

Tamil Nadu Land Acquisition Laws (Revival of Operation, Amendment and Validation) Act, 2019

TAMILNADU

India

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Act 38 of 2019

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Tamil Nadu Land Acquisition Laws (Revival of Operation, Amendment and Validation) Act, 2019(Act No. 38 of 2019)Last Updated 16th January, 2020An Act to revive the operation of the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978, the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and the Tamil Nadu Highways Act, 2001.Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventieth Year of the Republic of India as follows:-

1. Short title and commencement.

(1)This Act may be called the Tamil Nadu Land Acquisition Laws (Revival of Operation, Amendment and Validation) Act, 2019.(2)It shall be deemed to have come into force on the 26th day of September 2013.Part-I 2. Revival of operation of Tamil Nadu Act 31 of 1978.(1)All the provisions of the Tamil Nadu Acquisition of Land for Harijan Welfare Schemes Act, 1978 (Tamil Nadu Act 31 of 1978) (hereinafter referred to as the 1978 Act), except the provisions relating to the determination of compensation, shall stand revived with effect on and from the 26th day of September 2013.(2)All rules, notifications, notices, orders,directions issued or any other proceedings initiated under the 1978 Act, except those relating to determination of compensation, which were in force immediately before the 26th day of September 2013 shall, for all purposes, be deemed to have been revived on and from the 26th day of September 2013.(3)The provisions relating to the determination of compensation as specified in the First Schedule, rehabilitation and resettlement as specified in the Second Schedule and infrastructure amenities as specified in the Third Schedule to the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) shall apply to the land acquisition proceedings under the 1978 Act.

3. Central Act 30 of 2013 not to apply.

- Save as otherwise provided in this Act, the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) shall cease to apply to any land which is required for the purpose specified in sub-section (1) of section 4 of the 1978 Act and any such land shall be acquired by the Government only in accordance with the provisions of the 1978 Act.

4. Omission of section 20 of 1978 Act.

- Section 20 of the 1978 Act shall be omitted.

5. Validation.

- Notwithstanding anything contained in any judgment, decree or order of any court, the provisions of the 1978 Act, except the provisions relating to determination of compensation, shall be deemed to have been in force in all material times during the period commencing on the 26th day of September 2013 and ending with the date of publication of this Act in the Tamil Nadu Government Gazette, and anything done or any action taken under the 1978 Act, except those relating to determination of compensation shall be deemed to have been validly done or taken under the 1978 Act. Part-II 6. Revival of operation of Tamil Nadu Act 10 of 1999. (1) All the provisions of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 (Tamil Nadu Act 10 of 1999) (hereinafter referred to as the 1999 Act), except the provisions relating to the determination of compensation, shall stand revived with effect on and from the 26th day of September 2013. (2) All rules, notifications, notices, orders, directions issued or any other proceedings initiated under the 1999 Act, except those relating to determination of compensation, which were in force immediately before the 26th day of September 2013 shall, for all purposes, be deemed to have been revived on and from the 26th day of September 2013. (3) The provisions relating to the determination of compensation as specified in the First Schedule, rehabilitation and resettlement as specified in the Second Schedule and infrastructure amenities as specified in the Third Schedule to the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) shall apply to the land acquisition proceedings under the 1999 Act.

7. Central Act 30 of 2013 not to apply.

- Save as otherwise provided in this Act, the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) shall cease to apply to any land which is required for the purpose specified in sub-section (1) of section 3 of the 1999 Act and any such land shall be acquired by the Government only in accordance with the provisions of the 1999 Act.

8. Omission of section 21 of 1999 Act.

- Section 21 of the 1999 Act shall be omitted.

9. Validation.

- Notwithstanding anything contained in any judgment, decree or order of any court, the provisions of the 1999 Act, except the provisions relating to determination of compensation, shall be deemed to have been in force in all material times during the period commencing on the 26th day of September 2013 and ending with the date of publication of this Act in the Tamil Nadu Government Gazette, and anything done or any action taken under the 1999 Act, except those relating to determination of compensation shall be deemed to have been validly done or taken under the 1999 Act. Part-III 10. Revival of operation of Tamil Nadu Act 34 of 2002. (1) All the provisions of the Tamil Nadu Highways Act, 2001 (Tamil Nadu Act 34 of 2002) (hereinafter referred to as the 2002 Act), except the provisions relating to the determination of compensation, shall stand revived with effect on and from the 26th day of September 2013. (2) All rules, notifications, notices, orders, directions issued or any other proceedings initiated under the 2002 Act, except those relating to determination of compensation, which were in force immediately before the 26th day of September 2013 shall, for all purposes, be deemed to have been revived on and from the 26th day of September 2013. (3) The provisions relating to the determination of compensation as specified in the First Schedule, rehabilitation and resettlement as specified in the Second Schedule and infrastructure amenities as specified in the Third Schedule to the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) shall apply to the land acquisition proceedings under the 2002 Act.

11. Central Act 30 of 2013 not to apply.

- Save as otherwise provided in this Act, the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Central Act 30 of 2013) shall cease to apply to any land which is required for the purpose specified in sub-section (1) of section 15 of the 2002 Act and any such land shall be acquired by the Government only in accordance with the provisions of the 2002 Act.

12. Omission of section 68 of 2002 Act.

- Section 68 of the 2002 Act shall be omitted.

13. Validation.

- Notwithstanding anything contained in any judgment, decree or order of any court, the provisions of the 2002 Act, except the provisions relating to determination of compensation, shall be deemed to have been in force in all material times during the period commencing on the 26th day of September 2013 and ending with the date of publication of this Act in the Tamil Nadu Government

Gazette, and anything done or any action taken under the 2002 Act, except those relating to determination of compensation shall be deemed to have been validly done or taken under the 2002 Act.