

ASSAM ACT XX OF 1962
THE ASSAM FIXATION OF CEILING ON LAND HOLDINGS
(AMENDMENT) ACT, 1962

(Passed by the Assembly)

(Received the assent of the Governor on the 3rd September 1962)

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An
Act

further to amend the Assam Fixation of Ceiling on Land
Holdings Act, 1956

Preamble WHEREAS it is expedient further to amend the Assam Fixation of Ceiling on Land Holdings Act, 1956, hereinafter called the principal Act, in the manner hereinafter appearing ; Assam Act of 1957.

It is hereby enacted in the Thirteenth Year of the Republic of India as follows:—

Short title, extent and commencement. 1. (1) This Act may be called the Assam Fixation of Ceiling on Land Holdings (Amendment) Act, 1962.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once;

Substitution of section 2 of Assam Act 1 of 1957. 2. For Section 2 of the principal Act, the following shall be substituted, namely—

“2. *Exceptions*—The provisions of this Act, shall not apply to:—

(a) lands held by the State Government or by the Union Government or by any Local Authority ;

(b) lands belonging to any religious or charitable institution of a public nature ;

(c) (i) lands held for a special cultivation of tea or purposes ancillary thereto,

(ii) lands exceeding 150 bighas, utilized for large-scale cultivation of citrus in a compact block by any person before the first day of January, 1955,

- (iii) lands utilized by efficiently managed farms on which heavy investment or permanent structural improvements have been made and whose break-up is likely to lead to a fall in production, and
- (iv) lands held by a mill, factory or workshop as may be required for the purposes of the expansion of the mill, factory or workshop or for ancillary purposes of the mill, factory or workshop, such as setting up of schools, dispensaries and roads but not for growing crops for use in the mill, factory or workshop ;
- (v) lands held by a sugar factory or a co-operative farming society for cultivation of sugar-cane for the purpose of such factory :

Provided that, if at any time, such lands cease to be utilized for the purposes mentioned herein, the provisions of this Act shall apply.

(d) lands vesting in a Gram Sabha under the Assam Act I of 1962.
Assam Gramdan Act, 1961 ;

Explanation.—Lands held by tenants (other than tea garden labourers) within estates settled for cultivation of tea shall not be deemed to be held for special cultivation or for purposes ancillary thereto.”

Amendment of Section 28 of the Assam Act I of 1957. 3. For sub-section (2) of Section 28 of the principal Act, the following shall be substituted, namely:—

“(2) The Board shall consist of six members, namely:—

- (a) two non-official members nominated by the State Government,
- (b) three Officers of the State Government, namely:—
 - (i) the Commissioner of Plains Division,
 - (ii) the Secretary to the Government of Assam in the Revenue Department,
 - (iii) the Land Reforms Officer who shall also be the Secretary to the Board,
- (c) a Chairman nominated by the State Government.”