



The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act,
1963
Act 1 of 1964

Keyword(s):

Agricultural Labourer, Landless, Panchayat Area, Marginal Farmer, Small Farmer

Amendments appended: 31 of 1985, 14 of 1987, 19 of 1995, 9 of 1997, 29 of 1998, 35 of 2001, 27 of 2004, 13 of 2005

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Ch. 3.

**THE UTTAR PRADESH ZAMINDARI ABOLITION AND
LAND REFORMS (AMENDMENT) ACT, 1963***

[U. P. ACT No. I OF 1964]

†(Authoritative English text of the Uttar Pradesh Zamindari
Vinash aur Bhoomi-Vyavastha (Sanshodhan) Adhiniyam, 1963.)

AN
ACT

to amend the Uttar Pradesh Zamindari Abolition and Land Reforms
Act, 1950

U. P. Act I of
1951.

IT IS HEREBY enacted in the Fourteenth Year of the Republic
of India as follows :—

1. This Act may be called the Uttar Pradesh Zamindari
Abolition and Land Reforms (Amendment) Act, 1963.

Short title.

2. In the Uttar Pradesh Zamindari Abolition and Land
Reforms Act, 1950 (hereinafter called the principal Act), in
clause (8) of section 3, the following proviso shall, with effect
from the first day of July, 1952, be added before the explanation,
and the notifications issued under the principal Act (including
sections 2 and 4 thereof) of the U. P. Land Reforms
(Amendment) Act, 1954 (including section 1 thereof), or the
U. P. Land Reforms (Amendment) Act, 1956 (including
section 1 thereof) or the U.P. Land Reforms (Amendment)
Act, 1958 (including section 1 thereof), shall, notwithstanding
any judgment, decree, determination or order of any court,
be so construed as if the said proviso had, since the said date,
formed part of the principal Act, as also of the definition of
the word "estate" as given in the Uttar Pradesh Zamindari
Abolition and Land Reforms (Amendment) Act, 1958 :

U. P. Act XX of
1954.

U. P. Act XVIII
of 1956.

Act XXXVII of
1958.

Act XIV of
1958.

"Provided that in Mirzapur District each of the areas
bounded as given in Schedule VII shall, notwithstanding
anything contained in the foregoing definition, be deemed
to be an estate."

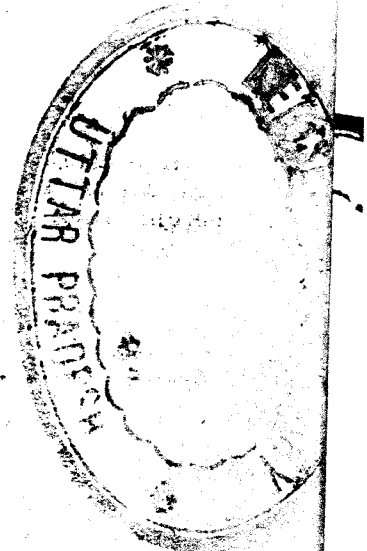
*For statement of Objects and Reasons, please see *Uttar Pradesh Gazette*
(*Extraordinary*), dated September 14, 1963.)

Passed in Hindi by the Uttar Pradesh Legislative Council on September 20,
1963 and by the Uttar Pradesh Legislative Assembly on October 29, 1963.

Received the Assent of the President on December 31, 1963 under Article
201 of the Constitution of India and was published in the *Uttar Pradesh Gazette*
Extraordinary, dated January 1, 1964.

†Published in the *Uttar Pradesh Gazette Extraordinary*, dated January
1, 1964.

Price Rs.0.05 P.]



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उत्तर प्रदेश जमींदारी-विनाश और भूमि-व्यवस्था (संशोधन) अधिनियम, 1972

135773

(उत्तर प्रदेश अधिनियम संख्या 20, 1972)

उत्तर प्रदेश विधान सभा ने दिनांक 20-1-1972 ई० तथा उत्तर प्रदेश विधान परिषद् ने दिनांक 14-4-1972 ई० की बैठक में स्वीकृत किया।]

'भारत का संविधान' के अनुच्छेद 200 के अन्तर्गत राज्यपाल ने दिनांक 25-4-1972 ई० को अनुमति प्रदान की तथा उत्तर प्रदेशीय सरकारी असाधारण गजट में दिनांक 28-4-1972 ई० को प्रकाशित हुआ।]

1950 ई० के उत्तर प्रदेश जमींदारी-विनाश और भूमि-व्यवस्था अधिनियम में अग्रेतर संशोधन करने तथा उनसे सम्बद्ध विषयों की व्यवस्था करने के लिये

अधिनियम

भारत गणराज्य के तेईसवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है :—

1—यह अधिनियम उत्तर प्रदेश जमींदारी-विनाश और भूमि-व्यवस्था (संशोधन) अधिनियम, 1972 कहलायेगा।

2—1951 ई० का उत्तर प्रदेश जमींदारी-विनाश और भूमि-व्यवस्था अधिनियम, जिसे आगे ल अधिनियम कहा गया है, की धारा 100-क में, उपधारा (2) में शब्द, कोष्ठक तथा अंक "उत्तर प्रदेश भूमि-विधि (संशोधन) अधिनियम, 1969 के प्रारम्भ से एक वर्ष के भीतर" के स्थान पर शब्द तथा अंक "तीस जून, 1972 को या इसके पूर्व" रख दिये जायें।

3—मूल अधिनियम की धारा 100-ख में, उपधारा (2) में शब्द, कोष्ठक तथा अंक "उत्तर प्रदेश भूमि-विधि (संशोधन) अधिनियम, 1969 के प्रारम्भ से एक वर्ष के भीतर" के स्थान पर शब्द तथा अंक "तीस जून, 1972 को या इसके पूर्व" रख दिये जायें।

4—मूल अधिनियम की धारा 240-ज की उपधारा (3) में, उपधारा के प्रारम्भ में आये ए शब्द "डिस्ट्रिक्ट जज" के स्थान पर शब्द "सक्षम क्षेत्राधिकारयुक्त न्यायालय" रख दिये जायें।

संक्षिप्त नाम

1951 ई० का उत्तर प्रदेश अधिनियम संख्या 1 की धारा 100-क का संशोधन

धारा 100-ख का संशोधन

धारा 240-ज का संशोधन

[उद्देश्य और कारणों के विवरण के लिए कृपया दिनांक 16 सितम्बर, 1971 ई० का सरकारी प्रसाधारण गजट देखिये।]

Date Lucknow, September 17, 1985

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Tatha Bhumi Vyawastha (Sanshodhan) Adhiniyam, 1985 (Uttar Pradesh Adhiniyam Sarkhya 31 of 1985) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 17, 1985:

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS (AMENDMENT) ACT, 1985

(U. P. ACT NO. 31 OF 1985)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950

IT IS HEREBY enacted in the Thirty-sixth Year of the Republic of India as follows :—

Short title

1. This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 1985.

Amendment of
section 154-A of
U. P. Act no. 1
of 1951

2. In section 154-A of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act, for sub-section (1), the following sub-section shall be substituted and shall be deemed always to have been substituted, namely :—

“(1) Notwithstanding anything to the contrary contained in this Act or any other law for the time being in force, no foreign national shall acquire any land by sale or gift without prior permission in writing from the State Government.”

Validation

3. Notwithstanding anything to the contrary contained in the principal Act, any transfer made before the commencement of this Act which is not in contravention of the provisions of sub-section (1) of section 154-A of the principal Act as substituted by this Act, shall not be deemed to be void merely because it was in contravention of that sub-section as it stood before such commencement and the subject-matter of such transfer, if such transfer is otherwise valid, shall not be deemed ever to have vested in the State Government.

By order,

B. L. LOOMBA,

Sachiv.

Dated Lucknow, July 29, 1987

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhumi Vyawastha (Sanshodhan) Adhiniyam, 1987 (Uttar Pradesh Adhiniyam Sankhya 14 of 1987) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 29, 1987.

**THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND
REFORMS (AMENDMENT) ACT, 1987**

(U. P. ACT No. 14 OF 1987)

(As passed by the Uttar Pradesh Legislature)

AN
ACT

*Further to amend the Uttar Pradesh Zamindari Abolition and Land
Reforms Act, 1950.*

IT IS HEREBY enacted in the Thirty-eighth Year of the Republic of India as follows :

Short title and
commencement

1. (1) This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 1987.

(2) It shall be deemed to have come into force on April 15, 1987.

2. After section 131 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act, the following section shall be inserted, namely :—

Insertion of new section 131-A in U. P. Act no. 1 of 1951.

“131-A. Subject to the provisions of section 132 and section 133-A, every person in cultivatory possession of any land, vested in a Gaon Sabha under section 117 or belonging to the State Government, in the portion of district Mirzapur south of Kaimur range, other than the land notified under section 20 of the Indian Forest Act, 1927, before the 30th day of June, 1978, shall be deemed to have become a Bhumidhar with non-transferable rights of such land :

Provided that where the land in cultivatory possession of a person, together with any other land held by him in Uttar Pradesh exceeds the ceiling area determined under the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960, the rights of a Bhumidhar with non-transferable rights shall accrue in favour of such person in respect of so much area of the first-mentioned land, as together with such other land held by him, does not exceed the ceiling area applicable to him, and the said area shall be demarcated in the prescribed manner in accordance with the principles laid down in the aforesaid Act.”

Ordi.
no. 7
17.

3. (1) The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 1987, is hereby repealed.

Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
S. N. SAHAY,
Sachiv.

No. 1587 (2)/XVII-V-1-1(KA) 18-1995

Dated Lucknow, August 23, 1995

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, of India the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhumi Vyastha (Sanshodhan) Adhiniyam, 1995 (Uttar Pradesh Adhiniyam Sankhya 19 of 1995) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 22, 1995 :

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND
REFORMS (AMENDMENT) ACT, 1995

[U. P. ACT No. 19 OF 1995]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Forty-sixth Year of the Republic of India as follows :—

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 1995.

(2) It shall be deemed to have come into force on January 14, 1995.

2. In the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act after section 131-A, the following section shall be inserted, namely,—

Insertion of new section 131-B in U. P. Act no. 1 of 1951

“131-B. (1) Every person who was a bhumidhar with non transferable rights immediately before the commencement of the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 1995 and had been such bhumidhar for a period of ten years or more, shall become a bhumidhar with transferable rights on such commencement.

Bhumidhar with non-transferable rights to become bhumidhar with transferable rights after ten years

(2) Every person who is a bhumidhar with non-transferable rights on the commencement referred to in sub-section (1), or becomes a bhumidhar with non-transferable rights after such commencement, shall become bhumidhar with transferable rights on the expiry of period of ten years from his becoming a bhumidhar with non-transferable rights.

(3) Notwithstanding anything contained in any other provision of this Act, if a person, after becoming a bhumidhar with transferable rights under sub-section (1) or sub-section (2), transfers the land by way of sale, he shall become ineligible for a lease of any land vested in Gaon Sabha or the State Government or of surplus land as defined in the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960.”

U. P. Ordinance No. 14 of 1995

3. (1) The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) (Second) Ordinance, 1995 is hereby repealed.

Repeal and savings

U. P. Ordinance No. 6 of 1995

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), or the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 1995 shall be deemed to have been done or taken under the Corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
N. K. NARANG,
Pramukh Sachiv.

No. 1117 (2)/XVII-V-1—1 (KA)-16-1997

Dated Lucknow, August 2, 1997

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhumi Vyavastha (Sanshodhan) Adhiniyam, 1997, (Uttar Pradesh Adhiniyam Sankhya 9 of 1997) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 2, 1997.

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS (AMENDMENT) ACT, 1997

(U. P. ACT NO. 9 OF 1997)

[As passed by the Uttar Pradesh Legislature]

AN
ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Forty-eighth Year of the Republic of India as follows :—

Short title and commencement

1. (1) This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 1997.

(2) It shall be deemed to have come into force on May 23, 1997.

Amendment of section 122-B of U. P. Act no. 1 of 1951

2. In section 122-B of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act, in sub-section (4-F), for the word and figures "June 30, 1985", the word and figures "June 3, 1995" shall be substituted.

3. In section 123 of the principal Act, for the word and figures "June 30, 1985", wherever occurring, the word and figures "June 3, 1995" shall be substituted.

Amendment of section 123

4. After section 157-A of the principal Act, the following section shall be inserted, namely ;—

Insertion of new section 157-AA

Restrictions on transfer by member of Scheduled Castes becoming Bhumidhar under section 131-B

"157-AA. (1) Notwithstanding anything contained in section 157-A, and without prejudice to the restrictions contained in sections 153 to 157, no person belonging to a Scheduled Caste having become a Bhumidhar with transferable rights under section 131-B shall have the right to transfer the land by way of sale, gift, mortgage or lease to a person other than a person belonging to a Scheduled Caste and such transfer, if any, shall be in the following order of preference :—

- (a) landless agricultural labourer;
- (b) marginal farmer;
- (c) small farmer; and
- (d) a person other than a person referred to in clauses (a), (b) and (c).

(2) A transfer in favour of a person referred to in clause (a) of sub-section (1) shall be made in order of preference given below. If a person referred to in clause (a) is not available then transfer may be made to a person referred to in clause (b) of the said sub-section and if a person referred to in clause (b) is also not available then to a person referred to in clause (c) of the said sub-section and if a person referred to in clause (c) is also not available then to a person referred to in clause (d) of the said sub-section in the same order of preference:—

(a) first, to the resident of the village where the land is situate ;

(b) secondly, if no person referred to in clause (a) is available, to the resident of any other village within the Panchayat area comprising the village where the land is situate;

(c) thirdly, if no person referred to in clauses (a) and (b) is available, to the resident of a village adjoining the Panchayat area comprising the village where the land is situate.

(3) If no person referred to in sub-section (1) belonging to a Scheduled Caste is available, the land may be transferred to a person belonging to a Scheduled Tribe in the order of preference given in sub-sections (1) and (2).

(4) No transfer under this section shall be made except with the previous approval of the concerned Assistant Collector.

Explanation :—For the purpose of this section,—

(1) 'Agricultural labourer' means a person whose main source of livelihood is agricultural labour ;

(2) 'landless' means the transferee who or whose wife or husband, as the case may be, or minor children, and where the transferee is a minor, also his or her parents, hold no land as *bhumidhar* or *asami* and also hold no land as such within two years immediately preceding the date of transfer;

(3) 'Panchayat area' shall have the meaning assigned to it in the United Provinces Panchayat Raj Act, 1947;

(4) 'marginal farmer' means a person residing in a village, who holds agricultural land not exceeding one hectare of unirrigated land, and whose principal means of livelihood is income from agricultural land or by manual labour on such land, and includes a person cultivating land as an *asami* or as a share-cropper;

(5) 'small farmer' means a person residing in a village, who hold unirrigated land exceeding one hectare but not exceeding two hectares, and whose principal source of livelihood is income from agricultural land or by manual labour on such land and includes a person cultivating land as an *asami* or as a share-cropper.

NOTE:—For the purposes of clauses (4) and (5) of this explanation:—

(a) One hectare of irrigated land shall be equated to two hectares of unirrigated land;

(b) 'irrigated land' and 'unirrigated land' shall have the meanings respectively assigned to them in the Uttar Pradesh Imposition of Ceiling on Land Holding Act, 1960."

Insertion of a
new section
157-BB

5. After section 157-B of the principal Act, the following section shall be inserted, namely:—

"157-BB. (1) Notwithstanding anything contained in section 157-B and without prejudice to the restrictions contained in sections 153 to 157, no person belonging to a Scheduled Tribe having become a *Bhumidhar* with transferable rights under section 131-B shall have the right to transfer the land by way of sale, gift, mortgage or lease to a person other than a *Bhumidhar* a person belonging to a Scheduled Tribe, and such transfer, if any, shall be in the following section 131-B, order of preference:—

- Restrictions on transfer by members of Scheduled Tribe becoming a Bhumidhar under*
- (a) landless agricultural labourer;
 - (b) marginal farmer;
 - (c) small farmer; and

(d) a person other than a person referred to in clauses (a), (b) and (c).

(2) A transfer in favour of a person belonging to clause (a) of sub-section (1) shall be made in order of preference given below. If a person referred to in clause (a) is not available then transfer may be made to a person referred to in clause (b) of the said sub-section and if a person referred to in clause (b) is also not available then to a person referred to in clause (c) of the said sub-section and if a person referred to in clause (c) is also not available then to a person referred to in clause (d) of the said sub-section in the same order of preference:—

(a) first, to the resident of the village where the land is situate;

(b) secondly, if no person referred to in clause (a) is available, to the resident of any other village within the Panchayat area comprising the village where the land is situate;

(c) thirdly, if no person referred to in clauses (a) and (b) is available, to the resident of a village adjoining the Panchayat area comprising the village where the land is situate;

(3) If no person referred to in sub-section (1) belonging to a Scheduled Tribe is available, the land may be transferred to a person belonging to a Scheduled Caste in the order of preference given in sub-sections (1) and (2).

(4) No transfer under this section shall be made except with the previous approval of the concerned Assistant Collector.

*Explanation:—*For the purposes of this section the expressions 'agricultural labourer', 'landless', 'Panchayat area', 'marginal farmer' and 'small farmer' shall have the meanings respectively assigned to them in section 157-AA."

Repeal and
savings

6. (1) The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 1997 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

By order,
R. D. MATHUR,
Pramukh Sachiv.

U. P.
Ordinance
no. 8
1997

Dated Lucknow, July 29, 1998

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhoomi Vyavastha (Sanshodhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sankhya 29 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 29, 1998.

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND
REFORMS (AMENDMENT) ACT, 1998

(U. P. ACT NO. 29 OF 1998)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

Further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Forty-ninth Year of the Republic of India as follows :—

1. (1) This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 1998.

Short title and commencement

(2) It shall be deemed to have come into force on September 19, 1997.

2. For section 171 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act, the following section shall be substituted, namely :—

Substitution of section 171 of U. P. Act no. 1 of 1951

“171. (1) Subject to the provisions of section 169, when a General order of succession of *bhumidhar* or *asami*, being a male dies, his interest in his holding shall devolve upon his heirs being the relatives specified in sub-section (2) in accordance with the following principles, namely :—

(i) the heirs specified in any one clause of sub-section (2) shall take simultaneously in equal shares ;

(ii) the heirs specified in any preceding clause of sub-section (2) shall take to the exclusion of all heirs specified in succeeding clauses, that is to say, those in clause (a) shall be preferred to those in clause (b), those in clause (b) shall be preferred to those in clause (c), and so on, in succession ;

(iii) if there are more widows than one, of the *bhumidhar* or *asami*, or of any predeceased male lineal descendant, who would have been an heir, if alive, all such widows together shall take one share ;

(iv) the widow or widowed mother or the father's widowed mother or the widow of any predeceased male lineal descendant who would have been an heir, if alive, shall inherit only if she has not remarried.

(2) The following relatives of the male *bhumidhar* or *asami* are heirs subject to the provisions of sub-section (1), namely :—

(a) widow, and the male lineal descendant in the male line of descent per stirps ;

Provided that the widow and the son of a predeceased son how low-so-ever per stirps shall inherit the share which would have devolved upon the predeceased son had he been alive :

(b) widowed mother ;

(c) father ;

(d) unmarried daughter ;

(e) brother, being the son of the same father as the deceased ;

(f) unmarried sister ;

(g) married daughter ;

(h) daughter's sons ;

(i) brother's son, the brother having been son of the same father as the deceased ;

(j) father's father ;

(k) father's mother ;

(l) son's daughter ;

(m) married sister ;

(n) half sister, being the daughter of the same father as the deceased ;

(o) sister's son ;

(p) half sister's son, the sister having been the daughter of the same father as the deceased ;

(q) brother's son's son ;

(r) father's father's son ;

(s) father's father's son's son."

Repeal and
aving

3. (1) The Uttar Pradesh Land Laws (Amendment) Ordinance, 1997 is hereby repealed;

(2) Without prejudice to the generality of the provisions of section 6 of the Uttar Pradesh General Clauses Act, 1904, such repeal shall not affect anything done, any action taken, any right accrued or acquired or any liability incurred under section 122-D or sub-section (1) of section 198-A of the principal Act or sub-section (6-A) of section 27 of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960, as amended by the Ordinance referred to in sub-section (1) as if the provisions of the said Ordinance were in force at all material times.

(3) Notwithstanding such repeal, anything done, any action taken or any right accrued or acquired under section 171 of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done, taken or accrued under the corresponding provisions of the principal Act, as amended by this Act as if the provisions of this Act were in force at all material times.

By order,
Y. R. TRIPATHI,
Pramukh Sachiv.

No. 2463 (2)XVII-V-1--1 (KA) 35-2001

Dated Lucknow, October 6, 2001

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhumi Vyawastha (Sanshodhan) Adhiniyam, 2001 (Uttar Pradesh Adhiniyam Sankhya 35 of 2001) as passed by the Uttar Pradesh Legislature and assented to by the Governor on October 5, 2001.

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS
(AMENDMENT) ACT, 2001
(U.P. Act No. 35 of 2001)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Fifty-second Year of the Republic of India as follows :—

1. (1) This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2001.

Short title and commencement

(2) It shall be deemed to have come into force on September 19, 2001.

2. In section 171 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 hereinafter referred to as the principal Act in sub-section (2),—

Amendment of section 171 of U.P. Act no. 1 of 1951

(a) for clause (e) the following clause shall be substituted, namely :—

“(e) brother, being the son of the same father as the deceased, and son of a predeceased brother, the predeceased brother having been son of the same father as the deceased.”

(b) Clause (i) shall be omitted.

3. (1) The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 2001 is hereby repealed.

Repeal and savings

U.P. Ordinance no. 19 of 2001

(2) Notwithstanding such repeal anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if this Act were in force at all material times.

By order,

Y. R. TRIPATHI,

Pramukh Sachiv.

STATEMENT OF OBJECTS AND REASONS

Section 171 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 Provides for general order of succession, when a bhumidhar or asami being a male dies. His interest in his holding devolves upon his heirs specified in sub-section (2) of the said section 171 in accordance with the principles specified in clauses (i) to (iv) of sub-section (1) of the said section. In sub-section (2) of the said section 171 brother being the son of the same father as the deceased, has been shown to as a preferential heir of the deceased tenure holder in companion to the son of a predeceased brother It has, therefore, been decided that the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 be amended to provide for the right of succession also in favour of the son of a predeceased brother alongwith with the brother.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 2001 (U.P. Ordinance no. 19 of 2001) on September 19, 2001.

This Bill is introduced to replace the aforesaid Ordinance.

No. 1714 (2)/XVII-V-1-1 (KA)-13-2002

Dated Lucknow September 10, 2002

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Jamindari Vinash Aur Bhumi Vyawastha (Sanshodhan) Adhiniyam, 2002 (Uttar Pradesh Adhiniyam Sankhya 11 of 2002) as passed by the Uttar Pradesh Legislature and assented to by the Governor, on September 9, 2002:-

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS

(AMENDMENT) ACT, 2002

(U.P. ACT No. 11 of 2002)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Fifty-third Year of the Republic of India as follows: -

1. (1) This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2002.

Short title and commencement

(2) Sections 2, 3, 4, and 5, shall be deemed to have come into force on June 21, 2002, section 9 shall be deemed to have come into force on July 18, 2002, sections 6, 7, 8, and 10 shall come into force on July 20, 2002 and the remaining provisions shall come into force at once.

Amendment of section 122-B of U.P. Act no. 1 of 1951

2. In section 122-B of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act,—

(a) in sub-section (3) for the words “three months” the words “thirty days” shall be substituted;

(b) in sub-section (4-F),—

(i) for the word and figures “June 3, 1995” the word and figures “May 1, 2002” shall be substituted;

(ii) for the words and figures, “it shall be deemed that he has been admitted as bhumidhar with non-transferable rights of that land under section 195,” the words and figures “he shall be admitted as bhumidhar with non-transferable rights of that land under section 195 and it shall not be necessary for him to institute a suit for declaration of his rights as bhumidhar with non-transferable rights in that land” shall be substituted.

Amendment of section 123

3. In section 123 of the principal Act in sub-section (1) for the word and figures “June 3, 1995”, the word and figures “May 1, 2002” shall be substituted.

Amendment of section 157-AA

4. In section 157-AA of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely :—

“(5) A transferee of land under sub-section (1) shall have no right to transfer the land by way of sale, gift, mortgage or lease before the expiry of a period of ten years from the date of transfer in his favour.”

Amendment of section 157-BB

5. In section 157-BB of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely :—

“(5) A transferee of land under sub-section (1) shall have no right to transfer the land by way of sale, gift, mortgage or lease before the expiry of a period of ten years from the date of transfer in his favour.”

Amendment of section 195

6. In section 195 of the principal Act for the words “Assistant Collector incharge of the sub-division” wherever occurring, the word “Tahsildar” shall be substituted.

Amendment of section 197

7. In section 197 of the principal Act for the words “Assistant Collector incharge of the sub-division” wherever occurring, the word “Tahsildar” shall be substituted.

Amendment of section 198

8. In section 198 of the principal Act,—

(a) in sub-section (4), for the word “Collector,” the word “Assistant Collector incharge of the sub-division,” shall be substituted;

(b) after sub-section (4) the following sub-section shall be inserted, namely:—

“(4-A) The Collector may on his own motion or on the application of any aggrieved person call for the record of any suit or proceeding under sub-section (4) decided by the Assistant Collector incharge of the sub-division for the purpose of satisfying himself as to the legality or propriety of any order passed in such suit or proceedings and if such Assistant Collector incharge of the sub-division appears to have—

(i) exercised a jurisdiction not vested in it by law; or

(ii) failed to exercise a jurisdiction so vested; or

(iii) acted in the exercise of jurisdiction illegally or with material irregularity;

the Collector may pass such order in the case as he thinks fit and every order passed by the Collector under this sub-section shall be final ;

(c) in sub-section (7), for the word "Collector", the words "Assistant Collector incharge of the sub-division" shall be *substituted*;

(d) for sub-section (8) the following sub-section shall be *substituted*, namely :—

"(8) Every order made by the Assistant Collector incharge of the sub-division under sub-section (4) shall subject to the provisions of sub-section (4-A) be final."

9. In section 198-A of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 *after* sub-section (1), the following sub-sections shall be *inserted*, namely :—

Amendment of section 198-A

"(1-A) Where any person, after being evicted under sub-section (1), re-occupies the land or any part thereof without lawful authority, the Assistant Collector shall, without prejudice to the proceeding under sub-section (2), direct such person to pay such damages to the allottee as he thinks fit considering the location and potentiality of the land and such other factors as may have bearing on the subject :

Provided that the amount of the damages shall not be less than five thousand rupees and not more than fifteen thousand rupees per hectare per year.

(1-B) A person aggrieved by an order the Assistant Collector under sub-section (1-A) may, within thirty days of such order, prefer an appeal before the Collector in such manner as may be prescribed and the order of the Collector shall be final.

(1-C) If the person directed to pay damages by the Assistant Collector under sub-section (1-A) or, by the Collector if an appeal is preferred under sub-section (1-B), fails to pay the same within the time fixed by the Assistant Collector or the Collector, as the case may be, it shall be recovered as arrears of land revenue and paid to the allottee."

10. In section 333 of the principal Act, in sub-section (1), *after* the words "may call for the record of any suit or proceeding", the words "other than proceeding under sub-section (4-A) of section 198" shall be *substituted*.

Amendment of section 333

Repeal and savings

11. (1) The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 2002, the Uttar Pradesh Zamindari Abolition and Land Reforms (Second Amendment) Ordinance, 2002 and the Uttar Pradesh Zamindari Abolition and Land Reforms (Third Amendment) Ordinance, 2002 are hereby repealed.

U.P. Ordinance no. 4 of 2002, U.P. Ordinance no. 15 of 2002, U.P. Ordinance no. 16 of 2002

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act as amended by the Ordinances referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act as if the provisions of this Act were in force at all material times.

By order,
A.B. SHUKLA,
Pramukh Sachiv.

With a view to securing the interests of persons belonging to Scheduled Castes and Scheduled Tribes and landless agricultural labourers it was decided to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 to make the provisions as stated below :—

(1) To reduce the time from three months to thirty days of the show cause notice with a view to evicting wrongful occupation on the land vested in a Gaon Sabha or a local authority under section 122-B.

(2) Sub-section (4-F) of section 122-B provides that where any agricultural labourer belonging to a Scheduled Caste or Scheduled Tribe is in occupation of any land vested in a Gaon Sabha under section 117 (not being the land mentioned in section 132) having occupied it from before June 3, 1995 and the land so occupied together with land if any held by him from before the said date as bhumidhar, sirdar or assami does not exceed 1.26 hectares then no action under the said section shall be taken by the Land Management Committee or the Collector against such labourer and it shall be deemed that he has been admitted as bhumidhar with non-transferable rights of that land under section 195. To extend the said date from June 3, 1995 to May 1, 2002.

(3) Section 123 provides that where any person referred to in sub-section (3) of section 122-C has built a house on any land referred to in sub-section (2) of section 122-C or on any land held by a tenure holder and such house exists on June 3, 1995 the site of such house shall be held by the owner of the house in the case of the land referred to in sub-section (2) of section 122-C or shall be deemed to be settled with the owner of the house by the tenure holder in the case of the land held by a tenure holder. To extend the said date from June 3, 1995 to May 1, 2002.

(4) To impose restriction on transfer of land by a transferee belonging to Scheduled Castes or Scheduled Tribes before expiry of the period of ten years from the date of transfer of such land in his favour under section 157-AA or section 157-BB respectively.

(5) To empower the Assistant Collector incharge of the sub-division to admit himself any persons as bhumidhar with non-transferable rights to any land referred to in sub-section (1) of section 195 or to admit any person as assami to any land referred to in section 197 in certain circumstances.

(6) To include charitable institutions and educational institutions established by a person belonging to the Scheduled Castes or Scheduled Tribes in the order of preference in admitting persons to land under sections 195 and 197.

2. Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Ordinance, 2002 (U.P. Ordinance no. 4 of 2002) was promulgated by the Governor on June 21, 2002.

3. Section 198-A of the aforesaid Act provides for the restoration of possession to the allottees of Gaon Sabha or Government lessees by the Assistant Collector by using such force as he considers necessary and for punishment with imprisonment for a term which may extend to two years and also with fine which may extend to three thousand rupees to the persons who re-occupy the evicted land. It was brought to the notice of the State Government that in spite of the said provisions the possession was not restored to a large number of socially and economically backward persons. It was, therefore, decided to amend the said section to provide that where any person after being evicted re-occupies the land or any part thereof without lawful authority, the Assistant Collector shall direct such person to pay such damages, which shall not be less than five thousand rupees and more than fifteen thousand rupees per hectare per year, as he thinks fit. Any person aggrieved by the order of the Assistant Collector may within thirty days of such order prefer an appeal before the collector whose order shall be final. If any person does not pay damages directed by the Assistant Collector or the Collector in appeal within the fixed time it shall be recovered as arrears of land revenue.

4. Since the State Legislature was not in session and immediate legislative action was necessary to implement the decision referred to in para-3 above, the Uttar Pradesh Zamindari Abolition and Land Reforms (Second Amendment) Ordinance, 2002 (U.P. Ordinance no. 15 of 2002) was promulgated by the Governor on July 18, 2002.

5. The Land Management Committee shall have right under section 195 and 197 to admit with the previous approval of the Assistant Collector incharge of the sub-division any person as bhumidhar with non-transferable right to any land being in any of the classes mentioned in section 132 and as assami to any land falling in any of the classes mentioned in section 132. In admitting any person to any land the order of preference given in section 198 is being observed. It was brought to the notice of the State Government that in spite of the said provisions most of the allotments or leases made by the Land Management Committees were generally become disputed and the allottees had to file suit before the Collector and if they did not get justice or for redressal of mistakes they have to file appeal or revision before the Additional Commissioner, Commissioner or Revenue Board consequent upon which they have to face economic and practical difficulties. It was, therefore, decided to amend the aforesaid Act to empower the Tahsildar in place of Assistant Collector incharge of the sub-division to accord prior approval for admission of any person to any land and Assistant Collector incharge of the sub-division in place of Collector to cancel any allotment or lease.

6. Since the State Legislature was not in session and immediate legislative action was necessary to implement the decision referred to in para 5 above, the Uttar Pradesh Zamindari Abolition and Land Reforms (Third Amendment) Ordinance, 2002 (U.P. Ordinance no. 16 of 2002) was promulgated by the Governor on July 20, 2002.

7. Thereafter it was decided that the provisions relating to the following amendments in the aforesaid Act shall be *omitted*:-

(a) extension of the period of building a house on any land held by a tenure holder by amending sub-section (2) of section 123;

(b) empowering the Assistant Collector incharge of the sub-division to admit any person as bhumidhar with non-transferable right under section 195 or as assami under section 197 by inserting sub-section (2) of section 195 and sub-section (3) of section 197;

(c) inclusion of a charitable institution and an educational institution established by a person belonging to Scheduled Caste or Scheduled Tribes in order of preference in admitting the land to any person under section 195 or 197 by inserting clause (cc) and substituting clause (h) of sub-section (1) of section 198.

8. This bill is introduced to replace the aforesaid Ordinances with the aforesaid amendments.

NO. 1230/VII-V-I-I (KA) 25/2004

Lucknow : Dated August 23, 2004

In pursuance of the provisions of clause (3) of article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhumi Vyawastha (Sanshodhan) Adhiniyam, 2004 (Uttar Pradesh Adhiniyam Sankhya 27 of 2004) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 20, 2004.

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS

(AMENDMENT) ACT, 2004

(U.P. Act no. 27 of 2004)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Fifty-fifth Year of the Republic of India as

follows:—

Short title

1. This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2004.

2. In section 3 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as the principal Act, clause (8-A) shall be *omitted*.

Amendment of section 3 of U.P. Act no. 1 of 1951

3. In section 122-C of the principal Act,—

Amendment of section 122-C

(a) In sub-section (1) for the words “the Scheduled Tribes” the words “the Scheduled Tribes and the other backward classes and the persons of general category living below poverty line” shall be *substituted*;

(b) in sub-section (3),—

(i) for the words “the Scheduled Tribe” whenever occurring, the words “Scheduled Tribe or other backward classes or a person of general category living below poverty line” shall be *substituted*;

(ii) after clause (iii) the following clause shall be *inserted*, namely :—

“(iv) a person with disability residing in the village.”

(iii) Explanation III—shall be renumbered as explanation IV and before explanation IV as so re-numbered the following explanation shall be *inserted* namely :—

“Explanation III—The expression “person with disability” shall mean a person with any disabilities mentioned in clause (i) of section 2, of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (Act no. 1 of 1996).

(iv) after explanation IV the following explanation shall be *inserted*, namely:—

“Explanation V—The expression “persons of general category living below poverty line” shall have the same meaning as in section 198.”

4. Section 168-A of the principal Act shall be *omitted*.

Omission of section 168-A

5. In section 169 of the principal Act, in sub-section (3) for the words “be in writing and attested by two persons” the words “be in writing, attested by two persons and registered” shall be *substituted*.

Amendment of section 169

6. In section 171 of the principal Act, for sub-section (2) the following sub-section shall be *substituted*, namely :—

Amendment of section 171

“(2) the following relatives of the male bhumidhar or asami are heirs subject to the provisions of sub-section (1), namely :—

(a) widow and the male lineal descendant per stirps :

Provided that the widow and the son of a predeceased son how low-so-ever per stirps shall inherit the share which would have devolved upon the predeceased son had he been alive;

(b) mother and father;

(c) unmarried daughter;

(d) married daughter;

(e) brother and unmarried sister being respectively the son and the daughter of the same father as the deceased; and son of a predeceased brother, the predeceased brother having been the son of the same father as the deceased;

(f) son's daughter;

(g) father's mother and father's father;

(h) daughter's son;

(i) married sister;

(j) half sister, being the daughter of the same father as the deceased;

(k) sister's son;

(l) half sister's son, the sister having been the daughter of the same father as the deceased;

(m) brother's son's son;

(n) mother's mother's son;

(o) father's father's son's son."

Omission of sections 178, 179, 180, 181 and 182

Amendment of section 195

Amendment of section 197

Amendment of section 198

7. Sections 178, 179, 180, 181 and 182 of the principal Act shall be *omitted*.

8. In section 195 of the principal Act for the word "Tahsildar" the words "Assistant Collector incharge of the sub-division" shall be *substituted*.

9. In section 197 of the principal Act, in sub-section (1) for the word "Tehsildar" the words "Assistant Collector incharge of the sub-division" shall be *substituted*.

10. In section 198 of the principal Act,—

(a) in sub-section (1),—

(i) for the words "a Schedule Caste or Scheduled Tribe" wherever occurring, the words "a Scheduled Caste, Scheduled Tribe, other backward class or a person of general category living below poverty line" shall be *substituted*;

(ii) after Explanation (3) the following Explanations shall be *inserted*, namely :—

"(4)'other backward classes' means the backward classes of citizens Specified in Schedule-I of the Uttar Pradesh Public Services (Reservation for Scheduled Castes, Scheduled Tribes and other Backward Classes) Act, 1994 (U.P. Act no. 4 of 1994).

(5)"persons of general category living below poverty line" means such persons as may be determined from time to time by the State Government."

(b) in sub-section (4) for the words "Assistant Collector incharges of the sub-division" the word "Collector" shall be *substituted*;

(c) sub-section (4-A) shall be *omitted*;

(d) in sub-section (7) in clause (ii) for the words "Assistant Collector incharge of the sub-division" the word "Collector" shall be *substituted*;

(e) for sub-section (8) the following sub-section shall be *substituted*, namely :—

"(8) Every order made by the Collector under sub-section (4) shall, subject to the provisions of section 333, be final."

Special Provisions

11. It is hereby declared that any transfer of a fragment which had become void under section 168-A as it stood before the commencement of this Act shall be deemed to have been vidable and any person may get such transfer validated by depositing such fee and within such time and in such manner as may be notified by the State Government :

Provided that the above provisions shall cease to be in force after expiry of one year from the date of commencement of this Act.

STATEMENTS OF OBJECT AND REASONS

With a view to safeguarding the interest of tenure holders in general and the weaker sections viz. Schedule Castes, Schedule Tribes, other backward classes, the persons living below the poverty line and disabled persons, it has been decided to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (U.P. Act no. 1 of 1951) to provide for,—

(1) including the other backward classes, the persons of general category living below the poverty line and disabled persons for the allotment of land for housing sites in the same category that of the Schedule Castes/Schedule Tribes;

(2) omitting the provision relating to restrictions on transfer of fragments to avoid its adverse effect;

(3) compulsory registration of will to avoid proliferation of forged wills.

(4) changing the order of succession keeping in view the changing social order in favour of nucleus family from traditional joint families;

(5) empowering the Assistant Collector in charge of sub-division instead of Tehsildar to admit any person as Bhumidhar with non-transferable rights or Asami to certain land;

(6) empowering the Collector instead of Assistant Collector in, charge of sub-division to cancel the allotment and the lease;

(7) inclusion of other backward classes and the persons of general category living below the poverty line in the same category as that of the Schedule Castes/Schedule Tribes in order of preference for the allotment of land as Bhumidhar with non-transferable rights or Asami.

The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Bill, 2004 is introduced accordingly.

By order,

D.V. SHARMA,

Pramukh Sachiv.

पी०एस०यू०पी०-ए०पी० 384 राजपत्र (हि०)-2004-(1048)-597-(कम्प्यूटर/आफसेट)।

पी०एस०यू०पी०-ए०पी० 163 सा०विधा०-(1049)-2004-850 (कम्प्यूटर/आफसेट)।

No. 483/VII-V-1-1(Ka)-16-2005

Dated Lucknow, March 29, 2005

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Zamindari Vinash Aur Bhumi Vyavastha (Sanshodhan) Adhiniyam, 2005 (Uttar Pradesh Adhiniyam Sankhya 13 of 2005) as passed by the Uttar Pradesh Legislature and assented to by the Governor on March 24, 2005.

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS

(AMENDMENT) ACT, 2005

(U.P. ACT NO. 13 OF 2005)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Fifty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2005.

Short title

2. In section 154 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter referred to as principal Act, after sub-section (2) the following sub-section shall be inserted, namely :—

Amendment of section 154 of U.P. Act no. 1 of 1951

“(3) For every transfer of land in excess of the limit prescribed under sub-section (1) prior approval of the State Government shall be necessary :

Provided that where the prior approval of the State Government is not obtained under this sub-section, the State Government may on an application give its approval afterward in such manner and on payment in such manner of an amount, as fine, equal to twenty-five per cent of the cost of the land as may be prescribed. The cost of the land shall be such as determined by the Collector for stamp duty.”

3. In section 171 of the principal Act, in the Hindi version, in sub-section (2), in clause (ङ) for the words “अविवाहिता पुत्री” the words “अविवाहिता बहन” shall be substituted and be deemed to have been substituted on August 23, 2004.

Amendment of section 171

4. (1) It is hereby declared that any transfer of such fragment as had become void under section 168-A as it stood before the commencement of the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2004 (U.P. Act no. 27 of 2004) and had not been entered in revenue records in favour of State Government shall be deemed to have been voidable and any person may get such transfer validated by depositing such fee and within such time and in such manner as may be notified by the State Government :

Special provision

Provided that the provision of this sub-section shall cease to be in force after expiry of one year from the date of commencement of this Act.

(2) Section 11 of the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2004 (U.P. Act no. 27 of 2004) shall be omitted.

STATEMENT OF OBJECTS AND REASONS

In order to remove difficulty in the enforcement of certain provisions of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 it has been decided to amend the said Act to provide for authorising the State Government to accord post facto approval for the transfer of land in excess of 5.0586 Hectares (12.5 Acres) in favour of a Registered Co-operative Society or an institution established for a charitable purpose or in the interest of general public on payment of an amount as fine, equal to twenty-five per cent of the cost of the land and for validating, on application, transfer of the fragments not entered in revenue records in favour of State Government, Opportunity is being availed of correcting a clerical mistake in Hindi version of the said Act.

The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Bill, 2005 is introduced accordingly.

By order,
D.V. SHARMA,
Pramukh Sachiv.

पी०एस०यू०पी० ए०पी० 980 राजपत्र (हि०)-2005-(2445)-597-(का०/आ०)।

पी०एस०यू०पी०-ए०पी० 306 सा० विधा०-2005-(2446)-850 प्रतियां (का०/आ०)।

THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS
(AMENDMENT) ACT, 2008
(U.P. ACT NO. 28 OF 2008)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950.

IT IS HEREBY enacted in the Fifty-ninth Year of the Republic of India as follows:—

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| 1. This Act may be called the Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Act, 2008. | Short title |
| 2. In section 171 of Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 hereinafter referred to as the principal Act,
in sub-section (2),—
(a) in clause (a) for the word "widow" the words "widow, unmarried daughter" shall be substituted.
(b) clause (c) shall be omitted. | Amendment of section 171 of U.P. Act no. 1 of 1951 |
| 3. In section 174 of the principal Act,—
(a) in clause (a) for the words, "the pre-deceased son's pre-deceased son's widow" the words "pre-deceased son's pre-deceased son's widow and unmarried daughter" shall be substituted.
(b) for clause (d) the following clause shall be substituted, namely :—
"(d) married daughter" | Amendment of section 174 |

STATEMENT OF OBJECTS AND REASONS

Keeping in view the changing social scenario, the unmarried daughter who is the nearest blood relation of her parents and wholly dependent thereon should also be given right of succession in the holding thereof. According to the existing provision of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 [Act no. 1 of 1951] the unmarried daughter has not been mentioned at number one in order of preference and as such she is deprived of her succession in the holding of her parent's agricultural land and hence she has no social protection. It has, therefore, been decided to amend the said Act to give the succession right in agricultural land to unmarried daughter as has been provided to the widow and sons etc. in the events of death of a Bhumidhar or an Assami.

The Uttar Pradesh Zamindari Abolition and Land Reforms (Amendment) Bill, 2008 is introduced accordingly.

By order,
P. V. KUSHWAHA,
Sachiv.

पी० एस० यू० पी०-ए० पी० 481 राजपत्र (हि०)-(1058)-2008-597 प्रतियां-(कम्प्यूटर/टी०/आफसेट)।
पी०एस०यू०पी०-ए०पी० 108 सा० विधायी-(1059)-2008-850 प्रतियां (कम्प्यूटर/टी०/आफसेट)।