

ASSAM ADHIARS PROTECTION AND REGULATION (AMENDMENT) ACT, 1952

(2) 23 Whoever as aforesaid— (a) taps or draws tari from any tari producing tree ; or (b) bottles any tari or pachwai for purposes of sale ; or transports, manufactures, c) imports, exports, possesses or sells any tari or pachwai stern gal and urn Ex• Act, 191m shall be punished with imprisonment which may extend to six months or with fine or with both." ASSAM ACT XVI OF 1952 THE ASSAM ADHIARS PROTECTION AND REGULATION (AMENDMENT) ACT, 1952 (Passed by the Assembly) (Received the assent of the Governor on the 17th October, 1952) Preamble. [Published in the Assam Gazette, dated the 29th October 1952] An Act to amend the Assam Adhiars Protection and Regulation Act, 19 (8 Whereas it is expedient to amend the Assam Adhiars Assam Act Protection and Regulation Act, 1948, hereinafter called the XII of 1948. Principal Act, in the manner hereinafter appearing It is hereby enacted as follows (1) This Act may be called the Assam Adhiars Pro- Short: title, tection and Regulation (Amendment) Act, 1952. extent - and commence- (2) It shall have the like extent as the principal Act ment. (3) It shall come into force at once

2. In section 3 of the principal Act—Substitution (a) for sub-section (1) the following sub-section shall be Of -sub-sec- tion (1) of substituted, namely— section 3 of (1) Notwithstanding anything to the contrary con- Assam - Act XII of 1948, tained in any law for the time being in force or any contract or agreement, express or implied, any person who during the preceding agricultural year cultivates any land as adhiar shall have a right to remain in occupation and cultivate the land for subsequent years until he either voluntarily relin quishes the land or is ordered by a Revenue Officer under section 5 to cease to cultivate and Yacate the land or is evicted. therefrom in execution of a valid order of the Revenue Officer," ; (b) in subusection (2), the words ' or to 'let it out for Amendment of sub-sec- cultivation to some other person " shall be deleted. tion (2) of section 3 of Act XII of 1948. Substitution 3. For section 4 of the principal Act, the following shall of section 4 be substituted, namely— of Assam Act xli of 19'8

4. If any person cultivating any land as an adhiar C 'Power to put adhiar during the preceding agricultural year is prevented by a in possession of the land landlord or any person claiming superior interest from culti- if illegally vating such land in .the subsequent year, the Revenue ousted and Offcer may put such person in possession of the land and to award may also award compensation realisable from the landlord com pensa• or the person claiming superior interest, as the case may be, tion. not exceeding Rs.200 in any individual case in the manner prescribed." Insertion Of 4. (1) After. section 6 of the principal Act, the following new sections shall be inserted as sections 7 and 8, namely— to Assam s! Act XII of 1948. 7. (i) Every adhiar, on delivery to the landlord, the Reccipt for the crop. latter's share of the crop shall be entitled to obtain forthwith from the landlord a written receipt for the quantity of the crop delivered by him, signed by the landlord or his duly authorised agent. (ii) The landlord should prepare and retain a counter- föil of the receipt signed by the adhiar or his duly authorised agent. (iii) The receipt and the counterfoil shall contain a description of the land for which crop is delivered, the total quantity of the crop due from the adhiar, the quantity deli- vered and the year for which the crop is delivered. (iv) If a receipt does not contain substantially the above particulars, it shall be presumed, until the contrary is shown to be an acquittance in full of the landlord's share of the crop due from the adhiar up to the date on which the receipt is given, 8. When a landlord or his agent, without reasonable Penalty for omission to cause, fails to deliver to the adhiar a receipt as required by deliver re- section 'l, a Revenue Officer, on proceedings under this oeipt. section, after making such enquiry as he may deem neces- sary, order the landlord to pay as penalty a sum not exceeding fifty rupees for each default, and may y in his discretion award to the. adhiar as compensation •such portion of the penalty as he thinks fit." (2) The existing sections 7 j 8, 9, IO, 11 and 12 shall be renumbered; as sections 9, 10, 11, 12, 13 and 14 respec- tively.