

East Punjab Reclamation Of Land Act, 1949

22 of 1949

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East Punjab Reclamation Of Land Act, 1949

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An Act to provide for reclamation of lands in certain areas. It is hereby enacted as follows: 1. Extended to the Union territory of Delhi, vide Notification No. 20-8-51-11 Judl. (S.R.0.958) dated 25-6-1951.

1. Short Title And Extent :-

- (i) This Act may be called the East Punjab Reclamation of Land Act, 1949.
- (ii) It extends to the Union Territory of Delhi,

2. Definitions :-

In this Act unless there is anything repugnant to the subject or context;

- (a) "Reclamation" means such operations as are considered necessary by the Land Development Commissioner to reclaim and cultivate any reclaimable area;
- (b) "Reclaimable area" means such waste lands and the intervening cultivated area as the Chief Commissioner may by notification declare under section 4 to be a reclaimable area.

- (c) "Director" means the Land Development Commissioner, Delhi;
- (d) "Preliminary survey" means operations undertaken to ascertain the quality of any land for the purpose of declaring it reclaimable area;
- (e) "Waste Land" means land recorded as Banjar of any kind in revenue records and such Ghairmumkin lands as are reclaimable

3. Authority To Enter Upon Waste Lands :-

The Director may enter upon any waste land for the purpose of carrying out preliminary survey.

4. Declaration And Notification Of Reclaimable Area And Powers Of The Director With Regard Thereto :-

(1) If Chief Commissioner is of opinion that any area if required for reclamation, it may by notification declare such area to be reclaimable area for the purpose 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 the whole or any part of the area specified therein.

(4) The Collector shall then proceed to acquire the land or procure its temporary occupation as the case may be, and the provisions of the Land Acquisition Act, 1894 except section 4 to 8 inclusive, shall be applicable as nearly as may be.

5. Acquisition Of Land For Approach Roads :-

(1) On getting a requisition from the Director the Collector of the district in which the reclaimable area is situated, shall acquire land for the purpose of constructing approach roads to such area.

(2) For acquisition of land under sub-section (1) the provision of the Land Acquisition Act 1894, shall be followed as nearly as may be.

6. Powers Of Deputy Commissioner :-

The Deputy Commissioner may take or causes 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. Delegation Of Powers :-

The Director may delegate all or any of his powers and functions under this Act to any of officers of the office of the land Development Commissioner, Delhi either by name or by designation.

8. Debar To Suits Or Legal Proceedings :-

(1) No suit, prosecution or other legal proceedings 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 Chief Commissioner for any damage caused by anything which is in good faith, done or intended to be done under this Act.

9. Power Of Chief Commissioner To Make Rules :-

The Chief Commissioner may by notification make rules for carrying out the purposes of this Act.