(440) (107)

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, PART II SECTION 3(i)]

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 19 NOV 1978

G.S.R. _____. In exercise of the powers conferred by section 87 of the Punjab Reorganisation Act, 1966 (31 of 1966), the Central Government hereby extends to the Union territory of Chandigarh, the Punjab Land Reforms Act, 1972 (Punjab Act 10 of 1973), as in force in the State of Punjab at the date of this notification, subject to the following modifications, namely:-

MODIFICATIONS

1. Throughout the said Act, -

(a) for the words "commencement of this Act", the words "commencement of this Act in the Union territory of Chandigarh" shall be substituted;

(b) the words ", the Pepsu law "and "or the Pepsu law" shall be omitted;

(c) for the words "Official Gazette", the words "Chandigarh Gazette" shall be substituted.

2. In section 1, -

(a) in sub-section (2), for the words "State of Punjab", the words "Union territory of Chandigarh" shall be substituted;

(b) in sub-section (3), for the words "at once", the words "on such date as the Administrator may, by notification in the Chandigarh Gazette, appoint" shall be substituted.

In section 3,-

(a) clause (1) shall be re-numbered as clause (1A) thereof and, before the clause as so re-numbered, the following clause shall be inserted, namely:-

'(1) "Administrator" means the administrator of the Union territory of Chandigarh appointed by the President under article 239 of the Constitution;";

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(b) in clause (3), for the words"State Government", the word "Administrator" shall be substituted;

(c) clause (9) shall be omitted.

4. In section 5, in sub-section (2), for the words "State Government", the word "Government" shall be substituted.

5. In section 8, for the words "State Government", wherever they occur, the word "Government" shall be substituted.

6. In section 10,-

(a) in sub-section (1), for the opening paragraph, the following shall be substituted, namely :-

"(1). The Collector or the officer authorised by the Administrator in this behalf shall determine the amount to be paid for the land which has vested in the Government under section 8, in accordance with the principles hereinafter set out, that is to say- ";

(b) for the words "State Government"wherever they occur except in sub-section (3),the word "Administrator" shall be substituted;

(c) in sub-section (3), for the words "State Government", the word "Government" shall be substituted.

7. In section 11,

(a) in sub-sections(1) and (5) for the words "State Government" wherever they occur, the word "Government" shall be substituted;

(b) in sub-sections (2), (3) and (4), for the words "State Government", the word "Administrator shall be substituted.

8. In section 15, in sub-section (1), the words and figures "or section 22 of the Pepsu law, as the case may be," shall be omitted.

9. In section 21, in sub-section (2), for the words "State Government", the word "Government" shall be substituted.

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10. In section 25, for the words "State Government", the word "Administrator", and for the words "appears to it to be necessary", the words "appears to him to be necessary", shall be substituted.

11. In section 26,-

(a) in sub-section (1), for the words "State Government", the word "Administrator" shall be substituted;

(b) sub-section (2) shall be omitted.

12. In section 27,-

(a) in clause (a), for the words "State Government" in both the places where they occur, the word "Government" shall be substituted;

(b) in clause (b), for the words "the State Government", the words "any State Government" shall be substituted.

13. In section 28,-

(a) for sub-section (1), the following sub-section shall be substituted, namely:-

"(1) The Punjab Security of Land Tenures Act,1953, as in force in the Union territory of Chandigarh, in so far as it is inconsistent with the provisions of this Act,is hereby repealed.";

(b) in sub-section (2),-

(i) for the word "enactments" wherever it occurs, the word "enactment" shall be substituted;

(ii) in clause (i), for the words "either of the said enactments", the words "the said enactment", and for the words "State Government", the word "Government" shall be substituted;

(iii) in the second proviso to clause (i), the portion beginning with the words "and the cases pending before the Pepsu Land Commission" and ending with the words "for disposal" shall be omitted.

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ANNEXURE

THE PUNJAB LAND REFORMS ACT, 1972 (PUNJAB ACT 10 OF 1973) AS EXTENDED TO THE UNION TERRITORY OF CHANDIGARH.

An Act to consolidate and amend the law relating to ceiling on land holdings, acquisition of proprietary rights by tenants and other ancilliary matters in the State of Punjab.

Be it enacted by the Legislature of the State of Punjab in the Twenty-third Year of the Republic of India as follows :-

Short title, extent and commencement.

1. (1) This Act may be called the Punjab Land Reforms Act, 1972.

(2) It extends to the whole of the Union territory of Chandigarh.

(3) It shall come into force on such date as the Administrator may, by notification in the Chandigarh Gazette, appoint.

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CHAPTER 1

PRELIMINARY

Declaration as to giving effect to certain directive principles.

2. It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of Article 39 of the Constitution of India.

Definitions.

3. In this Act, unless the context otherwise requires,-

(1) "Administrator" means the administrator of the Union territory of Chandigarh appointed by the President under article 239 of the Constitution;

(1A) "appointed day" means the twenty-fourth day of January, 1971;

(2) "banjar land" means land which has remained uncultivated for a continuous period of not less than four years immediately preceding the date on which the question whether such land is banjar or not arises;

contd....

(3) "Collector" means the Collector of the district or any other officer not below the rank of Assistant Collector of the first grade empowered in this behalf by the Administrator;

(4) "family" in relation to a person means the person, the wife or husband, as the case may be, of such person and his or her minor children, other than a married minor daughter;

(5) "land" means land which is not occupied as the site of any building in a town or village and is occupied or has been let for agricultural purposes or for purposes subservient to agriculture, or for pasture, and includes-

(a) the sites of buildings, and other structures on such land, and

(b) banjar land;

(6) "landowner" shall have the meaning assigned to it in the Punjab Land Revenue Act, 1887 (Punjab Act XVII of 1887);

Explanation.- In respect of land mortgaged with possession, the mortgagee shall be deemed to be the landowner;

(7) "minor" means a person who has not completed the age of eighteen years;

(8) "orchard" means a compact area of land having fruit bearing trees grown thereon in such number that they preclude, or when fully grown would preclude, a substantial part of such land from being used for any other agricultural purpose but shall not include land under banana or guava trees or land comprised in vineyard;

(9) [Omitted];

(10) "person" includes a company, family, association or other body of individuals, whether incorporated or not, and any institution capable of holding property;

(11) "prescribed" means prescribed by rules made under this Act;

(12) "Punjab law" means the Punjab Security of Land Tenures Act, 1953;

contd.....

(13) "self-cultivation" means cultivation by a landowner either personally or through any member of his family or through his brother or through a servant or hired labour under the personal supervision of the landowner or supervision of a member of his family, subject to the condition that the servant or hired labour is paid wages in cash or in kind or partly in cash and partly in kind but not as a share of the produce;

(14) [Omitted by Punjab Act 40 of 1973];

(15) "surplus area" means the area in excess of the permissible area;

(16) "tenant" has the meaning assigned to it in the Punjab Tenancy Act, 1337 (Act XVI of 1337) and includes a sub-tenant, and self-cultivating lessee, but shall not include a present holder as defined in clause (f) of section 2 of the East Punjab Displaced Persons (Land Resettlement) Act, 1949;

(17) all other words and expressions used herein and not defined but defined in the Punjab Tenancy Act, 1337 (Punjab Act XVI of 1337), or the Punjab Land Revenue Act, 1337 (Punjab Act XVII of 1337), shall have the meanings assigned to them in either of those Acts.

CHAPTER II

CEILING ON LAND

4. (1) Subject to the provisions of section 5, no person shall own or hold land as landowner or mortgagee with possession or tenant or partly in one capacity and partly in another in excess of the permissible area.

(2) 'Permissible area' shall mean in respect of -

(a) land under assured irrigation and capable of yielding at least two crops in a year (hereinafter in this Act referred to as "the first quality land'), seven hectares; or

(b) land under assured irrigation for only one crop in a year, eleven hectares; or

(c) barani land, 20.5 hectares; or

(d) land of other classes including banjar land, an area to be determined according to the prescribed scale with reference to the intensity of irrigation, productivity and soil classificatio of such classes, having regard to the respective valuation and the permissible area of the classes of land mentioned at (a), (b) and (c) above subject to the condition that the area so determined shall not exceed 21.8 hectares;

contd.....

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Provided that -

(i) where land consists of two or more classes, the permissible area shall be determined on the basis of relative valuation of such classes of land, subject to the condition that it does not exceed 21.3 hectares;

(ii) where the number of members of a family exceeds five, the permissible area shall be increased by one-fifth of the permissible area for each member in excess of five, subject to the condition that additional land shall be allowed for not more than three such members.

(3) Notwithstanding anything contained in sub-section (2), where any land is comprised in an orchard on the appointed day, such land shall, for the purpose of determining the permissible area, be treated as barani land.

(4) (a) Where a person is a member of a registered co-operative farming society, his share in the land held by such society together with his other land, if any, or if such person is a member of a family, together with the land held by every member of the family shall be taken into account for determining the permissible area;

(b) where a person is a member of a family, the land held by such person together with the land held by every other member of the family, whether individually or jointly, shall be taken into account for determining the permissible area.

(5) In determining the permissible area, any land which was transferred by sale, gift or otherwise, other than a bona fide sale or transfer, after the appointed day but before the commencement of this Act in the Union territory of Chandigarh, shall be taken into account as if such land had not been transferred and the onus of proving the transfer as bona fide shall be on the transferor.

(6) For the purpose of valuation of land one and quarter hectares of banjar land shall be treated as equivalent in value to one hectare of barani land.

(7) For evaluating the land of any person at any time under this Act, the land owned by him immediately before the commencement of this Act in the Union territory of Chandigarh as well as the land acquired by him after such commencement by inheritance, bequest or gift from a person to whom he is an heir shall be evaluated as if the evaluation was being made on the appointed day and the land acquired by him after such commencement in any other manner shall be evaluated as if the evaluation was being made on the date of such acquisition.

contd.....

Selection of permissible area and furnishing of declaration by certain persons.

5. (1) Every person, who on the appointed day or at any time thereafter, owns or holds land as landowner or mortgagee with possession or tenant or partly in one capacity and partly in another in excess of the permissible area, shall select his permissible area and intimate his selection to the Collector, and where land is situate in more than one district, to the Collectors concerned, through a declaration to be furnished in such form and manner and within such period as may be perscribed and if such person has an adult son, he shall also be entitled to select separate permissible area in respect of each such son, out of the land owned or held by him, subject to the condition that the land so selected together with the land already owned or held by such son , shall not exceed the permissible area of each such son :

Provided that where land is situate in more than one patwar circle, the declaration shall be supported by an affidavit in the prescribed form.

(2) In making the selection, such a person shall include, firstly, land mortgaged without possession and, secondly, land under self-cultivation on the date of commencement of the period prescribed for furnishing the declaration under sub-section (1), but shall not include area declared surplus under the Punjab law or this Act, other than the area which was exempt from utilization by the Government immediately before such commencement.

Collection of information in case declaration is not furnished.

6. If any person fails to furnish the declaration in accordance with the provisions of section 5, the Collector shall obtain the requisite information in the prescribed manner.

Determination of permissible and surplus areas.

7. (1) On the basis of the information given in the declaration furnished under section 5 or the information obtained under section 6, as the case may be, and after making such inquiry as he may deem fit, the Collector shall, by an order, determine the permissible area and the surplus area of a landowner or a tenant, as the case may be.

(2) If any person referred to in sub-section (1) of section 5 fails to furnish the declaration or files a declaration containing information which is false or which he knows or has reason to believe to be false or which he does not believe to be true, he shall be punishable with imprisonment which may extend to two years, or with fine which may extend to two thousand rupees, or with both.

(3) [Omitted by Punjab Act 22 of 1976.].

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(4) For the purpose of determining the surplus area of any person,-

(i) any judgment, decree or order of a court or other authority obtained on or after the appointed day and having the effect of diminishing the surplus area of such a person;

(ii) a tenancy created on or after the appointed day in any land which has been or could have been declared as surplus area of such a person under the Punjab law or this Act;

shall be ignored.

Vesting of unutilized surplus area in the Government / in the Union territory of Chandigarh

8. Notwithstanding anything contained in any law, custom or usage for the time being in force, but subject to the provisions of section 15, the surplus area, declared as such under the Punjab law, which has not been utilized till the commencement of this Act and the surplus are declared as such under this Act shall, on the date on which possession thereof is taken by or on behalf of the Government, vest in the Government free from all encumbrances and in the case of surplus area of a tenant, which is included within the permissible area of the landowner, the right and interest of the tenant in such area shall stand terminated on the aforesaid date:

Provided that where any land falling within the surplus area is mortgaged with possession, only the mortgagee rights shall vest in the Government.

Power to take possession of surplus area.

9. (1) The Collector may, by an order in writing, after an area has become surplus under the Punjab law or becomes surplus under this Act, direct the landowner or tenant or any other person in possession of such area to deliver possession thereof, within ten days of the service of the order on him, to such person as may be specified in the order.

(2) If the landowner or tenant or any other person in possession of such area refuses or fails without reasonable cause to comply with the order made under sub-section (1), the Collector may take possession of that area and may, for that purpose, use such force as may be necessary.

Amount payable for the surplus area.

10. (1) The Collector or the officer authorised by the Administrator in this behalf shall determine the amount to be paid for the land which has vested in the Government under section 8, in accordance with the principles hereinafter set out, that is to say-

(i) for the first three hectares of land, twelve time the fair rent, subject to a maximum of five thousand rupees per hectare ;

contd....

(ii) for the next three hectares of land, nine times the fair rent subject to a maximum of three thousand seven hundred and fifty rupees per hectare; and

(iii) for the remaining land, six times the fair rent, subject to a maximum of two thousand and five hundred rupees per hectare.

Explanation - For the purpose of this sub-section, 'fair rent' shall mean the value of one-fifth of the gross produce of the land determined in the prescribed manner by the Collector or the officer authorised in this behalf by the Administrator.

(2) For the purposes of sub-section (1), the Collector or the officer authorised by the Administrator shall prepare a statement in such form and manner as may be prescribed and shall, after following the prescribed procedure, apportion the amount amongst the persons, including tenants, having interests in the land.

(3) Where in the surplus area of any person mortgagee rights have vested in the Government, the amount payable to the mortgagee shall be the mortgage money due to the mortgagee, or the amount payable under this section, whichever is less.

(4) The amount shall be payable either in lump sum or in half-yearly instalments not exceeding fifteen in the manner prescribed :

Provided that the amount shall be applied firstly to discharge Government dues, secondly to meet the claims of secured creditors and then to pay the dues of other claimants.

11. (1) The surplus area, which has vested in the Government under section 8, shall be at the disposal of the Government. Disposal of surplus area.

(2) The Administrator may, by notification in the Chandigarh Gazette, frame a scheme for utilizing the surplus area under the Punjab law or this Act by,-

(a) conferment of rights of ownership on tenants in respect of such land as is comprised in the surplus area of the landowner of such a tenant; and

(b) allotment to tenants, members of Scheduled Castes and Backward Classes and landless agricultural workers, of an area not exceeding two hectares of the first quality land or equivalent area, provided that the total area held or owned by any such allottee, after the allotment, shall not exceed two hectares of the first quality land or equivalent area.

contd.....

(3) Any scheme framed by the Administrator under sub-section (2) may provide for the terms and conditions on which the rights of ownership are to be confirmed on the tenants and also the terms and conditions on which the land comprised in the surplus area is to be allotted.

(4) The Administrator may, by notification in the Chandigarh Gazette, add to, amend, vary or revoke any scheme made under this section.

(5) Notwithstanding anything contained in any other law for the time being in force and save in the case of land acquired by the Government under any law for the time being in force or by an heir by inheritance, no transfer or other disposition of land which is comprised in the surplus area under the Punjab law or this Act, shall affect the vesting thereof in the Government or its utilization under this Act.

(6) The utilization of any surplus area before the commencement of this Act in the Union territory of Chandigarh will not affect the right of the tenant to purchase land in accordance with the provisions of section 15 or the right of the landowner to receive rent from the tenant settled on the surplus area till the tenant becomes the owner thereof.

(7) Where succession has opened after the surplus area or any part thereof has been determined by the Collector, the saving specified in favour of an heir by inheritance under sub-section (5) shall not apply in respect of the area so determined.

Bar on future acquisition of land in excess of permissible area.

12. (1) Notwithstanding anything to the contrary in any law, custom, usage, contract or agreement, from and after the commencement of this Act in the Union territory of Chandigarh, no person, whether as landowner or tenant, shall acquire or possess by transfer, exchange, lease, agreement or settlement any land, which with or without the land already owned or held by him, in the aggregate, exceeds the permissible area :

Provided that nothing in this section shall apply to land held by a co-operative society if the land owned or held by an individual member of the society, together with his share in the land by such a society, does not exceed the permissible area.

contd....

(2) Any transfer, exchange, lease, agreement or settlement made in contravention of the provisions of sub-section (1) shall be null and void.

Power to separate share of land-owners in joint lands.

13. (1) Where a person owns land jointly with other persons and his share of such land or part thereof has been or is to be declared as surplus area, the Collector, of his own motion, may after summary enquiry and after affording to such a person an opportunity of being heard, separate his share of such land or part thereof in the land owned by him jointly with other persons.

(2) Where, after the declaration of the surplus area of any person and before the utilization thereof, his land has been subjected to the process of consolidation, the Collector shall also be competent to separate the surplus area of such a person out of the area of land obtained by him after consolidation in the manner referred to in sub-section (1).

Exemption of lands belonging to religious or charitable institutions.

14. Notwithstanding any judgement, decree or order of any court/authority, the provisions of this Chapter shall not apply to lands belonging to any religious or charitable institution of a public nature in existence immediately before the date of commencement of this Act in the Union territory of Chandigarh, but not belonging to the mahant, mohtemim or manager thereof:

Provided that the exemption specified herein shall be admissible till such time only as the land or income therefrom is utilized for the specified purpose of such institution and shall not be admissible to the lessees of such lands.

Explanation - For the purpose of this section, 'religious or charitable institution' means-

(i) a temple;

(ii) a gurdwara;

(iii) a gaushala;

(iv) a wakf as defined in clause (ii) of section 3 of the Wakfs Act, 1954 (Parliament Act 29 of 1954); or

(v) any other religious place of public nature.

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CHAPTER III

Miscellaneous

Saving of certain rights of tenants to purchase land.

15. (1) Notwithstanding anything contained in this Act, a tenant who was entitled to purchase the land comprised in his tenancy, under section 18 of the Punjab law immediately before the commencement of this Act in the Union territory of Chandigarh, shall be entitled to purchase such land from the landowner on the same terms and conditions, as were applicable immediately before such commencement:

Provided that -

(i) the amount payable by the tenant for the land shall be equivalent to ninety times the land revenue (including rates and cesses) payable for such land or five hundred rupees per hectare, whichever is less; and

(ii) the procedure for purchase of such land shall be as is specified hereinafter and the period of limitation for exercise of such a right shall be one year from the date of commencement of this Act in the Union territory of Chandigarh.

(2) An application for the purchase of land under sub-section (1) shall be made to the Assistant Collector of the first grade having jurisdiction who shall, after giving notice to the landowner and after making enquiry in the prescribed manner, determine the amount payable in respect thereof.

(3) The tenant may pay the amount determined under sub-section (2) either in lump sum or in half-yearly instalments not exceeding fifteen in the manner prescribed.

(4) On the payment of the entire amount or the first instalment thereof, as the case may be, the tenant shall be deemed to have become the owner of the land and the Assistant Collector shall, where the tenant is not already in possession of the land, put him in possession thereof, subject to the provisions of the Punjab Tenancy Act, 1887.

(5) If a default is committed in the payment of any of the instalments, the entire outstanding balance shall, on application by the person entitled to receive it, be recoverable as arrears of land revenue.

(6) If the land is subject to mortgage at the time of purchase, the land shall pass to the tenant unencumbered by the mortgage, but the mortgage amount shall be a charge on the purchase price.

Summary eviction and fine.

16. (1) Any person who is in wrongful or unauthorised possession of any land-

(a) the transfer of which either by the act of parties or by the operation of law is invalid under the provisions of this Act; or

(b) to the use and occupation of which he is not entitled under the provisions of this Act;

may, on an application made within a period of one year of such wrongful or unauthorised possession, and after summary enquiry, be ejected by the Collector, who may also impose on such person a penalty not exceeding one thousand rupees.

(2) The Collector may direct that the whole or any part of the penalty imposed under sub-section(1) shall be paid to the person who has sustained any loss or damage by the wrongful or unauthorised possession of the land.

Abrogation of pending decrees, orders and notices.

17. No decree or order of any court or authority and no notice of ejectment shall be valid save to the extent to which it is consistent with the provisions of this Act.

Appeal, review and revision.

18. The provision in regard to appeal, review and revision under this Act shall, so far as may be, be the same as provided in sections 80, 81, 82, 83 and 84 of the Punjab Tenancy Act, 1887 (Act XVI of 1887).

Correction of clerical errors.

19. Clerical and arithmetical mistakes in any order passed by any officer or authority under this Act or errors arising therein from any accidental slip or omission may at any time be corrected by such officer or authority either of his own motion or on an application received in this behalf from any of the parties.

Court-fees.

20. Notwithstanding anything contained in the Court-fees Act, 1870 (VII of 1870), every application, appeal or other proceeding under this Act shall bear a court-fee stamp of such value as may be prescribed.

Bar of jurisdiction.

21. (1) Save as provided by or under this Act, the validity of any proceedings or order taken or made under this Act shall not be called in question in any court or before any other authority.

(2) No civil court shall have jurisdiction to entertain any suit, or proceed with any suit instituted after the appointed day, for specific performance of a contract for transfer of land which affects the right of the Government to the surplus area under this Act.

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Indemnity.

22. No suit or other legal proceedings shall lie against any authority in respect of anything done in good faith in pursuance of the provisions of this Act.

Penalty for making false statements.

23. If, during the course of any proceedings under this Act, any person makes a declaration or a statement or furnishes any information which is false or which he knows or has reason to believe to be false or which he does not believe to be true, he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Mode of recovery.

24. Any amount payable under this Act including the amount of penalty imposed under this Act may be recovered as arrears of land revenue.

Power to remove difficulties.

25. If any difficulty arises in giving effect to the provisions of this Act, the Administrator may, by order published in the Chandigarh Gazette, make such provision or give such directions not inconsistent with the provisions of this Act, as appears to him to be necessary or expedient for removing such a difficulty.

Power to make rules.

26. (1) The Administrator may, by notification in the Chandigarh Gazette, make rules for carrying out the purposes of this Act.

(2) [Omitted]

Exemption of certain lands from the operation of the Act.

27. The provisions of this Act shall not apply to-

(a) lands owned by or vested in the Government otherwise than under the provisions of this Act, or lands taken on lease by the Government;

(b) lands belonging to or vested in a local authority or the Punjab Agricultural University or any corporation owned or controlled by the Central Government or any State Government;

(c) lands owned by or vested in or taken on lease by the Central Government;

(d) lands owned by the Bhoodan Yagna Board under the Punjab Bhoodan Yagna Act, 1955; and

(e) lands owned or held by an agricultural co-operative credit society, Land Mortgage Bank, the State or Central Co-operative Bank or any other bank;

(f) lands owned by an educational institution, recognised by Government, which is engaged in the education and research in agricultural sciences and has been conducting such education and research on the appointed day;

(g) lands owned by an educational trust of public nature in existence on the appointed day:

Provided that nothing in this section shall apply to a lessee of any of the authorities or institutions referred to above.

Explanation - For the purposes of clause (e) "bank" means a banking company as defined in section 5 of the Banking Regulation Act,1949, and includes the State Bank of India constituted under the State Bank of India Act,1955, a subsidiary bank as defined in the State Bank of India (Subsidiary Banks) Act,1959, a corresponding new bank as defined in the Banking Companies (Acquisition and Transfer of Undertakings) Act,1970, and Agricultural Refinance Corporation constituted under the Agricultural Refinance Corporation Act,1963.

Repeal and Saving.

28. (1) The Punjab Security of Land Tenures Act,1953, as in force in the Union territory of Chandigarh, in so far as it is inconsistent with the provisions of this Act, is hereby repealed.

(2) The repeal of the enactment mentioned in sub-section (1), hereinafter referred to as the said enactment, shall not affect-

(i) the proceedings for the determination of the surplus area pending immediately before the commencement of this Act in the Union territory of Chandigarh, under the said enactment, which shall be continued and disposed of as if this Act had not been passed, and the surplus area so determined shall vest in, and be utilised by, the Government in accordance with the provisions of this Act:

Provided that such proceedings shall, as far as may be, be continued and disposed of, from the stage these were immediately before the commencement of this Act in the Union territory of Chandigarh, in accordance with the procedure specified by or under this Act:

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Provided further that nothing in this section shall affect the determination and utilisation of the surplus area, other than the surplus area referred to above, in accordance with the provisions of this Act;

(ii) the previous operation of the said enactment or anything duly done or suffered thereunder;

(iii) any right, privilege, obligation or liability acquired, accrued or incurred under the said enactment, in so far as such right, privilege, obligation or liability is not inconsistent with the provisions of this Act and any proceeding or remedy in respect of such right, privilege, obligation or liability may be instituted, continued or enforced as if this Act had not been passed:

Provided that such proceeding or remedy shall, as far as may be, be instituted, continued or enforced in accordance with the procedure specified by or under this Act.

[No.U-11015/11/76-UTL-(147)]

Sd/-

(H.C. BAKHSHI)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

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