

# The Punjab Reclamation of Land Rules, 1959

PUNJAB

India

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### Rule THE-PUNJAB-RECLAMATION-OF-LAND-RULES-1959 of 1959

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The Punjab Reclamation of Land Rules, 1959Published vide Punjab Government Notification No. 4850-FPII-60/3348, dated 21.7.1960.

#### 1. Short title.

- These rules may be called the Punjab Reclamation of Land Rules, 1960.

#### 2. Definitions.

- [Section 12] - In these rules, unless the context otherwise requires-(a)"Act" means the Punjab Reclamation of Land Act, 1959;(b)"Form" means a form appended to these rules.

#### 3. Notice to remove trees.

- [Section 5]. - (1) Before starting land reclamation operations the Director may if he deems necessary, issue notice to the owners and persons having interest in the land comprised in such areas to remove the trees from their lands within a period of one month from the date of issue of notice :Provided that the Director may on sufficient cause being shown, extend the period of one month in any particular case. Any person complying with the notice shall remove the trees up to the depth of one foot and a half below the ground level.(2)If a person to whom notice under sub-rule (1) has been issued, fails to remove the trees within the said period of one month or any other period extended by the Director, such person shall be deemed to have waived his right to remove the trees and thereafter it shall be lawful for the Director to start reclamation operations and cause the trees to be felled. The property in the wood of the trees so felled by the Director shall remain in the owners of the land to be reclaimed.

#### **4. Notice to take back possession.**

- [Section 5] - (1) After land for any person has been reclaimed, the Director shall cause a notice in Form A to be served on such person requiring him to take back possession of his land within a period of 15 days from the date of service of the notice on him.(2)If no objection is filed within the specified period, it will be presumed that the reclamation has been done to the satisfaction of the owner and no objection about the quality of operations or acreage of area reclaimed will be entertained afterwards. In token of taking back possession the owner shall sign the Disposal Form in Form AI.

#### **5. Mode of Service of notice.**

- [Section 5] - Service of notice referred to in rules 3 and 4 shall be effected by delivering or tendering a copy thereof signed by the Director or such person as he may authorise in this behalf.(2)Wherever it is practicable, service shall be made in person unless there is an agent empowered to accept service of the notice on his behalf or any other person on whom service can be made.(3)Where the person to be served with a notice cannot be found and has no agent empowered to accept service of the notice on his behalf, service may be made on any adult male member (not being his servant) of the family of such person who is residing with him.(4)Where the Director is satisfied that there is reason to believe that the person to be served is keeping out of the way for the purpose of avoiding service, or that for any other reason the notice cannot be served in the ordinary way, the Director shall order the notice to be served by affixing a copy thereof upon some conspicuous part of the house (if any) in which such person is known to have last resided or carried on business or personally worked for gain, or in any such other manner as the Director thinks fit.(5)Service substituted by order of the Director shall be as effectual as if it had been made on such person personally.Note 1. - In the case of common lands, the notice required by this rule shall be served, on the Sarpanch, or in his absence, on the Naib-Sarpanch or the Secretary of the Panchayat in which the common lands vest.Note 2. - In the case of evacuee land or nazool land the notice shall be served, as the case may be, on the Custodian or the Deputy Commissioner of the district in whose jurisdiction the land is situated.

#### **6. Power to lease where possession not taken.**

- [Section 5] - (1) If a person on whom a notice has been served under rule 5 fails to take back possession of his land from the Director, within the period specified, the Director may, by public auction or otherwise as he may deem fit, lease out the land of such person for the purpose of cultivation from the date on which possession of the land was obtained by the Director, for the purpose of reclamation.(2)The lease referred to in sub-rule (1) shall be given by the Director on such terms and conditions as he may deem fit.(3)Every lease shall remain in operation for the period for which the temporary occupation of the land leased has been obtained by the Director from the Collector, under sub-section (3) of section 5 of the Act.

## 7. Disposal of lease money.

- [Section 5] - The lease money shall be paid by the Director to the owner of the land after deducting therefrom the cost of reclamation, if any, remaining unpaid and such other incidental charges arising out of or in connection with the lease as the State Government may incur.

## 8. Notice of demand for cost of reclamation.

- [Sections 5 and 8] - (1) As soon as may be, after land in any reclaimable area is reclaimed, the Collector shall cause to be served upon every person owning or having any interest in such land a notice of demand in form 'B' specifying the amount of cost of reclamation payable by such person and the period within which it is to be paid. (2) The notice of demand shall be served personally on the person to whom it relates or may be sent to him by registered post. (3) If the amount is not paid in the manner and within the period specified in the notice, steps shall be taken by the Director to recover the cost of reclamation under section 9 of the Act. Form 'A' [See Rule 4(1)] Notice to take back possession of reclaimed land To Shri/Smt.

\_\_\_\_\_ Please take notice that your land measuring \_\_\_\_\_ acres \_\_\_\_\_ bighas \_\_\_\_\_ biswas as per details below has been reclaimed in village \_\_\_\_\_ tehsil \_\_\_\_\_ district \_\_\_\_\_, and you are hereby directed to take back its possession within a period of fifteen days from the service of this notice on you. If no objection is received within the specified period, it will be presumed that the reclamation has been done to your entire satisfaction and no objection about the quality of operations or acreage of area reclaimed will be entertained afterwards. In case of your failure to take back possession of the reclaimed land within the aforesaid period, the Director shall have the power to lease out the same for purposes of cultivation and recovery of reclamation charges to any person for a period not exceeding ten years to be determined by the Director.

| Area  
Serial No. Khasra No. Acres Bighas Biswas  
Signature on behalf of the Director of Agriculture. Form 'A' (1) [See rule 4(2)] Disposal Form I/We, \_\_\_\_\_ son/daughter/wife of \_\_\_\_\_, of village \_\_\_\_\_, post office \_\_\_\_\_ tehsil \_\_\_\_\_ district \_\_\_\_\_, herewith take back possession of my/our reclaimed area from \_\_\_\_\_ on \_\_\_\_\_ as per details given below or overleaf situated in village \_\_\_\_\_ tehsil \_\_\_\_\_, district \_\_\_\_\_. I/We further promise to bring this area under crops regularly and pay reclamation charges as apportioned by the Director of Agriculture. The land has been properly reclaimed to my/our satisfaction. Khasra No., Bighas, Biswas  
Witness (full address) Signature of landowner taking possession of above-reclaimed area.  
Witness (full address) Signature of the officer delivering the possession of above-reclaimed area.  
Form 'B' (See Rule 8) Notice of demand for payment of cost of reclamation Form To Please take notice that your land comprising Khasra Nos. \_\_\_\_\_ the possession of which was taken

by the Director of Agriculture on \_\_\_\_\_ in pursuance of the Agriculture Department notification No. \_\_\_\_\_ dated \_\_\_\_\_, has since been reclaimed and a sum of Rs. \_\_\_\_\_ has been apportioned by the Director of Agriculture as cost of reclamation payable by you. The Director of Agriculture has further determined that the aforesaid sum may be deposited within a period of \_\_\_\_\_ in \_\_\_\_\_ instalments. Each instalment to be deposited within a period of \_\_\_\_\_ from the date on which it becomes due. In case of you failure to deposit the lump sum or any instalment within the aforesaid period, action will be taken under section 9 of the Punjab Reclamation of Land Act, 1959, to recover the same. Signature of the Collector or on his behalf.