

Punjab Reclamation of Land Act 1959 (Punjab Act 21 of 1959)

1959: Pb Act 21] RECLAMATION OF LAND
THE PUNJAB RECLAMATION OF LAND ACT, 1959
Punjab Act No.21 of 1959

[Received the assent of the President of India on the 1st of June, 1959 and was first published for general information in the PUNJAB GOVERNMENT GAZETTE (Extraordinary), dated the 13th June, 1959].

1	2	3	4
Year	No.	Short title	Whether affected by Legislation
1959	21	The Punjab Reclamation of Land Act, 1959	Amended by Punjab Act 21 of 1964

An Act to consolidate and amend the law relation 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: -

Short title, extent and commencement

1. (1) This Act may be called the Punjab reclamation of Land Act 1959.
- (2) It extends of the whole of the State of Punjab.
- (3) It shall come into force at once.

Definitions

2. 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 lands 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, Punjab;

(e) “waste land” means land recorded as Banjar of any kind in revenue records and such Ghairmumkin lands as are reclaimable.

Interpretation:

3. The Punjab General Clauses Act, 1988, shall apply for the interpretation of a Punjab a Punjab Act.

Authority to enter upon waste lands:

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.

Declaration of reclaimable area and powers of the Director with regard thereto:

5. (1) If the State Government is of opinion that any area comprising waste land and the intervening cultivated lands 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.

(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 thw whole or any part of the area specified therein for a period not exceeding ten years for the purpose of carrying out reclamation.

Power to use force etc.

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.

Delegation of powers.

7. The Director may delegate all or any of his powers and functions under this Act to any officer of the Agriculture Department, Punjab.

Liability of owners for cost of reclamation.

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 also determine whether the amount apportioned shall be payable in lump sum or by annual installments, and in case of annual installment he shall fix the amount and number thereof.

Recovery of cost

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, a notice of demand specifying the amount of cost of reclamation payable by him and the period within which is to be paid.

Persons acting under the Act to be public servants.

10 Every person while exercising any power 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).

Bar of suits or legal proceeding.

11 (1) No suit, prosecution or other legal proceeding shall be instituted against any person or 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.

Power to make rules.

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

Repeal.

13 The East Punjab Reclamation of Land Act, 1949 (XXII of 1949), and the Pepsu Reclamation of Land Act, 2009 (Act V of 2009 BK), are hereby repealed, but notwithstanding such repeal by any orders 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.

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