

LAND ACQUISITION (WEST BENGAL AMENDMENT) ACT, 1999

19 of 1999

17th October, 2000

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 purpose and in the manner hereinafter appearing; It is hereby enacted as follows :

Section 1 Short title and commencement

(1) This Act may be called the Land Acquisition (West Bengal Amendment) Act, 1999.

(2) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint.

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 for the purpose and in the manner hereinafter provided.

Section 3 Amendment of section 23 of Act 1 of 1894

For the proviso to sub-section (1A) of section 23 of the principal Act, the following proviso shall be substituted :

Provided that

(a) in respect of the acquisition of the land referred to in sub-section (3A) of section 9, in addition to the market-value of the land, the Court shall in every case award an amount

calculated at the rate of twelve per centum per annum on the value of the land for the period commencing on and from the date of taking possession of the land to the date immediately before the date of issue of the notice under sub-section (3A) of section 9 plus interest at the rate of twelve per centum per annum on the market-value of the land from the date of issue of the notice under sub-section (3A) of section 9 to the date of award of the Collector, and

(b) in respect of the acquisition of the land referred to in sub-section (3B) of section 9, in addition to the market-value of the land, the Court shall in every case award an amount calculated at the rate of twelve per centum per annum on the value of the land for the period commencing on and from the date of taking possession of the land to the date immediately before the date of publication of the notice under sub-section (1a) of section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to in this proviso as the said Act), as re-enacted by the West Bengal Land (Requisition and Acquisition) Re-enacting Act, 1977, plus interest at the rate of twelve per centum per annum on the market-value of the land for the period commencing on and from the date of publication of the notice under sub-section (1a) of section 4 of the said Act to the date of award of the Collector.

Explanation. For the purposes of this proviso, the expression “value of the land” shall mean the market-value of the land determined with reference to the date of taking possession of the land.’