

# **The Alienation of Land (Distressed Circumstances) (Restoration) Ordinance, 1976**

( Ordinance NO. XXVIII OF 1976 )

**An Ordinance to provide for the restoration of agricultural lands transferred for reasons of economic distress.**

WHEREAS it is expedient for the restoration of agricultural lands transferred during the period of economic distress for reasons of such distress;

NOW, THEREFORE, in pursuance of the proclamations of the 20th August, 1975, and 8th November, 1975, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

**Short title** 1. This Ordinance may be called the Alienation of Land (Distressed Circumstances) (Restoration) Ordinance, 1976.

**Definitions** 2. In this Ordinance, unless there is anything repugnant in the subject or context,-

(a) “agricultural land” means land which is used for purposes connected with agriculture or horticulture and includes a homestead as defined in the State Acquisition and Tenancy Act, 1950 (E.B. Act XXVIII of 1951);

(b) “authorised Officer” means any officer authorised by the Government;

(c) “period of economic distress” means the period commencing the 1st April, 1974, and ending the 31st day of December, 1974; and

(d) “transferee”, in relation to a land in respect of which the application for restoration has been made under section 4, includes, if the land is in possession of any person other than the transferee, such person.

**Liability to  
restoration**

**land  
or alienated  
land**

3. (1) Notwithstanding anything contained in any other law for the time being in force, all agricultural lands transferred by sale for consideration during the period of economic distress for reasons of such distress shall, on application made in this behalf, be liable to be restored to the transferor with the provisions of this Ordinance.

(2) For the purpose of this Ordinance, transfer of agricultural land within the period of economic distress shall be deemed to have been made for reasons of such economic distress if the transferor and the members of his family do not in the aggregate own, after the transfer, more than three acres of such land.

(3) For the purpose of this section, "family", in relation to a transferor, includes his wife, son, unmarried daughter, but does not include an adult and married son who has been living in a separate mess independently of his parents continuously for five years, and the wife, son and unmarried daughter of such son.

**Procedure  
for  
restoration**

4. (1) A person who seeks restoration of agricultural land transferred by him during the period of economic distress for reasons of such distress may, within a period of six months from the commencement of this Ordinance, make an application to the authorised officer for the restoration of the land so transferred stating therein-

(a) the name of the transferee and, if such land is in possession of any person other than the transferee, the name of that person;

(b) the date of transfer;

(c) the amount of consideration of such land.

(2) Upon receipt of an application under sub-section (1), the authorised officer shall, if he is satisfied after giving the transferee an opportunity of being heard that the land to which the application relates is liable to be restored under section 3, by order in writing,-

(a) direct the transferee to restore the land to the applicant and do such other acts that may be necessary for effective restoration as may be