

*Land Acquisition.*

Extent to which Land Acquisition Act shall apply to acquisition of land otherwise than by agreement.

**284N.** The Land Acquisition Act, 1894 (in this and the next succeeding sections referred to as 'the Land Acquisition Act') shall to the extent set forth in Appendix I regulate and apply to the acquisition of land under this Chapter, otherwise then by agreement, and shall for that purpose be deemed to form part of this Chapter in the same manner as if enacted in the body hereof, subject to the provisions of this Chapter and to the provisions following, namely :—

(1) a reference to any section of the Land Acquisition Act shall be deemed to be a reference to such section, as modified by the provisions of this Chapter, and the expression 'land', as used in the Land Acquisition Act, shall be deemed to have the meaning assigned to it by clause (30) of section 2 of this Act, and clause (b) of section 3 of the Land Acquisition Act shall, for the purposes of this Chapter, be read as if the words and parenthesis "(including Government)", were inserted after the words "includes all persons" and the words "or if he is the owner of any right created by legislative enactment over any street forming part of the land" were added after the words "affecting the land";

(2) in the construction of sub-section (2) of section 4 of the Land Acquisition Act and the provision of this Chapter, the provisions of the said sub-section shall, for the purposes of this Act, be applicable immediately upon the passing of a resolution under sub-section (1) of section 270, 280, 284 E or 284 I as the case may be, and the expression 'State Government' shall be deemed to include the Commissioner, and the words 'such locality' shall be deemed to mean the locality referred to in any such resolution;

(3) in the construction of the sections of the Land Acquisition Act deemed to form part of this Chapter and of the provisions of this Chapter, the publication of a notification under sub-section (2) of section 272, or the publication of notice of a compulsory acquisition order having been made under clause 2(a) of Schedule C to this Act shall be deemed to be the publication of a notification under sub-section (1) of section 4 of the Land Acquisition Act and the date of publication of the declaration under section 278 or of publication of a notice of a compulsory acquisition order having been confirmed under clause 1 of Schedule B shall be deemed to be the date of the publication of the declaration under section 6 of the Land Acquisition:

Provided that where land is aquired under section 273 or section 274 the date of publication of the notification under sub-section (2) of section 272 shall be deemed to be the date of publication of a declaration under section-6 of the Land Acquisition Act;

(4) the provision of sub-section (1) of section 17 of the Land Acquisition Act to take possessions of land shall apply to any land which the Commissioner is authorised under this Chapter as if it were land needed urgently for a public purpose subject to the condition that the Corporation shall pay additional compensation in the form of interest not exceeding 6 per cent. on the compensation awarded from the date on which possession of land is taken by the Collector;

(5) in the construction of sub-section (2) of section 50 of the Land Acquisition Act and the provisions of this Chapter, the Commissioner shall be deemed to be "the local authority or Company concerned";

(6) notwithstanding anything contained in sub-section (1) of section 49 of the Land Acquisition Act, it shall not be competent for the owner of any building, of which it is proposed to acquire only a part, to insist on the acquisition of his entire holding where the part proposed to be acquired can, in the opinion of the Collector, be severed from the remainder without material detriment thereto:

Provided that the Collector shall, if required by the owner of such building, refer the question whether such part can be severed from the remainder without material detriment for the determination of the Court and the Court shall decide upon such a reference, as if it were a reference to the Court under the said sub-section: