

Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Act, 1959

ASSAM

India

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Act 21 of 1960

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Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Act, 1959
Assam Act No. 21 of 1960
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Received the assent of the President on the 27th May 1960.
An Act to provide for the validation of acquisition of certain land for flood control and prevention of erosion.
Preamble. - Whereas it is expedient to validate the acquisition of certain land for the purpose and in the manner hereinafter appearing; It is hereby enacted in the Tenth Year of the Republic of India as follows-

1. Short title, extent and commencement.

(1) This Act may be called the Assam Acquisition of Land for Flood Control and Prevention of Erosion (Validation) Act, 1959.
(2) It extends to the whole of the State of Assam.
(3) It shall come into force at once.

2. Validation of acquisition already made.

(1) Notwithstanding anything contained in the Assam Acquisition of Land for Flood Control and Prevention of Erosion Act, 1955 (hereinafter referred to as the 'said Act'), any land taken over for the purposes of constructions of embankments or carrying out works or other development measures in connection with flood control or prevention of erosion before this Act came into force, except where acquisition was made validly under any other law for the time being force, shall be deemed to have been validly acquired under the provisions, of the 'said Act' and the land shall absolutely vest and shall always deemed to have been vested in the State Government from the date the land was actually taken possession of.
(2) The Collector shall, as soon as may be, after the commencement of this Act, publish, by notification in the official Gazette, the description of land deemed to have been acquired under Sub-section (1).

3. Compensation.

(1)The Collector shall, within a period of six months from the date of commencement of this Act, assess the value of land deemed to have been acquired under Section 2 in accordance with the principles contained in Section 6 and make an award under Section 8 of the said Act respectively. The owner of the land shall further be entitled to an interest at the rate of 6 per cent per annum on the value of the award for the period from the date of the land was actually taken possession of to the date of award.

4. Protection of action taken in good faith.

- No suit, prosecution or other legal proceedings shall lie against any person for doing anything which is good faith done or intended to be done in connection with the land deemed to have been acquired under Section 2 of this Act.

5. Application of the provisions of the Assam Act VI of 1995.

- Except as otherwise provided in this Act, the provisions of the said Act shall apply, mutatis mutandis in respect of the acquisition of the land deemed to have been acquired under Section 2 of this Act.

6. Removal of doubts.

- If any question arises as to the interpretation of the provisions of this Act or the applicability of any of its provisions in respect of any land, the matter shall be referred to the Governor of Assam whose decision shall be final.