

ORISSA ACT XVII OF 1951

**THE ORISSA TENANTS PROTECTION
(AMENDMENT) ACT, 1951**

[Received the assent of the President on the 14th April 1951, first published in an extraordinary issue of the Orissa Gazette, dated the 14th April 1951]

AN ACT TO FURTHER AMEND THE ORISSA TENANTS
PROTECTION ACT, 1948

WHEREAS it is expedient further to amend the Orissa Tenants Protection Act, 1948, in the manner hereinafter appearing ; Orissa Act III of 1948.

It is hereby enacted as follows :—

Short title and commencement. 1. (1) This Act may be called the Orissa Tenants Protection (Amendment) Act, 1951.

(2) It shall come into force at once.

Amendment of section 1, Orissa Act III of 1948. 2. In section 1 of the Orissa Tenants Protection Act, 1948 (hereinafter referred to as the said Act)—

(i) in sub-section (4) for the words, letters and figures "15th day of April 1951" the words, letters and figures "15th day of April 1952" shall be substituted ; and

(ii) after sub-section (4) the following new sub-section shall be inserted, namely :—

"(5) (1) For the purpose of the merged States areas to which this Act has been extended by the Orissa Merged States' (Laws) Act, 1950—

Orissa Act IV of 1950.

(i) for the words, letters and figures "1st day of September 1947" wherever they occur the words, letters and figures "1st day of August 1949" shall be substituted ;

(ii) for the words, letters and figures "30th November 1947" as they occur in item (3) of clause (g) of section 2, the words, letters and figures "1st day of August 1949" shall be substituted.

(2) In such areas where neither the Madras Estates Land Act, 1908 nor the Orissa Tenancy Act, 1913 is in force the special laws or customs prevailing therein shall be taken into consideration for the application of this Act. "

Madras Act
I of 1908.
B. and O.
Act III of
1913.

Amendment
of section 3,
Orissa Act
III of 1948.

3. After sub-section (2) of section 3 of the said Act the following illustration shall be added, namely :—

" Illustration—'A' holds land under 'B', a raiyat, who has less than 33 acres of land on the 30th November 1947. 'B' can evict 'A' "

Amendment
of
section 7,
Orissa
Act III of
1948.

4. In section 7 of the said Act—

(i) after clause (e) of sub-section (1) the word " or " and the following new clause shall be added, namely :—

" (f) liability of the tenant to eviction on the ground that he is holding land under a raiyat the total extent of land under whose possession on the 30th November 1947, did not exceed 33 acres " ;

(ii) after sub-section (8) the following new sub-section shall be inserted, namely :—

" (9) The Collector may, if he deems necessary, appoint a Receiver to take charge of the crops or for getting the lands cultivated or for such other purposes as he may deem necessary till the disposal of the application. "

Amendment
of section
11, Orissa
Act III
of 1948.

5. For section 11 of the said Act the following section shall be substituted, namely :—

" 11. Any person aggrieved by an order of the Collector made under this Act may, within thirty days from the date of such order, appeal to the prescribed superior Revenue Authority whose decision thereon shall be final subject to revision by the Board of Revenue. The decision so arrived at shall not be called in question in any Court " .