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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 18th April, 1977/Chaitra 28, 1899 (Saka)

The following Act of Parliament received the assent of the Vice-President acting as President on the 18th April, 1977, and is hereby published for general information:—

THE PETROLEUM PIPELINES (ACQUISITION OF RIGHT OF USER IN LAND) AMENDMENT ACT, 1977

No 13 OF 1977

[18*th April*, 1977]

An Act to amend the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962.

BE it enacted by Parliament in the Twenty-eighth Year of the Republic of India as follows:—

Short title and commencement.

1 (*1*) This Act may be called the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Act, 1977.

(*2*) It shall be deemed to have come into force on the 3rd day of February, 1977.

Amendment of long title.

50 of 1962.

2. In the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (hereinafter referred to as the principal Act), in the long title, for the words "for laying petroleum pipelines", the words "for laying pipelines for the transport of petroleum and minerals" shall be substituted.

Amendment of section 1.

3. In section 1 of the principal Act, in sub-section (*1*), for the words "Petroleum Pipelines", the words "Petroleum and Minerals Pipelines" shall be substituted.

Amendment of section 2.

4. In section 2 of the principal Act,—

(*i*) in clause (*a*), the following words shall be inserted at the end, namely:—

"and different persons or authorities may be authorised to perform all or any of the functions of the competent authority under this Act in the same area or different areas specified in the notification";

(*ii*) after clause (*b*), the following clause shall be inserted, namely:—

'(*ba*) "minerals" have the meanings assigned to them in the Mines Act, 1952, and include mineral oils and stowing sand but do not include petroleum;'. 35 of 1952.

Amendment of section 3.

5. In section 3 of the principal Act, in sub-section (*1*), after the words "transport of petroleum", the words "or any mineral" shall be inserted.

Amendment of section 4.

6. In section 4 of the principal Act, after the words "for transporting petroleum", the words "or any mineral" shall be inserted.

Amendment of section 6.

7. In section 6 of the principal Act,—

(*i*) in sub-section (*1*),—

(*a*) for the words "submit a report accordingly to the Central Government", the words, brackets and figures "either make a report in respect of the land described in the notification under sub-section (*1*) of section 3, or make different reports in respect of different parcels of such land, to the Central Government containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government" shall be substituted;

(*b*) after the words "the Central Government shall", the words ", if satisfied that such land is required for laying any pipeline for the transport of petroleum or any mineral," shall be inserted;

(*c*) the words, brackets and figures "and different declarations may be made from time to time in respect of different parcels of the land described in the notification issued under sub-section (*1*) of section 3, irrespective of whether one report or different reports have been made by the competent authority under this section" shall be inserted at the end;

(*ii*) in sub-section (*2*), for the words "in the land", the words "in the land specified therein" shall be substituted;

(*iii*) in sub-section (*3*), for the words "no declaration under this section has been published", the words "no declaration in respect of any parcel of land covered by that notification has been published under this section" shall be substituted;

(*iv*) after sub-section (*3*), the following sub-section shall be inserted, namely:—

"(*3A*) No declaration in respect of any land covered by a notification issued under sub-section (*1*) of section 3, published after the commencement of the Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Act, 1977, shall be made after the expiry of three years from the date of such publication.".

Amendment of section 7.

8. In section 7 of the principal Act, in sub-section (*1*),—

(*i*) in clause (*i*), the word "and" at the end shall be omitted;

(*ii*) after clause (*i*), the following clause shall be inserted, namely:—

"(*ia*) for laying pipelines for the transport of petroleum, it shall be lawful for any person authorised by the Central Government or such State Government or corporation to use such land for laying pipelines for transporting any mineral and where the right of user in any land has so vested for laying pipelines for transporting any mineral, it shall be lawful for such person to use such land for laying pipelines for transporting petroleum or any other mineral; and".

Amendment of section 9

9. In section 9 of the principal Act, after sub-section (*2*), the following sub-section shall be inserted, namely:—

"(*3*) Where the owner or occupier of the land with respect to which a declaration has been made under sub-section (*1*) of section 6,—

(*a*) constructs any building or any other structure, or

(*b*) constructs or excavates any well, tank, reservoir or dam, or

(*c*) plants any tree,

on that land, the Court of the District Judge within the local limits of whose jurisdiction such land is situate may, on an application made to it by the competent authority and after holding such inquiry as it may deem fit, cause the building, structure, reservoir, dam or tree to be removed or the well or tank to be filled up, and the costs of such removal or filling up shall be recoverable from such owner or occupier in the same manner as if the order for the recovery of such costs were a decree made by that Court".

Amendment of section 17.

10 In section 17 of the principal Act,—

(*i*) in sub-section (*1*), for the word "purposes", the word "provisions" shall be substituted;

(*ii*) in sub-section (*3*), for the words "before the expiry of the session in which it is so laid or the successive sessions aforesaid", the words "before the expiry of the session immediately following the session or the successive sessions aforesaid" shall be substituted.

Repeal and saving.

11. (*1*) The Petroleum Pipelines (Acquisition of Right of User in Land) Amendment Ordinance, 1977 is hereby repealed. **2 of 1977.**

(*2*) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

K. K. SUNDARAM,
Secy to the Govt of India.

IndiaCode

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