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Bengal Development Act, 1935

Section 39 - Restrictions on enhancement of rent of agricultural lands in notified area Notwithstanding anything contained in the

section 17 or under sub-section (2) of section 37, the costs shall be at the discretion of the appellate or revisional authority, and such costs shall be recoverable as a public demand. a) the rent payable for such land at the time of the imposition of the levy or fixed thereafter in accordance with the provisions of clause (6) shall not be enhanced on account of (i) benefits derived from the construction of any improvement work, or (ii) an increase in the productive powers of the land due to fluvial action; (b) if a settlement is made of such land with a tenant thereafter, the rate of rent at which such land is settled shall not exceed the average rate of money rent payable, at the time of such settlement, by tenants of a similar class for land of a similar description and with similar advantages in the vicinity, and any rent in excess of such rate shall not be recoverable: Provided that such average rate may be exceeded on the grounds specified in clause (6) or clause (c) of

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