

The Bengal Alluvial Land Settlement Act, 1858

BIHAR

India

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Act 31 of 1858

- Published on 1 January 1858
- Commenced on 1 January 1858
- [This is the version of this document from 1 January 1858.]
- [Note: The original publication document is not available and this content could not be verified.]

The Bengal Alluvial Land Settlement Act, 1858Act 31 of 1858This includes present State of Bihar.An Act to make further provision for the settlement of land gained by alluvion in the Presidency of Fort William in Bengal.Preamble. - Whereas for the removal of doubts respecting the course proper to be followed in the settlement of land added by alluvial accession to estates paying revenue to Government, it is expedient to lay down certain rules to be observed in the settlement of such land; It is enacted as follows :

1. Addition of revenue assessed upon alluvial land to jama of original estate.

- When land added by alluvial accession to an estate paying revenue to Government becomes liable to assessment, if it be so agreed on between the revenue-authorities and the proprietor or proprietors, the revenue assessed upon the alluvial land may be added to the jama of the original estate; and in such case a new engagement shall be executed for the payment of the aggregate amount, and that amount shall be substituted in the Collector's rent-roll for the former jama of the original estate.When separate settlement to be made. - If the proprietor or proprietors subject to such an agreement, or if the Revenue authorities are of opinion that a settlement of the alluvial land cannot properly be made for the same term as the existing settlement of the original estate, the alluvial land shall be assessed and settled as a separate estate with a separate jama, and shall thenceforward be regarded and treated, as in all respects separate from and independent of the original estate, whether the separate settlement be made with the proprietor or proprietors or the land be let in farm in consequence of the refusal of the proprietor or proprietors to accept the terms of settlement.The separate settlement may be permanent, if the settlement of the original estate is permanent.

2. Rights of under-tenants in alluvial land.

- Nothing contained in the preceding section shall affect the rights of any under-tenant in any alluvial land under the provisions of Clause I, Section 4, Regulation 11 of 1825.It shall be the duty of

all officers making settlement of such land, whether the land be settled separately or incorporated with the original estate, to ascertain and record all such rights according to the rules prescribed in Regulation 7, 1822; and to determine whether any and what additional rent shall be payable in respect of the alluvial land by the person or persons entitled to any under-tenure in the original estate. The provisions of the said Regulation, so far as same may be applicable, are hereby declared to extend to all settlements made under this Act.[* * *] [Repealed by Act 1 of 1903.]