

Himachal Pradesh Abolition Of Land Revenue On Un-Economic Holdings Act, 1977

2 of 1978

[13 February 1978]

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An Act to provide for abolition of land revenue on un-economic holdings in Himachal Pradesh. BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-eighth Year of the Republic of India as follows:- 1. For Statement of Objects and Reasons, see R. H. P. Extra, dated 31-12-1977p. 1209 and for authoritative Hindi Text see R. H. P. Extra, dated 29-6-1991, p. 1507.

1. Short Title And Commencement :-

- (1) This Act may be called the Himachal Pradesh Abolition of Land Revenue on Un-economic Holdings Act, 1977.
- (2) It shall come into force at once.

2. Definitions :-

In this Act, unless the context otherwise requires,-

- (a) "land holding" means the total land in the State in possession of a person whether as owner, mortgagee, lessee, tenant or in any other lawful capacity and if such a person holds land jointly with

others, his share in such holding;

(b) "un-economic holding means a land holding which does not exceed two-and-a half acres and comprises of un-irrigated cultivated land or of such land which has been recorded as "banjar kadim" "banjar Jadid" or grass lands, by whatever name called i.e. "ghasnis", "kharetars", "rutas" etc., but does not include land under orchards or built up areas assessed to land revenue;

(c) all other terms and expressions used herein, but not defined in this Act, shall have the same meanings as assigned to them in the Himachal Pradesh Land Revenue Act, 1953 (6 of 1954).

3. Abolition Of Land Revenue On Un-Economic Holdings :-

Notwithstanding anything contained in the Himachal Pradesh Land Revenue Act, 1953 (6 of 1954), the land revenue on un-economic holdings shall stand abolished from Rabi 1977; and, the landowner who at the commencement of this Act holds un-economic holding, shall not be liable to pay any land revenue in respect of his land holding to the State.

4. Bar On Certain Transfers :-

(1) All transfers of land made after the 4th day of July, 1977, except the transfer of land made to the Union Government or to the State Government or a bonafide transfer by a land holder or any transfer of land by operation of law, to defeat the purpose of the Act, shall not affect the liability of the landholder to pay the land revenue to the State.

(2) The Collector of the District in which such transfer or transfers take place, shall determine whether a transfer is bonafide or not and his decision shall be final.

5. Power To Remove Difficulty :-

If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order to be published in the Official Gazette or otherwise, make such provisions, or give such directions, not inconsistent with this Act, as may appear to it to be necessary or expedient for the removal of such difficulty.

6. Repeal And Savings :-

(1) The Himachal Pradesh Abolition of Land Revenue on Un-economic Holdings Ordinance, 1977 (4 of 1977) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the aforesaid Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act as if this Act was in force on the day on which such thing was done or action was taken.