

# GOVERNMENT OF WEST BENGAL

## Legislative Department

### West Bengal Act XII of 1957

#### THE WEST BENGAL LAND (REQUISITION AND ACQUISITION) (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 West Bengal Land (Requisition and Acquisition) Act, 1948.

WHEREAS it is expedient to amend the West Bengal Land (Requisition and Acquisition) Act, 1948, 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 West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1957.

Short title and commencement.

(2) It shall come into force immediately on the West Bengal Land (Requisition and Acquisition) (Amendment) Ordinance, 1957, ceasing to operate.

2. In sub-section (4) of section 1 of the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to as the said Act), for the words "the 31st day of March, 1957" the words "the 31st day of March, 1962" shall be substituted.

Amendment of section 1 of West Ben. Act II of 1948.

3. In sub-section (1) of section 3 of the said Act, after the words "for providing proper facilities for transport, communication, irrigation or drainage," the words "or for the creation of better living conditions in rural or urban areas, not being an area under the administration of the Corporation of Calcutta or an industrial or other area excluded by the State Government by a notification in this behalf by the construction or re-construction of dwelling places for people residing in such areas," shall be inserted.

Amendment of section 3.

4. After clause (a) of sub-section (2) of section 7 of the said Act, the following clause shall be inserted, namely:—

Amendment of section 7.

“(aa) (i) Such award shall be filed in the Collector's office and shall, except as hereinafter provided, be final and conclusive evidence, as between the Collector and the persons interested in the land, whether they have respectively appeared before

2 The West Bengal Land (Requisition and Acquisition) (Amendment) Act, 1957.

[West Ben. Act XII of 1957.]

(Sections 5—7.)

the Collector or not, of the true area and value of the land, and the apportionment of the compensation among the persons interested;

- (ii) the Collector shall give in the prescribed manner immediate notice of his award to such of the persons interested in the land as are not present personally or by their representatives when the award is made.”.

Amend-  
ment of  
section 8.

5. To sub-section (2) of section 8 of the said Act, the following *Explanation* shall be added, namely:—

“*Explanation.*—The notice given under sub-clause (ii) of clause (aa) of sub-section (2) of section 7 shall be deemed to be the notice under sub-section (2) of section 12 of the Land Acquisition Act, 1894 for the purposes of the proviso to section 18 thereof.”.

I of 1894

Amend-  
ment of  
preamble.

6. The existing preamble to the said Act shall be substituted by the following preamble:—

“Whereas it is expedient to provide for the requisition and speedy acquisition of land for the purposes of maintaining supplies and services essential to the life of the community, for providing proper facilities for transport, communication, irrigation or drainage and for the creation of better living conditions in urban or rural areas by the construction or re-construction of dwelling places for people residing in such areas.”

Savings.

7. Any award filed, any notice of any award given, any action taken or anything whatsoever done under the said Act as amended by the West Bengal Land (Requisition and Acquisition) (Amendment) Ordinance, 1957, shall, upon the said Ordinance ceasing to operate, be deemed to have been filed, given, 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.

West Ben  
Ord. V  
1957.