

Uttar Pradesh Land Laws (Amendment) Act, 1997

20 of 1997

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Uttar Pradesh Land Laws (Amendment) Act, 1997

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An Act further to amend the U.P. Land Revenue Act, 1901 and the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950. It is hereby enacted in the Forty-eighth Year of the Republic of India as follows :--

CHAPTER 1 PRELIMINARY

1. Short Title :-

This Act may be called the Uttar Pradesh Land Laws (Amendment) Act, 1997.

CHAPTER 2 AMENDMENT OF U.P. LAND REVENUE ACT, 1901

2. Amendment Of Section 5 Of U.P. Act No. Iii Of 1901 :-

In Section 5 of the U.P. Land Revenue Act, 1901, hereinafter in this chapter referred to as the principal Act, for the words, "appeals, references", the word "appeals" shall be substituted.

3. Amendment Of Section 8 :-

In Section 8 of the principal Act, for the words "appeal or reference", the word "appeal" shall be substituted.

4. Substitution Of The Heading Of Chapter X :-

In the principal Act, for the heading of Chapter X, the following heading shall be substituted, namely :--
"APPEAL AND REVISION"

5. Omission Of Section 218 :-

Section 218 of the principal Act shall be omitted.

6. Substitution Of Section 219 :-

For Section 219 of the principal Act, the following section shall be substituted, namely :--

"219. Revision.--

(1) The Board or the Commissioner or the Additional Commissioner or the Collector or the Record Officer, or the Settlement Officer, may call for the record of any case decided or proceeding held by any revenue court subordinate to him in which no appeal lies or where an appeal lies but has not been preferred, for the purpose of satisfying himself as to the legality or propriety of the order passed or proceeding held and if such subordinate revenue court appears to have--

- (a) exercised a jurisdiction not vested in it by law, or
- (b) failed to exercise a jurisdiction so vested, or
- (c) acted in the exercise of jurisdiction illegally or with material irregularity,

the Board or the Commissioner or the Additional Commissioner or the Collector or the Record Officer, or the Settlement Officer, as the case may be, may pass such order in the case as he thinks fit.

(2) If an application under this section has been moved by any person either to the Board, or to the Commissioner, or to the Additional Commissioner, or to the Collector or to the Record Officer or to the Settlement Officer, no further application by the same person shall be entertained by any other of them."

CHAPTER 3 AMENDMENT OF THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1950

7. Amendment Of Section 154 Of U.P. Act No. I Of 1951 :-

In Section 154 of the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950, hereinafter in this chapter referred to as the principal Act, in Sub-section (1) at the end, the following Explanation and proviso shall be inserted, namely :--

"Explanation.--For the removal of doubt it is hereby declared that in this Subsection the expression person shall include and be deemed to have included on June 15, 1976 a Co-operative Society :

Provided that where the transferee is a Co-operative society, the land held by it having been pooled by its members under Clause (a) of Sub-section (1) of Section 77 of the Uttar Pradesh Co-operative Societies Act, 1965 shall not be taken into account in computing the 5.0586 hectares (12.50 acres) land held by it."

8. Substitution Of Section 333 :-

For Section 333 of the principal Act, the following section shall be substituted, namely :--

"333. Power to call for cases.--

(1) The Board or the Commissioner or the Additional Commissioner may call for the record of any suit or proceeding decided by any court subordinate to him in which no appeal lies or where an appeal lies but has not been preferred, for the purpose of satisfying himself as to the legality or propriety of any order passed in such suit or proceeding and if such subordinate court appears to have;

(a) exercised a jurisdiction not vested in it by law; or

(b) failed to exercise a jurisdiction so vested; or

(c) acted in the exercise of jurisdiction illegally or with material irregularity, the Board or the Commissioner or the Additional Commissioner, as the case may be, may pass such order in the case as he thinks fit.

(2) If an application under this section has been moved by any person either to the Board or to the Commissioner or to the Additional Commissioner, no further application by the same person shall be entertained by any other of them."

9. Omission Of Section 333-A :-

Section 333-A of the principal Act shall be omitted.

10. Translatory Provisions :-

Notwithstanding anything contained in this Act all cases referred to the Board under Section 218 of the U.P. Land Revenue Act, 1901, or under Section 333-A of Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 as they stood immediately before the commencement of this Act and pending before the Board on the date of such commencement shall continue to be heard and decided by the Board as if this Act has not been enacted.