MINISTRY OF HOME AFFAIRS
NOTIFICATION

New Delhi, the 23rd April 1963

G.S.R. 744.—In exercise of the powers conferred by section 2 of the Union territories (Laws) Act, 1950 (30 of 1950), the Central Government hereby extends to the Union territory of Delhi the enactments specified in column (1) of the Schedule hereto annexed (as at present in force in the State of Punjab), subject to the modifications specified in the corresponding entry or entries in column (2) of the said Schedule.

THE SCHEDULE

<table>
<thead>
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<th>Enactment (1)</th>
<th>Modifications (2)</th>
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<tr>
<td>1. The East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Act, 1953 (Punjab Act XX of 1953).</td>
<td>1. Throughout the Act for the Words “the State Government” the words “the Chief Commissioner” shall be substituted.</td>
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<td>3. The East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Second Amendment) Act, 1954 (Punjab Act XXXIX of 1954).</td>
<td>3. In section 3, for the words “the said Act” the words, brackets and figures “the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi (hereinafter referred to as “the said Act”)” shall be substituted.</td>
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For section 2, the following section shall be substituted, namely:

"2. Amendment of section 24 of East Punjab Act L of 1948:

Section 24 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (East Punjab Act L of 1948) as extended to the Union territory of Delhi shall be re-numbered as sub-section (1) thereof and after the sub-section as so numbered, the following sub-section shall be inserted, namely:

“(2) A Consolidation Officer shall be competent to exercise all or any of the powers of a Revenue Officer under the Delhi Land Revenue Act, 1954, or the U.P. Land Revenue Act, 1901, as in force in the Union territory of Delhi, as the case may be, for purposes of compliance with the provisions of sub-section (1)”. "


In section 2, for the words, brackets, letters and figures "the East Punjab Holding (Consolidation and Prevention of Fragmentation) Act, 1948, the following shall be and shall be deemed to have been substituted from December 27th, 1954" the words, brackets and figures "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi. the following shall be substituted" shall be substituted.

1. Sections 2 and 3 shall be omitted.

2. In section 4 for the words "the principal Act", the words, brackets and figures "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi (hereinafter referred to as "the principal Act," )" shall be substituted.

3. For section 5, the following section shall be substituted, namely :

"5. Substitution of section 32 of East Punjab Act L of 1948:

For section 32 of the principal Act, the following section shall be substituted, namely :

"32. Suspension of partition proceedings during currency of consolidation proceedings.

After a notification under sub-section (1) of section 14 has issued, no proceedings under part F of chapter III of the Delhi Land Reforms Act, 1954, or chapter VII of the U.P. Land Revenue Act, 1901, as in force in the Union territory of Delhi, as the case may be, in respect of any estate or a sub-division of an estate affected by the scheme of consolidation shall be commenced and, where such proceedings were commenced before the issue of the notification, they shall remain in abeyance, during the pendency of the consolidation proceedings."

4. Section 7 shall be omitted.


In section 2 for the words, brackets and figures "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, the words, brackets and figures "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi) shall be substituted.

1. In section 2, for the words, brackets and figures "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi) shall be substituted.

2. Section 4 shall be omitted.
3. For section 6, the following section shall be substituted, namely:

"6. Validation.—

Notwithstanding anything to the contrary contained in any judgment, decree or order of any court, where before the commencement of this Act the Chief Commissioner or any authority to whom he has delegated his powers has passed an order under section 42 of the principal Act revising or rescinding a scheme prepared or confirmed or repartition made by any officer under that Act, such order shall be deemed to be valid, and any such order shall not be questioned on the ground that under section 42 of the principal Act, the Chief Commissioner or such authority had no power to pass such order.”.

In section 2 for the words, brackets and figures "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948", the words, brackets and figure "the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi" shall be substituted.

2. Section 3 shall be omitted.

3. For section 6, the following section shall be substituted, namely:

"6. Amendment of section 21 of Punjab Act L of 1948.—

In section 21 of the principal Act after sub-section (4), the following sub-section shall be inserted, namely:

“(5) The appellate authority may entertain an appeal under sub-section (3) or sub-section (4) after the expiry of the period of limitation prescribed therein if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.”

3. In section 8 for clause (ii), the following clause shall be substituted, namely:

“(ii) for sub-section (2), the following sub-section shall be substituted, namely:

“(2). If all the owners and tenants as aforesaid do not agree to enter into possession under sub-section (1), they shall be entitled to possession of the holdings and
tenancies allotted to them from such date as may be determined by the Consolidation Officer and published in the prescribed manner in the estate or estates concerned; and the Consolidation Officer shall, if necessary, put them in physical possession of the holding to which they are so entitled, including standing crops, if any, and for doing so may exercise the powers of a Revenue Officer under the Delhi Land Revenue Act, 1954, or the U.P. Land Revenue Act 1901, as in force in the Union territory of Delhi, as the case may be; and

4. Section 11 shall be omitted.

ANNEXURE I

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) (AMENDMENT) ACT 1953 (PUNJAB ACT XX OF 1953) AS EXTENDED TO THE UNION TERRITORY OF DELHI.

AN ACT

IT is hereby enacted as follows:—

1. This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Act, 1953.


3. Substitution of section 38 of East Punjab Act No. L of 1948.—For section 36 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 as extended to the Union territory of Delhi (hereinafter referred to as “the said Act”), the following shall be substituted, namely:

“36. A scheme for the consolidation of holdings confirmed under this Act may, at any time, be varied or revoked by the authority which confirms it subject to any order of the Chief Commissioner that may be made in relation thereto and a subsequent scheme may be prepared, published and confirmed in accordance with the provisions of this Act.”

4. Amendment of section 42 of East Punjab Act No. L of 1948.—At the end of the proviso to section 42 of the said Act, the following words shall be added, namely:—

“except in cases where the Chief Commissioner is satisfied that the proceedings have been vitiated by unlawful considerations.”

ANNEXURE II

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) (AMENDMENT) ACT, 1954 (PUNJAB ACT XXII OF 1954) AS EXTENDED TO THE UNION TERRITORY OF DELHI

AN ACT
to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 (East Punjab Act L of 1948).

IT is hereby enacted as follows:—

1. Short title.—This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Act, 1954.
Amendment of section 2 of East Punjab Act L of 1948.—In section 2 of the
East Punjab Holdings (Consolidation and Prevention of Fragmentation Act, 1948
(East Punjab Act L of 1948), as extended to the Union territory of Delhi; after
clause (b), the following clause shall be inserted and shall be deemed always to
have been so inserted, namely:—

"(bb) 'common purpose' means any purpose in relation to any common
need, convenience or benefit of the village".


ANNEXURE III

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF
FRAGMENTATION (SECOND AMENDMENT) ACT, 1954 (PUNJAB ACT
XXXIX OF 1954) AS EXTENDED TO THE UNION TERRITORY OF DELHI

AN

ACT

to amend the East Punjab Holdings (Consolidation and Prevention of Fragmenta-

BE it enacted by the State Legislature of Punjab in the Fifth Year of the
Republic of India as follows:—

1. Short title.—This Act may be called the East Punjab Holdings (Consolida-
tion and Prevention of Fragmentation) (Second Amendment) Act, 1954.

2. Amendment of section 24 of East Punjab Act L of 1948.—Section 24 of the
East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948
(East Punjab Act L of 1948), as extended to the Union territory of Delhi shall be
renumbered as sub-section (1) thereof and after the sub-section as so numbered,
the following sub-section shall be inserted, namely:—

"(2) A Consolidation Officer shall be competent to exercise all or any of
the powers of a Revenue Officer under the Delhi Land Revenue Act,
1954, or the U.P. Land Revenue Act, 1901, as in force in the Union
territory of Delhi, as the case may be, for purposes of compliance with
the provisions of sub-section (1)".

ANNEXURE IV

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF
FRAGMENTATION) (AMENDMENT) ACT, 1956 (PUNJAB ACT 48 OF 1956)
AS EXTENDED TO THE UNION TERRITORY OF DELHI

AN

ACT

to amend the East Punjab Holdings (Consolidation and Prevention of Fragmenta-

BE it enacted by the Legislature of the State of Punjab in the Seventh Year of
the Republic of India, as follows:—

1. Short title.—This Act may be called the East Punjab Holdings (Consolida-

2. Amendment of section 24 of the East Punjab Act L of 1948.—For sub-section
(1) of section 24 of the East Punjab Holdings (Consolidation and Prevention of
Fragmentation) Act, 1948 as extended to the Union territory of Delhi, the follow-
ning shall be substituted, namely:—

"(1) As soon as the persons entitled to possession of holdings under this
Act have entered into possession of the holdings, respectively allotted
to them the scheme shall be deemed to have come into force and the
possession of the allottees affected by the scheme of consolidation, or,
as the case may be, by repartition, shall remain undisturbed until a
fresh scheme is brought into force or a change is ordered in pursuance
of provisions of sub-sections (2), (3), (4) of section 21 or an order
passed under section 36 or 42 of this Act."
ANNEXURE V

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) (AMENDMENT) ACT, 1959 (PUNJAB ACT 20 OF 1959) AS EXTENDED TO THE UNION TERRITORY OF DELHI.

AN ACT

to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.

BE it enacted by the Legislature of the State of Punjab in the Tenth Year of the Republic of India as follows:

1. Short title.—This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Amendment) Act, 1959.


4. Insertion of new section 27-A in East Punjab Act L of 1948.—After section 27 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi (hereinafter referred to as "the principal Act"), the following section shall be inserted, namely:

"27-A. Decrees for possession of land to be executed against land allotted on repartition.—Notwithstanding anything contained in the Code of Civil Procedure, 1908, or any other law for the time being in force, no decree for possession of land against a judgment-debtor, whose land has been included in a scheme for consolidation of holdings shall be executed except after repartition as finally confirmed under section 21 and against land allotted to him in pursuance of such repartition."

5. Substitution of section 32 of East Punjab Act L of 1948.—For section 32 of the principal Act, the following section shall be substituted, namely:

"32. Suspension of partition proceedings during currency of consolidation proceedings.—After a notification under sub-section (1) of section 14 has issued, no proceedings under part F of chapter III of the Delhi Land Reforms Act, 1954, or Chapter VII of the U.P. Land Revenue Act, 1901, as in force in the Union territory of Delhi, as the case may be, in respect of any estate or a sub-division of an estate affected by the scheme of consolidation shall be commenced, and, where such proceedings were commenced before the issue of the notification, they shall remain in abeyance, during the pendency of the consolidation proceedings."

6. Insertion of new section 43-A in East Punjab Act L of 1948.—After section 43 of the principal Act, the following section shall be inserted, namely:

"43-A. Correction of clerical errors.—Clerical or arithmetical mistakes in a scheme made, or an order passed by any officer, under this Act arising from any accidental slip or omission may at any time be corrected by the authority concerned either of its own motion or on the application of any of the parties."


ANNEXURE VI

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) AMENDMENT ACT, 1960 (PUNJAB ACT 12 OF 1960) AS EXTENDED TO THE UNION TERRITORY OF DELHI.

AN ACT

to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.

BE it enacted by the Legislature of the State of Punjab in the Eleventh Year of the Republic of India as follows:

1. Short title.—This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Amendment Act, 1960.
30-A. Prohibition of cutting trees and erecting buildings, etc., during consolidation proceedings.—(1) After a notification under sub-section (1) of section 14 has issued and during the pendency of consolidation proceedings no landowner upon whom the scheme will be binding shall have power without the sanction of the Consolidation Officer to cut trees from, and erect buildings or other structures upon, any portion of his original holding included in the scheme.

(2) If any person contravenes the provisions of sub-section (1) he shall, on conviction, be punishable with fine which may extend to five hundred rupees.

(3) An offence under this section shall be cognizable and bailable.

(4) If any building or other structure is erected in contravention of the provisions of sub-section (1) and the landowner fails to remove it within one month of the date of publication of the Shajra under sub-section (1) of section 21, it shall, without payment of any compensation, vest in the new landowner who enters into possession of that holding as a result of repartition".

ANNEXURE VII

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) (SECOND AMENDMENT AND VALIDATION) ACT, 1960 (PUNJAB ACT 27 OF 1960) AS EXTENDED TO THE UNION TERRITORY OF DELHI.

AN

ACT

further to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948 and to validate certain orders and schemes.

BE it enacted by the Legislature of the State of Punjab in the Eleventh Year of the Republic of India as follows:

1. Short title.—This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) (Second Amendment and Validation) Act, 1960.

2. Amendment of long title of East Punjab Act L of 1948.—In the long title of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi (hereinafter referred to as the principal Act), the words “and for the assignment or reservation of land for common purposes of the village” shall be, and shall be deemed always to have been, added at the end.

3. Amendment of section 2 of East Punjab Act L of 1948.—In clause (bb) of section 2 of the principal Act, the following words shall be, and shall be deemed always to have been, added at the end, namely:

“and include the following purposes:

(i) extension of the village Abadi; and

(ii) providing income for the Panchayat of the village concerned for the benefit of the village community”.


5. Amendment of section 42 of East Punjab Act L of 1948.—In section 42 of the principal Act for the words “any order passed by any officer under this Act”, the words “any order passed, scheme prepared or confirmed or repartition made by any officer under this Act”, and for the words “no order shall be varied the
words "no order, scheme or repartition shall be varied" shall be, and shall be deemed always to have been, substituted.

6. Validation.—Notwithstanding anything to the contrary contained in any judgment, decree or order of any court, where before the commencement of this Act, the Chief Commissioner or any authority to whom he has delegated his powers has passed an order under section 42 of the principal Act revising or rescinding a scheme prepared or confirmed or re-partition made by any officer under that Act, such order shall be deemed to be valid, and any such order shall not be questioned on the ground that under section 42 of the principal Act, the Chief Commissioner or such authority had no power to pass such order."

ANNEXURE VIII

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) AMENDMENT ACT, 1962 (PUNJAB ACT 12 OF 1962) AS EXTENDED TO THE UNION TERRITORY OF DELHI

AN ACT
to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948.

BE it enacted by the Legislature of the State of Punjab in the Thirteenth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Amendment Act, 1962.

2. Amendment of section 20 of Punjab Act E of 1948.—For sub-sections (2) and (3) of section 20 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi, the following sub-sections shall be substituted, namely:—

“(2) If no objections are received to the draft scheme published under sub-section (1) of section 19 or, within thirty days of its publication, to the amended draft scheme published under sub-section (2) of that section, and also if no written or oral objections to any such scheme are received under sub-section (3) by the Settlement Officer (Consolidation), he shall confirm the scheme.

(3) If any objections are received to the draft scheme published under sub-section (1) of section 19 or to the amended draft scheme published under sub-section (2) of that section, or if any written or oral objections are received by the Settlement Officer (Consolidation) before the confirmation of any such scheme by him, the Settlement Officer (Consolidation) may after taking the objections into consideration together with the remarks thereon of the Consolidation Officer and also after considering the written or oral objections, either confirm the scheme with or without modifications, or refuse to confirm it. In case of such refusal, the Settlement Officer (Consolidation) shall return the draft scheme, with such direction as may be necessary, to the Consolidation Officer, for reconsideration and resubmission.”

ANNEXURE IX

THE EAST PUNJAB HOLDINGS (CONSOLIDATION AND PREVENTION OF FRAGMENTATION) SECOND AMENDMENT AND VALIDATION ACT, 1962 (PUNJAB ACT 25 OF 1962) AS EXTENDED TO THE UNION TERRITORY OF DELHI.

AN ACT
further to amend the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, and to validate certain orders.

BE it enacted by the Legislature of the State of Punjab in the Thirteenth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Second Amendment and Validation Act, 1962.
2. Amendment of section 16 of Punjab Act L of 1948.—In sub-section (2) of section 16 of the East Punjab Holdings (Consolidation and Prevention of Fragmentation) Act, 1948, as extended to the Union territory of Delhi (hereinafter referred to as the principal Act), for the words “finally sanctioned” the word “confirmed” shall be substituted.


4. Amendment of section 19 of Punjab Act L of 1948.—Sub-section (2) of section 19 of the principal Act shall be omitted.

5. Amendment of section 20 of Punjab Act L of 1948.—In section 20 of the principal Act,—
   (a) in sub-section (2),—
      (i) the words “or, within thirty days of its publication, to the amended draft scheme published under sub-section (2) of that section,” shall be omitted; and
      (ii) for the words “any such scheme” the words “the draft scheme” shall be substituted; and
   (b) in sub-section (3),—
      (i) the words “or to the amended draft scheme published under sub-section (2) of that section”, shall be omitted; and
      (ii) for the words “any such scheme” the words “the draft scheme” shall be substituted.

6. Amendment of section 21 of Punjab Act L of 1948.—In section 21 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely:—

   “(5) The appellate authority may entertain an appeal under sub-section (3) or sub-section (4) after the expiry of the period of limitation prescribed therein if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.”

7. Amendment of section 22 of Punjab Act L of 1948.—In sub-section (1) of section 22 of the principal Act, for the words “as finally sanctioned” the words “orders in respect thereof made” shall be substituted.

8. Amendment of section 23 of Punjab Act L of 1948.—In section 23 of the principal Act,—
   (i) in sub-section (1), for the words “the scheme of consolidation or, as the case may be, repartition, as finally confirmed” the words “the repartition, as carried out under sub-section (1) of section 21” shall be substituted;
   (ii) for sub-section (2), the following sub-section shall be substituted, namely:—

   “(2) If all the owners and tenants as aforesaid do not agree to enter into possession under sub-section (1), they shall be entitled to possession of the holdings and tenancies allotted to them from such date as may be determined by the Consolidation Officer and published in the prescribed manner in the estate or estates concerned; and the Consolidation Officer shall, if necessary, put them in physical possession of the holding to which they are so entitled, including standing crops, if any, and for doing so may exercise the powers of a Revenue Officer under the Delhi Land Revenue Act, 1954, or the U.P. Land Revenue Act, 1901, as in force in the Union territory of Delhi, as the case may be.”; and
   (iii) in sub-section (4), for the words “commencement of the agricultural year”, the word “date” shall be substituted.

9. Amendment of section 27-A of Punjab Act L of 1948.—In section 27-A of the principal Act, for the words “as finally confirmed under section 21 and against land allotted to him in pursuance of such repartition” the words “and orders in respect
thereof under section 21 and against land allotted to him in pursuance of such repartition and orders" shall be substituted.

10. Amendment of section 46 of Punjab Act L of 1948.—In clause (a) of sub-section (2) of section 46 of the principal Act, the words "sub-sections (1) and (2) of" shall be omitted.

11. Validation.—Omitted.

[No. F. 3/10/62-Judi. II-UTL-59.]

P. N. KAUL, Dy. Secy.