

No. 350/XXXVI(3)/2018/79(1)/2018

Dated Dehradun, October 06, 2018NOTIFICATIONMiscellaneous

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of 'The Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Ordinance, 2018' (**Uttarakhand Ordinance No.03 of 2018**)

As assented by the Governor on 06 October, 2018.

**THE UTTARAKHAND (THE UTTAR PRADESH ZAMINDARI
ABOLITION AND LAND REFORMS ACT, 1950) (ADAPTATION AND
MODIFICATION ORDER, 2001) (AMENDMENT) ORDINANCE, 2018**

[Uttarakhand Ordinance No: 3 of 2018]

{Promulgated by the Governor in the Sixty-ninth Year of the Republic of India}

**An
Ordinance**

further to amend the Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Act no 01 of 1951) in the context of the State of Uttarakhand;

WHEREAS, the State Assembly is not in session and the Governor is satisfied that the circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of "the Constitution of India", the Governor is pleased to promulgate the following Ordinance –

**Short title,
extent and
Commencement**

1. (1) This Ordinance may be called the Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation And Modification Order, 2001) (Amendment) Ordinance, 2018.

(2) It shall extend to the whole of State of Uttarakhand except the areas included and to be included from time to time in the limits of any Municipal Corporation, Nagar Panchayat, Nagar Parishad and Cantonment Board.

(3) It shall come into force at once.

**Insertion of
Section 143A**

2. In the Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) hereinafter referred to as the Principal Act, after Section 143, Section 143A shall be inserted as follows, namely :-

“143A. Notwithstanding anything contained in Section 143, the land as soon as after obtaining the permission / consent of the Competent Authority by any Bhumidhar with the effect to use his land for industrial purposes or the land purchased for the industrial purposes under Section 154 shall be deemed to be declared automatically with the industrial effect under Section 143;

Provided that non-compliance of the terms of permission to purchase land given by State Government or District Magistrate, as the case may be, or contravention of any terms or use of land otherwise than the purposes for which the land is purchased then the transfer shall be void and consequences of Section 167 shall arise.

Explanation:- The words “Industrial purpose” mentioned in this Section include medical, health and academic purposes.”

**Substitution of
sub-section (2) of
Section 154**

3. Sub-section (2) of Section 154 of the Principal Act shall be substituted as follows, namely-

“(2). Subject to the provisions of any other law relating to the land tenures for the time being in force, the State Government may, by general or special order, authorise transfer in excess of the limit prescribed in sub-section (1), if it is of the opinion that such transfer is for the industrial purposes or in favour of a registered co-operative society or an institution established for a charitable purpose, which does not have land sufficient for its need or that the transfer is in the interest of general public.

Explanation 1- For the purposes of this section “family” means transferee himself, his/her wife or husband, as the case may be, and minor children and where transferee is minor also the parents of such minor children.

Explanation 2- "Industrial purposes" mentioned in sub-section (2) means the purchase of the land within the whole territory of district Pithoragarh, Uttarkashi, Chamoli, Champawat, Rudrapur, Bageshwar, Pauri Garhwal, Tehri Garhal and Almora and all other hilly abundance development blocks of district Dehradun except Vikasnagar, Doiwala, Sahaşpur and Raipur and all other hilly abundance development blocks of district Nainital except Halwani and Ramnagar development blocks of the State of Uttarakhand."

BABY RANI MAURYA
Governor, Uttarakhand.

By Order,

ALOK KUMAR VERMA,
Principal Secretary.