

**RECEIVED THE ASSENT OF THE PRESIDENT ON THE
4TH JULY, 1973**

**THE NAGALAND EVICTION OF PERSONS IN
UNAUTHORISED OCCUPATION OF PUBLIC LAND**

(SECOND AMENDMENT) ACT 1973

(The Nagaland Act No. 3 of 1973)

An Act

further to amend the Nagaland Eviction of persons in Unauthorised Occupation of Public Land Act, 1971

It is hereby enacted in the twenty fourth years of the Republic of India as follows:-

Short title, extend & Commencement.

1. (1) This Act may be called the Nagaland Eviction of Persons in Unauthorised Occupation of Public Land (Second Amendment) Act, 1973.
- (2) It extends to the whole of the State of Nagaland.
- (3) It shall come into force at once.

Amendment of Section 2 of the Nagaland Act 6 of 1971.

2. In the Nagaland Eviction of persons in Unauthorised Occupation of Public Land Act, 1971 (hereinafter referred to as the Principal Act); in section 2 sub-clause (i) of clause (h) shall be omitted.

Substitution of Section 12 of the Nagaland Act 6 of 1971.

3. For section 12 of the principal Act, the following shall be substituted, and shall always be deemed to have been inserted, namely :-

"Appeal, 12. (1) An appeal shall lie from every order made by the Deputy Commissioner under sub-section (i) of section 6 or under section 7 in respect of any Public Land to an appellate Officer who shall be the Commissioner of the State of Nagaland.

- (2) Every appeal referred to in sub-section (1) shall be preferred within fifteen days from the date of service of the order on the person concerned:

Provided that where the Appellate Officer is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the said period of fifteen days, he may allow the appeal to be preferred within a further period of thirty days.

(3) The appellate Officer may stay the operation of any order made by the Deputy Commissioner under sub-section (1) of section 6 or under section 7 for such period and on such conditions as he may deem fit.

(4) Every appeal preferred under this section shall be disposed of as expeditiously as possible in accordance with such procedure as may be prescribed.

(5) The appellate officer may, after hearing the appeal, confirm, modify or reverse the order appealed from.

(6) The cost of every appeal preferred under this section shall be in the discretion of the appellate Officer.

Amendment of section 13 of the Nagaland Act 6 of 1971.

4. In section 13 of the principal Act for the words "Chief Judicial Officer or the Judicial Officer" the words "Commissioner of the State of Nagaland" shall be substituted and shall always be deemed to have been substituted.