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# **THE PUNJAB GOVERNMENT LANDS (RESUMPTION OF GRANTS AND EXTINGUISHMENT OF RIGHTS) ACT, 1950**

**(XVI of 1950)**

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## TEXT

### <sup>1</sup>THE PUNJAB <sup>2</sup>[GOVERNMENT] LANDS (RESUMPTION OF GRANTS AND EXTINGUISHMENT OF RIGHTS) ACT, 1950

(XVI of 1950)

[10<sup>th</sup> June, 1950]

#### An Act

*to provide for resumption of certain grants of <sup>3</sup>[Government] land*

**Preamble.— WHEREAS** certain grants of <sup>4</sup>[Government] land were made under section 10 of the Colonization of Government Lands (Punjab) Act, 1912, during the years 1945 to 1947 in material disregard of public interest and Government policy and of procedure governing the making of such grants;

**AND WHEREAS** the Governor of the Punjab has, in pursuance of a proclamation issued<sup>5</sup> by the Governor-General of Pakistan under section 92-A of the Government of India Act, 1935, assumed on behalf of the Governor-General all powers vested in or exercisable by the Provincial Legislature under the said Act;

**NOW, THEREFORE**, in exercise of the powers so assumed the Governor is hereby pleased to enact as follows:—

**1. Short title, extent and commencement.—** (1) This Act shall be called the Punjab <sup>6</sup>[Government] Lands (Resumption of Grants and Extinguishment of Rights) Act, 1950.

(2) It shall extend to the whole of the Punjab.

(3) It shall come into force at once.

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

(i) “Collector” shall have the meaning assigned to it in section 3 of the Colonization of Government Lands (Punjab) Act, 1912<sup>7</sup>;

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<sup>1</sup>This Act was assented to by the Governor of the Punjab on 9th June, 1950; and, published in the *Punjab Gazette*, (Extraordinary), dated 10<sup>th</sup> June, 1950, pages 115-116.

<sup>2</sup>Substituted for the word “Crown” by the West Pakistan Laws (Adaptation) Order, 1964, w.e.f. 8.6.1962, s. 2 and Schedule; and published in the *Gazette of West Pakistan* (Extraordinary), dated 3.6.1964, pages 1805-1849.

<sup>3</sup>Substituted for the word “Crown” by the West Pakistan Laws (Adaptation) Order, 1964, w.e.f. 8.6.1962, s. 2 and Schedule; and published in the *Gazette of West Pakistan* (Extraordinary), dated 3.6.1964, pages 1805-1849.

<sup>4</sup>Substituted for the word “Crown” by the West Pakistan Laws (Adaptation) Order, 1964, w.e.f. 8.6.1962, s. 2 and Schedule; and published in the *Gazette of West Pakistan* (Extraordinary), dated 3.6.1964, pages 1805-1849.

<sup>5</sup>It was issued on 24th January, 1949 and stood revoked on 5th April, 1951.

<sup>6</sup>Substituted for the word “Crown” by the West Pakistan Laws (Adaptation) Order, 1964, w.e.f. 8.6.1962, s. 2 and Schedule; and published in the *Gazette of West Pakistan* (Extraordinary), dated 3.6.1964, pages 1805-1849.

<sup>7</sup>V of 1912.

- (ii) "Grantee" means a person to whom a grant of land is made on any terms by the Government under the Colonization of Government Lands (Punjab) Act, 1912<sup>8</sup>, and includes the successor in interest of such grantee; and
- (iii) "Government" means the Provincial Government<sup>9</sup>["\* \* \*"].

**3. Resumption of grants and extinguishment of rights in land.**— Notwithstanding anything contained in the Colonization of Government Lands (Punjab) Act, 1912<sup>10</sup>, or any other law for the time being in force, the Government if satisfied after such enquiry as it may consider necessary that any grant of<sup>11</sup>[Government] land, on any conditions, made during the years 1945 to 1947 was made in disregard of public interest or Government's policy or of the procedure required to be followed in such cases, whether the grantee has taken possession of the land or not and irrespective of the acquisition of proprietary rights in the land by the grantee, may order resumption of the grant and extinguishment of all rights of the grantee in the land covered by the grant from such date as it may specify generally or in particular cases.

**4. Collector to resume possession and grant of compensation, etc.**— (1) Where an order resuming any grant or extinguishing rights in land covered by such grant has been made under the last section, the Collector may forthwith re-enter upon the said land and resume possession thereof.

(2) The grantee or any one claiming through or under him shall not be entitled to any compensation except for any buildings erected or trees planted by him on the land which in the opinion of the Government were necessary for the enjoyment of the grant.

(3) If prior to the making of an order under section 3 proprietary rights have been acquired by the grantee in the whole or part of any land covered by the grant, the money paid by him towards such acquisition shall be refunded.

**5. Possession to be taken pending payment of compensation, etc.**— (1) Where a grantee is entitled to any compensation under sub-section (2) or to any refund under sub-section (3) of section 4, the Collector may take possession of the land pending payment thereof.

(2) The amount of the compensation shall be assessed by such officer and on such basis and be paid in such manner as may be prescribed by rules made by the Government in this behalf.

**6. Bar of Courts jurisdiction.**— No court shall have jurisdiction in any matter which the Government or a Collector or any other officer appointed by the Government is empowered by this Act to dispose of, or shall take cognizance of the manner in, or the reasons for, which the Government or a Collector or other officer

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<sup>8</sup> V of 1912.

<sup>9</sup>Omitted the words "of the Punjab" by the West Pakistan (Adaptation and Repeal of Laws) Act, 1957 (XVI of 1957), w.e.f. 14.10.1955, s. 3 and Schedule III; and published in the Gazette of West Pakistan (Extraordinary), dated 25.7.1957, pages 709-789.

<sup>10</sup>V of 1912.

<sup>11</sup>Substituted for the word "Crown" by the West Pakistan Laws (Adaptation) Order, 1964, w.e.f. 8.6.1962, s. 2 and Schedule; and published in the Gazette of West Pakistan (Extraordinary), dated 3.6.1964, pages 1805-1849.

appointed by Government, exercise any power vested in it or in him by or under this Act.

**7. Rules.**— The Government may frame rules for carrying out the purposes of this Act.