

## ORISSA ACT 25 OF 1979

### **\*THE ORISSA PREVENTION OF LAND ENCROACHMENT (AMENDMENT) ACT, 1979**

*[Received the assent of the Governor on the 13<sup>th</sup> October 1979, first published in an extraordinary issue of the Orissa Gazette, dated the 17<sup>th</sup> October 1979]*

AN ACT TO AMEND THE ORISSA PREVENTION OF LAND ENCROACHMENT ACT, 1972

**B**E it enacted by the Legislature of the State of Orissa in the Thirtieth Year of the Republic of India, a follows:-

Short title

**1.** This Act may be called the Orissa Prevention of Land Encroachment (Amendment) Act, 1979.

Amendment  
of section 3.

**2.** In section 3 of the Orissa Prevention of Land Encroachment Act, 1972 (hereinafter referred to as the principal Act),-

Orissa Act  
of 1972

(a) in clause (a-1), for sub-clause (ii), the following sub-clause shall be substituted, namely:-

“(ii) the total extent of the land (excluding his homestead) owned by him along with the lands owned by all the members of his family who are living with him in common mess, is less than one standard acre,”;

(b) after clause (b), the following new clause shall be inserted, namely:-

“(b-1) “standard acre” means a standard acre as defined in the Orissa Land Reforms Act, 196;”.

Amendment of  
section 7.

**3.** In section 7 of the principal Act,-

(a) in sub-section 2,-

(i) for the words “two acres”, the words “one standard acre” shall be substituted;

(ii) the Explanation shall be deleted;

(b) after sub-section (3), the following provisos shall be inserted, namely:-

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\* For the Bill See Orissa Gazette, Extraordinary, dated the 12<sup>th</sup> September 1979 (No. 1733)

\*\* Came into force, with effect from the 17<sup>th</sup> October 1979

“Provided that the aggregate of the fines payable under the sub-section shall in no event exceed an amount equal to twice the market value of the encroached land:

Provided further that subject to such conditions as may be prescribed, the Collector may, in suitable cases, either reduce or remit the amount payable by way of fine under the sub-section.”.