

GOVERNMENT OF WEST BENGAL

Legislative Department

West Bengal Act XI of 1957

THE REHABILITATION OF DISPLACED PERSONS AND EVICTION OF PERSONS IN UNAUTHORISED OCCUPATION OF LAND (AMENDMENT) ACT, 1957

[Passed by the West Bengal Legislature.]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary*, of the 15th July, 1957.]

[15th July, 1957.]

An Act to amend the Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land Act, 1951.

WHEREAS it is expedient to amend the Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land Act, 1951, for the purposes and in the manner hereinafter appearing;

It is hereby enacted in the Eighth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land (Amendment) Act, 1957. Short title and commencement.

(2) It shall come into force immediately on the Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land (Amendment) Ordinance, 1957, ceasing to operate.

2. In sub-section (3) of section 1 of the Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land Act, 1951 (hereinafter referred to as the said Act), for the words "the 31st day of March, 1957" the words "the 31st day of March, 1958" shall be substituted. Amendment of section 1 of West Ben. Act XVI of 1951.

3. In sub-section (1) of section 3 of the said Act, after the words "An owner of any land may" the words "at any time before the expiry of the 31st day of March, 1957" shall be inserted. Amendment of section 3.

4. In sub-section (1) of section 4 of the said Act,— Amendment of section 4.

(a) for the words "any land" the words "the land referred to in that sub-section" shall be substituted;

(b) in paragraph (a),—

(i) for the words "which in the opinion of the Competent Authority is situated" the words "which in the opinion of the State Government is situated" shall be substituted;

2 The Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land (Amendment) Act, 1957.

[West Ben. Act XI of 1957.]

(Sections 5, 6.)

(ii) after the words "when the Competent Authority makes the order," the words "or at the option of the displaced person a land-purchase loan on prescribed terms and conditions and of amount suitable for him in the opinion of the State Government" shall be added;

(c) in paragraph (b), for the words "suitable for him in the opinion of the Competent Authority" the words "suitable for him in the opinion of the State Government" shall be substituted;

(d) for the words "such other land, and house or house-building loan" the words "such other land, or land-purchase loan and house or house-building loan" shall be substituted.

Amend-
ment of
section 9.

5. For clause (b) of section 9 of the said Act, the following clause shall be substituted, namely:—

"(b) where it is payable to an owner other than the State Government—as a sum recoverable under a decree of a civil court: provided that if after attempt has been made to recover the sum as a decree of a civil court, the Competent Authority or the Tribunal, as the case may be, is satisfied on sufficient cause shown, that such recovery would be attended with undue delay or would cause hardship to the owner, it may order the sum to be recovered as a public demand and thereupon the sum shall be so recoverable.".

Savings.

6. Any order made, any action taken or anything whatsoever done under the said Act as amended by the Rehabilitation of Displaced Persons and Eviction of Persons in Unauthorised Occupation of Land (Amendment) Ordinance, 1957, shall, upon the said Ordinance ceasing to operate, be deemed to have been made, taken or done under the said Act as amended by this Act, as if this Act had commenced on the 29th day of March, 1957.