

PUNJAB RECLAMATION OF LAND ACT, 1959

1959 : Pb. Act 213 RECLAMATION OF LAND 333 PUNJAB RECLAMATION .OF LAND ACT, 1959.
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13. Short title, extent and commencement, Definitions. Interpretation. Authority to enter upon waste lands. Declaration of reclaimable area and powers of the Director with regard thereto. Power to use force etc. Delegation of powers. Liability of owners for cost of reclamation. Recovery of cost- Persons acting under the Act to be public servants. Bar or suits of legal proceedings. Power to make rules. Repeal 1959 : Pb. Act RECLAMATION OF LAND 335 'THE PUNJAB RECLAMATION OF LAND ACT, 1959. (PUNJAB ACT 21 OF 1959) [Received the assent of the President of India on the 1st June, 1959 and first published in the Punjab Government Gazette (Extraordinary), of the 13th June, 1959.] 4 Year 1959 No. Short Title Punjab Reclamation of Land Act, 1959. Whether repealed or otherwise affected by legislation Amended by Punjab Act 21 of 1964.2 Amended by the Haryana Adaptation of Laws (State and Concurrent Subjects) Order, 1968.3 Act to consolidate and amend the law relating to the reclamation of lands in certain areas. Be it enacted by the Legislature of the State of Punjab in the Tenth Year of the Republic of India as follows : 1. (1) This Act may be called the Punjab Reclamation of Land Short title, Act. 1959. (2) It extends to the whole of the State or Haryana. (3) It shall come into force at once. . For Statement of Objects and Reasons, see Punjab Government (Extraordinary) 1958, page 1532. For Statement of Objects and Reasons, see Punjab Government Gazette 2. (Extraordinary) 1964, page 389. See Haryana Government Gazette (Extraordinary), dated the 29th October. 1968. 3, Substituted for the word by Haryana Adaptation of Laws Order, 1968 4. extent and commencement , RECLAMATION OF LAND Definitions- Interpretation. Authority to enter upon waste lands. Declaration of reclaimable area and powers of the Director with regard thereto. 336 2. 3. [1959 : Pb, Act 21 In this Act, unless the context otherwise requires,— (a) "preliminary survey" means operations undertaken to ascertain the quality of any land for the purpose of declaring it to be a reclaimable area (b) "reclamation" means such operations as are considered necessary by the Director to reclaim and cultivate any reclaimable area. (c) "reclaimable area" means such waste land and the intervening cultivated lands as the State Government may, by notification under section 5, declare to be a reclaimable area. (d) "the Director" means the Director of Agriculture, Haryana (e) "waste land" means land recorded as Banjar or any kind in revenue records and such unclaimed lands as are reclaimable. The Punjab General Clauses Act. 1898, shall apply for the interpretation of this Act as it applies For [the interpretation of a Punjab 4. The Director or any person authorised by him in writing may enter upon any waste land for the purpose of carrying out preliminary survey. 5. (1) If the State Government is of opinion that any area comprising waste lands and the intervening cultivated land is required for reclamation, it may by notification declare such area to be reclaimable area for the purposes of this Act and such notification shall be conclusive evidence of the matters stated therein, and shall not be liable to be called in question in any court, (2) The Collector of the district in which the reclaimable area is situated shall give publicity to the notification issued under sub-section (1) in such manner as he may deem fit. 1, Substituted for the word "Punjab" by Haryana Adaptation of Laws Order. 1968. 1959 : Pb. Act 211 RECLAMATION OF LAND 337 (3) Upon the issue of a notification under sub-section (1) the Collector may, notwithstanding any law to the contrary, authorise the Director to take possession of the whole or any part of the area specified therein for a period not exceeding ten years for the purpose of carrying out reclamation, 6. The Collector may take or cause to be taken such steps or use or cause to be used such force as may in his opinion be reasonably necessary for securing compliance with the provisions of this Act

7. The Director may delegate all or any of his powers and functions under this Act to any officer of the Agriculture Department, Haryana. 8. (1) The total expenditure incurred by the State Government in carrying out reclamation of any reclaimable area shall be equitably apportioned -by the Director between the several owners and persons having interest in the lands comprised in such area and each of such owners and persons shall be liable to pay the amount falling to his share. (2) The amount apportioned under sub-section (1) shall be a charge on the land to which it relates and the apportionment shall not be called in question in any court or before any authority. (3) The Director shall determine whether the amount apportioned shall be payable in a lump sum or by annual instalments. and in case of annual

instalments he shall fix the amount and number thereof. 9. (1) The cost of reclamation apportioned under section 8- whether before or after the commencement of this Act, shall be recoverable as arrears of land revenue. (2) The Collector shall cause to be served upon every person owning or having interest in the land in which reclamation is effected, notice of demand specifying the amount of cost of reclamation payable by him and the period within which it is to be paid. I. Substituted for the word "Punjab" by the Haryana Adaptation of Laws Order, 1968. Proviso omitted by Punjab Act 21 of 1964. section 2. Power to use force etc. Delegation of powers. Liability of owners for cost of reclamation. Recovery of costs. 338 Persons acting RECLAMATION OF LAND [1959 : Pb. Act 21]. Every person while exercising any or performing any duty under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (XLV of 1860). 11. (1) No suit, prosecution or other legal proceeding shall be instituted against any person for anything which is in good faith done or intended to be done under this Act. (2) No suit or other legal proceeding shall lie against the State Government for any damage caused by anything which is in good faith done or intended to be done under this Act

12. The State Government may by notification make rules for carrying out the purposes of this Act

13. The East Punjab Reclamation of Land Act, 1949 (Xxxn of 1949), and the Pepsu Reclamation of Land Act, 2009 (Act V of 2009 BK), are hereby repealed. but notwithstanding such repeal any order made, any notification issued, anything done, any action taken or any proceedings commenced in exercise of the powers conferred by or under the said Acts shall be deemed to have been made, issued, done, taken or commenced in the exercise of powers conferred by or under this Act.

