

No. 184/XXXVI(3)/2025/14(1)/2025

Dated Dehradun, May 01, 2025

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 (Uttar Pradesh Zamindari Abolition And Land Reforms Act, 1950) (Amendment) Act, 2025' (Act No. 11 of 2025).

As passed by the Uttarakhand Legislative Assembly and assented to by the Governor on 30 April, 2025.

The Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Amendment) Act, 2025

(Uttarakhand Act No. 11 of 2025)

An

Act

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

Be it enacted by the Uttarakhand State Legislature in the seventy-sixth year of the Republic of India:

Short extent and Commencement	title, and	1.	(1) This Act may be called the Uttarakhand (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Amendment) Act, 2025.
			(2) It shall extend to the whole of State of Uttarakhand except the areas included and to be included from time to time in any Municipal Corporation, Nagar Panchayat, Nagar Palika Parishad and Cantonment Board limits.
			(3) It shall come into force at once.

Amendment of section 1	2.	In the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (Uttar Pradesh Act No. 01 of 1951) (Adaptation and Modification Order, 2001) (herein after referred to as principal Act) sub section (2-A) of section 1 shall be substituted as follows, namely: - “(2-A) If any area is included in any local body area after July 7, 1949, in respect of the subjects mentioned in column 3 of Schedule II, it will still be under the jurisdiction of the courts mentioned in columns 4,5 and 6.”
Amendment of section 154	3.	In section 154 of the principal Act, - (i) sub-section (2) shall be omitted; (ii) sub-section (2-A) shall be substituted as follows, namely:- “(2-A). 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 land prescribed in sub-section (1), if it is of the opinion that such transfer is done to any trust, institution, company, firm for industrial purposes, Ayush, Education, Health and Medical Education, Horticulture and various processing, Tourism or in favour of a registered co-operative society or an institution established for a charitable purpose, which does not have sufficient land for its need or that the transfer is in the interest of general public: Provided that before granting permission for purchase of land for the above purposes the concern department shall issue land essential certificate after assessing the proposal with reference to amount of investment, employment generation and plant and machinery etc. and for this purpose a designated officer shall be nominated by the concern department, who shall be the head of department or one level below him. Explanation – For the purpose of this sub-section, ‘transfer’ means transfer of land only in the district Udham Singh Nagar and Haridwar of the State of Uttarakhand.” (iii) in sub-section (4),- (one) The following proviso shall be added to sub-clause (a) of clause (1), namely: -

	“Provided that buyer before purchasing the land, shall furnish an affidavit to the sub-Registrar to the effect that he or his family has not purchased more than 250 square meters of land elsewhere in the State for residential purposes during his lifetime. If the affidavit is found to be false, such transfer shall be void and the consequences of section 167 shall apply.” (two) sub-clause (a) of clause (3) shall be substituted as follows, namely: - “(a) Subject to restrictions contained in section 154, a person, society or corporate body may purchase land for the following purposes, with the prior sanction of the State Government in the Uttarakhand as may be prescribed: - (i) for medical or health related purposes, if it conforms to the Health and Population Policy of Uttarakhand; (ii) for hotel, Lodge, Guest House, Restaurant, Bar, Spa, waterfall, way side amenities or resort, if it conforms to the Tourism Policy of the State; (iii) for educational purposes, on the recommendations of the Department of Education; (iv) for cultural purposes; (v) for Industrial purposes in areas other than those mentioned in sub-clause (e) of section 154 (4)(2) and such other purposes. (vi) subject to the clause (a) of sub section (1) of section 5 of the Uttarakhand Enterprises Single Window Facilitation and Clearance Act, 2012 (Uttarakhand Act no 05 of 2013), for enterprises of Micro, Small and Medium category as follows, namely; (a) for establishment of all types of micro, small and medium enterprises except as notified State Government from time to time non admissible enterprises on Khasra number of the notified lands under the special industrial package, 2003 of the Government of India; (b) for establishment of enterprises within the whole State to the notified thrust sector enterprises by the Government of India/ State Government from time to time. (vii) For affordable residential buildings in accordance with the Government of India/State Government Housing Scheme/Policy.
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(viii) For establishment of Sports Training Academy, stadium etc. as per the policy of Sports Department:

Provided that before granting permission for purchase of land for the above purposes the concern department shall issue land essential certificate after assessing the proposal with reference to amount of investment, employment generation and plant and machinery etc. and for this purpose a designated officer shall be nominated by the concern department, who shall be the head of department or one level below him."

(three) sub-clause (b) of clause (3) shall be substituted as follows, namely: -

"(b) A person, society or corporate body may purchase land with prior sanction of the State Government for Agricultural or Horticultural purposes only in Haridwar and Udham Singh Nagar districts of Uttarakhand State, as may be prescribed, on furnishing an Affidavit to the effect that such land will be used for Agricultural or Horticultural purposes and for uses incidental to and connected with Agriculture or Horticulture only. If the land use of such land as mentioned in the Affidavit is changed, the said transfer shall be void and consequences of section 167 shall apply."

(four) after sub-clause (b) of clause (3) a new sub-clause (c) and sub clause (d) shall be inserted as follows, namely:-

"(c) (1) A person who is a non-tenure holder but purchase the land without approval under section 154(4) (1)(a), 154(4)(2)(e) or 154(4)(2)(f) or purchases a land with sanction conferred under section 154(4)(3) than shall continue to be a bhumidhar of special category as provided under section 129-B and such bhumidhar shall be eligible to purchase land in future only with the permission, of the State Government;

(2) Such bhumidhar may mortgage or hypothecate such land for obtaining loan from banks or financial institutions and may derive any other benefit accruing from his bhumidhari rights under section 129;

(3) If such bhumidhar is unable to pay the loan taken from the bank or financial institutions and such land is auctioned/ sold for repayment of the loan by the said bank or financial institution, while taking action under the Securitization and Reconstruction of Financial Assets and Enforcement of

Security Interest Act, 2002 (SARFAESI Act) or other prevailing Act, then the receiver/ buyer of such land received by the auction shall not be required to obtain land purchase permission separately:

Provided that if a buyer is a tenure holder in the State of Uttarakhand of any category as mentioned in section 129 or such owner of any immovable property in Uttarakhand who has acquired it on or before 12-09-2003 or any member of the 'family', (which means husband, his wife and their children, including step or adopted children, and includes parents, grand-parents, brothers and unmarried, widowed, separated and divorce sisters) of tenure holder or owner of property acquires such land by participating in auction/sale then he shall become a bhumidhar having transferable rights under section 129:

Provided further that if a buyer is a not a tenure holders in the State of Uttarakhand of any category as mentioned in section 129 or not a owner of any immovable property in Uttarakhand who has acquired it on or before 12-09-2003 or any member of the 'family', which means husband wife and their children, including step or adopted children, and includes parents, grand-parents, brothers and unmarried, widowed, separated and divorced sisters, of such tenure holder or property owner then he shall be bhumidhar of special category under section 129 of land acquired through auction /sale and he may use for the same purpose namely, for the which the land was purchased.

- (4) If any person who is a non-tenure holder of any category as mentioned in section 129 or not a owner of any immovable property situated in Uttarakhand who has acquired it on or before 12-09-2003, who has purchases land without permission under section 154(4)(1)(a), 154(4)(2)(e) or 154(4)(2)(f) or purchases a land with sanction conferred under section 154(4)(3), within a period of three years which shall be calculated from the date of registration of sale deed of land or after that if buyer apply for land use time extension within fixed time then within such time limit which is allowed for such reason to be recorded in writing by State Government, shall use the said land for that purpose.
- (5) If the buyer fails to use the land for the purpose for which the sanction has been granted or used the land for any

purpose other than that for which it was granted or sell, gifts or otherwise transfers the land for a purpose other than that for which it was purchase without permission of the State Government than such transfer shall be void for the purposes of the Act and consequences of section 167 shall apply."

(d) (1) The buyer shall not require permission to sell the land for the same purposes for which it was purchased.

(2) For sale for the purpose other than same purpose, if the buyer is not a tenure holder in the State of Uttarakhand of any category mentioned in section 129 or not a owner of any immovable property in Uttarakhand who has acquired it on or before 12-09-2003 or any member of the 'family', which means husband wife and their children, including step or adopted children, and includes parents, grand-parents, brothers and unmarried, widowed, separated and divorced sisters, of such tenure holder or owner then the seller shall have to obtain prior permission of the Government.

(3) If a buyer is a tenure holders in the State of Uttarakhand of any category as mentioned in section 129 or such owner of any immovable property in Uttarakhand who has acquired it on or before 12-09-2003 or any member of the 'family', which means husband, his wife and their children, including step or adopted children, and includes parents, grand-parents, brothers and unmarried, widowed, separated and divorce sisters, of tenure holder or owner of property then he shall become a tenure holder having transferable rights under section 129 after purchasing land from tenure holder of special category.

(4) If a buyer is a not a tenure holders in the State of Uttarakhand of any category as mentioned in section 129 or such owner of any immovable property in Uttarakhand who has acquired it on or before 12-09-2003 or any member of the 'family', which means husband wife and their children, including step or adopted children, and includes parents, grand-parents, brothers and unmarried, widowed, separated and divorced sisters, of such tenure holder or property owner, then if he purchases land from tenure holder of special category with permission of State Government then he shall become a tenure holder of special category."

(iv) sub section (5) shall be substituted as follows, namely: -

"(5) (1) Where -

		(a) The Registrar or Sub-Registrar appointed under the Indian Registration Act, 1908 before whom any document pertaining to transfer of land is presented for registration comes to know or has reason to believe that the transfer of land is in contravention of section 154(3), 154(4)(1) (a) or 154(4)(3); or (b) a Revenue officer either on an application submitted to him or on receipt of any information from any source comes to know or has reason to believe that the land has been transferred in contravention of the provisions of section 152-A, 154(3), 154(1)(a), 154(4)(2)(e), 154(4)(2)(f) or 154(4)(3), then he shall make a reference to such Sub-Registrar, Registrar or Revenue officer, as the case may be, to the Assistant Collector officer in charge of the Sub division, where that land or its part is situated, then he shall determine whether the transfer is in contravention of the provision of this Act in the manner prescribed and the consequences of section 167 shall apply in respect of every such transfer which is void. (2) The State Government may, either on the report of a Revenue officer or on an application by any person or of its own motion, call for the records of any proceedings or case for the purpose of satisfying itself as to the legality or propriety of such proceedings or order made therein and may pass such order in relation thereto as it may think fit. (3) No order shall be passed under this sub-section which adversely affects any person unless such person has been given a reasonable opportunity of being heard."
Amendment of 156	4.	In section 156 of the principal Act, sub clause (i) of clause (c) of sub-section (1) shall be substituted as follows, namely: - "(i) Without prejudice to the restriction content in section 157(a) and section 157(b) of the principal Act, the land for the purposes of agriculture, horticulture, herbs, unseasonal vegetables, medicinal and aromatic plants, production of spices, plantation, animal husbandry and milk production, poultry farming and live stock procreation, apiculture, pisciculture and agro and food processing, tea plantation and processing and alternative energy projects may be given on lease along with lease rent for maximum period of 30 years with fixing terms and conditions to any person, Institution, Society, Trust, Firm, Company and self help groups. Cash, produce or any part of the

		produce may be included in lease rent.																				
		On the basis of lease deed entry of lessor, lessee, khasra number, rakba, lease term etc. shall be made in remarks column of khatoni.”																				
Amendment of Schedule II	5.	In schedule II of principal Act, after serial number 11, a new serial 11A shall be inserted as follows, namely: -																				
		<table><tr><th rowspan="2">S.N.</th><th rowspan="2">Section</th><th rowspan="2">Description of proceeding</th><th rowspan="2">Court of original jurisdiction</th><th colspan="2">Court of</th></tr><tr><th>first appeal</th><th>second appeal</th></tr><tr><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr><tr><td>11A</td><td>152-A(1), 154(4)(1)(a), 154(4)(1)(e), 154(4)(1)(f), 154(4)(3), 154(5)</td><td>in case of violation void transfer and its consequences</td><td>Assistant Collector officer in charge of pargana</td><td>Commis-sioner</td><td>Revenue Board</td></tr></table>	S.N.	Section	Description of proceeding	Court of original jurisdiction	Court of		first appeal	second appeal	1	2	3	4	5	6	11A	152-A(1), 154(4)(1)(a), 154(4)(1)(e), 154(4)(1)(f), 154(4)(3), 154(5)	in case of violation void transfer and its consequences	Assistant Collector officer in charge of pargana	Commis-sioner	Revenue Board
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By Order,

DHANANJAY CHATURVEDI,

Principal Secretary.

Statement of Objects and Reasons

With a objective of land area according to the necessity of purpose for purchasing land for various purposes in State and using purchased land according to the determined purpose and to clarify the jurisdiction of Revenue Courts in respect of land falling under area of local body amendment in the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 (Uttar Pradesh Act no 01 of 1951) (Adaptation and Modification Order, 2001) (as applicable in the State of Uttarakhand) is necessary.

2. The proposed Bill fulfills the above objectives.

Puskar Singh Dhami
Chief Minister.