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MINISTRY OF HOME AFFAIRS

NOTIFICATIONS

New Delhi, the 25th June 1951

S.R.O. 957.—In exercise of the powers conferred by Section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950) the Central Government hereby extends to the State of Delhi the East Punjab Improved Seeds and Seedlings Act, 1949 (East Punjab Act No. XIX of 1949) as at present in force in the State of Punjab, subject to the following modifications, namely :—

- (1) Throughout the Act for the words "the State Government", wherever they occur, the words "Chief Commissioner" shall be substituted.
- (2) In sub-section (2) of Section 1 for the words "whole of the State of Punjab" the words "the State of Delhi" shall be substituted.
- (3) In Section 2 for clause (iii) the following clause shall be substituted, namely :—
 - (iii) 'occupier' means the person having for the time being the right of occupation of any land and includes any person in actual occupation of such land or his agent.

Explanation.—In this clause the expression 'land' means :—

- (a) in relation to those areas in the State of Delhi where the Punjab Tenancy Act, 1887, is in force, 'land' as defined in that Act; and
- (b) in relation to areas in the State of Delhi other than those referred to in clause (a), land which is let or held for growing of crops or as grow land or for Pasturage and includes land covered by water used for the purposes of growing Singhara or other produce but does not include land for the time being occupied by buildings or appurtenant thereto other than buildings which are in the nature of improvements.

- (4) Section 9 shall be omitted.

2. The text of the said Act as modified is published as an annexure to the notification.

THE EAST PUNJAB IMPROVED SEEDS AND SEEDLINGS ACT, 1949

EAST PUNJAB ACT NO. XIX OF 1949

An Act to provide for the use of pure and certified seeds and seedlings of the improved varieties of crops recommended by the Department of Agriculture in the Punjab.

It is hereby enacted as follows :—

1. *Short title, extent and date of commencement.*—(1) This Act may be called the East Punjab Improved Seeds and Seedlings Act, 1949.

(2) It shall extend to the State of Delhi.

(3) It shall come into force on such date or dates and in such areas as the Chief Commissioner may, by notification, appoint in this behalf, and different dates may be appointed for different areas.

2. *Interpretation.*—In this Act, unless there is anything repugnant in the subject or context,—

- (i) "Improved Seed" means the seed approved by the Department of Agriculture ;
- (ii) "Seedlings" means the plants raised from improved seed ;
- (iii) "Occupier" means the person having for the time being the right of occupation of any land and includes any person in actual occupation of such land or his agent.

Explanation.—In this clause the expression 'land' means :—

- (a) in relation to those areas in the State of Delhi where the Punjab Tenancy Act, 1887, is in force, 'land' as defined in that Act ; and
- (b) in relation to areas in the State of Delhi other than those referred to in clause (a) land which is let or held for growing of crops or as grove land or for pasturage and includes land covered by water used for the purposes of growing Singhara or other produce but does not include land for the time being occupied by buildings or appurtenant thereto other than buildings which are in the nature of improvements.
- (iv) "Authorised Agent" means an agent authorised to sell improved seeds and seedlings only on behalf of the Department of Agriculture.

3. *Power to declare seeds or seedlings of approved varieties of crops and to specify the area and period, and restrict movement.*—In such areas to which this Act is applied—

- (a) improved seeds or seedlings only shall be used by each and every occupier ;
- (b) the movement of improved seeds or seedlings from one area to another may be prohibited or restricted.

4. *Provision of seeds and seedlings by Agricultural Department.*—(1) For the purposes of this Act improved seeds and seedlings shall be made available for sale by the Department of Agriculture, through its authorised agents, who shall stock for sale only improved seeds or seedlings.

(2) An authorised agent shall not withhold from sale improved seeds or seedlings to any occupier.

5. *Powers of the Agriculture or Revenue Department Officers to enter, enquire or search.*—(1) Any officer of the Agriculture or of the Revenue Department, not below the rank of Agricultural Assistant or Naib-Tehsildar, as the case may be, may enter upon any land situated in the area to which this Act extends, for the purpose of ascertaining whether improved seeds or seedlings have been grown in the land or not.

(2) Any officer of the Agriculture or of the Revenue Department, not below the rank of Agricultural Assistant or Naib-Tehsildar, as the case may be, may enter upon any land or premises owned, or occupied by an authorised agent, to inspect the seed sold by him, or to inquire if he is withholding any seed from sale to any occupier, or to search, as far as may be necessary for that purpose, the aforesaid land or premises.

6. *Penalties.*—(1) If any occupier of land within the area to which this Act applies is found growing a variety of any crop other than a variety approved by the Department of Agriculture, he shall be liable to punishment with a fine which may extend to Rs. 100.

(2) If an authorised agent withholds from sale or wilfully refuses to sell improved seeds or seedlings he shall be punishable with fine which may extend to rupees five hundred.

(3) Any abetment of a breach of the provisions of this Act shall be punishable with fine which may extend to Rs. 100.

(4) No prosecution for any offence under this Act shall be instituted except on a complaint in writing made by the Deputy Commissioner within whose jurisdiction the land is situated or by an officer specially authorised by him in this behalf.

7. *Bar of suit or other legal proceedings.*—No suit, prosecution or legal proceedings shall lie against any public servant in respect of anything in good faith done or intended to be done under this Act.

8. *Power of Government to make rules.*—The Chief Commissioner may from time to time make rules for the purpose of carrying into effect the provisions of this Act. [No. 20/8/51-I-Judl.]

S.R.O. 258—In exercise of the powers conferred by section 2 of the Part C States (Laws) Act, 1950 (XXX of 1950), the Central Government hereby extends to the State of Delhi, the East Punjab Reclamation of Lands Act, 1949 (East Punjab Act XXII of 1949), as at present in force in the State of Punjab, subject to the following modifications, namely:—

(1) Throughout the Act:—

(a) for the words "State Government", wherever they occur, the words "Chief Commissioner" shall be substituted.

(b) for the words "The Director of Agriculture" the words "the Land Development Commissioner" shall be substituted.

(2) In sub-section (ii) of section 1 for the words "the whole of the State of Punjab" the words "the State of Delhi" shall be substituted.

(3) In section 2 for clause (c) the following clause shall be substituted, namely:—
"Director" means "the Land Development Commissioner, Delhi".

(4) In sub-section (4) of Section 4, the words, figures and brackets, "as amended by the Land Acquisition (East Punjab Amendment) Act, 1948," shall be omitted.

(5) In sub-section (2) of Section 5 the words "as amended by East Punjab Act, XV of 1948" shall be omitted.

(6) In section 7 for the words "the Agriculture Department, Punjab" the words "the office of the Land Development Commissioner, Delhi" shall be substituted.

(7) Section 10 shall be omitted.

2. The text of the said Act as modified is published as an annexure to the notification.

THE EAST PUNJAB RECLAMATION OF LAND ACT, 1949.

EAST PUNJAB ACT NO. XXII OF 1949

An Act to provide for reclamation of lands in certain areas.

It is hereby enacted as follows:—

1. *Short title and extent.*—(i) This Act may be called the East Punjab Reclamation of Land Act, 1949.

(ii) It extends to the State of Delhi.

2. 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 areas as the Chief Commissioner may by notification declare under Section 4 to be a reclaimable area.
- (c) "the 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 the Chief Commissioner is of opinion that any area is 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, (I of 1894), except sections 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 the 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 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. *Delegation of powers.*—The Director may delegate all or any of his powers and functions under this Act to any of officer of the Agriculture Department, 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 Govt. for any damage caused by anything which is in good faith, done or intended to be done under this Act.

9. *Power of Government to make rules.*—The Chief Commissioner may by notification make rules for carrying out the purposes of this Act.

[No. 20/8/51-II-Judl.]

H. V. R. IENGAR, Secy.