

**THE EAST PUNJAB ENUMERATION OF DWELLINGS
ACT, 1948.**

TABLE OF CONTENTS.

Sections.

1. Short title and extent.
2. Interpretation.
3. Appointment of enumeration staff.
4. Status of enumeration officers as public servants.
5. Power to call upon certain persons to give information.
6. Occupier to permit access and affixing of numbers or marks.
7. Penalties.
8. Sanction required for prosecution.
9. Operation of other laws not barred.
10. Jurisdiction.
11. Records of enumeration to be public documents.
12. Power to make rules.

THE EAST PUNJAB ENUMERATION OF DWELLINGS ACT, 1948.

EAST PUNJAB ACT No. XXIV OF 1948.

[Received the assent of His Excellency the Governor on the 10th April, 1948, and was first published in the East Punjab Government Gazette (Extraordinary) of April 12, 1948.]

1	2	3	4
Year	No.	Short title	Whether repealed or other wise affected by legislation
1948 ..	XXIV	East Punjab Enumeration of Dwellings Act, 1948	Amendmed in part by the Adaptation of Laws Order, 1950. Extended to the territories, which immediately, before the 1st November, 1956, were comprised in the State of Patiala and East Punjab States Union, by Punjab Act 41 of 1960. ² Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

It is hereby enacted as follows :—

1. (1) This Act may be called the East Punjab Enumeration of Dwellings Act, 1948. Short title and extent.

(2) It extends to the whole of the ³[Union Territory of Chandigarh]. Interpretation.

2. In this Act "dwelling house" means a building or structure used or constructed or adapted to be used wholly or principally for human habitation and includes any part of a house where that part is separately occupied for such habitation.

3. (1) The ⁴[Central Government] may appoint an Enumeration Commissioner to supervise the making of the enumeration of dwelling houses throughout the ⁵[State]. Appointment of enumeration staff.

(2) The ⁴[Central Government] may, by general or special order and either by name or designation, appoint persons as enumeration officers to make, or aid in making,

¹For Statement of Objects and Reasons, see East Punjab Government Gazette (Extraordinary), 1948, page 298 ; for proceedings in the Assembly, see East Punjab Legislative Assembly Debates, Volume II, 1948, pages 943—45.

²For Statement of Objects and Reasons, see Punjab Government Gazette (Extra-ordinary), 1960, page 590.

³Substituted for the words "State of Punjab" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

⁴Substituted for the words "State Government" by *ibid*.

⁵Substituted for the word "Province" by the Adaptatari of Laws Order, 1950.

or supervise the making of the enumeration in such local areas as may be specified.

(3) The ¹[Central Government] may delegate to such authority as it thinks fit the power of appointing enumeration officers conferred by sub-section (2).

Status of enumeration officers as public servants.

4. The Enumeration Commissioner and all enumeration officers shall be public servants within the meaning of the Indian Penal Code, 1860. ^{XLV 1860.}

Power to call upon certain persons to give assistance.

5. The District Magistrate or the enumeration officer for any local area may by written order which shall have effect throughout the extent of his district or of such local area, as the case may be, call upon all members of district, municipal, panchayat and other local authorities and officers and servants of such authorities, to give such assistance as shall be specified in the order towards the making of the enumeration within the areas for which such local authorities are established, and the persons to whom such order is directed shall be bound to obey it and shall while acting in pursuance of such order be deemed to be public servants within the meaning of the Indian Penal Code, 1860. ^{XLV 1860.}

Occupier to permit access and affixing of numbers or marks.

6. Every person occupying a dwelling house or other place shall allow enumeration officers such access thereto as they may require for the purpose of the enumeration, and as, having regard to the customs of the country, may be reasonable and shall allow them to paint on, or affix to, the dwelling-house or place such letters, marks or numbers as may be necessary for the purpose.

Penalties.

7. (a) Any person lawfully required to give assistance towards the making of the enumeration who refuses or neglects to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty or in obeying any such order, or

(b) Any enumeration officer who knowingly makes any false return, or

¹Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

(c) Any person occupying any dwelling house or other place who refuses to allow any enumeration officer such reasonable access thereto as he is required by section 6 to allow, or

(d) Any person who removes, obliterated, alters or damages any letters, marks or numbers which may have been painted or affixed for the purpose of the enumeration,—

shall be punishable with fine which may extend to two hundred rupees.

8. No prosecution under this Act shall be instituted except with the previous sanction of the ¹[Central Government] or of an authority empowered in this behalf by the ¹[Central Government]. Sanction required for prosecution

9. Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence under this Act : Operation of other laws not barred.

Provided that no such prosecution shall be instituted except with the previous sanction referred to in section 8.

10. No court inferior to that of a Magistrate of the Second Class shall try, whether under this Act, or under any other law, anything which constitutes an offence under this Act. Jurisdiction.

11. All records or registers made under this Act or the rules made thereunder shall be deemed to be public documents within the meaning of the Indian Evidence Act, 1872. Records of enumeration to be public documents.

12. (1) The ¹[Central Government] may make rules for carrying out the purpose of this Act. Power to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, the ¹[Central Government] may make rules providing for the appointment of enumeration officers and persons to perform any of the duties of enumeration officers or to give assistance in the making of the enumeration, and for the general instructions to be issued to such officers and persons.

¹Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.