



The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Assam Amendment) Act, 2024

Act No. 7 of 2025

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THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

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GOVERNMENT OF ASSAM
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NOTIFICATION

The 17th May, 2025

No. LGL.185/2021/7.— The following Act of the Assam Legislative Assembly which received the assent of the Hon'ble President of India on 8th May, 2025 is hereby published for general information.

ASSAM ACT NO. VII OF 2025

(Received the assent of the Hon'ble President of India on 8th May, 2025)

**THE RIGHT TO FAIR COMPENSATION AND TRANSPARENCY IN
LAND ACQUISITION, REHABILITATION AND RESETTLEMENT
(ASSAM AMENDMENT) ACT, 2024**

**AN
ACT**

further to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Preamble

Whereas it is expedient to amend the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

Central
Act No 30
of 2013

It is hereby enacted in the Seventy-fifth Year of the Republic of India as follows:-

**Short title,
extent and
commencement**

1. (1) This Act may be called the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Assam Amendment) Act, 2024.
- (2) It shall extend to the whole of Assam.
- (3) It shall come into force at once.

**Amendment of
section 2**

2. In the principal Act, in section 2, in sub-section (2), after the second proviso, the following proviso shall be inserted, namely:-

"Provided also that, the acquisition of land for the projects listed in section 10A and the purposes specified therein, shall be exempted from the provisions of the first proviso to this sub-section".

**Insertion of new
section 10A**

3. In the principal Act, after section 10, the following heading and new section 10A shall be inserted, namely:-

**"CHAPTER III- A
PROVISIONS OF CHAPTER II AND CHAPTER III NOT
TO APPLY TO CERTAIN PROJECTS**

**"Power of
State
Government
to exempt
certain
projects**

10A. The State Government may, in the public interest, by notification in the Official Gazette, exempt following project from the application of the provisions of Chapter II and Chapter III of this Act, namely:-

Such projects vital to national security or defence of India and every part thereof, including preparation for defence or defence production."

**Insertion of new
section 23A**

4. In the principal Act, after section 23, the following new section shall be inserted, namely:-

**"Award of
Collector
without
enquiry in
case of
agreement
of interested
persons**

23A. (1) Notwithstanding anything contained in section 23, if at any stage of the proceedings, the Collector is satisfied that all the persons interested in the land who appeared before him have agreed in writing on the matters to be included in the award of the Collector in the form prescribed by rules made by the State Government, he may, without making further enquiry, make an award according to the terms of such agreement.

(2) The determination of compensation for any land under sub-section (1) above shall not in any way affect the determination of compensation in respect of other lands in the same locality or elsewhere in accordance with the other provisions of this Act.

(3) Notwithstanding anything contained, in the Registration Act, 1908, no agreement made under sub-section (1) shall be liable to registration under that Act."

Central
Act 16 of
1908

Amendment of section 24

5. In the principal Act, in section 24, in sub-section (2),

- (i) in the proviso, in the first line, for the words "where an award has been made" the words "where the said award has been made 5 years or more prior to the commencement of this Act" shall be substituted;
- (ii) after the existing proviso, the following proviso shall be inserted, namely:-

"Provided further that in computing the period referred to in this sub-section, any period or periods during which the proceedings for acquisition of the land were held up on account of any stay or injunction issued by any court or the period specified in the award of a Tribunal for taking possession or such period where possession has been taken but the compensation is lying deposited in a court or in any designated account maintained for this purpose, shall be excluded.".

Amendment of section 29

6. In the principal Act, in section 29, in sub-section (1), after fourth line, the following shall be inserted, namely :-

"Explanation: The valuation of immovable assets attached to the land shall be calculated on pro-rata basis with depreciation as notified from time to time by the State Government".

Insertion of new section 30A

7. In the principal Act, after section 30, the following heading and new section shall be inserted, namely:-

"CHAPTER IV-A
VOLUNTARY ACQUISITION OF LAND

"Acquisition of land by the State Government by entering into agreement for voluntary acquisition of land

30A. (1) Notwithstanding anything contained in the principal Act, or any other law, whenever it appears to the State Government that any area of land is required for any public purpose; the State Government or its authorized officer may enter into an agreement with the willing land owner to sell the land in favour of the State Government for the matters specified therein in a form as may be prescribed.

(2) The State Government or its authorized Officer shall pass an order in terms of agreement under sub-section (1) above for acquisition, and the substance of the order shall be notified in the Official Gazette. On such publication of notification, the title, ownership and all interests of the land owner who enters into agreement shall vest with the State Government free from all encumbrances.

(3) Notwithstanding anything contained in the Registration Act, 1908, no agreement entered under sub-section (1) above shall be liable for registration under that Act.

(4) If any family, other than the family of the land owner who entered into an agreement, is affected by the acquisition of land under this section, the State Government shall pay a lump sum amount towards rehabilitation and resettlement, if any, as may be prescribed:

Provided that no agreement or the lump-sum amount towards rehabilitation and resettlement as may be prescribed, shall be abnormally at variance to the disadvantage of the land owners".

Central
Act No.
16 of 1908

Insertion of new section 31A 8. In the principal Act, after section 31, the following new section shall be inserted, namely:-

“Payment of lump-sum amount by State Government

31A. Notwithstanding anything contained in this Act, whenever the land is to be acquired for any projects as notified in section 10A, it shall be competent for the State Government to pay such lump-sum amount as may be prescribed in the rules in lieu of Rehabilitation and Resettlement:

Provided that the payment of such lump-sum amount in lieu of Rehabilitation and Resettlement as may be prescribed, shall not be abnormally at variance to the disadvantage of the affected families”.

Amendment of section 40 9. In the principal Act, in section 40, in sub-section (2), after the words "approval of Parliament", the words "or to comply with the directions given by the Central Government to the State Government" shall be inserted.

Amendment of section 46 10. In the principal Act, in section 46, in sub-section (6), in the Explanation, in clause (b), the words, "any person other than" shall be omitted.

Amendment of section 87 11. In the principal Act, for section 87, the following shall be substituted, namely:

“Offences by Government Officials

87. Where any offence under this Act has been committed by any person who is or was employee in the Central Government or the State Government, as the case may be, at the time of commission of such alleged offence, the Court shall take cognizance of such offence provided the procedure laid down in section 197 of the of the Code of the Criminal Procedure, 1973 is followed”.

Amendment of section 101 12. In the principal Act, in section 101, for the words "a period of five years" the words "a period specified for setting up of any project or for five years, whichever is later" shall be substituted.

Insertion of a new section 105A 13. In the principal Act, after section 105, the following shall be inserted, namely :

“Provisions of this Act not to apply to an Assam Act or to apply with certain modifications

105A. (1) Subject to sub-section (2), the provisions of this Act shall not apply to acquisition of land under the enactment specified in the Fifth Schedule.

(2) The State Government may, by notification, within one year from the date of commencement of this Act, direct that any of the provisions of this Act, relating to the determination of compensation in accordance with the First Schedule and rehabilitation and resettlement specified in the Second and Third Schedules, being beneficial to the affected families, shall apply to the cases of land acquisition under the enactments specified in the Fifth Schedule or shall apply with such exceptions or modifications that do not reduce the compensation or dilute the provisions of this Act relating to the compensation, rehabilitation and resettlement as may be specified in the notification, as the case may be:

Provided that, no such notification shall be issued except on a resolution passed by the State Legislature”.

Central
Act No. 2
of 1974

**Amendment of
section 109**

14. In the principal Act, in section 109, in sub-section (2), after clause (u), the following clause shall be inserted, namely: -
“(v) to give effect to the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Assam Amendment) Act, 2024”.

**Insertion of
FIFTH
SCHEDULE**

15. In the principal Act, after the Fourth Schedule, the following Schedule shall be inserted, namely:—

“THE FIFTH SCHEDULE
(See section 105-A)

List of Assam Enactment Regulating Land Acquisition in the State of Assam

- The Assam Land (Requisition and Acquisition) Act, 1964 (Assam Act XV of 1964).

GEETANJALI DAS SAIKIA,
Secretary to the Government of Assam,
Legislative Department, Dispur, Guwahati-6.