

**Bihar Continuance Of Certificate Proceedings And
Indemnity (State Management Of Estates And Tenures) Act,
1950**

32 of 1950

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An Act, to continue the certificate proceedings initiated under Section 24 of the Bihar State Management of Estates and Tenures Act, 1949, for the recovery of the arrears of rent due to a proprietor of tenure-holder of an estate or tenure, as the case may be, placed under the Management of the State Government under subsection (1) of Section 3 of the said Act and to indemnify the Manager of such estate or tenure and other servant of the Government in respect of acts ordered or done or purporting to be ordered or done in good faith under the said Act, during the period commencing on the date on which the estate or tenure as the case may be, was placed under the Management of the State Government and ending on the date of which the Management of such estate or tenure was relinquished. Whereas, it is expedient to provide that the certificate proceedings initiated under Section 24 of the Bihar State Management of Estates and Tenures Act, 1949, for the recovery of the arrears of rent due to a proprietor or tenure-holder of an estate or tenure, placed under the management of the State Government under sub-section (1) of Section 3 of the said Act, shall be continued and that the Manager of such estate or tenure and other servants of the Government shall be indemnified in respect of acts ordered or done or purporting to be ordered or done in good faith under the said Act, during the period

commencing on the date on which the estate or tenure, as the case may be, was placed under the management of the State Government and ending on the date on which the management of such estate or tenure was relinquished. It is hereby enacted as follows:- 1. Published in Bihar Gazette (Extraordinary) of the 9th October, 1950.

1. Short Title And Extent :-

(1) This Act, may be called the Bihar Continuance of Certificate Proceedings and Indemnity (State Management of Estates and Tenures) Act, 1950.

(2) It extends to the whole of the State of Bihar.

2. Requisition Made By Manager For Recovery Of Arrears Of Rent To Continue :-

Any requisition made to a Certificate Officer by the Manager under Section 24 of the Bihar State Management of Estates and Tenures Act, 1949, (hereinafter referred to as the said Act), for the recovery of the arrears of rent due to a proprietor or tenure-holder of an estate or tenure, as the case may be, placed under the management of the State Government under sub-section (1) of Section 3 of the said Act, shall, notwithstanding anything contained in any law for the time being in force, be continued and shall always be deemed to have continued as if the name of the proprietor or tenure-holder of the estate or tenure, as the case may be, were substituted for the Manager and the requisition as so amended shall be continued and disposed of by the Certificate Officer in the like manner and to the like extent as if the said requisitions were originally filed by such proprietor or tenure-holder, and the arrears of rent alleged to be due to such proprietor or tenure-holder were recoverable as a public demand.

3. Bar Of Legal Proceedings :-

No suit, prosecution or other legal proceeding shall lie in any court against the Manager or any servant of the Government, appointed under the said Act, for or on account of or in respect of, any act ordered or done or purporting to be ordered or done in the reasonable belief that the act was necessary for the purpose of giving effect to provisions of the said Act, during the period commencing on the date on which the estate or tenure, as the case

may be, was placed under the management of the Government and ending on the date on which the management of such estate or tenure was relinquished and any act ordered or done or purporting to be ordered or done for the aforesaid purpose during the period mentioned above shall be deemed to have been ordered or done in good faith and in the reasonable belief that it was necessary therefore, unless, the contrary is proved.