

PUNJAB VIDHAN SABHA

Bill No. 10-PLA-2016

**THE PUNJAB SATLUJ YAMUNA LINK CANAL LAND (TRANSFER OF
PROPRIETARY RIGHTS) BILL, 2016**

A

BILL

to provide for transfer of proprietary rights to the land owners from whom land was acquired by the State Government for construction of Satluj Yamuna Link Main Canal and for the matters connected therewith or incidental thereto.

Whereas the State of Punjab as a sovereign authority in federal structure of the Constitution of India and being a welfare State of the Union of India takes great pride to protect the interest of its inhabitants.

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

1. (1) This Act may be called the Punjab Satluj Yamuna Link Canal Land (Transfer of Proprietary Rights) Act, 2016. Short title and commencement.

(2) It shall come into force on and from the date of its publication in the Official Gazette.

2. In this Act, unless the context otherwise requires,— Definitions.

- (a) “Land” means land, as notified by the State Government, the ownership of which was transferred to the State Government in any manner for the construction of SYL Canal ;
- (b) “Land Owner” means the owner of the land or his successors-in-interest from whom the land was acquired in any manner by the State Government ;
- (c) “State Government” means the Government of the State of Punjab in the Department of Irrigation ; and
- (d) “SYL Canal” means Satluj Yamuna Link Main Canal, as proposed carrier channel, falling in the territory of State of Punjab.

3. (1) Notwithstanding anything contained contrary in any law for the time being in force, on and from the commencement of this Act, the proprietary rights on the land shall stand transferred to the land owners on such terms and conditions as the State Government may notify. Transfer of land.

(2) The record of rights shall stand amended and automatically modified by the concerned revenue authorities.

Settlement of claims. 4. The State Government shall notify a suitable machinery for settlement of claims of any landowner, or of any other party, as the case may be :

Provided that, the settlement of such claims in due course shall not in any manner affect the transfer of land in favour of the land owners in the record of rights as provided in section 3 of this Act on the date of commencement of this Act.

Overriding effect on other laws. 5. The provisions of this Act and the rules made thereunder, shall have over-riding effect notwithstanding anything inconsistent therewith contained in any other Act, rule, judgment, decree, notification, or any other instrument having force of law.

Protection for actions taken in good faith. 6. No suit, prosecution or other legal proceedings shall lie against the State Government or any person for anything which is done in good faith or intended to be done in pursuance of this Act or of any rule or order made there-under.

Bar of jurisdiction. 7. No civil court shall have jurisdiction to entertain any suit or proceedings in respect of any matter arising under or connected with this Act.

Power to make rules. 8. The State Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.

Power to remove difficulties. 9. (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an order, published in the Official Gazette, make such provision not inconsistent with the provisions of this Act, as may appear to be necessary for removing difficulty :

Provided that no such order shall be made under this section after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section, shall be laid as soon as may be, after it is made, before the State Legislature for a total period of ten days while it is in session.

STATEMENT OF OBJECTS AND REASONS

The object of this Bill is to provide for transfer of proprietary rights to the land owners from whom land was acquired by the State Government for construction of Satluj Yamuna Link Main Canal and for the matters connected therewith or incidental thereto.

PARKASH SINGH BADAL,
Chief Minister, Punjab.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 8 of "THE PUNJAB SATLUJ YAMUNA LINK CANAL LAND (TRANSFER OF PROPRIETARY RIGHTS) BILL, 2016" empowers to the State Government to make rules to carry out the purposes of this Act. The powers sought are necessary for the proper implementation of the provisions of the Act and are normal in nature.

CHANDIGARH :
The 14th March, 2016.

SHASHI LAKHANPAL MISHRA,
Secretary.

N.B.— The above Bill was published in the *Punjab Government Gazette (Extraordinary)*, dated the 14th March, 2016 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).