

**Assam Land And Revenue Regulation (Amendment) Act,
1981**

02 of 1981

[28 December 1981]

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**Assam Land And Revenue Regulation (Amendment) Act,
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PREAMBLE

An

Act

further to amend the Assam Land and Revenue Regulation, 1886.

In exercise of the powers conferred by section 3 of the Assam State Legislature (Delegation of powers) Act, 1981 (39 of 1981), the President is pleased to enact as follows:-

1. Short title :-

This Act may be called the Assam Land and Revenue Regulation (Amendment) Act, 1981.

2. Amendment of section 162 :-

In section 162 of the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886), (hereinafter referred to as the principal Regulation).--

(a) in sub-section (1), the concluding portion beginning with the words "where this is not possible" and ending with the words "rules made thereunder" shall be committed;

(b) in sub-section (2), the following proviso shall be inserted at the end, namely:--

"Provided that nothing contained in this Chapter or in the rules made thereunder shall affect any transfer by way of a mortgage in favour of any nationalised bank, a co-operative society registered under the Assam Co-operative Society Act, 1949 (Assam Act I of 1950), or such other financing institution as may be approved by the State Government."

3. Amendment of section 163 :-

In section 163 of the principal Regulation,--

(a) for sub-section (2), the following sub-section shall be substituted, namely:--

"(2) In adopting and directing such policy or procedure the State Government shall take into consideration--

(a) first, the bonafide needs of the persons belonging to the classes notified under sub-section (2) of section 160, who are permanently residing in such area from before its constitution under section 161;

(b) secondly, the bonafide needs of the persons belonging to such classes who are temporarily residing in such area from before its constitution but who are settlement holders of land within the area, on the date of its constitution, and who are likely to undertake to become permanent residents therein within a reasonable time; and

(c) thirdly, if the extent of cultivable land available for settlement in the belt or block be large enough, the bonafide needs of,

(i) the persons belonging to the other classes of people residing in the belt or block from before the constitution of the belt or block;

(ii) the persons belonging to the classes notified under subsection (2) of section 160, who are living elsewhere in the State";

(b) after sub-section (2), the following sub-section shall be inserted, namely: --

"(3) The policy adopted and directed under sub-section (1) shall also provide that no settlement with the persons belonging to the classes of people mentioned in clause (c) of sub-section (2) shall be made except with the previous approval of the State Government".

4. Amendment of section 164 :-

In section 164 of the principal Regulation, in sub-section (2), the following provisos shall be inserted, namely:--

"Provided that no land holder shall transfer his land in belt or block
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(a) to any person not belonging to a class of people notified under section 160; or

(b) to any person who is not a permanent resident in that belt or block :

Provided further that no such land holder shall transfer his land in a belt or block to any person who is a permanent resident in that belt or block who does not belong to a class of people notified under section 160 except with the previous permission of the Deputy Commissioner.

Provided also that in granting such permission the Deputy Commissioner shall have due regard for the interests of person belonging to the classes notified under that section".

5. Insertion of new section 164A :-

After section 164 of the principal Regulation, the following section shall be inserted, namely:--

"164A.-Bar of acquisition by prescription in a belt or block--

Notwithstanding anything to the contrary contained in this Act or in any law relating to limitation, no person to whom any land is transferred in a belt or block in contravention of the provision of this Chapter shall acquire any right or title in that land by any length of possession, whether adverse or not".