

THE PUNJAB LAND REVENUE (SURCHARGE) ACT, 1954.

PUNJAB ACT NO. XXXVI OF 1954.

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Year	No.	Short title	Whether affected by later legislation
1954	XXXVI	The Punjab Land Revenue (Surcharge) Act, 1954	Amended by Punjab Land Revenue (Surcharge) (Amendment) Act, 1955 (Punjab Act XIX of 1955) ^a Amended by Punjab Act No. 44 of 1956 ^b Amended by Punjab Act No. 13 of 1957. ^c Amended by Punjab Act No. 35 of 1957. ^d Amended by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

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

1. (1) This Act may be called the Punjab Land Revenue (Surcharge) Act, 1954. Short title, extent and commencement.

⁶[(2) It extends to the Union Territory of Chandigarh.]

(3) It shall come into force at once in the territories to which this Act extended immediately before the 1st November, 1956; and in any other area of the remaining territories on such date as may be notified by the [Central Government] in this behalf, and different dates may be specified for different areas.

2. (1) With effect from the Rabi harvest of the agricultural year 1953-54, ⁸[or, where this Act comes Levy of surcharge.

¹For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1954, pages 494-95 and 813; for Proceedings in the Assembly, see Punjab Legislative Assembly and Council Debates, 1954.

²For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1955, page 718; for Proceedings in the Assembly, see Punjab Legislative Assembly and Council Debates, 1955.

³For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1956, page 1142.

⁴For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1957, page 568.

⁵For Statement of Objects and Reasons, see Punjab Government Gazette (Extraordinary), 1957, pages 1021-1022.

⁶Substituted by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

⁷Substituted for the words "State Government" by *ibid.*

⁸Inserted by Punjab Act No. 35 of 1957.

into force in any area by notification issued under sub-section (3) of section 1, with effect from such harvest as the ¹[Central Government] may, by notification direct; and notwithstanding anything to the contrary contained in the Punjab Land Revenue Act, 1887 (Act XVII of 1887), every landowner who pay land revenue ²[* * * * *] in excess of ten rupees shall be liable to pay a surcharge thereon to the extent of one-quarter of the land revenue if the amount payable by him as land revenue does not exceed thirty rupees, and two-fifths of the land revenue where the amount payable by him exceeds thirty rupees :

³[Provided that the levy of surcharge shall not have the effect of adding to the value of any Jagir or any assignment of Land Revenue.]

(2) The surcharge shall continue to be charged and levied so long as the assessment of land revenue prevailing at the commencement of this Act ⁴[or, in the case of an area in which this Act comes into force by notification issued under sub-section (3) of section 1 prevailing on the date of such notification] continues to be in force.

(3) A landowner, liable to pay the surcharge, whose land is situated within the jurisdiction of more than one patwari, and who has not, before the commencement of this Act, ⁵[or before the date on which this Act comes into force in any area, as the case may be, given such information, shall within thirty days from the commencement of this Act or from the said date], give written information of the details of the total land revenue payable by him to the patwari of every revenue estate in which any part of such holding is situate, and shall also submit a copy thereof to the Tahsildar having jurisdiction.

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

²The words "in the State of Punjab" omitted by Punjab Act 35 of 1957, section 3.

³Proviso added by Punjab Act XIX of 1955.

⁴Inserted by Punjab Act No. 35 of 1957.

⁵Substituted for the words "given such information, shall within thirty days from the commencement thereof" by Punjab Act No. 35 of 1957.

¹[(3A) If a land-owner fails to furnish the information required in the foregoing sub-section or furnishes the information which is wrong in material particulars he may be charged a penalty up to twelve times the amount of surcharge recoverable from him under this Act :

Provided that a land-owner shall be deemed to have furnished the required information if he furnishes it within one month of the commencement of the Punjab Land Revenue (Surcharge) (Amendment) Act, 1957.]

(4) The surcharge ²[and the penalty if any] shall be recoverable as land revenue and in the manner prescribed by rules ³[made] by the ⁴[Central Government] in this behalf.

⁵[2-A. The ⁴[Central Government] may, by notification in the Official Gazette, make rules ⁶for carrying out the purposes of this Act.] Power to make rules.

3. The Punjab Land Revenue (Surcharge) Ordinance, 1954, the Punjab Land Revenue (Surcharge) (Amendment) Ordinance, 1954 and the Punjab Land Revenue (Surcharge) (Second Amendment) Ordinance, 1954 are hereby repealed, but notwithstanding such repeal anything done or any action taken in pursuance of or in exercise of any power conferred by or under the repealed Ordinances shall be deemed to have been done or taken in exercise of the powers conferred by or under this Act as if this Act were in force on the day on which such thing was done or action taken. Repeal and saving.

¹Sub-section (3-A) inserted by Punjab Act No.13 of 1957.

²Inserted by Punjab Act No.13 of 1957.

³Inserted by Punjab Act No. 35 of 1957.

⁴Substituted for the words "State Government" by the Punjab Reorganisation (Chandigarh) (Adaptation of Laws on State and Concurrent Subjects) Order, 1968.

⁵New section 2-A inserted by Punjab Act No. 35 of 1957.

⁶For rules made under sub-section (4) of section 2 see Punjab Government, Revenue Department Notification No. 30385-R(CH)-54/664, dated 25th April, 1955.