

**THE ASSAM LAND AND REVENUE REGULATION (SECOND
AMENDMENT) BILL, 2022**

**A
BILL**

	Further to amend the Assam Land and Revenue Regulation, 1886	
Preamble	Whereas it is expedient further to amend the Assam Land and Revenue Regulation, 1886, hereinafter referred to as the principal Regulation, in the manner hereinafter appearing;	Assam Act No. I of 1886
	It is hereby enacted in the Seventy-third Year of the Republic of India as follows:-	
Short title, extent and commencement	1. (1) This Regulation may be called the Assam Land and Revenue Regulation, (second Amendment) Act, 2022. (2) It shall have the like extent as the principal Act. (3) It shall come into force at once.	
Amendment of section 25	2. In the principal Regulation, in section 25, in sixth line, for the words "two hundred rupees" appearing in between the words "may extend to" and "for each", the word "fifty thousand rupees" shall be substituted.	
Amendment of section 156	3. In the principal Regulation, in section 156, for the words "be punishable with fine which may extend to two hundred rupees, or when such breach is a continuing breach, to fifty rupees for each day during which such breach continues, or, on conviction before a Magistrate, with imprisonment which may extend to six months or with fine upto one thousand rupees or with both" appearing after the words "such breach" the following shall be substituted, namely:- "be punishable with fine which may extend to fifty thousand, or when such breach is continuing breach, to twelve thousand for each day during which such breach continues, or on conviction before a magistrate, with fine which may extend upto rupees two lakhs fifty thousand"	

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SETTED BY THE
LEGISLATIVE DEPARTMENT
ON 14.12.2022


Statement of Objects and Reasons

The object of the Bill is to amend the penalty provisions under Section – 25 and Section -126 of the Assam Land and Revenue Regulation, 1886.

In view to facilitate business friendly environment in the state through reforms under Ease of Doing Business (EoDB), the Department is carrying out systematic exercises to simplify, streamline, de-criminalize and remove redundant laws/ regulations. Special emphasis has been placed on de-criminalization of such omissions / commissions which can be otherwise disposed of through civil proceedings, fines etc.

The Revenue and D.M. Department, therefore, came up with a proposal seeking approval of the Cabinet for placing the Assam Land and Revenue Regulation (Second Amendment) Bill, 2022 in the winter session of Assam Legislative Assembly to amend the Regulation.

The Cabinet in the meeting held on 15/12/2022 approved the proposal with a direction to place in the winter session of the Assam Legislative Assembly in form of a Bill as proposed by the Department.



(Jogen Mohan)

MINISTER

Revenue & DM Department

Assam, Dispur



(Hemen Dās,)

Principal Secretary

Assam Legislative Assembly

Assam, Dispur

Financial Memorandum

The Bill will not require any expenditure from the Consolidated Fund of the State once it comes into force.



(Jogen Mohan)

MINISTER

Revenue & DM Department

Memorandum of Delegated Legislation

There is no delegation of legislative powers proposed in the Bill.



(Jogen Mohan)

MINISTER

Revenue & DM Department

Existing provision of the Assam Land and Revenue Regulation, 1886 and the proposed provision of the Assam Land and Revenue Regulation (Second Amendment) Bill, 2022

Existing provision	Proposed provision
<p>Section-25 (Penalty for removing boundary marks);</p> <p>Any person willfully destroying, removing or damaging any boundary-mark (not being a landmark fixed by the authority of a public servant within the meaning of section 434 of the Indian Penal Code) which has been lawfully erected shall be punished with fine which may extend to two hundred rupees for each mark so destroyed, removed or damaged, in addition to such sum as may be necessary to defray the expense of restoring the boundary-mark so destroyed, removed or damaged.”</p>	<p>In the principal Regulation, under Part-B (Survey and Demarcation of Land) in Chapter-III (Settlement and Resumption), in the Subject of the Section-25, for the words “two hundred rupees”, the words “fifty thousand rupees” shall be substituted.</p>
<p>Section-156 (Penalty for breach of rules)</p> <p>“The State Government may, in making any rule under this Regulation, provide that a breach of the rule, in addition to any other consequence which may ensue from such breach, be punishable with fine which may extend to two hundred rupees, or when such breach is a continuing breach, to fifty rupees for each day during which such breach continues, or, on conviction before a Magistrate, with imprisonment which may extend to six months or with fine upto one thousand rupees or with both.”</p>	<p>In the subject of the section-156, for the words “be punishable with fine which may extend to two hundred rupees, or when such breach is a continuing breach, to <i>fifty rupees</i> for each day during which such breach continues, or, on conviction before a Magistrate, with imprisonment which may extend to six months or with fine upto one thousand rupees or with both” substitute the words “be punishable with fine which may extend to fifty thousand rupees, or when such breach is a continuing breach, to twelve thousand fifty rupees for each day during which such breach continues, or, on conviction before a Magistrate, with fine which may extend to two lakh fifty thousand rupees.</p>