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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 1515-L.—30th June, 1975.—The following Act of the West Bengal Legislature, having been assented to by the President, is hereby published for general information :—

West Bengal Act XXI of 1975

THE WEST BENGAL ESTATES ACQUISITION
(AMENDMENT) ACT, 1975.

[Passed by the West Bengal Legislature.]

[Assent of the President was first published in the *Calcutta Gazette, Extraordinary*, of the 30th June, 1975.]

An Act to amend the West Bengal Estates Acquisition Act, 1953.

WHEREAS it is expedient to amend the West Bengal Estates Acquisition Act, 1953, for the purposes and in the manner hereinafter appearing; West Ben.
Act I of
1954.

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

Short title. **1.** This Act may be called the West Bengal Estates Acquisition (Amendment) Act, 1975.

Amend-
ment of
section 10
of West
Ben. Act
I of 1954. **2.** In section 10 of the West Bengal Estates Acquisition Act, 1953 (hereinafter referred to as the said Act),—
(a) for clause (b) of sub-section (6), the following clause shall be substituted, namely:—

“(b) where such possession is not authorised by the Collector, such damages for use and occupation of such land as may be determined by the Collector, after giving the intermediary or such other person an opportunity of being heard, at a rate not exceeding—

(i) in the case of agricultural land, twenty-five per centum of the money value of the gross annual produce of such land :

The West Bengal Estates Acquisition (Amendment) Act, 1975.

(Sections 3, 4.)

(ii) in other cases, ten *per centum* of the market value of the land *per annum*.”;

(b) to sub-section (7), the following proviso shall be added, namely:—

“Provided that where damages are due from an intermediary, the same may, without prejudice to any other mode of recovery, be set off under an order of the Collector against the compensation payable to the intermediary under this Act.”

Amend-
ment of
section 26.

3. In section 26 of the said Act—

(a) in sub-section (1), after the words “proviso to sub-section (1) of section 7”, the words “or the proviso to sub-section (7) of section 10” shall be inserted,

(b) in clause (a) of sub-section (3), after the words “proviso to sub-section (1) of section 7”, the words “or the proviso to sub-section (7) of section 10” shall be inserted.

Amend-
ment of
section 44.

4. In sub-section (2a) of section 44 of the said Act, for the words “eighteen years”, the words “twenty-one years” shall be substituted.

By order of the Governor,
K. K. MOITRA,
Secy. to the Govt. of West Bengal.