

Bill No. 6 of 2021

**THE HIMACHAL PRADESH CEILING ON LAND HOLDINGS (AMENDMENT) BILL,
2021**

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A

BILL

further to amend the Himachal Pradesh Ceiling on Land Holdings Act, 1972 (Act No. 19 of 1973).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Seventy-second Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Himachal Pradesh Ceiling on Land Holdings (Amendment) Act, 2021.

2. Amendment of section 6-A.—In section 6-A of the Himachal Pradesh Ceiling on Land Holdings Act, 1972 (hereinafter referred to as the “principal Act”), the words and figure “irrespective of its being in excess of the permissible area prescribed under section 4” and “without the permission of the State Government” shall be omitted .

3. Amendment of section 7-A.—In section 7-A of the principal Act, the words “except with the permission of the State Government” shall be omitted.

STATEMENT OF OBJECTS AND REASONS

The Himachal Pradesh Ceiling on Land Holdings Act, 1972 (Act No.19 of 1973), was enacted to put ceiling on the big land holdings. However, with an objective to promote tea industry in the State, the lands under tea estate were exempted from the operation of the Act under clause (g) of section 5 of this Act. Presently, sections 6-A and 7-A of the Act provide for change of land use and transfer of land under the tea estate respectively with the prior permission of the Government. It has been observed that the lands under the tea estate have been invariably used for purposes other than tea plantation or have been transferred by way of sale etc. by resorting to these provisions which is against the spirit and intention of the legislation. In order to address the issue, a high powered committee was constituted, wherein the members of the Legislative Assembly from all the political parties were included. The said committee has given its recommendations. Thus, in order to promote the tea industry in the State, there is a need to amend the Act by making suitable amendments in sections 6-A and 7-A, so as to discourage change of land use and transfer of lands

under the tea estate thereof by way of sale etc. In case of such violations the provisions of the Act with regard to vesting of land with the Government, free from all encumbrances, shall come into operation.

This Bill seeks to achieve the aforesaid objectives.

MAHENDER SINGH THAKUR
Minister-in-Charge.

SHIMLA:

The, 2021.

FINANCIAL MEMORANDUM

—NIL—

MEMORANDUM REGARDING DELEGATED LEGISLATION

—NIL—

ब अदालत श्री सुरेन्द्र कुमार, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी, भोरंज,
जिला हमीरपुर (हि0प्र0)

मुकद्दमा नम्बर:—

तारीख पेशी : 16-08-2021

श्रीमती शक्ति देवी पत्नी श्री गुरुवन दास, निवासी टीका धमरोल, मौजा मेवा, तहसील भोरंज, जिला हमीरपुर (हि0 प्र0)।
प्रार्थिया।

बनाम

1. आम जनता,
2. सुदेश कुमार पुत्र गुरुवन दास, निवासी टीका धमरोल, मौजा मेवा, तहसील भोरंज, जिला हमीरपुर (हि0प्र0)
प्रतिवादी।

विषय.—दर्ज करने इंतकाल मकफूद उलखबरी।

यह दरखास्त उपरोक्त प्रार्थिया ने इस अदालत में इस आशय से दे रखी है कि प्रतिवादी 2 उसका पुत्र है। प्रतिवादी 2 अरसा 39 वर्षों से लापता है जिसकी रिश्तेदारी एवं अन्य जगह काफी तलाश की गयी परन्तु उसके जीवित या मृत होने का कोई भी साक्ष्य मौजूद नहीं है। प्रार्थिन ने प्रार्थना की है कि प्रतिवादी 2