

THE NAGARJUNASAGAR PROJECT (ACQUISITION OF LAND)
ACT, 1956
ACT No. XXXII OF 1956
ARRANGEMENT OF SECTIONS

SECTIONS

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1THE NAGARJUNASAGAR PROJECT (ACQUISITION OF LAND)
ACT, 1956

ACT No. XXXII of 1956

[8th November, 1956]

AN ACT TO PROVIDE FOR THE ACQUISITION OF LANDS IN THE
NAGARJUNASAGAR PROJECT AREA.

WHEREAS the execution of the Nagarjunasagar Project has been taken up in order to conserve and utilize to the best advantage the waters of the Krishna river;

AND WHEREAS it is necessary, to acquire lands for the excavation of canals and distributaries, construction of buildings and other works required for the said Project;

AND WHEREAS it is necessary, in assessing the compensation to be paid for the lands acquired, to disregard speculative purchases made in the expectation of the execution of the said Project;

Be it enacted in the Seventh Year of the Republic of India as follows:-

1. Short title, extent and commencement- (1) This Act may be called the Nagarjunasagar Project (Acquisition of Land) Act, 1956.

(2) (a) It extends to the districts of ²[Guntur, Kurnool, Nellore, Nalgonda and Khammam] in the State of Andhra Pradesh.

(b) The Government may, by notification in the ³[Andhra Pradesh Gazette] extend all or any of the provisions of this Act to any other district in the said State on such date as they may appoint.

2. Definitions – In this Act, unless the context otherwise requires,-

(1) "Government" means the State Government;

(2) "project area" means the area to which this Act extends under clause (a) or clause (b) of sub-section (2) of section 1;

(3) "project purpose" means any purpose connected with the Nagarjunasagar Project.

3. Acquisition of lands in Nagarjunasagar project area - (1) The Government may acquire any land in the project area for a project purpose.

(2) The acquisition shall be made in accordance with the provisions of the Land Acquisition Act, 1894 (Central Act I of 1894) (herein after in this section referred to as the said Act), subject to the following modifications:-

(i) For section 11 of the said Act, the following section shall be substituted, namely:-

"11. Enquiry and Award by Collector - On the day so fixed, or on any other day to which the enquiry has been adjourned, the Collector shall proceed to enquire into the objections, if any, which any person interested has stated pursuant to a

1. For Statement of Objects and Reasons, see Andhra Gazette, Part IV-A, dated the 9th August 1956, pages 117-118.

2. Substituted for the words "Guntur, Kurnool and Nellore" in the State of Andhra by section 2(i) of the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959 (Andhra Pradesh Act XVII of 1959).

3. Substituted for the words "Andhra Gazette" by section 2 (ii) of the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959 (Andhra Pradesh Act XVII of 1959).

notice given under section 9 to the measurements made under section 8, into the market value of the land on the 1st July, 1953 and the value of any improvements to the land effected after that date and before the date of the publication of the notification under sub-section (1) of section 4, into the value of the land at the date of the publication of the notification under sub-section (1) of section 4, and into the respective interests of the persons claiming the compensation and shall make an award under his hand of-

- (i) the true area of the land;
- (ii) the compensation which in his opinion should be allowed for the land; and
- (iii) the apportionment of the said compensation among all the persons known or believed to be interested in the land, of whom, or of whose claims, he has information, whether or not they have respectively appeared before him.”;

(ii) after sub-clause (ii) of clause (b) of sub-section (2) of section 17 of the said Act, as amended by the ¹[Land Acquisition (Andhra Pradesh Amendment) Act, 1948 (Act XXI of 1948),] the following shall be added, namely:-

“or

(iii) for any purpose connected with the Nagarjunasagar Project in the area to which the Nagarjunasagar Project (Acquisition of Land) Act, 1956, extends.”;

(3) in sub-section (1) of section 23 of the said Act, for clause first, the following clause shall be substituted, namely:-

“first, the market-value of the land on the 1st July 1953 and the value of any improvements to the land effected after that date and before the date of the publication of the notification under sub-section (1) of section 4 or the market-value of the land on the date of the publication of the said notification, whichever is less.”;

Explanation— The Government may, on the request of the land owner, agree to give in exchange any Government land the cost of which is, in their opinion, equal to the cost of the land acquired, or agree to pay the cost of a portion of the land acquired and for the remaining portion give Government land the cost of which is in their opinion equal to the amount due.”

²[3-A. Application of Central Act I of 1894 for acquisition of lands in certain project areas- (1) In this section,—

(a) ‘Central Act’ means the Land Acquisition Act, 1894 (Central Act 1 of 1894), with the subsequent statutory modifications thereto as in force at the commencement of this Act in the territories of the State of Andhra Pradesh which, immediately before the 1st November 1956, were comprised in the State of Andhra;

(b) ‘Hyderabad Act’ means the Land Acquisition Act (Hyderabad Act IX of 1309 F).

(2) Notwithstanding anything contained in sub-section (2) of section 1 of the Central Act and in section 1 of the Hyderabad Act, the Central Act as amended by section 3 shall, and the Hyderabad Act shall not, apply to the

1. Substituted for the original Short title by the First Schedule to the Andhra Pradesh Laws (Amendment of Short Titles) Act, 1961 (Andhra Pradesh Act IX of 1961).

2. This section was inserted by section 3 of the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959 (Andhra Pradesh Act XVII of 1959).

acquisition of lands for project purposes in the districts of Nalgonda and Khammam.]

4. Application of the Act to pending cases of acquisition - The provisions of section 3 shall, so far as may be, apply also to every case in which proceedings have been started before the commencement of this Act, for the acquisition of any land in the project area for any project purpose:

Provided that no award has been made by the Collector under section 11 of the Land Acquisition Act, 1894 (Central Act 1 of 1894), ¹[or section 10 of the Land Acquisition Act (Hyderabad Act IX of 1309 F.)] before such commencement.

²[Explanation — In this section, the expressions 'commencement of this Act' and 'before such commencement' shall in relation to the districts of Nalgonda and Khammam, mean the date on which the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959, comes into force.]

5. Power to make rules - (1) The Government may, by notification in the ³[Andhra Pradesh Gazette], make rules to carry out the purposes of this Act.

(2) All rules made under this section shall be laid for not less than fourteen days before the Legislative Assembly, as soon as may be after they are made, and shall be subject to such modifications whether by way of repeal or amendment, as that Assembly may make during the session in which they are so laid.

¹. Inserted by section 4(1) of the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959 (Andhra Pradesh Act XVII of 1959).

². Added by section 4(2) of the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959 (Andhra Pradesh Act XVII of 1959).

³. Substituted for the words "Andhra Gazette" by section 5 of the Nagarjunasagar Project (Acquisition of Land) (Andhra Pradesh Amendment) Act, 1959 (Andhra Pradesh Act XVII of 1959).