

**Assam State Acquisition Of Lands Belonging To Religious Or
Charitable Institutions Of Public Nature Amendment), Act,
1987**

19 of 1987

[19 October 1987]

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PREAMBLE

An

Act

further to amend the Assam State Acquisition of Lands Belonging to Religious or Charitable Institutions of Public Nature Act, 1959.

Whereas it is expedient further to amend the Assam State Acquisition of Lands Belonging to Religious or Charitable Institutions of Public Nature Act, 1959 (Assam Act IX of 1961), hereinafter called the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Thirty-Eighth Year of the Republic of India as follows:--

1. Short title, extent and commencement :-

(1) This Act may be called the Assam State Acquisition of Land Belonging to Religious or Charitable Institutions of Public Nature (Amendment) Act, 1987.

(2) It shall extend to the whole of Assam, except N.C.Hill district and Karbi Anglong District.

(3) It shall come into force at once.

2. Amendment of Section 8 of Assam Act IX of 1961 :-

In the principal Act, in Section 8, after sub-section (5), the following shall be inserted as sub-section (6) and (7), namely:--

"(6) Without prejudice to any action under any other provision of this Act, the State Government may at any time call for the records and pass such orders as it may deem fit for correction of bonafide mistakes in the assessment of compensation either of its own motion or on application of the person interested after giving the person or persons interested an opportunity of being heard, but no such correction shall be made while an appeal under Section 21 of the Act is pending.

(7) (a) The State Government shall constitute a grant-fund-in-aid to the Religions or Charitable Institution of Public Nature both by way of recurring and non-recurring nature.

(b) In case of grant-in-aid of recurring nature, the amount of annuity shall be enhanced by 25% subject to minimum of Rs. 300 in respect of religious Institution whose perpetual annuity originally determined at an amount not exceeding Rs. 100 lakh.

(c) No subsequent revision or increase of annuity shall be permissible until at least a period of not less than 10 years has elapsed since the preceding fixation or re-fixation of the annuity as the case may be.

(d) In case of non-recurring grant-in-aid a lump sum amount of Rs. 500 shall be paid to the Religious or Charitable Institution of Public Nature on application by the interested persons/head of the Institutions or by the State Government suo muto, if any repair or renovation work including white washing is effected or any damages repaired on account of any natural decay or calamity, subject to verification of the actual cost of repair or renovation work done and subject to assessment and satisfaction of the authority about the nature and magnitude of the loss caused to the Religious or charitable Institution of Public Nature on account of natural decay or calamity. This amount shall be paid after every two years."

3. Amendment of Section 25 of Assam Act IX of 1961 :-

In the principal Act, after Section 25, the following shall be inserted as a new Section 25A, namely.--

25A. "Constitution of the Managing Committee."

For each of the Religious or Charitable Institution of Public Nature, a Managing Committee shall be constituted with the following members to have a control over the matter of utilisation of the annuity and verification of the proper maintenance of the Institution.

(a) The Deputy Commissioner or Sub-divisional Officer or his nominee President.

(b) An Ex-Officio Secretary to be elected by the Deuries/Bor Deuries.

(c) 5 (five) elected members to be elected from amongst the devotees.

The term of the Committee shall be for three years from the date of its constitution."