

The State Acquisition (Ad-interim Payment) Act, 1957 (East Pakistan Act)

(ACT NO. XXXIII OF 1957)

An Act to make provisions for more expeditious ad-interim payment.♣

WHEREAS under sub-section (1) of section 6 of the [* * *] State Acquisition and Tenancy Act, 1950, a rent-receiver whose rent-receiving interests not held under wakf, wakf-al-aulad, debutter or any other trust are acquired under sub-section (1) of section 3 of that Act is, with effect from the date of acquisition, entitled to receive annually in cash in respect of such interests an ad-interim payment at the rate of one-third of the net income on account of the demands of rent and cesses for any period after the date of acquisition collected by the Government for such interests in the year to which such payment relates;

AND WHEREAS in the cases of such rent-receiving interests acquired after the 1st April, 1956, under sub-section (1) of section 3 of the said Act, it will take much time to collect necessary details and start and maintain separate accounts of collections of rents and cesses made by the Government in respect of such rent-receiving interests held by each rent-receiver for complying with the provisions of sub-section (1) of section 6 of the said Act;

AND WHEREAS the making of ad-interim payments in such cases according to the provision of sub-section (1) of section 6 of the said Act will in the aforesaid circumstances, be much delayed and will consequently cause much hardship to the rent-receivers concerned;

AND WHEREAS in order to avoid such hardship, it is considered expedient to make provisions for more expeditious ad-interim payments in such cases on a simpler basis;

It is hereby enacted as follows:-

- Short title, extent and commencement**
1. (1) This Act may be called the ¹[* * *] State Acquisition (Ad-interim Payment) Act, 1957.
 - (2) It extends to the whole of ²[Bangladesh].
 - (3) It shall come into force at once.

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

(1) "prescribed" means prescribed by rules made under this Act;

(2) "Revenue-officer" includes any officer whom the Government may appoint to discharge all or any of the functions of a Revenue-officer under this Act or any rules made thereunder; and

(3) all other words and expressions used in this Act shall have the same meanings as in the ³[* * *] State Acquisition and Tenancy Act, 1950.

Ad-interim payment

3. (1) Notwithstanding anything contained in sub-sections (1), (3) and (4) of section 6 of the ⁴[* * *] State Acquisition and Tenancy Act, 1950 (hereinafter referred to as the said Act), a rent-receiver, whose interests in any estate, taluk, tenure, holding or tenancy or part thereof, not held under wakf, wakf-al-aulad, debutter or any other trust, have been acquired under sub-section (1) of section 3 of the said Act after the 1st day of April, 1956, shall, with effect from the date of such acquisition, be entitled to receive annually, in cash, in respect of such interests, at such time and in such manner as may be prescribed, an ad-interim payment at the rate of one-sixth of the net income calculated according to the provisions in sub-section (2).

(2) For the purposes of sub-section (1), the net income of a rent-receiver from any estate, taluk, tenure, holding or tenancy or part thereof shall be calculated by deducting from the gross assets, consisting of the aggregate of the rents and cesses which were payable to such rent-receiver by his immediately subordinate tenants in such estate, taluk, tenure, holding, tenancy or part thereof for the agricultural year immediately preceding the date of acquisition, the following, namely:-

(a) the sums which were or are calculated as payable by such rent-receiver for such year as land revenue or rent and cesses to the Government or to his immediate landlord, as the case may be, in respect of such estate, taluk, tenure, holding, tenancy or part thereof;

(b) the sums which were or are calculated as payable by such rent-receiver in respect of such assets for such year as taxes under the Bengal