

Tamil Nadu Land Reforms (Fixation Of Ceiling On Land) Amendment Act, 2008

23 of 2010

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An Act further to amend the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (T.N. Act 58 of 1961). Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Fifty-ninth Year of the Republic of India as follows:-- 1. Received the Assent of the Governor of Tamil Nadu on June 6, 2010 -- Published in Tamil Nadu Government Gazette, Extraordinary, Part IV, Section 2, Iss. No. 174, pages 91-92, dated June 10, 2010.

1. Short Title And Commencement :-

- (1) This Act may be called the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2008.
- (2) (a) Section 3 shall be deemed to have come into force on the 1st day of March 1972.
- (b) Section 4 shall be deemed to have come into force on the 15th day of July 1987.

2. Declaration :-

It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles laid down in Clauses (b) and (c) of Article 39 of the Constitution.

3. Amendment Of Section 37-A :-

In Section 37-A of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961 (Tamil Nadu Act 58 of 1961) (hereinafter referred to as the principal Act), for sub-section (1) excluding the Explanation thereunder, the following sub-section shall be substituted, namely:--

"(1) If any industrial or commercial undertaking desires to acquire any land in excess of the ceiling area or desires to hold land acquired in excess of the ceiling area, it shall make an Application to the Government for permission to acquire such land or for permission to hold such acquired land as the case may be. Every such Application shall be in writing and contain such particulars as may be prescribed:

Provided that an Application for permission to hold such acquired land shall be made within such period as may be prescribed."

4. Amendment Of Section 37-B :-

In Section 37-B of the principal Act, for sub-section (1) excluding the Explanation thereunder, the following subsection shall be substituted, namely:--

"(1) Notwithstanding anything contained in this Act, but subject to the provisions of Section 73,--

(a) if any public trust created before the 1st March 1972 desires to acquire any land in excess of the ceiling area or desires to hold land acquired in excess of the ceiling area; and

(b) if any public trust created after the 1st March 1972 desires to acquire any land or desires to hold land acquired, for the purpose of,--

(i) establishing any educational institution or hospital; or

(ii) expanding any existing educational institution or hospital by way of addition to, alteration of, or improvement to, any educational institution or hospital,

it shall make an Application to the Government, for permission to acquire such land or for permission to hold such acquired land, as the case may be. Every such Application shall be in writing and shall contain such particulars as may be prescribed:

Provided that an Application for permission to hold such acquired land shall be made within such period as may be prescribed."

5. Validation :-

Notwithstanding anything contained in the principal Act, or in any

judgment, decree or order of any Court or other authority, every Application made by any industrial or commercial undertaking or public trust and every permission granted by the Government under Section 37-A or 37-B of the principal Act, before the date of publication of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2008 in the Tamil Nadu Government Gazette shall be as valid and effective as if the said Sections 37-A and 37-B as amended by the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 2008 had been in force at all material times and the said Application and permission had been made and granted thereunder.