

Orissa Irrigation (Validation) Act, 1992

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Orissa Irrigation (Validation) Act, 1992

An Act to validate the Orissa irrigation (Amendment) Rules, 1979 and certain things done, actions taken including collection of water-rates made pursuant to amendments made by the said Rules Be it enacted by the Legislature of the State of Orissa in the Forty-third Year of the Republic of India, as follows: Published vide Orissa Act No. 21 of 1992

1. Short Title :-

This Act may be called the Orissa Irrigation (Validation) Act, 1992.

2. Validation :-

(1) Notwithstanding anything contained in the Principal Act, or any judgment, decree or order of any Court-

(i) the Orissa Irrigation (Amendment) Rules, 1979 (hereinafter referred to as the Amendment Rules) made under Section 53 of the Principal Act and published under the Notification of the Government of Orissa in the Revenue Department No. 43512-R., dated the 8th June, 1979 in the Extraordinary issue No.1243, dated the 12th June, 1979 of the Orissa Gazette shall be deemed to have been validly made as if Sub-section (3) of Section 53 of the Principal Act as amended by Section 2 of this Act were in force at all material times when the amendment Rules were laid before the Legislative Assembly ; and

(ii) all actions taken, things done or purported to have been taken or done and the compulsory basic water-rate and water-rates realised pursuant to amendments made by the Amendment Rules shall be deemed to have been validly taken, done or realised, as the case may be, and no suit or other proceeding shall be instituted, maintained or

continued in any Court merely on the ground that the amendment Rules were not validly and effectively made.

(2) For the removal of doubts, it is hereby declared that nothing in Sub-section (1) shall be construed as preventing any person from claiming refund of any compulsory basic water-rate or water-rates paid by him in excess of the amount due from him under the law.