

THE ASSAM FIXATION OF CEILING ON LAND HOLDINGS (AMENDMENT) ACT, 2025

A BILL

further to amend the Assam Fixation of Ceiling on Land Holdings Act, 1956.

Preamble

Whereas, it is expedient further to amend the Assam Fixation of Ceiling on Land Holdings Act, 1956, herein after referred to as the principal Act, in the manner hereinafter appearing;

Assam Act No
XVII of 1957

It is hereby enacted in the Seventy-sixth year of the Republic of India as follows:

Short title,
extent and
commencement

1. (1) This act may be called the Assam Fixation of Ceiling on Land Holdings (Amendment) Act, 2025.
- (2) It shall have the like extent as the principal Act.
- (3) It shall come into force at once.

Amendment of
section 3

2. In the principal Act, in section 3, after clause (o), the following clauses shall be inserted, namely:-

“(p) “person affected” means for the purposes of this Act, all such persons entitled to receive compensation as determined by the District Commissioner under section 12 of the Act;

(q) “tea garden worker” means permanent and temporary worker and descendants of tea garden workers residing within the labour line area of a tea estate on the date of commencement of the Act, belonging to Tea tribes and Adivasi communities as notified by the Government from time to time and whose occupation and entitlement to land is recognized under the provisions of section 7A and section 17A of this Act.”

Amendment of
section 4

4. In the principal Act, in section 4, in sub-section (2), for clause (ii), the following shall be substituted, namely:-

“(ii) Land used for Staff Building excluding Labour Line:

Provided that land used for staff quarters shall continue to be deemed as land used for ancillary purposes under this Act.”

Insertion of
new section 7A

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

“Acquisition
of lands
under labour
lines

7A. The State Government shall acquire lands under labour lines in such manner as may be prescribed and all rights, titles, interest and encumbrances of such acquired lands shall be vested in the Government and the persons affected for the acquisitions of lands under labour lines, shall be entitled for compensation, as may be determined by the Government under section 12 of this Act:

Provided further that, such acquired lands may also be disposed by the

VETTED
LEGISLATIVE DEPARTMENT
ON 23.11.2025

Government in such manner as may be prescribed under section 17 of this Act."

Insertion of
section 17 A

6. In the principal Act, after section 17, the following new section 17A shall be inserted, namely:-

"Manner of
disposal of
land
acquired
under
section 7A

17A. (1) Notwithstanding anything contained in section 17 of this Act or any other law for the time being in force, the Government after, acquiring of lands under labour lines under section 7A, give settlement of such lands to tea garden workers residing and in occupation of such lands;

(2) Notwithstanding anything contained in this Act or any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, such lands acquired under section 7A shall be heritable, but shall remain non-transferable by way of sale, lease, gift or any other form of alienation for 20 years or as notified by the Government from time to time:

Provided that mortgage of such land may be given in favour of any nationalized bank, a Cooperative Society registered under the Assam Co-operative Society Act, 1949 or such other financing institution as may be approved by the State Government or as may be notified by the Government from time to time.

Assam Act No
1 of 1950

(3) The sale, transfer, lease, gift or alienation of such land, after the expiry of the period 20 years or as notified by the Government from time to time, shall be permissible only in favour of a tea garden worker as defined in the Act and residing in the same tea estate.

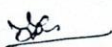
(4) The Government may by notification, frame conditions regarding the extent of disposal of such lands, for utility and optimal usage of such lands for the welfare of the tea garden worker, in the manner as may be prescribed.

(5) The extent of land per family of a tea garden worker to be settled shall be such, as may be notified by the Government from time to time.

Amendment of 7.
section 34

- In the principal Act, in section 34, after sub-section (2), the following sub-sections shall be inserted, namely:-

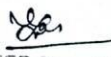
"(3) The State Government may, for the purposes of determining and realising the penalties under sub-section (2), appoint the District Commissioner, or such other authority by publication in the official Gazette from time to time, having jurisdiction, to


VETTED BY
LEGISLATIVE DEPARTMENT
ON 23.11.2015

for determine the penalties and shall hold an inquiry in such a manner as may be prescribed and impose penalty after giving any person concerned a reasonable opportunity of being heard.

- (4) Whoever aggrieved by any order of the adjudicating officer referred to in sub-section (3) may prefer an appeal to the Assam Board of Revenue within a period of sixty (60) days from the date of receipt of such order.
- (5) An appeal may be admitted after the expiry of the period of sixty (60) days if the appellate satisfies that the Authority that he had sufficient cause for not preferring the appeal within that period.
- (6) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard.
- (7) The appellate authority shall exercise its powers under section 34 in such form and manner as may be prescribed.
- (8) Any penalty imposed under section 34 of this Act shall, upon failure of payment within the period prescribed in the order of the adjudicating authority, be recoverable as an arrear of land revenue.
- (9) Without prejudice to sub-section (8), the penalty shall be recoverable as a public demand under the provisions of the Revenue Recoveries Act, 1890 and the Bengal Public Demand Recovery Act, 1913, as applicable in the State of Assam."

Act No 1 of
1890 Act 3 of
1913


VETTED BY
LEGISLATIVE DEPARTMENT
ON 23.11.2015

অসম ভূমি ক্ষেত্ৰৰ পৰিসীমা নিৰ্ধাৰণ (সংশোধন) অধিনিয়ম, ২০২৫

এখন

বিধেয়ক

অসম ভূমি ক্ষেত্ৰৰ পৰিসীমা নিৰ্ধাৰণ (সংশোধন) অধিনিয়ম, ১৯৫৬
পৰৱৰ্তী সংশোধন কৰিবলৈ।

প্ৰস্তাৱনা

যিহেতু, অসম ভূমি ক্ষেত্ৰৰ পৰিসীমা নিৰ্ধাৰণ (সংশোধন) অধিনিয়ম, ১৯৫৬ মূল অধিনিয়ম বুলি যিখনক ইয়াৰ পিছত উল্লেখ কৰা হৈছে, ইয়াৰ পিছত উল্লেখ কৰা ধৰণে সংশোধন কৰাটো কালোচিত;

১৯৫৭ চনৰ
অসম
অধিনিয়ম নং
XVII

ইয়াৰ দ্বাৰা ভাৰত গণৰাজ্যৰ ছয়সত্তৰ সংখ্যক বৰ্ষত ইয়াক
নিম্নলিখিত ধৰণে অধিনিয়মিত কৰা হৈছে:-

সংক্ষিপ্ত নাম,
বিস্তাৰ আৰু
প্ৰাৰম্ভণ

- ১। (১) এই অধিনিয়মখন অসম ভূমি ক্ষেত্ৰৰ পৰিসীমা নিৰ্ধাৰণ (সংশোধন) অধিনিয়ম, ২০২৫ বুলি অভিহিত হ'ব।
(২) ইয়াৰ বিস্তাৰ মূল অধিনিয়মখনৰ দৰেই হ'ব।
(৩) ই তাৎক্ষণিকভাৱে বলৱৎ হ'ব।

ধাৰা ৩ ৰ
সংশোধন

- ২। মূল অধিনিয়মত, ধাৰা ৩ ত, খণ্ড (গ) ৰ পিছত, নিম্নলিখিত
খণ্ডসমূহ অন্তঃস্থাপিত হ'ব, যথা:-
(ত) "প্ৰভাৱিত ব্যক্তি" মানে এই অধিনিয়মৰ উদ্দেশ্যসমূহৰ
বাবে, এই অধিনিয়মৰ ধাৰা ১২ ৰ অধীনত জিলা আয়ুক্তৰ
দ্বাৰা যথা নিৰ্ধাৰিত কৰা ক্ষতিপূৰণ লাভ কৰিবলৈ
অধিকাৰী এনে সকলো ব্যক্তি;
(থ) "চাহ বাগিচাৰ শ্ৰমিক" মানে এই অধিনিয়মখন
অধিনিয়মখন প্ৰাৰম্ভণৰ তাৰিখত চাহ বাগিচাৰ শ্ৰমি ৰেখা
এলেকাৰ ভিতৰত বাস কৰা, চাহ বাগিচাৰ শ্ৰমিকৰ স্থায়ী
আৰু অস্থায়ী শ্ৰমিক আৰু বংশধৰসকলক বুজায়,
চৰকাৰে সময়ে সময়ে অধিসূচীত কৰা চাহ জনজাতি
আৰু আদিবাসী জনগোষ্ঠীৰ অন্তৰ্গত আৰু যাৰ এই
অধিনিয়মৰ ধাৰা ৭ক আৰু ধাৰা ১৭ক ৰ উপবন্ধাৱলীৰ
অধীনত মাটিৰ দখল আৰু স্বত্ত্বাধিকাৰ স্বীকৃতি দিয়া
হৈছে।"

ধাৰা ৪ৰ
সংশোধন

- ৪। মূল অধিনিয়মত, ধাৰা ৪ ত, উপ-ধাৰা (২) ত, খণ্ড (ii) ৰ সলনি,
নিম্নলিখিত প্ৰতিষ্ঠাপিত হ'ব, যথা:-
"(ii) শ্ৰম ৰেখাক বাদ দি কৰ্মচাৰীৰ আৱাস নিৰ্মাণৰ বাবে
ব্যৱহৃত ভূমি:
পৰন্তু কৰ্মচাৰীৰ আৱাসৰ বাবে ব্যৱহাৰ কৰা ভূমিক এই
অধিনিয়মৰ অধীনত আনুষংগিক কামত ব্যৱহাৰ কৰা ভূমি
হিচাপে গণ্য কৰা হ'ব।"

নতুন ধাৰা ৭ক
স্থাপন

- ৫। মূল অধিনিয়মত, ধাৰা ৭ৰ পিছত, নিম্নলিখিত নতুন ধাৰা
অন্তঃস্থাপিত হ'ব, যথা:-
"শ্ৰম ৰেখাৰ ৭ক। ৰাজ্য চৰকাৰে শ্ৰম ৰেখাৰ অধীনৰ ভূমিসমূহ
অধীনৰ ভূমি যথা বিহিত ধৰণে অধিগ্ৰহণ কৰিব আৰু এনে
অধিগ্ৰহণ কৰা মাটিৰ সকলো অধিকাৰ, স্বত্ব,
সুদ আৰু দায়িত্ব চৰকাৰৰ ওপৰত ন্যস্ত হ'ব
আৰু শ্ৰম ৰেখাৰ অধীনত মাটি অধিগ্ৰহণৰ
বাবে প্ৰভাৱিত ব্যক্তিসকলে ক্ষতিপূৰণৰ

অধিকাৰী হ'ব, যিদৰে এই অধিনিয়মৰ ধাৰা ১২ ৰ অধীনত চৰকাৰে যথা নিৰ্ধাৰণ কৰিব পাৰাকৈ:

উপৰন্ত, এনে অধিগৃহীত ভূমিসমূহো এই অধিনিয়মৰ ১৭ ত ধাৰাত যথাবিহিত এনে ধৰণে চৰকাৰৰ দ্বাৰা নিষ্পত্তি কৰিব পাৰে।"

ধাৰা ৭ক ৰ ৬।
সংশোধন

মূল অধিনিয়মত, ধাৰা ১৭ ৰ পিছত, নিম্নলিখিত নতুন ধাৰা ১৭ক স্থাপন হ'ব, যথা:-

"ধাৰা ৭ক ৰ
অধীনত
অধিগৃহীত
ভূমিৰ
নিষ্পত্তিৰ ধৰণ

১৭ক। (১) এই অধিনিয়মৰ ধাৰা ১৭ত বা তৎসময়ৰ বাবে বলবৎ থকা কোনো অন্য বিধিত কোনো কথা থকা সত্ত্বেও, এই অধিনিয়মৰ ধাৰা ৭ক ৰ অধীনত শ্রম ৰেখাৰ অধীনত ভূমি অধিগ্ৰহণ কৰাৰ পিছত, চৰকাৰে এনে ভূমিসমূহত বাস কৰা আৰু এনে মাটি দখল কৰা চাহ বাগিচাৰ শ্ৰমিকক এনে ভূমিৰ বন্দোৱস্তী প্ৰদান কৰে;

(২) এই অধিনিয়ম বা তৎসময়ৰ বাবে বলবৎ থকা কোনো অন্য বিধিত বা এই অধিনিয়মৰ বাহিৰে আন কোনো অধিনিয়মৰ দ্বাৰা প্ৰভাৱী হোৱা কোনো দলিলত কোনো কথা থকা সত্ত্বেও, ধাৰা ৭ ক ৰ অধীনত অধিগ্ৰহণ কৰা এনে ভূমি উত্তৰাধিকাৰ সূত্ৰে হ'ব, কিন্তু ২০ বছৰৰ বাবে বিক্ৰী, সাময়িক পত্তন, দান বা অন্য কোনো ধৰণৰ বিচ্ছিন্নতাৰ দ্বাৰা বা চৰকাৰে সময়ে সময়ে যথা অধিসূচীত কৰা ধৰণে অহস্তান্তৰযোগ্য হৈ থাকিব:

পৰন্ত এনে মাটিৰ কোনো ৰাষ্ট্ৰীয়কৃত বেংক, অসম সমবায় সমিতি অধিনিয়ম, ১৯৪৯ ৰ অধীনত পঞ্জীয়নভুক্ত সমবায় সমিতি বা ৰাজ্য চৰকাৰে অনুমোদন জনোৱা বা চৰকাৰে সময়ে সময়ে অধিসূচীত কৰা তেনে অন্য বিত্তীয় প্ৰতিষ্ঠানৰ সপক্ষে বন্ধক দিব পাৰে।

(৩) ২০ বছৰৰ অৱধিৰ অৱশানৰ পিছত বা চৰকাৰে সময়ে সময়ে যথা অধিসূচীত এনে ভূমি বিক্ৰী, হস্তান্তৰ, সাময়িক পত্তন, দান বা বিচ্ছিন্নকৰণ কেৱল অধিনিয়মত যথাসংজ্ঞায়িত আৰু একেখন চাহ বাগিচাতে বাস কৰা চাহ বাগিচাৰ শ্ৰমিকৰ সপক্ষেহে অনুমোদিত

১৯৫০ চনৰ
অসম
অধিনিয়ম নং
১

হ'ব।

(৪) চৰকাৰে অধিসূচনাৰ জৰিয়তে, এনে মাটিৰ নিষ্পত্তিৰ পৰিসৰ সম্পৰ্কে চাহ বাগিচাৰ শ্ৰমিকৰ কল্যাণৰ হকে এনে মাটিৰ উপযোগিতা আৰু অনুকূল ব্যৱহাৰৰ বাবে, যথা বিহিত পদ্ধতিৰে চৰ্ত নিৰ্ধাৰণ কৰিব পাৰে।

(৫) শ্ৰমিকৰ প্ৰতিটো পৰিয়ালৰ ভূমিৰ পৰিসৰ চৰকাৰৰ দ্বাৰা সময়ে সময়ে যথা অধিসূচীত কৰা ধৰণেৰে নিষ্পত্তি কৰা হ'ব।

ধাৰা ৩৪ ৰ
সংশোধন

৭। মূল অধিনিয়মত ধাৰা ৩৪ ত উপ-ধাৰা (২) ৰ পিছত, নিম্নলিখিত উপ-ধাৰাসমূহ অন্তঃস্থাপিত কৰা হ'ব, যথা-

"(৩) ৰাজ্য চৰকাৰে, উপ-ধাৰা (২) ৰ অধীনত শাস্তি নিৰ্ধাৰণ আৰু বাস্তৱায়িত কৰাৰ উদ্দেশ্যে, সময়ে সময়ে চৰকাৰী ৰাজপত্ৰত প্ৰকাশৰ দ্বাৰা জিলা উপায়ুক্তক, বা তেনে অন্য প্ৰাধিকাৰীক শাস্তি নিৰ্ধাৰণৰ বাবে অধিকাৰক্ষেত্ৰ থকা, নিযুক্তি দিব পাৰে আৰু সংশ্লিষ্ট যিকোনো ব্যক্তিক শুনানিৰ যুক্তিসংগত সুযোগ দিয়াৰ পিছত বিহিত কৰিব পৰা ধৰণৰ এক তদন্ত কৰিব আৰু শাস্তি আৰোপ কৰিব।

(৪) উপ-ধাৰা (৩)ত উল্লেখ কৰা ন্যায় নিৰ্ণায়ক বিষয়াৰ যিকোনো আদেশত যিয়েই ক্ষুদ্ৰ হ'ব, তেওঁ এনে আদেশ লাভ কৰাৰ তাৰিখৰ পৰা ষাঠি (৬০) দিনৰ ভিতৰত অসম ৰাজহ বৰ্ডৰ ওচৰত আবেদন কৰিব পাৰে।

(৫) ষাঠি (৬০) দিনৰ সময়সীমা শেষ হোৱাৰ পিছত আপীল স্বীকাৰ কৰিব পাৰি যদিহে আপীলকাৰীয়ে সন্তুষ্ট কৰে যে কৰ্তৃপক্ষই যে সেই সময়সীমাৰ ভিতৰত আপীলটো পছন্দ নকৰাৰ বাবে তেওঁৰ যথেষ্ট কাৰণ আছিল।

(৬) আপীলকাৰীক শুনানিৰ যুক্তিসংগত সুযোগ নিদিয়ালৈকে কোনো আপীল নিষ্পত্তি কৰা নহ'ব।

(৭) আপীল প্ৰাধিকাৰীয়ে ধাৰা ৩৪ৰ অধীনত বিহিত কৰা তেনে ৰূপত আৰু ধৰণে নিজৰ ক্ষমতা ব্যৱহাৰ কৰিব লাগিব।

(৮) এই অধিনিয়মৰ ধাৰা ৩৪ৰ অধীনত আৰোপ কৰা যিকোনো শাস্তি, ন্যায় নিৰ্ণায়ক প্ৰাধিকাৰীৰ আদেশত নিৰ্ধাৰিত সময়সীমাৰ ভিতৰত ধন পৰিশোধ নকৰিলে, ভূমি ৰাজহৰ বকেয়া হিচাপে আদায় কৰিব পাৰিব।

(৯) উপ-ধাৰা (৮) ৰ প্ৰতিকূলভাৱাপন্ন নোহোৱাকৈ, অসম ৰাজ্যত প্ৰযোজ্য হোৱা ৰাজহ আদায় অধিনিয়ম, ১৮৯০ আৰু বংগ ৰাজহুৱা দাবী পুনৰুদ্ধাৰ অধিনিয়ম, ১৯১৩ ৰ উপবন্ধ অনুসৰি ৰাজহুৱা দাবী হিচাপে এই শাস্তি আদায়যোগ্য হ'ব।"

১৮৯০ চনৰ
অধিনিয়ম নং ১
১৯১৩ চনৰ
অধিনিয়ম নং
৩

Statement of Objects and Reasons

The object of the Bill is the proposal for amendment of the Assam Fixation of Ceiling on Land Holdings Act, 1956 to exclude "labour lines" from the purposes ancillary to special cultivation.

In view of evolving land-use priorities and the need to ensure optimal utilization of surplus land in all tea estates other than that of small tea growers, it is found expedient to review the Assam Fixation of Ceiling on Land Holdings Act, 1956 (Assam Act I of 1957) and to amend the relevant provisions under the Act to exclude "labour lines (garden labour colonies)" from the definition of ancillary purpose. Excluding such lands from the scope of ancillary purposes will enable the Government to identify and resume surplus land for developmental and redistributive use, ensure greater transparency and consistency in land records management, and facilitate the integration of tea garden labour housing into mainstream government housing, social welfare, and public health programmes.

At present, tea garden workers residing in labour lines occupy land without clear legal title or statutory protection. The amendment, by excluding labour lines from ancillary purposes and providing for preferential settlement with tea garden workers, secures their land rights. Large tracts of land within tea estates have remained outside the ambit of ceiling computation on account of their classification as ancillary to tea cultivation. Excluding labour lines from this category will enable the State to identify such lands as surplus, resume them in a transparent manner, and put them to productive use.

The amendment integrates tea garden labour welfare with broader State and Central schemes, including the Pradhan Mantri Awas Yojana, public health initiatives, and social security programmes. By bringing labour line housing into the purview of mainstream welfare policies, tea garden workers will benefit from improved living conditions, access to infrastructure, and social services consistent with the Occupational Safety, Health and Working Conditions Code, 2020.

The extent of land per family of a tea garden worker to be settled shall be such, as may be notified by the Government from time to time. The definition of family will be as defined under the Assam Fixation of Ceiling on Land Holdings Act, 1956 and the definition of tea garden worker has been inserted in the draft Bill.

The proposal for amendment of the Assam Fixation of Ceiling on Land Holdings Act, 1956 through amendment of Sections 3, 4 (2) (ii), & 17 of the Act with insertion of Section 7 (A) and 17(A) is encapsulated herewith in the Assam Fixation of Ceiling on Land Holdings (Amendment) Bill, 2025.

In addition, the Bill inserts new sub-sections under Section 34 to strengthen the mechanism for determining and realising penalties. The

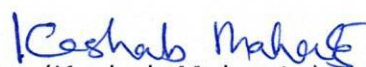
amendment authorises the State Government to appoint the District Commissioner or such other authority by publication in the Official Gazette from time to time, empowers such authority to hold inquiry in such manner as may be prescribed, and provides for appeal before the Assam Board of Revenue. The amendment further provides that penalties shall be recoverable as an arrear of land revenue or as a public demand under the Revenue Recoveries Act, 1890 and the Bengal Public Demand Recovery Act, 1913.

By introducing statutory clarity through definition of "tea garden worker," empowering acquisition under Section 7A, incorporating safeguards against alienation, and strengthening the adjudication and penalty framework under Section 34, the amendment is the way of reinforcing reforms in the legal framework governing tea garden lands. These measures bring transparency, prevent misuse of ancillary classifications, and strengthen accountability in the administration of plantation lands. Collectively, they reinforce the State's broader reform agenda in citizen centric seamless land governance.

The Revenue and D.M. Department, therefore, came up with a proposal seeking approval of the Cabinet for placing amendment of the Assam Fixation of Ceiling on Land Holdings Act, 1956 to exclude "labour lines" from the purposes ancillary to special cultivation in the Winter Session of the Assam Legislative Assembly to amend the Act.

The Cabinet, in the meeting held on 23-11-2025, approved the amendment as proposed by Revenue & D.M. Department.

The Bill seeks to give effect to the aforesaid objects.


(Keshab Mahanta)

Hon'ble Minister
Revenue & Disaster Management
Department



Secretary
Assam Legislative Assembly

Financial Memorandum

The amendment of the Assam Fixation of Ceiling on Land Holdings Act, 1956 to exclude "labour lines" from the purposes ancillary to special cultivation has financial implications arising from compensation payable to tea estates for acquisition of labour line lands, which will be determined in accordance with Section 12 (a) 1 (ii) of the Assam Fixation of Ceiling on Land Holdings Act, 1956 which states that (ii) in case of other land, inclusive of the value of trees, an amount equal to 50 times such annual land revenue.

As per the data shared by the concerned districts, the total number of tea estates in Assam is 825 and the total area under labour colonies is around 2,18,553 Bighas.

The total amount of compensation to be paid to affected parties tentatively @ Rs. 3000 per Bigha comes to around Rs. 65.57 Crore. (It has been calculated on the basis of Schedule of land revenue rate provided as per Government Notification vide No. ECF No.223630/5 dtd 08-01-2023: rate of land revenue calculated @Rs 60 per Bigha per annum for Tea estates * 50 times * 2,18,553 Bighas).

Compensation payable to tea estates for acquisition of labour line lands will be met from existing budgetary allocations under the Revenue & Disaster Management Department. Subsequent development of land acquired under Assam Fixation of Ceiling on Land Holdings Act 1956 /resumed lands, including housing and welfare measures for tea garden workers, will be dovetailed with ongoing State and Central schemes such as the Pradhan Mantri Awas Yojana and related social sector programmes.


(Keshab Mahanta)

Hon'ble Minister
Revenue & Disaster Management
Department

Memorandum of Delegated Legislation

This Bill proposes amendment of the Assam Fixation of Ceiling on Land Holdings Act, 1956 to exclude "labour lines" from the purposes ancillary to special cultivation. At present, tea garden workers residing in labour lines occupy land without clear legal title or statutory protection. The amendment, by excluding labour lines from ancillary purposes and providing for preferential settlement with tea garden workers, secures their land rights. This will ensure long-term housing security and reduce vulnerability to displacement.

The Bill authorises the Government to acquire lands under labour lines in such manner as may be prescribed and provides that all rights, titles, interest and encumbrances of such acquired lands shall be vested in the Government and the persons affected for the acquisitions of lands under labour lines, shall be entitled for compensation, as may be determined by the Government under Section 12 of the Act. The Bill further authorises that such acquired lands may be disposed by the Government in such manner as may be prescribed under section 17(A) of the Act.

The Bill empowers the Government to frame conditions regarding the extent of disposal of such lands and to notify provisions for utility and optimal usage of such lands for the welfare of the tea garden worker. The Bill also provides that the extent of land per family of a tea garden worker to be settled shall be such as may be notified by the Government from time to time. It further authorises that lands shall remain heritable but non-transferable for 20 years or as notified by the Government from time to time, and permits mortgage of such land in favour of institutions as may be notified by the Government from time to time.

Section 34, as amended, authorises the State Government to appoint the District Commissioner, or such other authority by publication in the Official Gazette from time to time, and empowers such authority to hold inquiry in such manner as may be prescribed.

The above provisions of the Bill regarding delegated legislation are thus of normal type and are mainly intended to cover matters of procedure.


(Keshab Mahanta)

Hon'ble Minister

Revenue & Disaster Management Department

Comparative Statement showing existing provisions of the Assam Fixation of Ceiling on Land Holdings Act, 1956 and the proposed provisions of the Assam Fixation of Ceiling on Land Holdings (Amendment) Act, 2025

Sl. No.	Section	Existing Provision	Proposed Provisions
1	Preamble:	Whereas it is deemed necessary to make provision for imposition of limits on the amount of land that may be held by a person. It is hereby enacted in the Seventh year of the Republic of India as follows	Whereas it is expedient to amend the Assam Fixation of Ceiling on Land Holdings Act, 1956, hereinafter referred to as the Principal Act, in the manner hereinafter appearing; It is hereby enacted in the Seventy-sixth Year of the Republic of India as follows:
2	Short title, extent, and commencement	(1) This Act may be called the Assam Fixation of Ceiling on Land Holdings Act 1956. (2) It shall extend to the Districts of [(1) Goalpara (2) Dhubri (3) Kokrajhar (4) Bongaigaon (5) Barpeta (6) Nalbari (7) Kamrup (8) Darrang (9) Sonitpur (10) Lakhimpur (11) Dhemaji (12) Nagaon (13) Morigaon (14) Sibsagar (15) Jorhat (16) Golaghat (17) Cachar (18) Karimganj (19) Hailakandi (20) Dibrugarh (21) Tinsukia] in the State of Assam. (3) It shall come into force on such date as the State Government may by notification in the official Gazette appoint.	(1) This Act may be called the Assam Fixation of Ceiling on Land Holdings (Amendment) Act, 2025. (2) It shall have the like extent as the principal Act. (3) It shall come into force at once.
3	Insertion of clause (p) in Section 3.	3. In this Act, unless the context otherwise requires: (c) "Collector" means the Deputy commissioner or any other Officer authorised by the State Government to perform the function of a Collector under this Act. (d) "family" means a family consisting of one or more of the following namely,- (1) husband (2) wife (3) minor children and also include a joint family [Explanation- "Joint family" means family of which the member are descendants from a common ancestor and have a common mess, and shall include wife or husband, as the case may be, but shall exclude married daughters,	In the principal Act, in section 3, after clause (o), the following clauses shall be inserted, namely:- (p) "person affected" means for the purposes of this Act, all such persons entitled to receive compensation as determined by the District Commissioner under section 12 of the Act; (q) "tea garden worker" means permanent and temporary worker and descendants of tea garden workers residing within the labour line area of a tea estate on the date of commencement of the Act, belonging to Tea tribes and Adivasi communities as notified by the Government from time to time and whose occupation and

	married sons and their children. Provided that a family consisting of father, and/or mother, sons and/or unmarried daughters holding lands jointly shall be presumed to be joint inspite of having a separate mess" (f) "land means land which is or may be utilised for agricultural purposes or purposes subservient thereto and includes the sites of building appurtenant to such land and also includes land which is or may be utilised for quarrying stones,]" (g) the word "land-holders" has the meaning assigned to it in the Assam Land and Revenue Regulation, 1886 (Regulation I of 1886); (i) "owner" include proprietor, landholder or settlement-holders as defined in Section 3 of the Assam Land and Revenue Regulation 1886 (Regulation I of 1886), but does not include Government; (j) "person" includes an individual, a family a joint family, a trustee, a company, a body corporate, a partnership firm, a society or an association of individuals whether incorporated or not;" (k) "personal cultivation" means cultivationi) by the person himself, or ii) by any member of his family, or iii) by servant or hired-labourers on fixed remuneration payable in cash or kind but not in crop-share, under personal supervision of the person himself or any member of his family, Provided it is accompanied by the bearing of risks of cultivation by the owner and by residence in the village in which the land is situated or in a nearby village or town within a distance of 8 K.M. during the greater part of the agricultural season: Provided further that in the case of a person who is a	entitlement to land is recognized under the provisions of section 7A and section 17A of this Act."
--	--	---

		widow or a minor, or is subject to any physical or mental disability or is a member of Military, Naval or Air Forces of the Union, or who is a student, below the age of twenty one years of any educational institution recognised by the State Government, the land shall be deemed to be under personal cultivation even in the absence of such personal supervision; (l) "Tenant" means a person who holds land under another person and is, or but for a special contract would be, liable to pay rent for that land to the other person [and includes a person who cultivates the land of another person on condition of delivering a share of the produce.	
4	Amendment of Section 4 (Acquisition of lands under labour lines)	(1) Notwithstanding anything to the contrary in any law, customs or agreement no person shall be entitled to hold as owner or tenant, (or mortgagee in possession) land which exceed the limit of 50 bighas in the aggregate and this limit of 50 bighas shall be applicable to the aggregate of the land held individually by the members of a family or jointly by some or all the members of such a family. Provided that where the person holds "orchard lands" the aforementioned limit shall be increased by the actual area of the orchard subject to a maximum of 4 bighas over the limit of 50 bighas mentioned. (2) Notwithstanding anything to the contrary in any law, custom or agreement, no person shall be entitled to hold as owner, tenant, or mortgagee in possession lands, for special cultivation of tea in excess of such land as has been used for special cultivation of tea and purposes ancillary thereto	In the principal Act, in section 4, in sub-section (2), for clause (ii), the following shall be substituted,namely:- “(ii) Land used for Staff Building excluding Labour Line: Provided that land used for staff quarters shall continue to be deemed as land used for ancillary purposes under this Act.”

		on the day of commencement of the Assam Fixation of Ceiling on Land Holdings, (Amendment) Act, 1970. Provided that the State Government may allow more lands to be held for ancillary purposes and for increase in area under special cultivation of tea in accordance with the rules may be prescribed. Explanation-Purposes ancillary to special cultivation shall mean the following- (1) land used for factory building, (ii) land used for staff buildings including labour line; (iii) land use for roads, bridges, and drains within the tea estate, (iv) land used for nurseries including shade trees, (v) land used for hospitals, dispensaries, creches, recreation centres and play grounds (vi) land used for religious institution, burial or cremation ground. (vii) land used for any other building built by management as a statutory requirement under any, law for the time being in force, (viii) land used for seed bari; (ix) land used as may be needed for rotational plantation to maintain the planted areas as on the commencement of this Act but not exceeding 7%, percent of the planted area; (x) lands lying within the boundaries of the actual planted area excluding tenanted khet lands; (xi) lands used for bamboo baris but not exceeding 50 bighas.	
5	Insertion of new Section-7(A)	(1) On the basis of the information given in the returns under Section 5 above which shall be duly verified through such agency as may be decided by the Government or the information obtained by the Collector under Section 6 above, the Collector shall prepare a draft statement showing among other	In the principal Act, after section 7, the following new section shall be inserted, namely:- The State Government shall acquire lands under labour lines in such manner as may be prescribed and all rights, titles, interest and encumbrances of such acquired lands shall be vested in the Government and the persons affected for the acquisitions of lands under

particulars, the total area of lands held by such persons, the specific plots selected for retention with them, and also the land in excess of the limit fixed under Section 4 remaining after such selection. (2) The draft statement shall be published in the offices of the Deputy Commissioner, the Subdivisional Officer, the Circle SubDeputy Collector and the Mauzadar, and a copy thereof shall be served on the person or persons concerned in the manner prescribed. Any objection received within 15 days of the objector, an opportunity for hearing order shall be passed on the objections. "The person making any such objection shall ascertain the date on which the objection will be considered and on the day fixed or on any other date to which the consideration may be postponed, the objector is absent, the Collector shall consider the objections in the absence of the objector and pass such order as he may think necessary making the statement final" "(3) The draft statement shall then be made final in terms of the final orders passed under the preceding sub-section and the Collector shall sign it and affix the date. (4) Notwithstanding anything contained in the next sub-section, with effect from the date on which the final statement is signed by the Collector under the preceding subsection, all rights, title and interest of the person or persons whose lands are shown as excess in such statement shall stand transferred to and vest in the State Government free from all encumbrances created by such person or persons and no person shall then be entitled to question it in any Court. (5) The final statement prepared under

labour lines, shall be entitled for compensation, as may be determined by the Government under section 12 of this Act:

Provided further that, such acquired lands may also be disposed by the Government in such manner as may be prescribed under section 17 of this Act."

		sub-section (3) above shall be published in the same manner in which a draft statement is to be published under sub-section (2) above. (6) Without prejudice to any action under any other provision of this Act, the State Government may, on its own motion or on application, if filed within a period of 1 (one) year from the date of publication of the final statement under sub-section (4) or from the date on which the Assam Fixation of Ceiling on Land Holdings (Amendment) Act, 1993 shall come into force, whichever is later, call for any record relating to any final statement and may pass such order or orders as it deems fit after giving the person or persons concerned an opportunity of being heard. (7) Subject to the provision of section 19, the final statement then shall be submitted to the State Govt. without the least possible delay.	
6	Insertion of Section 17 A “Manner of disposal of land acquired under section 7A”	The State Government or any officer empowered by it in this behalf shall be entitled to settle any land which has not been disposed of under Section 16 in the same manner as any other land which is at the disposal of the Government under Section 12 of the Assam Land under Section and Revenue Regulation, 1886. 2) The State Government or the officer empowered in this behalf may, for the purpose of settling any land under sub-section (1) above, eject, if necessary, any person in unauthorised possession. (3) In making settlement under subsection (1) of this Section preference shall be given as far as practicable to the following categories of person in the order of narration stated below :- a) Landless cultivator who has been rendered homeless due to flood, erosion or	In the principal Act, after section 17 , the following new section 17A shall be inserted, namely:- (1) Notwithstanding anything contained in section 17 of this Act or any other law for the time being in force, the Government after, acquiring of lands under labour lines under section 7A, give settlement of such lands to tea garden workers residing and in occupation of such lands; (2) Notwithstanding anything contained in this Act or any other law for the time being in force or in any instrument having effect by virtue of any law other than this Act, such lands acquired under section 7A shall be heritable, but shall remain non-transferable by way of sale, lease, gift or any other form of alienation for 20 years or as notified by the Government from time to time: Provided that mortgage of such land may be given in favour of any nationalized bank, a Cooperative Society registered under the Assam Co-

		earthquake. b) Landless cultivator. c) Agricultural Farming Corporation as defined in the Assam Agricultural farming Corporation Act. 1973 (Assam Act VIII of 1973) Explanation. For the purpose of this Section the expression "Landless cultivator" shall mean a person who does not hold any land whether as owner or as tenant or as both exceeding 3 bighas and whose only means of livelihood is cultivation.	operative Society Act, 1949 or such other financing institution as may be approved by the State Government or as may be notified by the Government from time to time. (3) The sale, transfer, lease, gift or alienation of such land, after the expiry of the period 20 years or as notified by the Government from time to time, shall be permissible only in favour of a tea garden worker as defined in the Act and residing in the same tea estate. (4) The Government may by notification, frame conditions regarding the extent of disposal of such lands, for utility and optimal usage of such lands for the welfare of the tea garden worker, in the manner as may be prescribed. (5) The extent of land per family of a tea garden worker to be settled shall be such, as may be notified by the Government from time to time.
7	Amendment of section 34	(1) Whoever contravenes any lawful order passed under this Act or obstructs any person from lawfully taking possession of any land under this Act or makes a declaration or statement or furnishes any information which is false and which he has reason to believe to be false, shall be punishable with imprisonment which may extend to one year or with fine which may extend to two thousand rupees or with both. (2) Any person who fails to submit any return required to be submitted under Sections 5 and 22 shall, on conviction, be punished with imprisonment which may extend to one year but which shall not be less than three months and shall also be liable to fine which may extend to one thousand rupees)	In the principal Act, in section 34, after sub-section (2), the following sub-sections shall be inserted, namely:- “(3) The State Government may, for the purposes of determining and realising the penalties under sub-section (2), appoint the District Commissioner, or such other authority by publication in the official Gazette from time to time, having jurisdiction, to for determine the penalties and shall hold an inquiry in such a manner as may be prescribed and impose penalty after giving any person concerned a reasonable opportunity of being heard. (4) Whoever aggrieved by any order of the adjudicating officer referred to in sub-section (3) may prefer an appeal to the Assam Board of Revenue within a period of sixty (60) days from the date of receipt of such order. (5) An appeal may be admitted after the expiry of the period of sixty (60) days if the appellate satisfies that the Authority that he had sufficient cause for not preferring the appeal within that

		period. (6) No appeal shall be disposed of unless the appellant has been given a reasonable opportunity of being heard. (7) The appellate authority shall exercise its powers under section 34 in such form and manner as may be prescribed. (8) Any penalty imposed under section 34 of this Act shall, upon failure of payment within the period prescribed in the order of the adjudicating authority, be recoverable as an arrear of land revenue. (9) Without prejudice to sub-section (8), the penalty shall be recoverable as a public demand under the provisions of the Revenue Recoveries Act, 1890 and the Bengal Public Demand Recovery Act, 1913, as applicable in the State of Assam."
--	--	---