



The Uttar Pradesh Government Estates Thekedari Abolition (Re-enactment and Validation) Act, 1970

Act 28 of 1970

Keyword(s):

Ceiling Area, Lease, Lessee, Rent, Zamindari Abolition, Land Reforms, Thekedari Abolition, Payment of Compensation

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THE UTTAR PRADESH GOVERNMENT ESTATES THEKEDARI
ABOLITION (RE-ENACTMENT AND VALIDATION) ACT, 1970

[U. P. ACT NO. 28 OF 1970]

[Authoritative English Text of the Uttar Pradesh Sarkari Asthan Thekedari
Vinash (Punah Adhinyaman Tatha Vaidhikaran) Adhiniyam, 1970.]

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ACT

to re-enact the U. P. Government Estates Thekedari Abolition Act, 1958 with certain amendments and to validate action taken thereunder, and to provide for matters connected therewith.

It is hereby enacted in the Twenty-first Year of the Republic of India as follows:—

1. This Act may be called the Uttar Pradesh Government Estates Thekedari Abolition (Re-enactment and Validation) Act, 1970.

Short title.

2. The U. P. Government Estates Thekedari Abolition Act, 1958, hereinafter referred to as the principal Act, is hereby, with effect from June 20, 1964, repealed and re-enacted with the amendments set out in sections 3, 4 and 5.

Re-enactment of U.P. Act I of 1958 with effect from June 20, 1964.

3. In section 2 of the principal Act, in clause (11), at the end, for the full-stop, a comma shall be substituted, and thereafter the following words shall be inserted, namely:—

Amendment of section 2.

“and the expression ‘ceiling area’ shall have the meaning assigned to it in the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960, as amended from time to time.”

4. In section 4 of the principal Act, for clause (b), the following clause shall be substituted, namely:—

Amendment of section 4.

“(b) where under and in accordance with the terms of the lease, the lessee has brought any land included in the lease under his personal cultivation, the lessee shall become hereditary tenant of such land, or where such land exceeds the ceiling area, then of so much of such land as in aggregation with any other land held by him in Uttar Pradesh makes up the ceiling area, and shall be liable as such to pay rent equal or proportionate, as the case may be, to the rent, if any, payable in terms of the lease.”

5. After section 6 of the principal Act, the following sections shall be inserted namely:—

Insertion of new sections 6-A and 6-B.

“6-A. In respect of any land included in the lease which under and in accordance with the terms of the lease the lessee has brought under his personal cultivation, the determination and demarcation of the ceiling area and the surplus area, the acquisition of and the taking of possession over the surplus area, the determination and payment of compensation for the acquisition of the surplus area, and all other matters connected therewith shall be governed by the provisions of the Uttar Pradesh Imposition of Ceiling on Land Holdings Act, 1960.

U. P. Act I of 1961 in respect of land under personal cultivation of lessee.

*[For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary), dated May 2, 1970.]

(Passed in Hindi by the Uttar Pradesh Legislative Assembly on May 1, 1970 and by the Uttar Pradesh Legislative Council on May 13, 1970.)

[Received the Assent of the President on July 10, 1970 under Article 201, of the Constitution of India and was published in the Uttar Pradesh Gazette (Extraordinary), dated July 18, 1970.]

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6-B. The State Government shall issue a notification under section 2 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, applying the whole or any provisions of that Act, with exceptions or modifications, to Government Estates in respect of which an order is made under section 3 of this Act, not later than three months from the date of such order, and in the case of Government Estates in respect of which an order has been made or purports to have been made before the commencement of the Uttar Pradesh Government Estates Thekedari Abolition (Re-enactment and Validation) Act, 1970, not later than three months from such commencement."

Enforcement of U. P. Act I of 1951 in respect of Government Estates covered by this Act.

Validation.

6. Notwithstanding any judgment, decree or order of any Court or Tribunal to the contrary, anything done or purporting to have been done and any action taken or purporting to have been taken under any provision of the principal act before the commencement of this Act, including, in particular, any notification under sub-section (3) of section 1, any determination of lease under section 3, or the recovery of any rents or other dues under section 4 or the taking over of possession or charge of land or of books, accounts or other documents under section 6, of that Act, shall be deemed to be, and always to have been as valid as if the provisions of this Act were in force at all material times.

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