

3

m/36

ASSAM ACT III OF 1936.

[Published in the *Assam Gazette* of the 24th June 1936.]

THE ASSAM LAND AND REVENUE (AMENDMENT) ACT, 1936.

*An Act further to amend the Assam Land and
Revenue Regulation of 1886 (Regulation I of
1886)*

Preamble. WHEREAS it is expedient to amend the ^{Regulation I of 1886.} Assam Land and Revenue Regulation, 1886 (hereinafter referred to as the principal Regulation) :

It is hereby enacted as follows :—

Short title. 1. This Act may be called the Assam Land and Revenue (Amendment) Act, 1936.

Commencement. 2. It shall come into force on the first day of August 1936.

Amendment of section 78 of Regulation I of 1886. 3. At the end of section 78 of the principal Regulation the following proviso shall be inserted, namely :—

“ Provided that the provisions of this section shall not apply to any case in which the sale has been set aside under section 78A before the full amount of purchase-money falls due under subsection (1) of this section.”

Insertion of new section 78A in Regulation I of 1886. 4. After section 78 of the principal Regulation, the following section shall be inserted, namely :—

Application to set aside sale. “78A. (1) Where an estate has been sold under section 70 or 76 any person either owning such estate or a part thereof or holding an interest therein by virtue of a title acquired before such sale, may apply on or before the thirtieth day from the date of sale to have the sale set aside on depositing in the Deputy Commissioner's Court —

(a) for disposal as directed in subsection (2) a sum equal to five per cent. of the purchase-money up to Rs. 1,000 and to three per cent. on the excess over Rs. 1,000 : Provided that such sum shall not be less than one rupee ; and

(b) for payment to the Government, the amount specified in the proclamation of sale as that for recovery of which the sale was ordered together with the expenses of the sale.

Price—English Id.]

[Indian one anna.

(2) If deposit and application be made as aforesaid, the Deputy Commissioner shall set aside the sale and shall cause to be repaid to the purchaser the purchase money so far as it has been deposited together with the deposit made under sub-section (1)(a), unless the former has been forfeited to the Government under sub-section (2) of section 78, in which case the latter sum shall also be forfeited to the Government:

Explanation.—The word 'estate' in this section includes a separate account opened under section 65."

Amendment of section 80 of Regulation I of 1890. 5. In section 80 of the principal Regulation, after the words "application under section", the words "78A or" shall be added.

Amendment of section 84 of Regulation I of 1890. 6. In section 84 of the principal Regulation, after the words "Whenever the sale of any estate is set aside" the words "except under section 78A" shall be inserted.