



The Land Acquisition (Uttar Pradesh Amendment and Validation) Act, 1991

Act 5 of 1991

Keyword(s):

Land, Local Authority, Court, Land Acquisition, Judgement, Authority, Agreement, Public Purpose

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No. 446 (2) /XVII-V-1—1 (KA) 1-1991

Dated Lucknow, February 27, 1991

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 Bhumi Arjan (Uttar Pradesh Sanshodhan Aur Vidhimanyakaran) Adhiniyam, 1991 (Uttar Pradesh Adhiniyam Sankhya 5 of 1991) as passed by the Uttar Pradesh Legislature and assented to by President on February 26, 1991.

THE LAND ACQUISITION (UTTAR PRADESH AMENDMENT AND
VALIDATION) ACT, 1991

(U. P. ACT NO. 5 OF 1991)

[As passed by the Uttar Pradesh Legislature]

AN
ACT

further to amend the Land Acquisition Act, 1894 in its application to Uttar Pradesh and to validate certain acquisitions of land made under the said Act.

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

Short title, extent
and commence-
ment

1. (1) This Act may be called the Land Acquisition (Uttar Pradesh Amendment and Validation) Act, 1991.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall be deemed to have come into force on December 28, 1990.

2. In section 17 of the Land Acquisition Act, 1894, as amended in its application to Uttar Pradesh, hereinafter referred to as the principal Act, in sub-section (4), the following proviso shall be inserted at the end and shall be deemed to have been inserted on September 24, 1984, namely :—

Amendment of section 17 of Act no. 1 of 1894

“Provided that where in the case of any land, notification under section 4, sub-section (1) has been published in the official Gazette on or after September 24, 1984 but before January 11, 1989, and the appropriate Government has under this sub-section directed that the provisions of section 5-A shall not apply, a declaration under section 6 in respect of the land may be made either simultaneously with, or at any time after, the publication in the official Gazette of the notification under section 4, sub-section (1).”

3. Notwithstanding any judgment, decree or order of any Court, Tribunal or other authority, no acquisition of land made, or purporting to have been made, under the principal Act before the commencement of this Act and no action taken or thing done (including any order or declaration made, agreement entered into or notification published) in connection with such acquisition, which is in conformity with the provisions of the principal Act as amended by this Act shall be deemed to be invalid or ever to have been invalid merely on the ground that declaration under section 6 of the principal Act was published in the official Gazette on the same date on which notification under section 4, sub-section (1) of the principal Act, was published in the official Gazette or on any other date prior to the date of publication of such notification as defined in section 4, sub-section (1) of the principal Act.

Validation of certain acquisition

4. (1) The Land Acquisition (Uttar Pradesh Amendment and Validation) Ordinance, 1990 is hereby repealed.

Repeal and saving

U. P.
Ordinance
no. 32 of
1990

(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,

Joint Secretary and Joint
Legal Remembrancer.