

WEST BENGAL REQUISITIONED LAND (CONTINUANCE OF POWERS) ACT, 1951

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946. VII of West Bengal Act VIII of 1951 THE WEST BENGAL REQUISITIONED LAND (CONTINUANCE OF POWERS) ACT, 1951. [Passed, by the IVcst, 130wal [Assent of the President, was first, published in tho Calcutta, aazette, of tho 291,11 M arch, 1051.] An Act to provide. for the of powers in, relation to land. it is expedient to provide, in relation to land when l,he l)elence of India Act, 1939, expired, was subject, Io any requiqtion elfeet,ed under rules made under that, Act, for (he continua nec of certain powers theretofore exercisable under said Act, or the said rules and there- after exercisable under the Ilequisil,ioned Land (Continuance of Powers) Ordinance, 1946, or the Requisitioned Land (Continuance of Powers) Act, 1947; It is hereby enacted as follows : — (1) This Aet may be called the West Bengal Requisi- Short title, tioned Land (Continuance of Powers) Act, 1951. extent, commence- (2) It extends to the whole of West Bengal. mont and duration. (3) It shall come into force on the first day of April, 1951, and shall cease to have effect on the expiration of a period of three years from that date except as respects things done or omitted to be done before the expiration of such eriod ayl section 8 of the Bengal General Clauses Act, 1899, shall apply upon the expiry of this Act as if it had then been repealed by a West Bengal Act

2. In this Act, unless there is anything repugnant in Definitions, the subject or context,—(1) (2) (3) "the Act" means the Requisitioned Land (Continu- ance of Powers) Act, 1947 ; "the Ordinance" means the Requisitioned Land (Continuance of Powers) Ordinance, 1946 ; frequisitioned land" means immovable property which, at the commencement of this Act, is subject to any requisition effected under the rules made under the Defence of India Act, 1939, and con- tinued under the Ordinance and the Act and is beld under requisition for any purpose other than the purposes of the Union

3. Notwithstanding Lhe expiration of the Defence of Continu.India Act, 1939, and the rules made thereunder and the anco Of repeal of the Ordinance and the expiration of the period of requisi- tions. of requisitioned lands, all operation of the Act in respect lands shall continue to be subject to requisition untj] the expiry of this Act and the State Government may or (IcaJ with any requisitioned land in such manner as rrjay appear to it to be expedient : Ihovjded that the State Government may at any. time release from requisition any reqyiBitioned land. Price—Indian, annas 2; English, 3d. 2 The West Bengal Requisitioned Landp (Continuance of Powers) Act, 1951. [West Ben. Act (Sections 4, 5') 4. (1) Where any requisit;oned land is to be released Aelease from requi- from requisition, the State Government may, after making Bition. Power to acquire requi- sitioned land. such inquiry, if any, as it considers necessary, specify by order in writing the person to whom possession of the land shall be given. (2) The (elivery of possession of the requisitioned land to the person specified in an order made under 8Ub-section all liability in respect of such delivery, but shall not preju_ dice any rights in respect of the land which any other person Inay bé entitled by due process of law to enforce against the person to whom possession of the land is so delivered. (3) Where the person to whom possession of any requi_ sitioned land is to be given cannot be found and has no agent or other person mnpowered to accept delivery on his behalf the State Government shall cause a notice declaring that the land is released from requisition to be affixed on some conspicuous part of the land and publish the notice in the ()frhcial Ga:cttc. (4) When a notice referred to in sub-section (3) is published in the C)Ccial Gazet[c, the land specified in such notice shall cease to e subject to requisition on and from the date of such publication and be deemed to have been Cielivered to the person entitled to possession thereof; and the State Government shall not be liable for any c6mpensa- tion or other claim in respect of the land for any period after the said date. 5. (1) Subject to the provisions of sub-section (3), the State Government may, at any time when any requisitioned land continues to be subject to requisition under section 3, acquire such land by publishing in the Official Gazette a notice to the effect that such Government has decided to acquire such land in pursuance of this section. (2) When a notice as aforesaid is published in the Official Gazette, the requisitioned land shall, on and from the beginning of the day on which the notice is so published, vest absolutely in the State Government free from all encumbrances and the period of requisition of such land shall end. (3) No requisitioned land shall be acquired under this section except in the following circumstances, namely : — (a) where any works have during the period of requisi- tion been constructed on, in or over the lqnd wholly or partly at the expense of Government and

