clause 11, at the end, comma substituted for full stop and thereafter above words inserted by U.P. Act No. 28 of 1970, Section 3, (w.e.f. 20-6-1964).].

### **3. Determination of leases.**

- Notwithstanding anything in any law, contract or other document, it shall be lawful for the State Government by order published in the official Gazette to determine, with effect from a date (hereinafter called the date of determination) to be specified any lease.

### **4. Consequences of determination of leases.**

- Whenever a lease is determined under and in pursuance of Section 3, the following consequences shall follow, namely:(a)except as hereinafter provided all the rights, title and interest of the lessee under the lease shall cease (as though the term of the lease had then expired);(b)[ where under and in accordance with the terms of the lease, the lessee has brought any land included in the lease under his personal cultivation the lessee shall become hereditary tenant of such land, or where such land exceeds the ceiling area, then of so much of such land as in aggregation with any other land held by him in Uttar Pradesh makes up the ceiling area and shall be liable as such to pay rent equal or proportionate, as the case may be, to the rent, if any, payable in terms of the lease;] [Substituted by U.P. Act 28 of 1970, Section 4 (w.e.f. 20-6-1964).]Provided that where the total area of such land, held by the lessee exceeds 30 acres, the lessee shall be a hereditary tenant of only 30 acres area and the excess area, to be separated and demarcated from the 30 acres area by the Assistant Collector incharge of the sub-division on the application of the lessee or the Collector, shall become and be deemed to be vacant land and the lessee shall be liable to ejectment from such excess area;(c)the lessee shall continue to be entitled to recover any arrears of rent, cesses or other dues in respect of any land included in the lease for the period previous to the date of determination;(d)all rents, cesses and other dues in respect of any such land for any period after the date of determination, which but for such determination would have been payable to the lessee, shall be payable to the State Government and any payment, whether made before or after such determination, shall not be a valid discharge on the person liable to pay the same without prejudice, however, to the right of such person to recover the same from the lessee;(e)where under an agreement or contract not being the lease determined as aforesaid, made before the date of determination, any rent, cess or other

dues for any period after the said date has been paid to or compounded or realized by the lessee, the same shall, notwithstanding the agreement or the contract, be recoverable by the State Government from the lessee and may, without prejudice to any other mode of recovery, be realized by deducting the amount from the compensation money payable to such lessee under this Act;(f)all arrears of rents, cesses, taqavi or other dues payable by a lessee in respect of any period prior to the date of determination shall continue to be recoverable from such lessee and may, without prejudice to any other mode of recovery, be realized by deducting the amount from the compensation money payable to such lessee under this Act;(g)every mortgage, sub-lease or other transfer of lessee rights in force on the date immediately preceding the date of determination shall determine and the provision of sub-section (2) of Section 73 of the Transfer of Property Act, 1882, shall have effect with respect to the compensation awarded under this Act as if the land included in the lease had been acquired under an enactment providing for compulsory acquisition;(h)all buildings situate on any land included in the lease held by the lessee shall continue to be held by him for the remainder of the period of the lease upon terms and conditions to be prescribed and further that upon the expiry of the period aforesaid the same shall unless a different intention is contained in the lease (and on such a case that intention shall prevail) be vested in the State.

## **5. Rent payable.**

- Notwithstanding any agreement or contract made or anything done or permitted to be done on or after the 1st day of April, 1955, by or on behalf of the lessee in respect of any land included in the lease the rent payable thereof-(a)on the date of determination shall be deemed to be an amount equal to the rent payable therefor on the 1st day of April, 1955 and any reduction or remission made therein otherwise than in pursuance of a decree or order of a court shall not be taken into account unless it has been confirmed by the State Government, and(b)in future after the date of determination shall be an amount equal to the rent deemed to be payable therefor under clause (a) but without prejudice to its being increased or decreased in future in accordance with the law applicable thereto.

## **6. Collector to take over lease land.**

- Upon the determination of the lease under Section 3, it shall be lawful for the Collector or any officer appointed by him in this behalf -(a)to take over possession and charge of the lands included in the lease and to take or cause to be taken such steps, and use or cause to be used such force as may, in the opinion of the Collector or the officer so appointed, be necessary for this purpose;(b)to enter upon any land, building, or other place included in the lease, which has been determined under Section 3 and to make a survey or take measurement thereof for carrying out the purposes of this Act;(c)to require any person to produce to such authority, as may be specified any books, accounts or other documents relating to any land included in the lease and to furnish to such authority such other information as may be specified or demanded; and(d)if the books, accounts and other documents are not produced as required, to enter upon any land building or other place and seize and take possession of such books, accounts, and other documents.

**6A. [ Application of U.P. Act I of 1961 in suspect of land under personal cultivation of lessee. [Inserted by U.P. Act 28 of 1970, Section 5 (w.e.f. 20-6-1964).]**

- In respect of any land included in the lease which under and in accordance with the terms of the lease the lessee has brought under his personal cultivation, the determination and demarcation of the ceiling area and the surplus area, the acquisition of and the taking of possession over the surplus area, the determination and payment of compensation for the acquisition of the surplus area, and all other matters connected therewith shall be governed by the provisions of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960.

**6B. Enforcement of U.P. Act I of 1951 in respect of Government Estate covered by this Act.**

- The State Government shall issue a notification under Section 2 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 applying the whole or any provisions of that Act, with exceptions or modifications to Government Estates in respect of which an order is made under section 3 of this Act, not later than three months from the date of such order, and in the case of Government Estates in respect of which an order has been made or purports to have been made before the commencement of the Uttar Pradesh Government Estates Thekedari Abolition (Re-enactment and Validation) Act, 1970, not later than three months from such commencement.]

**7. Lessee entitled to receive compensation for determination of lease.**

(1) Except as provided in sub-section (2), no lessee whose lease has been determined under Section 3, shall be entitled to claim or be paid any compensation for loss or damage caused by such determination. (2) A lessee referred to in sub-section (1), shall be entitled to receive and be paid compensation as hereinafter provided.

**8. Compensation statement.**

- For purposes of assessment and payment of compensation under sub-section (2) of Section 7, the Collector shall prepare a compensation statement showing -(a) the name or names of the lessee with his gross income and net income calculated in accordance with the provisions of Sections 9 and 10; (b) the rent payable by the lessee in the previous agricultural year in respect of the land included in the lease; (c) the arrears of rent, cess and other dues referred to in clause (f) of Section 4 payable by him to the State Government in respect of the land included in the lease; and (d) such other particulars as may be prescribed.

**9. Gross income.**

- For purposes of Section 8, the gross income of the lessee in respect of the land included in the lease shall comprise-(a) the following rents including cesses and other dues payable on the date

immediately preceding the date of determination by or on behalf of the tenants or other persons for use and occupation of the land-(i)rent in cash,(ii)where rent is payable in kind or partly in cash and partly in kind, the rent computed in accordance with the provisions of the law applicable thereto, and(iii)where rent is payable but has not been determined, rent determined at hereditary rates;(b)the amount on account of rent computed at hereditary rates for land in the personal cultivation of the lessee, and(c)sayar, which shall be an amount equal to-(i)where the period for which the lease has been held is ten years or more, one-tenth of the total income for a period of ten years next preceding the date of determination, and(ii)where the period for which lease has been held is less than ten years, annual average for such period.

## **10. Net income.**

- For purposes of Section 8, the net income of the lessee in respect of the land included in the lease, which has been determined under Section 3, shall be computed by deducting from his gross income the following, namely-(i)any sum which was payable in the previous agricultural year by the lessee on account of rent, cesses or other dues in respect of land included in the lease;(ii)an amount on account of holding tax, if any, paid or to be paid for the previous agricultural year by the lessee in respect of the land included in the lease, and(iii)cost of management and irrecoverable arrears of rent which shall be deemed to be equal to 25 per cent of the difference between the gross income calculated in accordance with the provisions of Section 9 and the rent payable by the lessee.

## **11. Amount of compensation.**

- The amount payable as compensation to the lessee shall be determined in accordance with the following formula:"N.I. x R.P." = Compensation"N.I." means net income as determined under Section 10, and"R.P." means the remainder of the period of the lease to be computed in full years from the beginning of the agricultural year in which the determination takes effect, and portions of the year shall be ignored:Provided that R. P. shall in no case exceed five:Provided further that where the term originally granted in any lease has expired before the commencement of this Act and the lease is-(a)holding over from year to year, R.P. shall be equal to one; and(b)holding under any fresh term under or in accordance with the lease, R.P. shall be equal to the remainder of the full years of such term subject, however, to a maximum of five.

## **12. Preliminary publication of statement.**

- The compensation statement prepared under Section 8 shall be published in the manner prescribed and a copy thereof shall also be sent to the lease concerned.

## **13. Reference to the District Judge.**

(1)Any person interested or the State Government may, in the manner prescribed, file an objection upon such statement within a period of one month from the date of its publication and the Collector shall refer the objection to the District Judge for determination.(2)In making the reference, the

Collector shall state for the information of the District Judge-(a)the names of the persons whom he has reason to think interested in such lease;(b)the amount of compensation determined under Section 11; and(c)such other particulars as may be prescribed.(3)The Collector shall also forward along with the reference a copy of the lease in question.

#### **14. Disposal of the reference by the District Judge.**

(1)The District Judge shall, in the manner prescribed dispose of the objection and may confirm, vary, increase or reduce the amount of compensation determined under Section 11.(2)The scope of enquiry by the District Judge under sub-section (1) shall be restricted to a consideration of the interest of the persons affected by the objection.(3)The decision of the District Judge under sub-section (1) shall be a decree.

#### **15. Final publication of the statement.**

(1)Where no objection has been filed in regard to the compensation statement published in pursuance of Section 12 or where such objections are filed and have been finally disposed of, the statement shall be amended, altered or modified accordingly and the Collector shall sign the statement and affix his seal thereto.(2)The statement so signed and sealed shall become final.(3)A copy of the final statement shall be supplied free of charge to the lessee concerned.

#### **16. Payment of compensation.**

(1)The compensation mentioned in the final compensation statement referred to in Section 15 shall be paid in cash.(2)The compensation shall be paid to the lessee whose name is entered in the final compensation statement and where the lessee died before it is paid to him it shall be paid to his legal representatives.(3)There shall be paid by the State Government on the amount of compensation mentioned in the final compensation statement referred to in Section 15, interest at the rate of two and half per centum per annum from the date of determination of the lease to the date of payment.

#### **17. Discharge of liability of the State Government.**

- The payment of compensation in accordance with provisions of this Act shall be full discharge of any liability of the State Government to make such payment to the person as may have the rightful claim, but shall not prejudice any right in respect of such compensation which any other person may be entitled by due process of law to enforce against the persons to whom payment is so made.

#### **18. Power to make rules.**

(1)The State Government may make rules for the purpose of carrying into effect the provisions of this Act.(2)Without prejudice to the generality of the foregoing power, such rules may provide for-(a)the determination and the management of the land brought under personal cultivation by the lessee and referred to in clause (b) of Section 4;(b)the method of calculating rents, cesses and other

dues mentioned in clauses (d), (e) and (f) of Section 4;(c)the matter relating to taking over of lands under Section 6;(d)the forms and the manner in which the compensation statement under Section 8 shall be prepared;(e)the manner in which the Collector shall refer the objections to the District Judge under Section 13;(f)the principles to be followed in determining the hereditary rates in areas where such rates are not already determined;(g)the time within which applications may be presented under this Act in cases for which no specific provision in that behalf has been made herein;(h)the application of the provisions of the Indian Limitation Act, 1908, to application under this Act, in cases in which no specific provision in that behalf has been made herein;(i)the duties of any officer or authority having jurisdiction under this Act, and the procedure to be followed by such officer to authority;(j)the transfer of proceedings from one authority or officer to another officer or authority;(k)the procedure to be followed in applications and other proceedings under this Act in cases in which no specific provision has been made herein; and(l)the matters which are to be or may be prescribed.(3)The rules made in exercise of the powers conferred under sub-sections (1) and (2) shall, as soon as possible, be laid before the State Legislature.

Notifications(i)Notification No. 1945/-IC-151-C-1959, dated Lucknow June 30, 1959 and published in U.P. Gazette (Extraordinary), dated June 30, 1959. - In exercise of the powers conferred by clause (b) of sub-section (1) of Section 2 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act No. I of 1951) (hereinafter called the said Act) the Governor of Uttar Pradesh is pleased to direct that the said Act shall, with effect from July 1, 1959, apply to estates or parts thereof which are owned by the State Government and administered as State Property under the control of the Board of Revenue, U.P. or which are nazul and are under the management of a Collector and are situate in the districts in which the U.P. Government Estates Thekedari Abolition Act, 1958 (U.P. Act I of 1959), has been enforced by virtue of Notification No. 312/IC - 277-C-1943, dated June 30, 1959, but in the case of estates or parts thereof in which no intermediary, as defined in clause (12) of Section 3 of the said Act, has any right title or interest, the Act, shall apply subject to the modifications and amendments specified in the Schedule appended hereto.

**2. The Governor is further pleased to order, under sub-section (3) of Section 1 of the said Act, that the said Act shall come into force in the aforesaid estates, with effect from the first day of July, 1959.**

## Schedule

SI. No.	Section of the U.P. Zamindari Abolition and Land Reforms Act, 1950		Extent of modification or amendment
1	2	3	
1.	3		(1) For clause (1), the following shall be substituted. "(1) 'appointed day' means the first day of July, 1959.

- (2) Clauses (3), (5), (12), (13), (15), (17), (20), (21), (23) and (24) shall be deleted."
2. 3-A After Section 3, the following shall be added as a new Section 3-A;  
 "3-A. Substitution of the words "appointed day" for "date of vesting".- In this Act, any reference to the date 'date of vesting' in whatever form shall unless the context otherwise required, be deemed to be reference to the appointed day."
3. 112 Sections 4 to 112 of Chapters II to VI in Part shall be deleted.
4. 117 (a) For the words "publication of the notification mentioned in Section 4" the words "appointed day" shall be substituted.  
 (b) In item (vi) for the words "to which provisions of clauses (a) to (e) to sub-section (1) of Section 18 apply" the words "held by tenure-holders specified in clause (a) of Section 130" shall be substituted.  
 (c) For the words "which had vested in the State under this Act" the words "and owned by the State Government" shall be substituted.
5. 117-A For the words "had in respect of any area situate in any village vested in the State under this Act" the words "are owned by the State Government" shall be substituted.
6. 130 For the existing Section 130, the following shall be substituted:  
 "130. Bhumidhar.- Every person belonging to any of the following classes shall be called abhumidhar and shall have all the rights and subject to all the liabilities conferred or imposed upon by or under this Act, namely-  
 (a) every person who on the date immediately preceding the appointed day held land as-  
 (i) a fixed rate tenant or a rent-free grantee;  
 (ii) an occupancy tenant,  
 (iii) a hereditary tenant, or  
 (iv) a lessee to whom the provisions of the Government Grants, Act, apply, or  
 (v) a grove-holder.  
 (b) every person who acquires the rights of abhumidhar under or in accordance with the provisions of this Act."

Possessing  
the right to  
transfer the  
holding by  
sale.



7. 131 For the existing Section 131 the following shall be substituted.  
 "131.Sirdar.- Every person belonging to any of the following classes shall be called as sirdars and shall have all the rights and be subject to all the liabilities conferred or imposed upon sirdars by or under this Act, namely-  
 (a) every person who, on the date immediately preceding the appointed day held kind as-

(i) an annex-proprietary tenant;

(ii) an occupancy tenant;

(iii) a hereditary tenant;

(iv) a grantee at a favourable rate of rent;

(v) a lessee holding a lease to which the provisions of the Government Grants Act, 1895, (Act XV of 1895) apply.

(b) every person who is admitted as sirdar of vacant land under the provisions of this Act, and

(c) every person who, in any other manner, acquires the rights of a sirdar under or in accordance with the provisions of this Act".

Not being a tenant referred to in clause (a) of Section 130.

8. 132 For the existing Section 132 the following shall be substituted:

"132.Land in which sirdari rights shall not accrue.-

Notwithstanding anything contained in this Act, sirdari rights shall not accrue in-

(a) pasture lands or lands covered by water and used for the purposes of growing Singhara or other produce or alluvial land;

(b) such tracts of shifting or unstable cultivation as the State Government may specify by notification in the Gazette, and

(c) lands declared by the State Government by notification in the Gazette to be intended or set apart for Taungya plantation or land within the boundaries of any State Government forest".

9. 133 For existing Section 133 the following shall be substituted:

"133.Asamis.-Every person belonging to any of the following classes shall be called as asami and shall have all the rights and be subject to all the liabilities conferred or imposed upon

asamis by or under this Act, namely-

(a) every person who on the date immediately preceding the appointed day held land as-

(i) a sub-tenant of grove-land; or

(ii) a mortgagee in actual possession from a person belonging to any of the classes mentioned in sub-clauses (i) to (v) of clause (a) of Section 130 or sub-clauses (i) to (iv) of clause (a) of Section 131; or

(iii) a non-occupancy tenant of pasture land or of land covered by water and used for the purposes of growing Singhara and other produce or of alluvial land or a lessee of such land to which the provisions of the Government Grant Act, 1895 apply; but without a right of transfer; or

(iv) a non-occupancy tenant of land declared by the State Government by a notification in the Gazette to be intended or set apart for Taungya plantation or a non-occupancy tenant of land within the boundaries of any State Government forest or a lessee of such land to which the provisions of the Government Grants Act, 1895 apply but without a right of transfer; or

(v) a non-occupancy tenant of land which the State Government had, before the said date, by a notification in the Gazette declared to be part of tract of shifting or unstable cultivation or a lessee of such land to which the provisions of the Government Grants Act, 1895 apply but without a right of transfer; or

(vi) a sub-tenant or an occupant, referred to in Section 230-A where the land-holder or if there are more than one land holder all of them were person or persons belonging on the date of letting and on the date immediately preceding the appointed day to any one or more of the classes mentioned in clauses (a) to (f) of sub-section (1) of Section 147; or

(vii) an occupant of grove land recorded in the manner stated in clause (b) of Section 230-A; and

(viii) a lessee holding under a lease from a court under sub-section (1) of Section 252 of the U.P. Tenancy Act, 1939.

(b) every person who in accordance with the provisions of this Act, is admitted by a Bhumidhar or sirdars as a lessee of land comprised in his holding;

(c) every person who on or after the appointed day, is admitted by a Gaon Sabha, or the person entitled as a lessee of land described in Section 132, and

- (d) every person who, in any other manner, acquires the right of an asami under or in accordance with the provisions of this Act, under Section 131.
10. 138 In sub-section (1) the words "whether under Section 18 or Section 134" be deleted.
11. 140 Section 140 shall be deleted.
12. 157 In sub-section (1) the words "or an asami holding the land in lieu of maintenance allowance under Section 11", shall be deleted.
13. 172 (a) In the Explanation after the word, "grove-holder" the word "or" shall be added; and  
(b) the words "permanent lessee in Avadh" and "or sir or Khudkasht holder" shall be deleted.
14. 178 In sub-section (3) the words "or the U.P. Agricultural Tenants (Acquisition of Privileges) Act, 1949" shall be deleted.
15. 196 Section 196 shall be deleted.
16. 202 For the existing Section 202 the following shall be substituted;  
"202. Procedure of ejectment of asami. - Without prejudice to the provisions of Section 338 an asami shall be liable to ejectment from his holding on the suit of the land-holder on the ground or grounds:  
(a) mention in Sections 167, 191 or 206;  
(b) that he belongs to any of the classes mentioned in sub-clauses (i), (iii), (v) and (vii) of clause (a) or in clause (c) of Section 133 and that he holds the land from year to year or for a period which has expired or will expire before the end of the current agriculture year;  
(c) that he belongs to the class mentioned in sub-clause (ii) of clause (a) of Section 133 and the mortgage has been satisfied or the amount due has been deposited in court;  
(d) that he belongs to the class mentioned in sub-clause (iv) of clause (a) of Section 133 and that the cultivation of agricultural crops has become impossible;  
(e) that he belongs to the class mentioned in sub-clause (vi) of clause (a) or clause (b) of Section 133 and that -  
(i) the land-holder wishes to bring the land under his personal cultivation and in cases where the lease is for a fixed term or such term has expired, or  
(ii) the disability has determined;

- (f) that there is an unsatisfied decree for arrears of rent outstanding against him and such decree can be executed by ejection;
- (g) that he belongs to the class mentioned in clause (d) of Section 133 and that he is liable to ejection on any of the grounds specified in subclauses (a), (b), (c), (d), (e) and (f).
17. 212 Section 212 shall be deleted.
18. 228 For the existing Section 228, the following shall be substituted:  
 "228. All trees within the holding of a tenant shall be deemed to be settled with him by the State Government".
19. 530A In Chapter IX before Section 231 the following shall be added as a new section 230-A:  
 "230-A. Adhivasi.- Every person who on the date immediately preceding the appointed day-  
 (a) was or has been deemed to be, in accordance with the provisions of this Act except as provided in clause (b) a sub-tenant of any land other than grove-land;  
 (b) was recorded as occupant of any land other than grove-land or vacant land or land referred to in the proviso to sub-section (3) of Section 27 of the U.P. Tenancy (Amendment) Act, 1947, in the Khasra or Khatauni of 1956 fasl prepared under Sections 28 and 33 respectively of U.P. Land Revenue Act, 1901,  
 shall unless he has become an asami under sub-clause (vi) of clause (a) of Section 133 be called adhivasi of the land and shall, subject to the provisions of this Act, be entitled to take or retain possession thereof.  
 Explanation I. - Where a person referred to in clause (b) was evicted from the land after June 30, 1948, he shall notwithstanding anything in an order or decree, be deemed to be a person entitled to retain possession of the land.  
 Explanation II.-Where any entry in the records referred to in clause (b) has been corrected under or in accordance with the provisions of the U.P. Land Revenue Act, 1901, the entry so corrected shall for the purposes of the said clause prevail.  
 Explanation III. - For the purposes of Explanation II an entry shall be deemed to have been corrected before the appointed day if an order or decree or a competent court requiring any correction in records had been made before the said day and had become final even though the correction may not have been incorporated in the records.

20. 230 (a) In sub-section (1) (a) for the words "Section 20" the words "Section 230-A" shall be substituted; and  
(b) For the words "eighteen months" the words "thirty months" shall be substituted.
21. 235 In clause (a) of sub-section (1) the words "siror khudkasht or" shall be deleted.
22. 236 (1) Clause (a) shall be deleted.  
(2) In Clause (b) the words "other than abhumidhar referred to in clause (a)" shall be deleted.
23. 245 (1) In sub-section (1) sub-clauses (i) and (i-A) of clause (a) shall be deleted.  
(2) In clause (b) of sub-section (1) for the words "clauses (d) and (e) of sub-section (1) of Section 18" the words "sub-clauses (ii), (iii) and (iv) of clause (a) of Section 130" shall be substituted; and  
(3) Clause (c) shall be deleted.
24. 247 Section 247 shall be deleted.
25. 247-A Section 247-A shall be deleted.
26. 249 Section 249 shall be deleted.
27. 319 Clauses (a), (b) and (d) of Section 319 shall be deleted.
28. 320 Section 320 shall be deleted.
29. 322 Section 322 shall be deleted.
30. 323 Section 323 shall be deleted.
31. 325 Section 325 shall be deleted.
32. 326 Section 326 shall be deleted.
33. 329 Section 329 shall be deleted.
34. 330 Section 330 shall be deleted.
35. 335 Section 335 shall be deleted.
36. 339 For the existing Section 339 the following shall be substituted:  
"339. Repeal and Savings. - With effect from the appointed day-  
(a) the enactments mentioned in List I of Schedule III shall be and are hereby repealed in their application to estates situate in the districts mentioned in Notification No. 312/IC-277-C-1953, dated June 30, 1959, and owned by the State Government;  
(b) so much of any other enactments as is inconsistent with the provisions of Chapters VIII to X of this Act shall be deemed to be and is hereby repealed in its application to the

aforesaid estates;

(c) the U.P. Land Revenue Act, 1901, shall inits application to the aforesaid estates be deemed to be and ishereby amended to the extent mentioned in column 3 of the ListII of Schedule aforesaid:

Provided that where under this Act anyinterpretation has to be made, action taken or thing done inaccordance with the provisions of the United Provinces TenancyAct, 1939, the same may be made, taken or done as if it has notbeen repealed by this Act".

- |     |             |  |
|-----|-------------|--|
| 37. | 340         | Section 340 shall be deleted.                      |
| 38. | 343         | Section 343 shall be deleted.                      |
| 39. | Schedule I  | Schedule II shall be deleted.                      |
| 40. | Schedule II | The entries at serial Nos. 1 to 5 shall be deleted |
| 41. | Schedule IV | Schedule IV shall be deleted.                      |

(ii) Notification No. 1945 (2)/IC - 151-C-1959, dated Lucknow, June 30, 1959 and published in U.P. Gazette, (Extraordinary), dated 30th June, 1959 - In continuation of Notification No. 1945/IC - 151-C-1959, dated June 30, 1959 and in exercise of the powers conferred by sub-section (2) of Section 1 of the U.P. Land Reforms (Amendment) Act, 1954 (U.P. Act No. XX of 1954) hereinafter called the said Act), the Governor of U.P. is pleased to direct that the said Act shall with effect from the first day of July, 1959, apply to the estates or parts thereof which are owned by the State Government and administered as State property under the control of the Board of Revenue, U.P. or which are Nazul and are under the management of a Collector and are situate in the districts in which the U.P. Government Estates Thekedari Abolition Act, 1958 (U.P. Act I of 1959) has been enforced by virtue of Notification No. 312/IC - 217-C-1953, dated June 30, 1959, but in the case of estates or parts thereof in which no intermediary as defined in clause (12) of Section 3 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act No. 1 of 1951), has any right, title or interest, the Act would apply subject to the modification and amendments specified in the following Schedule.

**2. The Governor is further pleased to direct under sub-section (3) of Section 1 of the said Act that the said Act shall come into force in the aforesaid estates with effect from the aforesaid date:**

## Schedule 2

SI. No.	Section of the U.P. Land Reforms (Amendment) Act, 1954	Extent of modification or amendment
1	2	3
1.	2	Section 2 shall be deleted.

2. 4-12 Sections 4-12 shall be deleted.
3. 13 Clause (b) shall be deleted.
4. 23 Section 23 shall be deleted.
5. 30 In Section 172 of the Principal Act-  
(1) in sub-section (1) for the words "date of vesting" the words "appointed day" shall be substituted.  
(2) in clause (b) of sub-section (2) between the words "marry" and "such" "Bhumidhar" the word "and shall be inserted" and for the words "and intermediary or tenant" the words "tenant" shall be substituted.
6. 37 Section 37 shall be deleted.
7. 39 Section 39 shall be deleted.
8. 40 Section 212-A of the Principal Act as inserted by Section 40 shall be deleted.  
  
In such section (5) of Section 232 of the Principal act as inserted by sub-section (2) for the word "date of vesting" the words "appointed day" shall be substituted.
9. 47
10. 55 (1) In clause (b) of Section 240-D of the Principal Act-  
(a) for the words "date of vesting" the words "appointed day" shall be substituted:  
(b) in sub-clause (i) the words "Sir, Khudkhasht or" shall be deleted,  
(c) in sub-clause (ii) for the words "sub-clauses (ii) and (iii) of clause (a) of Section 130" shall be substituted.  
(d) in sub-clause (iii) for the word and figures "Section 19" the word and figures "Section 131" shall be substituted.  
(2) In Section 204-E of the Principal Act-  
(a) clause (1) shall be deleted;  
(b) for the words "date of vesting" the words "appointed day" shall be substituted in clause (2) and in the proviso to clause (4);  
(c) in clause (3) for words "clauses (1) and (2)" the word "clause (2)" shall be substituted.  
(3) in Section 248-K of the Principal Act-  
(a) in clause (b) of sub-section (1) for the words "sub-section (1) and (4)" the word "sub-section (4)" shall be substituted.  
(b) sub-section (3) shall be deleted.
11. 56 In sub-clause (1) of clause (a) for the words "date of vesting" the words "appointed day" shall be substituted.
12. 57 Section 57 shall be deleted.
13. 58 Section 58 shall be deleted.

14. 60 Section 60 shall be deleted.
15. 65 Clauses (c) to (f) of Section 337 of the Principal Act, as amended by Section 65, shall be deleted.
16. 69 Section 69 shall be deleted.
17. 71 Section 71 shall be deleted.
18. 72 For the words "date of vesting" the words "appointed day" shall be substituted.
19. 73 Section 73 shall be deleted.
20. 75 Section 75 shall be deleted.

(iii) Notification No. 1945 (4)/IC - 151-C-1959, dated June 30, 1959 and published in U.P. Gazette, Extraordinary, dated June 30, 1959. - In continuation of Notification No. 1945(2)/IC - 151-C-1959, dated June 30, 1959 and in exercise of the powers conferred by sub-sections (3) and (2) of Section 1 of U.P. Land Reforms (Amendment) Act, 1956, (U.P. Act No. XVIII of 1956) hereinafter called the said Act), the Governor of U.P. is pleased to direct that the said Act shall, with effect from the first day of July, 1959, apply to the estates or parts thereof which are owned by the State Government and administered as State property under the control of the Board of Revenue, Uttar Pradesh or which are Nazul and are under the management or Collector and are situate in the districts in which the U.P. Government Estates Thekedari Abolition Act, 1958 (U.P. Act 1 of 1959) has been enforced by virtue of Notification No. 312/IC - 277-C-53, dated June 30, 1959, subject to the modifications as specified in-(a) Scheduled I, in the case of estates or parts thereof in which an intermediary as defined in clause (12) of Section 3 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act No. 1 of 1951) had on the date prior to July 1, 1959, a right, title or interest, and (b) Schedule II, in the case of estates or parts thereof to which prior to July 1, 1959, no intermediary as defined in clause (12) of Section 3 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act No. 1 of 1951) had any right, title or interest and to further direct that the said Act shall come into force in the aforesaid estates from the first day of July, 1959.

## I

Sl. No.	Section of the U.P. Land Reforms (Amendment) Act, 1956 (U.P. Act No. XVIII of 1956)	Extent of modification or amendment
1	2	3
1.	4	Section 4 shall be deleted.
2.	20	In Schedule II of the Principal Act, as substituted by this Act, the entries as serial Nos. 9 and 10 shall be deleted.
3.	21	Section 21 shall be deleted.

## II

1	2	3
1.	3 and 4	Sections 3 and 4 shall be deleted.



2. 11 Section 11 shall be deleted.
3. 12 For the words "Vesting in Central or State Government" or the words "belonging to the Central or State Government" shall be substituted.
4. 14 In Section 14 for the word and figure "Section 20" the word and figure "Section 230-A" shall be substituted.
5. 15 In section 15 for the words and figures "Section 240-B" and Section 11-A" the words and figures "Section 240-A" and "Section 14" shall respectively be substituted.
6. 17 In Section 17, for the figure "1954" figure "1953" shall be substituted.
7. 20 In Schedule II of the Principal Act, substituted by this Act-
  7. 20 (1) All entries against serial Nos. 1, 2, 3, 4, 9, 10 and 26 shall be deleted.
  - (2) In column 2 against serial No. 21 for the brackets and letter "h" the brackets and letter "g" shall be substituted, and
  - (3) In column 2 against serial No. 21 for the word and figure "Section 202" the word and figure "Section 230-A" shall be substituted.
8. 21 Section 21 shall be deleted.

(iv) Notification No. 1945 (5)/IC - 151-C-1959, dated June 30, 1959 and published in U.P. Gazette, Extraordinary, dated June 30, 1959. - In exercise of the powers conferred by the proviso to sub-section (2) of Section 1 of the U.P. Land Reforms (Amendment) Act, 1958 (U.P. Act No. XXXVII of 1958) (hereinafter called the said Act), the Governor of Uttar Pradesh is pleased to direct that the said Act shall with effect from the first day of July, 1959, apply to estates or parts thereof which are owned by the State Government and administered as State property under the control of the Board of Revenue, U.P. or which are Nazul and are under the management of a Collector and are situate in the districts in which the U.P. Government Estates Thekedari Abolition Act, 1958 (U.P. Act No. I of 1959) has been enforced by virtue of Notification No. 312/IC - 277-C-1953, dated June, 30 1959, subject to the exceptions and modifications not affecting the substance, as specified in-(a) Schedule I annexed hereto in the case of estates or parts thereof in which an intermediary as defined in clause (12) of Section 3 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act No. I of 1951), had on the date prior to July, 1959 a right, title or interest, and (b) Schedule II annexed hereto, in the case of estates or parts thereof in which prior to July 1, 1959 no intermediary, as defined in clause (12) of Section 3 of the U.P. Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act No. I of 1951) had any right, title or interest. The Governor is further pleased to appoint, under sub-section (3) of Section 1 of the said Act, the 1st day of July, 1959, as the date from which the said Act shall come into force in the aforesaid estates.

I

SI. No.	Section of the U.P. Land Reforms (Amendment) Act, 1958	Extent of exception or modification
1	2	3
1.	81	Section 81 shall be deleted.

2. 85 85 Section 85 shall be deleted.
3. 86 Section 86 shall be deleted.
4. 87 For the words, figures and Sections 86, any" the wordcomma "Except as provided in "Any" shall besubstituted.

## II

SI. No.	Section of the U.P. Land Reforms (Amendment)Act, 1958	Extent of exception or modification
1	2	3
1.	3-6	Sections 3 to 6 shall be deleted.
2.	22	Between the words "taungya plantation" and "orgrove lands", the words "or land within the boundariesof any State Government forests" shall be inserted.
3.	23	The figure "196" shall be deleted.
4.	62	Section 62 shall be deleted.
5.	81	Section 81 shall be deleted.
6.	85	Section 85 shall be deleted.
7.	87	For the words and figures "Sections 85 and 86", theword and figure "Section 86" shall besubstituted.

Determination of leases in 53 Mustajiri villages of Tarai and Bhabhar Government Estates in district Naini Tal(v)Notification No. 1688/IC - 340-C-65, dated June 17, 1965 and published in U.P. Gazette Part I, dated June 26, 1965. - In exercise of the powers under sub-section (2) of Section 1 of the Uttar Pradesh Government Estates Thekedari Abolition Act, 1958 (U.P. Act No. 1 of 1959), the Governor of Uttar Pradesh is pleased to extend with effect from the date of the publication of this notification in the Uttar Pradesh Gazette the provisions of the above Act to the area comprising the district of Naini Tal.(vi)Notification No. 1688(i)/IC - 340-C-65, dated June 17, 1965 and published in U.P. Gazette Part I, dated June 26,1965. - In exercise of the powers under sub-section (3) of Section 1 of the Uttar Pradesh Government Estates Thekedari Abolition Act, 1958 (U.P. Act No. 1 of 1959), the Governor of Uttar Pradesh is pleased to appoint the date of publication of this Notification in the Uttar Pradesh Gazette as the date on which the aforesaid Act shall come into force in the area comprising the district of Naini Tal.(vii)Notification No. 1-15(1)/65-1-GA, dated June 30, 1966 and published in the U.P. Gazette (Extraordinary), dated June 30, 1966. - In exercise of the powers under Section 3 of the U.P. Government Estates Thekedari Abolition Act, 1958 (U.P. Act No. 1 of 1959), the Governor of Uttar Pradesh is pleased to order that with effect from July 1, 1966 all leases in respect of Government Estate made by or on behalf of the State Government in the following villages of Tarai and Bhabhar Government Estates, District Naini Tal, shall determine:

Name of villages	Peshkari/Tahsil	Name of village	Peshkari/Tahsil
1.	Ikghara	Bazpur	19. Bazpur

				Rampura Shakar	
2.	Biraha	Do.	20.	Jagannathpur	Do.
3.	Rainta	Do.	21.	Gadiriyaabagh	Kichha.
4.	Babuna Islamnagar	Do.	22.	Nurpur	Do.
5.	Vikrampur	Do.	23.	Rajpura	Do.
6.	Deoria	Do.	24.	Panthpur	Do.
7.	Narkheda	Do.	25.	Gangoli	Do.
8.	Khamaria	Do.	26.	Lachmipur	Do.
9.	Nandpur Narkatopa	Do.	27.	Kauman	Do.
10.	Sihali	Do.	28.	Bairibhoj	Do.
11.	Paharpur	Do.	29.	Turkagori	Do.
				Padri	
12.	Namuna.	Do.	30.	(excluding Paha Canal Land)	Do.
13.	Madaia Bakshe	Do.	31.	Mahrajpur	Do.
14.	Bandbari	Do.	32.	Hazara Sripur	Do.
15.	Uncha Gaon	Do.	33.	Gaughat	Do.
16.	Madaia Qayam	Do.	34.	Bangawan	Khatima
17.	Ludhpura	Do.	35.	Radhulia	Do.
18.	Sarkara	Do.			