

4. (च) राज्य की सीमान्तर्गत ऐसे व्यक्ति जिन्हें वर्ग-3 की भूमि असामी पट्टेदार के रूप में पट्टे पर आवंटित की गयी थी तथा जिस पर संबंधित पात्र पट्टेदार वर्तमान में भी विधिक रूप से ऐसी भूमि पर काबिज हैं, को राज्य सरकार द्वारा विहित प्रक्रिया के अनुरूप संक्रमणीय अधिकार वाला भूमिधर ऐसे प्रतिबन्धों के अधीन जैसा राज्य सरकार आदेश द्वारा अधिरोपित करें, घोषित किया जायेगा।

5. (छ) नगर पंचायत क्षेत्र, लालकुँआ, जिला नैनीताल के पट्टेदार एवं अनधिकृत कब्जेदारों को राज्य सरकार द्वारा विहित प्रक्रिया के अनुसार संक्रमणीय अधिकारधारी घोषित किये जा सकेंगे।

निरसन एवं व्यावृत्ति

6. (1) उत्तराखण्ड जमींदारी विनाश और भूमि व्यवस्था (संशोधन) अध्यादेश, 2016 एतद्वारा निरसित किया जाता है।

(2) ऐसे निरसन के होते हुए भी उपधारा (1) में निर्दिष्ट अध्यादेश के उपबन्धों के अधीन कृत कोई कार्य या कार्यवाही इस अधिनियम के तत्समय उपबन्धों के अधीन कृत कार्यवाही या कार्यवाही समझी जायेगी, मानों इस अधिनियम के उपबन्ध तत्समय पर प्रवृत्त थे।

आज्ञा से,

जय देव सिंह,
प्रमुख सचिव।

No. 132/XXXVI(3)/2016/27(1)/2016

Dated Dehradun, April 06, 2016

NOTIFICATION

Miscellaneous

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 Zamindari Abolition and Land Reforms (Amendment) Bill, 2016' (Adhiniyam Sankhya 10 of 2016).

As Passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 02 April, 2016.

THE UTTARAKHAND ZAMINDARI ABOLITION AND LAND REFORMS (AMENDMENT) ACT, 2016

(Uttarakhand Act no. 10 Year 2016)

Further to amend the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 to the context of the State of Uttarakhand.

An

Act

(Enacted by the Uttarakhand State Legislative assembly in the sixty seventh year of the Republic of India as follows

Short title, extent and commencement

1. (1) This Act may be called the Uttarakhand Zamindari abolition and Land Reforms (Amendment) Act, 2016.
- (2) It extends to the whole of State of Uttarakhand.
- (3) It shall come into force at once.

Insertion of clause (i) and (j) of section 2 in the principal Act.

2. The Zamindari Abolition and Land Reforms Act, 1950, hereby called the principal Act, the clause (g) is substituted and sub-clause (i) and (j) of section 2 shall be inserted, means :-

- (i) Such land of category 3 which is allotted within the state and in which the eligible and legal lessee is also a holder of such land in present time.
- (j) The 52.7183 hectare Land of Nagar Panchyat Lal kunwa of district Nainital, on which unauthorised occupier holds the land since 2008 and also possessed till today.

Substitution of clause (D) of section 130 and insertion of sub-clause (f) and (g) in principal Act.

3. In the existing clause D of section 130 of the Principal Act shall be substituted as follows :

130(D) refugees who came to India before the year, 1971 from the eastern Pakistan, (existing Bangladesh) and who were allotted land under the Rehabilitation scheme of the

Government of India, prior from 1980 on lease by the district rehabilitation office, Bareilly under the Government Grant Act, 1895 for agriculture within the territorial jurisdiction of temporary District Nainital (existing District Udham Singh Nagar) within the Rehabilitation scheme of the Government of India and who is such original leasee or their legal heirs and with consent of original leasee or possession in land without any consent by following procedure :-

- (1) Such original leasee or their legal heirs who have deposited the premium as above to be calculated at 1/20 part of circle rate as prevailing on 09-11-2000 shall be declared the Bhumidhari transferable rights without fee.
- (2) Such original leasee or their legal heirs who have not deposited the premium till date as above to be calculated at 1/20 part of circle rate as prevailing on 09-11-2000 shall be declared transferable Bhumidhari rights after deposition of aforesaid premium.
- (3) Such persons in possession of land who have come into possession of the land with the consent of the original leasee or his legal heirs and who have not deposited any premium till date, if they deposit premium to be calculated at 1/20 part of the circle rate as prevailing on 01-09-2005 shall be granted Bhumidhari transferable rights after deposition of aforesaid premium.
- (4) Such persons who are in possession of the land without the consent of the original leasee or their legal heirs shall be granted Bhumidhari transferable rights if they deposit a premium 1/20 part of the circle rate as prevailing on 01-09-2010.

- (5) That the aforesaid premium can be deposited in two six months installment.

Explanation: All such persons who fall within the category of legal heirs/successors under the provisions of Uttar Pardesh Zamindari Abolition and Land Reforms Act, 1950 (as adopted in uttarakhand) as contained in Section 171 to 175 shall be deemed as legal heirs.

4. (f) Such persons whom allotted the land of category three within the state and in which the eligible and legal lessee is also a holder of such land in present time the state Government shall declare transferable right holder as per prescribed procedure in such restrictions as imposed by the state government by order.

5. (g) The lessee and unauthorized occupants of Nagar Panchyat area Lal Kanua, district Nainital shall be declared the land holders of transferable rights according to procedure prescribed by the Government.

Repeal and Saving

6. (1) The Uttarakhand Zamindari Abolition and Land Reforms (Amendment) Ordinance, 2016 is hereby repealed.

- (2) Nowwithstanding such repeal anything done any action taken under the provisions of the ordinance refer to in sub-section (1) shall be deemed to have been done or taken under corresponding provisions of this Act, as if the provision of this Act were in force at all materials times.

By Order,

JAI DEO SINGH,
Principal Secretary.