

LAND ACQUISITION (WEST BENGAL AMENDMENT) ACT, 1981

49 of 1981

10th March, 1986

An Act to amend the Land Acquisition Act, 1894, in its application to West Bengal. WHEREAS it is expedient to amend the Land Acquisition Act, 1894, in its application to West Bengal, for the purposes and in the manner hereinafter appearing; It is hereby enacted as follows:

Section 1 Short title

This Act may be called the Land Acquisition (WestBengal Amendment) Act, 1981.

Section 2 Application of the Act

The Land Acquisition Act, 1894 (hereinafter referred to as the principal Act), shall, in its application to West Bengal, be amended in the manner hereinafter provided.

Section 3 Amendment of section 3 of Act 1 of 1894

In section 3 of the principal Act, for the Explanation to clause (b), the following shall be substituted and shall be deemed always to have been substituted:

“Explanation. A bargadar is a person who under the system generally known as adhi, barga or bhag cultivates the land of another person on condition of delivering a share of the produce of such land to that person and includes a person who under the system generally known as kisani cultivates the land of another person on condition of receiving a share of the produce of such land from that person;”.

Section 4 Amendment of section 23

In section 23 of the principal Act, for sub-section (4), the following sub-section shall be substituted and shall be deemed always to have been substituted: “(4) Compensation payable to a bargadar for loss of earning under clause seventhly of sub-section (1) shall not exceed six times the net average annual income which the bargadar derived or might have derived from the land during three years immediately preceding the date of acquisition.

Explanation. The net annual income of a bargadar in any year shall be taken to be fifty per cent, of the total produce of the land cultivated by him in that year where plough, cattle, manure and seeds necessary for cultivation are supplied by the person owning the land and seventy-five per cent, of the total produce of the land in all other cases.”.