

PUNJAB GOVERNMENT

DEPARTMENT OF REHABILITATION

From

Shri B. B. Mahajan, I.A.S.,  
Financial Commissioner and Secretary  
to Government, Punjab,  
Revenue & Rehabilitation Department,  
Chandigarh.

To

All the Deputy Commissioners,  
in the State.

No. RD(770)/Part V/U.I./17359-70/dated Mohali, the  
5th November, 1984

Subject:—Winding up of Rehabilitation Department Instructions regarding (i) disposal of Urban Evacuee Agricultural lands/properties (ii) Sites left undeveloped due to revised lay outs in the Model Colonies set up by the State Rehabilitation Department in Punjab and (iii) disposal of rural evacuee agricultural land/houses by way of sale, transfer/allotment etc.

MEMORANDUM

It has been decided by Government that the Rehabilitation Department should be wound up and the work relating to the disposal of urban evacuee agricultural lands/properties, sites left undeveloped due to revised lay outs in Model Colonies viz. Model Towns, Model Houses, 8-Marlas Cheap Tenaments, 4 Marlas Cheap Tenaments, Shopping Centres, Mud Hut Colonies etc. set up for the resettlement of displaced persons and allotment of land to displaced persons in lieu of land abandoned by them in Pakistan and to war widows etc. be transferred to the respective Tehsildars (Mahal) in the State from the appointed day i.e. 31st January, 1985. The disposal of urban evacuee lands/properties is to be undertaken by them from that day. Since you had not been, in the past, associated with this work, a gist of the instructions governing disposal of such properties is given below:—

I. Disposal of Urban Evacuee Agricultural lands/Properties.

2. Urban evacuee agricultural lands/properties situated in the State were transferred by the Central Government in two different Deals (i) Package Deal 1963 and (ii) Administrative and Financial Arrangements, 1970. Separate lists of properties in each deal in respect of your District are being sent separately. Any property not mentioned in these lists will be treated as 'hidden property' and deemed to have been received in the Administrative and Financial Arrangement, 1970.



3. Disposal of porperties received in Package Deal of 1963, is governed by the provisions made under the Punjab Package Deal Properties (Disposal) Act, 1976 and the Rules framed thereunder. In the other cases, including those covered by Administrative and Financial Arrangement, 1970, disposal is governed under the provisions of Displaced Persons (C & R) Act, 1954 and the Rules framed thereunder. It has been held by Punjab and Haryana High Court that authorities under the Displaced Persons (Compensation and Rehabilitation) Act, 1954 have no jurisdiction to deal with the Package Deal Properties. *Vice versa*, the authorities under the Package Deal Properties (Disposal) Act, 1976 will have no jurisdiction to pass orders under the Displaced Persons (Compensation and Rehabilitation) Act, 1954. It is therefore, necessary that though you may be vested with powers under both the Acts, the appropriate designation viz. Chief Sales Commissioner or Chief Settlement Commissioner, as the case may be, should be correctly mentioned, as otherwise the order is likely to be struck down on the ground of lack of jurisdiction.

4. A copy of Punjab Package Deal Properties (Disposal) Act, 1976 as amended upto date is enclosed at Annexure I and a copy of Punjab Package Deal Properties (Disposal) Rules, 1976, as amended upto date, is at Annexure II.

A copy of the odrers issued by the Chief Settlement Commissioner on 30th August, 1979 and on 14th September, 1979 conveyed,—*vide* Endorsement No. RD(770)/Part IV/U.I./18025-18088, dated 14th September, 1979 for the disposal of properties, other than Package Deal properties, on the basis of possession, which are now in force, are appended at Annexures III and IV respectively. A copy of this Department Memo. No. RD(770)/Part-IV/U-I/16648-55, dated 30th August, 1979 which explains some provisions of the revised policy as contained in the Chief Settlement Commissioner's order dated 30th August, 1979 is at Annexure V. The amendment in the Package Deal Properties (Disposal) Rules, 1976, carried out by the Third Amendment Rules notified on 30th August, 1979, is also enclosed at Annexure VI. A copy of the order of the Deputy Secretary (Reh.) dated 14th September, 1979 conveyed with this Department Endorsement No. RD(770)Part IV-/18092-18102, dated 14th September, 1979 is also enclosed at Annexure VII.

## II. Transfer of Urban Evacuee properties on the basis of possession.

5. The main features of the revised policy, which applies both to the Package Deal properties and properties covered by Administrative and Financial Arrangement are as under:—

- (a) Evacuee houses and built up sites on which residential construction/commercial shops etc. have already been

raised may be transferred to the occupants, provided their possession is continuous and undisputed and they had raised construction on or before 1st January, 1977 and they have applied for their transfer by the prescribed date i.e. December 31, 1977.

- (b) Occupants/other than Scheduled Castes and Backward classes are liable to pay prevalent market price on the date orders for transfer are passed by Tehsildar-cum-M.O. Each such transferee shall be required to pay in cash 25 per cent of the price, in addition to upto-date rent/damage charges including other dues, if any, relating to the property transferred to him, within 30 days of the determination of his eligibility. The balance shall be recoverable in lump-sum or in three half-yearly instalments bearing interest at the rate of 6 per cent per annum (*vide* Annexures IV and VII) as per choice of the transferee. Arrears of rent/damage charges may also be allowed to be paid in instalments as per para 3(ii) of Chief Settlement Commissioner's order dated 30th August, 1979 at Annexure III and Rule 9(d) (ii) of the Punjab Package Deal Properties (Disposal) Rules, 1976.
- (c) The occupants belonging to Scheduled Castes/Backward classes are eligible to the transfer of properties at 25 per cent of the prevailing market price on the date orders for transfer are passed by Tehsildar-cum-M.O., recoverable in 12 half-yearly instalments. Interest on outstanding instalments will be charged at the rate of 4 per cent per annum (*vide* Annexure IV and VII). Such occupants will be required to pay the first instalment of the concessional price, in addition to upto-date rent/damges charges including other dues, if any, relating to property, within 30 days of the determination of his eligibility. Arrears of rent/damages in their case may also be allowed to be paid in instalments as indicated in (b) above.
- (d) An occupant belonging to the Scheduled Castes/Backward Classes, in possession of two urban evacuee properties—one for residential purpose and the other for commercial or industrial purpose, is eligible to 25 per cent concession in both the cases.
- (e) In the case of built up plots for residential purposes the area transferable shall be 20 marlas while in the case of commercial sites, the area transferable shall be 1000 Sq.



yards. Where the area of any built-up residential plot/commercial plot exceeds the aforementioned limit, the excess area can also be transferred to the occupants by negotiation, subject to the fixation of market price by the Valuation Board comprising of Sub Divisional Officers (Civil), Executive Engineer, PWD (B & R) or his representative (not below the rank of S.D.O.) and the District Industries Officer. The excess area may be transferred on payment of the market price by Scheduled Castes and Backward Classes occupants and on payment of additional price upto 25 per cent of market price in case of residential plots and upto 50 per cent of the market price in case of commercial plots, as prescribed by the aforementioned Board, in case of others. In no case, the area to be transferred shall exceed the ceiling fixed under the Urban Land Ceiling (Regulation) Act, 1976;

Where the area of a building plot or site or agricultural land being used for commercial or residential purpose is 500 yards or above, its market price shall also be assessed by the above mentioned Valuation Board.

- (f) Occupants should have applied on or before 31st December, 1977. No fresh application shall be invited but in hard cases, the delay in submission of applications can be condoned by the Government.
- (g) In case of default in the payment of any instalment (by transferee, both Scheduled Castes and non-Scheduled Castes) 9 per cent penal interest will be charged. If the transferee fails to make payment, the recoverable amount (i.e. Principle, Interest and Penal Interest) will be first charge on the property and will be recovered as 'arrear of land revenue'. The property cannot, however, be resumed on account of the default.
- (h) In case it is established that member of Scheduled Castes had built house before 15th August, 1947 on the land which became urban evacuee land such person will be entitled to retain that site without any payment.
- (i) In case, where a property is occupied by more than one family in distinct portions which are divisible, such portions shall be transferred to them separately, provided there is no dispute between them and applications for transfer of the portions under their respective possessions

were made separately by them by the prescribed date. But, where there is a dispute between the persons occupying a property and it is indivisible, it shall be disposed of in auction.

- (j) Urban evacuee property which is not transferred on the basis of possession or is not required for sale by negotiation to any Co-operative Society, Government concern etc. as indicated in para 7 below, shall be disposed of by public auction according to procedure laid down in Rule 90 of Displaced Persons (C & R) Rules, 1955 in so far as property other than Package Deal Property is concerned, and in accordance with the procedure prescribed in Chapter III Rule 8 of the Punjab Package Deal Properties (Disposal) Rules, 1976, in so far as package deal properties are concerned.

### III. Disposal of urban evacuee agricultural land.

6.(A) Entire evacuee urban agricultural land with the following exceptions will be disposed of by open auction under the provisions of Rule 90 of the Displaced Persons (C & R) Rules, 1955 and Chapter III Rule 8 of the Punjab Package Deal Properties (Disposal) Rules, 1976, amended from time to time :—

- (i) Agricultural land required for lessees/sublessees upto the allotable eligibility of Rs. 15,000 as provided in Chapter V-A of the Displaced Persons (C & R) Rules, 1955.
- (ii) Land required for public purposes.

### IV. Sale of urban evacuee agricultural land/properties by negotiation to Government Departments and other Institutions.

7. Urban evacuee agricultural land and other properties may be disposed of by negotiation by the Government (Revenue and Rehabilitation Department) to other Departments, Semi-Government Institutions, Co-operative Societies, Corporate Bodies and Public Institutions for a public purpose, or to private companies registered under the Companies Act, 1956 at the rates given below :—

Sr. No.	Name of the Department/Institution.	Concession allowed.
1.	Regd/Recognised religious, charitable, medical and educational institutions run by private bodies.	50 per cent of the current market price.



2. Municipal Committees (Subject to the condition that the urban land/properties are required for public purposes designed to promote social welfare activities).
3. Improvement Trusts.
4. Government Hospitals, Educational Institutions.
5. Residential urban Estates subject to the condition that the plots made out of such land will be exclusively and wholly meant for poorer section of the Society.
6. Housing Department for construction of houses for shelterless persons.
7. Corporation having 100 per cent shares of Government.
8. The urban evacuee agricultural land properties for which applications for transfer on the basis of possession as lessees by eligible persons received by the prescribed date,—vide paras 5 and 6 above are pending are not to be transferred under para 7 until the aforesaid applications have been decided. Where urban evacuee agricultural land or properties are proposed to be transferred by negotiation under para 7, the detailed proposals in this regard indicating the details of how the current market price has been worked out in respect of institutions mentioned at Sr. No(s) 1, 2 and 7 of para 7 may be sent by you to the Deputy Secretary, Rehabilitation for obtaining orders of Government. While submitting these cases, a copy of the relevant extract from the Jamabandi/site plan of the building and a certificate that no application in respect of eligible persons for transfer of land/property on the basis of possession or as lessee is pending may also please be sent.

#### V. Sale of Houses/Sites by open auctions

9. All other properties which are not required to be transferred on the basis of possession,—vide para 5 above or to Government Departments and other institutions,—vide para 7 above or sites which are not

50 per cent of the current market price.

At Award rate announced by the Collector for the land of locals, if any, included in their schemes.

At the rate of Rs. 300 per marla.

—do—

—do—

Current market price.

required for allotment to war widows,—vide para 12 below shall be disposed of by public auction in accordance with Rule 8 of Package Deal Properties (Disposal) Rules, 1976 or rule 90 of Displaced Persons (C & R) Rules, 1955, as the case may be. Procedure for dealing with objections against the sale and setting it aside are contained in rule 8(2) of Punjab Package Deal Properties (Disposal) Rules, 1976 and Rule 92 of the Displaced Persons (C & R) Rules, 1955.

#### VI. Fixation of price of properties

10. The market price for purpose of transfer of urban lands and properties whether on the basis of possession or by negotiation, and the reserve price in the case of such properties by auction, are to be fixed in accordance with Rule 11 of the Punjab Package Deal Properties (Disposal) Rules, 1976 or para 8 of the order dated 30th August, 1979 of the Chief Settlement Commissioner at Annexure III, as the case may be.

#### VII. Transfer of urban evacuee Houses to displaced rural land allottees.

11. An urban evacuee house in possession of a rural land allottee, who has not been allotted any rural houses/taur, as appurtenant to his land allotment or has not received any grant in lieu thereof, may be transferred to him at 20 per cent of the reserve price fixed without charging any rent subject to the conditions that such allottee has applied within the prescribed period i.e. on or before 31st October 1970. Press Note issued in this regard on 14th September, 1970 is appended as Annexure VIII. The policy was further liberalised,—vide instructions issued on 31st August, 1979, a copy of which is at Annexure IX. Any applications received after 31st October, 1970 can be considered only after obtaining approval of Government as required by para 3 of these instructions. Such cases may be referred by you to the Deputy Secretary (Reh) Mohali.

#### VIII. Allotment of urban site to war widows.

12. The widows of personnel of Armed Forces, B.S.F. and P.A.P. killed in action in Indo-Pak war of 1971, may be transferred, free of cost, plots measuring 500 Sq. yard in case of widow of a Commissioned Officer and 250 Sq. yard in case of widow of a non-Commissioned Officer, out of urban evacuee land provided that such widow or her deceased husband does not already own a house or a building plot anywhere in India or the widow has not been allotted any building or site under any other scheme in India. Applications were invited through a Press Note dated 28th November, 1975 and the last date of applications was 28th January, 1976. A copy of the Press Note is enclosed at Annexure X.



13. The urban plots for which applications for transfer as lessee by eligible persons,—vide para 6 above are pending, are not to be allotted to war widows until such applications have been decided.

IX. Disposal of Sites left undeveloped in the State Acquired Colonies (like Model Towns etc.) set up by the State Rehabilitation Department in Punjab.

14. Disposal of these sites is governed by the East Punjab Refugees Rehabilitation (Buildings and buildings Sites) Act, 1948, and rules made thereunder. Commissioners of Division, Deputy Commissioner and Addl. Deputy Commissioner are already vested with powers of Rehabilitation Authority under Section 2(b) of the Act.

15. The Punjab Government (in Rehabilitation Department) issued order,—vide Endorsment No. 2488-2516/TSH, dated 1st March, 1983, under the signatures of the Financial Commissioner (Revenue) and Secretary to Government, Punjab, Rehabilitation Department by which management and control of some open sites was handed over to the Municipal Corporation/Municipal Committee for laying out gardens/Parks/Roads, etc. with the clear stipulation that these sites would not be utilized for any purpose other than those. A copy of the order is appended at Annexure XI. All other open spaces and undeveloped sites left over shall be disposed of by way of open auction/transfer on the basis of possession on or before 1st January, 1977. Instructions issued in this regard on 21st July, 1981 are appended at Annexure XII. The lists of unauthorised occupants mentioned in para 4 of the instructions at XII are available with respective Tehsildars (Sales). These will be transferred by them to Sub-Divisional Officers (Civil) before the appointed date i.e. 31st January, 1985.

16. The widows of Personnel of Armed Forces, B.S.F. and P.A.P. killed in action in Indo Pak War of 1971, may be transferred, free of cost, plots measuring 500 Sq. Yds. in case the widow is of a Commissioned Officer and 250 Sq. Yds. in case the widow of a non Commissioned Officer, provided such widow or her deceased husband does not own a house or a building plot or site under any other scheme in any urban town in India (Annexure X). A war widow will, of course, be allotted only one plot, either out of urban evacuee land,—vide para 12 above or available site in the Rehabilitation Colonies.

X. Disposal of rural evacuee agricultural lands and properties.

17. Entire available evacuee agricultural land/properties were purchased by the Punjab State from the Central Government in Package

Deal of 1961. Disposal of these properties is governed by the Punjab Package Deal Properties (Disposal) Act, 1976 and Rules framed thereunder. Section 4 of the Act *ibid* provides the mode of disposal of the land/properties. This work has already been entrusted to you with effect from 1st April, 1976 and relevant instructions/Rules have been sent to you from time to time.

XI. Allotment of land to unsatisfied displaced land holders.

18. The land which is not transferred on the basis of possession and for which no application from an eligible person received by the prescribed date is pending, shall be utilized for allotment to unsatisfied displaced land holders of Punjabi and Non-Punjabi extraction under the provisions of the Displaced Persons (C & R) Act, 1954 and Rules framed thereunder. This work will also from the appointed day i.e. 31st January, 1985 be entrusted to Tehsildars (Mahal). Procedure to be followed in this regard is as under:—

- (i) Goshwara allotment is issued by the Government (Reh. Department) under the signatures of an officer duly authorised. His specimen signatures will be circulated amongst all the concerned officers in due course.
- (ii) As soon as the Goshwara allotment is received by the Managing Officer, the same is again returned by him to the issuing officer (By name under registered cover) for re-verification.
- (iii) Allotment is made by the Managing Officer, after hearing the claimant in person, in the Tehsil/village mentioned in the Goshwara in the same grade of village to which the allottee belongs. However, if no area equivalent to the grade of the claimant is available then he is to be allotted land by applying premium out as laid down in instructions issued,—vide letter No. RI(125)/12894-912/Reh(R), dated 21st April, 1961, copy appended at Annexure XIII.
- (iv) In case a claimant wants change of district/tehsil on sufficient reasons, the matter shall be referred to Government through the Deputy Commissioner concerned.

Instructions issued by the Government,—vide Memo. No. RI(165)/7123/G-7, dated 20th April, 1972, Memo. No. RI(165) Part VI/24088 dated 26th December, 1975 and Memo. No. RI(120)/76/24738 dated 20th December, 1976 and RI(165) Part-7, 10901-03, dated 20th June, 1978, in this regard are appended at Annexure XIV, XIV/A, XV and XVI.



- (v) At the time of allotment/issuance of parchi Numbran Khassra, following principles (as laid down in the Land Resettlement Manual by S. Tarlok Singh, ICS) are to be kept in view.
- (a) Radif-wise Khasra Numbran of cultivable land be allotted;
  - (b) Ghairmumkin land or land within *Phirni* fit for abadi or lands around the towns which are potentially valuable should not be allotted. In this regard instructions issued,—vide No. 33150-76, dated 12th August, 1970 and 9(742) 4381-92, dated 12th April, 1971 are appended as Annexures XVII and XVIII.
  - (c) Banjar land can be allotted at the request of an allottee by evaluating it as Barani.
  - (d) Alternative allotment in lieu of the land earlier wrongly allotted to any claimant on one reason or the other, is to be provided by the Managing Officer only after getting prior clearance in each case from the Deputy Secretary to Government Punjab Rehabilitation Department. In this regard instructions issued by the Government,—vide Memo. No. RI(165)/4197-4216/G-7, dated 26th April, 1982 are appended at Annexure XIX.
  - (e) The agricultural land for which applications for transfer on the basis of possession by eligible persons received by the prescribed date are pending may not be allotted until those applications are disposed of.

XII. Allotment of land to permanently disabled soldiers widows or parents, or children killed in the Chinese Aggressions of 1962 and Indo Pak conflict in 1965 and to widows of the deceased soldiers or to such widows who have re-married with real brother (s) of their deceased husband of Indo Pak War of 1971.

19. Permanently disabled soldiers, widows or parents or children of the soldiers killed in the Chinese Aggression of 1962, and Pakistan Aggression of 1965 are provided allotment of rural agricultural land upto the limit of 10 ordinary acres inclusive of one's holding, if any, on payment of rupees 450 per standard acre provided they had made applications before 21st September, 1971, under the Press Note issued on 16th June, 1971 by the Government in the Rehabilitation Department copy of which is appended at Annexure XX as per provisions made in Chapter I Part II, Rule 4 of the Punjab Package Deal Properties (Disposal)

Rules, 1976 as amended from time to time. Similarly widows of the personnel of the Armed Forces, Border Security Forces and Punjab Armed Police killed in the Indo Pak conflict of 1971, shall also be given allotment of land upto the limit of 10 ordinary acres inclusive of their own holdings. Under the Press Note issued by the Government in the Rehabilitation Department on 28th November, 1975, copy of which is appended at Annexure X the war widows of 1971 have further been allowed to exercise their options either to have a residential plot/house/site in an urban area or rural agricultural area to the extent of 10 ordinary acres under provisions of the Rules *ibid*.

20. The work relating to allotment of land to war widows etc. which was being done so far by Tehsildars (Sales) will also from 31st January, 1985 be undertaken by Tehsildars (Mahal). The eligibility for the allotment is determined by the Deputy Secretary, Rehabilitation. The applications for which eligibility has already been determined but allotment of land is still pending on 31st January, 1985 will be transferred by Tehsildars (Sales) to respective Tehsildar (Mahal).

21. The agricultural land for which applications for transfer on the basis of possession by eligible persons received by the prescribed date are pending may not be allotted until those applications are disposed of.

### XIII. Sale of land in restricted auction.

22. The remaining cultivated land excluding the land falling under the following excepted categories as defined in Sub rule 2 of rule 6 of the Punjab Package Deal Properties (Disposal) Rules, 1976:—

- (i) the land retrieved by the Directory Organisation set up by the State Government in the Rehabilitation Department or cancelled from the the allotment of displaced land holders;
- (ii) lands which are sub-urban or potential residential or commercial sites or are under gardens or fall within garden colonies.
- (iii) small fragments of land not exceeding 2 acres which are inaccessible and are surrounded by the holdings of owners, and
- (iv) lands already sold in open auction, but the sale of which has been set aside by a competent authority;
- (v) lands required for any public purpose shall be disposed of by auction restricted to the landless members of the



Scheduled castes resides in the village in which the land offered for sale is situated, who have no other means of livelihood and who are tenants, sepis, Sanjhis or agricultural labourers depending upon agricultural for their livelihood, under sub rule 4 to 6 of Rule 6, *ibid*. This work is already being handled by you and necessary instructions in this regard have already been issued.

23. The disposal of Shamlat Deh Land in wholly or partially evacuee villages have been stayed by the Government in any manner i.e. by way of transfer; sale or by allotment,—vide instructions issued,—vide No. RI(115) Part II/7378-85 dated 18th June, 1982 and RI(115) Part II/G-7/18429-40 dated 7th October, 1983, copies of which are appended at Annexure XXI and XXII. as the matter is pending in the Supreme Court.

#### XIV. Sale of land in open auction

24. Land falling under the excepted categories mentioned in sub-rule 2 of rule 6 of Punjab Package Deal Properties (Disposal) Rules, 1976, are disposed of by way of open auction under Section 4(1) of the Punjab Package Deal Properties (Disposal) Act, 1976, and procedure laid down in the Rules framed thereunder. The work is already being handled by you. It is, however, mentioned that the sale of Banjar/Gair Mumkin land has been stayed by the Government till further orders,—vide instructions bearing Nos. (505) G-5/Policy-III/10273-84, dated 7th July, 1981 and followed by letter No. (s) 2(505)/G-5/Policy-III/5134-45, dated 14th March, 1983 and No. 2(505)G-5/Policy-III/8921-32, dated 20th May, 1983 have already been conveyed to you, copies of these are, however, appended at Annexures XXIII, XXIV and XXV.

XV. Sale of rural evacuee land by negotiation to the allottees or their vendees or their legal heirs, whose land allotment has been cancelled

25. (1) Land cancelled from the allotment of a displaced land holder, who has opted for its purchase by the allottee or where bonafide vendees have opted for such purchase shall be sold to him/them by negotiation at the current market price by the State Government under Section 4 of Punjab Package Deal Properties (Disposal) Act, 1976 provided that the rural evacuee area that may be sold to any person including the area already owned by him, shall not exceed 5 Standard acres or 10 ordinary acres, whichever may be less. In this regard, necessary rules are being framed in consultation with the Legislative Department and till then, all such cases should be kept pending, provided the condition about the maximum area to be sold is fulfilled.

(ii) Surplus rural evacuee land which is not transferred to the occupants on the basis of possession under the extent policy or is not required for allotment to the displaced persons/war widows may also be sold by negotiation to the Corporations, wholly financed by the Government, village Panchayats, etc. for the construction of Hospital/Schools, registered recognised religious and charitable institutions and to the Defence Department, at the following rates, subject to the approval of the Government.

S. No.	Name of the Deptt/Institution.	Concession allowed.
1.	Corporations wholly financed by the Government.	50 per cent of the current market price.
2.	Village Panchayats etc. for the construction of Hospitals/Schools.	—do—
3.	Registered/Recognized religious and charitable institutions.	—do—
4.	Defence Department	At the award rates announced by the Land Acquisition Collector for acquiring land of local owners.

#### XV. Disposal of surplus rural houses/sites.

26. The work is already being handled by you and relevant instructions have been sent to you from time to time.

#### GENERAL

27. It may please be ensured that no transfer of the work mentioned in Para 1 to the Revenue Agency, the same may be completed expeditiously and strictly in accordance with Act, Rules, and Government instructions. If clarification on any point is required, you may kindly get in touch immediately with the undersigned.

B. B. Mahajan

Financial Commissioner and  
Secretary to Government, Punjab.  
Revenue and Rehabilitation Department  
Mohali.



Endorsement No. RD(770)/Part V/U.I/17371-534/ dated Mohali, the 5th November, 1984

A copy alongwith the enclosures, is forwarded for information and necessary action to:—

1. The Commissioners, Jalandhar, Ferozepur and Patiala Divisions.
2. All the Deputy Commissioners in the State.
3. All the S.D.O.s (Civil) in the State.
4. All the Tehsildars (Mahal) and Naib Tehsildars (Mahal) in the State.
5. All the Tehsildars (Sales) in the State.

Man Mohan Hurria  
Deputy Secretary to Government, Punjab  
for Financial Commissioner, Revenue  
and Rehabilitation Department.

A copy is forwarded to P.S. to Financial Commissioner (Revenue), Punjab, Chandigarh, for the information of F.C.(R).

Man Mohan Hurria  
Deputy Secretary to Government, Punjab  
for Financial Commissioner, Revenue  
and Rehabilitation Department.

U.O. No. RD(770) Part V/U.I/17535/dated Mohali, the 5th November, 1984.

#### DETAILS OF ANNEXURES

Annexure I	.. Punjab Package Deal Properties (Disposal Act, 1976
Annexure II	.. Punjab Package Deal Properties (Disposal) Rules, 1976
Annexure III	.. C.S.C.'s letter dated 30th August, 1979 Endst. No. RD (770)/Part IV /U-I/ 18025-18088
Annexure IV	.. Dated 14th September, 1979
Annexure V	.. RD(770)/Part IV/U.I/16648—55, dated 30th August, 1979
Annexure VI	.. Punjab Package Deal Properties (Disposal) (Third Amendment) Rules, 1976 notified on 30th August, 1979
Annexure VII	.. RD(770)/Part IV/18092—18102, dated 14th September, 1979
Annexure VIII	.. Press Note dated 14th September, 1979
Annexure IX	.. Instructions issued on 31st August, 1979
Annexure X	.. Press Note dated 28th November, 1975
Annexure XI	.. Order, dated 1st March, 1983, Endst. No. 2488—2516
Annexure XII	.. Instructions, dated 21st July, 1981
Annexure XIII	.. RI(125)12894—912/Reh(R), dated 21st April, 1961,
Annexure XIV	.. RI(165)7123/G-7, dated 20th April, 1972
Annexure XIV/A	.. RI(165) Part IV/24088, dated 26th December, 1975
Annexure XV	.. RI(120)75/24738, dated 20th December, 1976
Annexure XVI	.. RI(165) Part-7/10901—03, dated 20th June, 1978
Annexure XVII	.. 33150—76, dated 12th August, 1970
Annexure XVIII	.. 9(742) 4381—92, dated 12th April, 1971
Annexure XIX	.. RI(165)VII/4197—4216/G-7, dated 26th April, 1982
Annexure XX	.. Press Note, dated 16th June, 1971
Annexure XXI	.. RI(115) Part II/7378—85, dated 18th June, 1982
Annexure XXII	.. RI(115) Part II/G-7/18429—40, dated 7th October, 1983
Annexure XXIII	.. 2(505)/G-5/Policy-III/10273—84, dated 7th July, 1981
Annexure XXIV	.. 2(505)/G-5/Policy III/5134—45, dated 14th March, 1983
Annexure XXV	.. 2(505)/G-5/Policy III/8921—32, dated 20th May, 1983

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### THE PUNJAB PACKAGE DEAL PROPERTIES (DISPOSAL) ACT, 1976

Punjab Act No. 21 of 1976 (Amended up-to-date)

(Received the assent of the President of India on the 19th April, 1976 and was first published for general information in the Punjab Government Gazette (Extraordinary), Legislative Supplement, dated the 30th April, 1976)

An \*Act to provide for the disposal of properties taken over by Punjab Government in package deals and for matters connected therewith

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

1. This Act may be called the Punjab Package Deal Properties (Disposal) Act, 1976.

Definitions:

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

(1) \*\*\*"Commissioner" means the Commissioner of a Division".

(1-A) "package deal property" means the surplus evacuee property taken over by the State Government and referred to in the Government of India letter—

(i) No. 3(35)Pol.II/60, Land and Rent, dated 3rd June, 1961, read with letter No. 3(54)/Pol.II/60-L&R, dated 5th March, 1962,

(ii) No. F.13(40)J/61/Prop/Comp & Prop., dated 23rd March, 1963, and

(iii) No. F.18(40)/61-Prop-Comp & Prop, dated 29th March, 1963, reproduced in the Schedule to this Act;

but excluding such property as may be required for transfer on allotment, by way of compensation to a displaced

\*For statement of objects and reasons, see Punjab Government Gazette (Extraordinary), 1976, page 309.  
\*\*Added,— vide Notification No. 10-Leg/79, published in the Punjab Government Gazette, (Extraordinary), dated 15th May, 1979, page 33.



person, as defined in the Displaced Persons (Compensation and Rehabilitation) Act, 1954, and rural agricultural land required for similar allotment to a displaced person of non-Punjabi extraction in pursuance of the directions of the Central Government given under Section 32 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, read with sub-rule (2) of Rule 66 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955;

- (2) "Scheduled Castes" means such castes as have been specified in Part X of the Constitution (Scheduled Castes) Order, 1950, in relation to the State of Punjab;
- (3) "standard acre" means a measure of land convertible with reference to yield from, and the quality of, the soil, into an ordinary acre according to the prescribed scale;
- (4) "State Government" means the Government of the State of Punjab; and
- (5) "unauthorised occupation" a person shall be deemed to be in unauthorised occupation of any package deal property—
  - (a) where he has, whether before or after the commencement of this Act, entered into possession thereof otherwise than under and in pursuance of any allotment, lease or grant; or
  - (b) where he, notwithstanding anything contained in para (a), has whether before or after the commencement of this Act, entered into possession, thereof in pursuance of an order obtained by him by means of fraud, false representation or concealment of any material facts; or
  - (c) where he, being an allottee, lessee or grantee, has by reason of the determination or cancellation of his allotment, lease or grant in accordance with the terms in that behalf therein contained, ceased, whether before or after the commencement of this Act, to be entitled to occupy or hold such package deal property; or
  - (d) where any person authorised to occupy any package deal property, has, whether before or after the commencement of this Act,—
    - (i) sublet, in contravention of the terms of allotment, lease or grant, without the permission of the State Government or of any other authority competent to permit

such sub-letting, the whole or any part of such package deal property; or

- (ii) otherwise acted in contravention of any of the terms, express or implied, under which he is authorised to occupy such package deal property.

*Explanation.*—For the purpose of sub-clause (a), a person shall not merely by reason of the fact that he has paid any rent be deemed to have entered into possession as allottee lessee or grantee.

*Appointment of Chief Sales Commissioners and other Officers:*

3. \*(1) For every district, the State Government shall, by notification in the Official Gazette, appoint a Chief Sales Commissioner, as many Sales Commissioners and Tehsildars (Sales) or Naib-Tehsildars (Sales), as may be necessary for the purpose of performing the functions assigned to them by or under this Act.

(2) Subject to the general superintendence and control of the State Government the Commissioner shall control the Chief Sales Commissioners, the Sales Commissioners, Tehsildars (Sales) and Naib-Tehsildars (Sales) in his division and the Chief Sales Commissioner shall control the Sales Commissioner, Tehsildars (Sales) and Naib-Tehsildars (Sales) in his district.

*Power to transfer package deal property:*

4. (1) Subject to any rules that may be made under this Act, the Tehsildar (Sales) or Naib-Tehsildar (Sales) may transfer any package deal property—

- (a) by sale by public auction;
- (b) by sale by auction restricted to socially and educationally, Backward Classes of citizens notified by the State Government from time to time or to the members of the Scheduled Castes;
- (c) by sale to such class of occupants and at such price as the State Government may by general or special order specify;
- (d) by sale to any co-operative society, Government company or local authority or to any corporate body for a public purpose;

\*Inserted by Act No. 10 of 1979 published in Punjab Government Gazette (Extraordinary), dated May 15, 1979 at page 33.



(e) by lease on such terms and conditions as may be prescribed;  
or

(f) in such other manner as may be prescribed:

Provided that, except in the case of a sale under clause (d), the maximum area that may be transferred to any person, including the area, if any, already owned by him, shall not exceed five standard acres or ten ordinary acres whichever may be less:

Provided further that no transfer shall be made *Benami*.

(2) For the purposes of transferring any package deal property under sub-section (1), the Tehsildar (Sales) or Naib-Tehsildar (Sales) may transfer the same to any person individually or jointly with any other person or persons.

(3) Every Tehsildar (Sales) or Naib Tehsildar (Sales) selling any package deal property by public auction or otherwise under sub-section (1) shall be deemed to be a Revenue Officer within the meaning of sub-section (4) of section 89 of the Registration Act, 1908 (XVI of 1908).

*Power to recover damages:*

5. Where a Tehsildar (Sales) or Naib Tehsildar (Sales) is satisfied that any person is or has at any time been in unauthorised occupation of any package deal property, then, without prejudice to any other action which may be taken against that person, the Tehsildar (Sales) or Naib Tehsildar (Sales) may, having regard to such principles of assessment of damages as may be prescribed, assess the damages on account of the use and occupation of such package deal property and may, by order, require that person to pay the damages within such period and in such instalments as may be specified in the order:

Provided that no order shall be made against any person under this section until after the issue of a notice in writing to the person calling upon him to show cause, within such time as may be specified in the notice, why such order should not be made, and until his objections, if any, and any evidence he may produce in support of the same, have been considered by the Tehsildar (Sales) or Naib Tehsildar (Sales), as the case may be.

*Recovery of certain sums as arrears of land revenue:*

6. (1) Any sum payable to the State Government in respect of any package deal property may be recovered in the same manner as an arrear of land revenue.

(2) If any question arises whether a sum is payable to the State Government within the meaning of sub-section (1) in respect of any package deal property, it shall be referred to the Sales Commissioner within whose jurisdiction the package deal property is situate and the Sales Commissioner shall, after making such enquiry as he may deem fit and giving to the person by whom the sum is alleged to be payable an opportunity of being heard, decide the question; and the decision of the Sales Commissioner shall, subject to any appeal or revision under this Act, be final and shall not be called in question by any Court or other authority.

(3) For the purposes of this section, a sum shall be deemed to be payable to the State Government notwithstanding that its recovery is barred by the Limitation Act, 1963 (35 of 1963) or any other law for the time being in force relating to limitation of actions.  
*Power to vary or cancel leases or transfers of any package deal property:*

7. (1) Notwithstanding anything contained in any other law for the time being in force but subject to any rules that may be made under this Act, the Tehsildar (Sales) or Naib Tehsildar (Sales) may cancel any transfer or terminate any lease or amend the terms of any transfer or lease under which any package deal property is held or occupied by a person:

Provided that no transfer shall be cancelled, lease terminated or the terms of any transfer or lease amended unless such an action is permissible under the terms and conditions of the instrument of transfer or lease, as the case may be, and unless an opportunity of showing cause has been given to the transferee or lessee, as the case may be.

(2) Where any person—

- (a) has ceased to be entitled to the possession of any package deal property by reason of any action taken under sub-section (1); or
- (b) is, in the opinion of the Tehsildar (Sales) or Naib Tehsildar (Sales) otherwise in unauthorised possession of any package deal property;

he shall, after he has been given a reasonable opportunity of showing cause against his eviction from such package deal property, surrender possession of the property on demand being made in this behalf by the Tehsildar (Sales) or Naib Tehsildar (Sales) or by any other person duly authorised by the Tehsildar (Sales) or Naib Tehsildar (Sales) as the case may be.



(8) If any person fails to surrender possession of any package deal property on demand made under sub-section (2), the Tehsildar (Sales) or Naib Tehsildar (Sales) may, notwithstanding anything to the contrary contained in any other law for the time being in force, eject such person and take possession of such property and may, for such purpose, use or cause to be used such force as may be necessary.

*Appeals to Sales Commissioner:*

8. (1) Any person aggrieved by an order of the Tehsildar (Sales) or Naib-Tehsildar (Sales) under this Act may, within thirty days from the date of the order, prefer an appeal to the Sales Commissioner, in such forms and manner as may be prescribed:

Provided that the Sales Commissioner may entertain an appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) The Sales Commissioner may, after hearing the appeal, confirm, vary or reverse the order appealed against and pass such order in relation thereto as he may deem fit.

*Appeal to Chief Sales Commissioner:*

9. (1) Any person aggrieved by an order of the Sales Commissioner may, within thirty days from the date of order, prefer an appeal to the Chief Sales Commissioner, in such form and manner as may be prescribed:

Provided that the Chief Sales Commissioner may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) The Chief Sales Commissioner may, after hearing the appeal, confirm, vary or reverse the order appealed against and pass such order in relation thereto as he may deem fit.

*Power of revision:*

10. (1) The Chief Sales Commissioner may at any time call for the record of any proceedings under this Act in which a Tehsildar (Sales) or a Naib-Tehsildar (Sales) or a Sales Commissioner in his district has passed an order for the purpose of satisfying himself as to the legality or propriety of any such order and may pass such order in relation thereto as he may deem fit.

\*Inserted by Act No. 10 of 1979, published in Punjab Government Gazette, (Extraordinary) dated 15th May, 1979 at page 33.

(2) Without prejudice to the generality of the foregoing power under sub-section (1), if the Chief Sales Commissioner is satisfied that any order, whether passed before or after the commencement of this Act, for the transfer of package deal property to any person, has been obtained by him by means of fraud, false representation or concealment of any material facts, then, notwithstanding anything contained in this Act, the Chief Sales Commissioner may pass an order cancelling or modifying the order of such transfer.

(3) No order which prejudicially affects any person shall be passed under this section without giving him a reasonable opportunity of being heard.

(4) Any person aggrieved by an order made under sub-section (2) may within thirty days from the date of the order, make an application for the revision of the order, in such form and manner as may be prescribed, to the \*\*Commissioner and the Commissioner may pass such order, thereon as he thinks fit.

*Review and amendment of orders:*

11. Clerical or 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 or the successor-in-office of such officer or authority.

*Powers of officers:*

12. Every officer appointed under this Act shall for the purpose of making any enquiry or hearing an appeal under this Act, have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (V of 1908), when trying a suit in respect of the following matters, namely :—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of any document;
- (c) requisitioning any public record from any Court or office;
- (d) issuing commissions for examination of witnesses;
- (e) appointing guardians or next friends of persons who are minor or of unsound mind;
- (f) any other matter which may be prescribed:

\*\*Inserted by Act No. 10 of 1979, published in Punjab Government Gazette, dated 15th May, 1979 at page 33.



and any proceedings before any such officer shall be deemed to be a judicial proceedings within the meaning of sections 193 and 228 of the Indian Penal Code, 1860 (Act XLV of 1860), and every such officer shall be deemed to be a Civil Court within the meaning of sections 345 and 346 of the Code of Criminal Procedure, 1973 (Act 2 of 1974).

*Functions and duties of Officers :*

13. Subject to the provisions of this Act and the rules made thereunder, the officers appointed under this Act may take such measures as may be considered necessary or expedient for the purpose of securing, administering, preserving, managing or disposing of any package deal property entrusted to them and generally for the purpose of satisfactorily discharging any of the duties imposed on them by or under this Act and may for any such purpose as aforesaid, do all acts necessary or incidental thereto.

*Power to transfer cases:*

<sup>1</sup>14. (1) The State Government may by an order in writing, at any time, transfer any case pending before a Commissioner to another Commissioner.

(2) The Commissioner may by an order in writing, at any time, transfer any case pending before a Chief Sales Commissioner to another Chief Sales Commissioner in his division.

(3) The Chief Sales Commissioner may, by an order in writing at any time, transfer any case pending before any officer appointed under this Act to another officer within his district.

(4) The officer to whom the case is transferred under sub-section (1), sub-section (2) or sub-section (3) may, subject to any special direction in the order of transfer, proceed from the stage at which it was so transferred.

*Power to call for record of proceedings:*

<sup>2</sup>15. (1) The State Government may at any time call for the record of any case under this Act pending before or disposed of by, any officer and may pass such order in relation thereto as in its opinion the circumstances of the case require and as is not inconsistent with any of the provisions contained in this Act or the rules made thereunder.

<sup>1</sup>Substituted,—vide Act 10 of 1979, published in Punjab Government Gazette, dated 15th May, 1979 at page 33.

<sup>2</sup>Substituted,—vide Act 10 of 1979, published in Punjab Government Gazette, dated 15th May, 1979 at page 33.

(2) Subject to the provisions of sub-section (1), the Commissioner may at any time call for the record of any case under this Act pending before, or disposed of by, any officer, and may pass such order in relation thereto as in his opinion the circumstances of the case require and as is not inconsistent with any of the provisions contained in this Act or the rules made thereunder.

(3) The State Government or the Commissioner shall not under this section pass an order reversing or modifying any proceedings or order of any officer without giving the affected person an opportunity of being heard.

*Pending cases:*

15-A. (1) Any appeal against an order of the Sales Commissioner pending under sub-section (1) of section 9 or any proceedings pending under sub-section (1) or sub-section (2) of section 10, immediately before the commencement of the Punjab Package Deal Properties (Disposal) Amendment Act, 1979, before the Chief Sales Commissioner shall stand transferred to and be decided by the concerned Chief Sales Commissioner.

(2) Any application for the revision of an order of the Chief Sales Commissioner under sub-section (4) of Section 10 or any proceedings pending under section 15, immediately before the commencement of the Punjab Package Deal Properties (Disposal) Amendment Act, 1979, before the State Government, shall stand transferred to and be decided by the concerned Commissioner.

*Bar of jurisdiction and finality of orders:*

16. (1) Save as otherwise expressly provided in this Act, every order made by any officer or authority under this Act shall be final and no Civil Court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the State Government or any officer or authority appointed under this Act is empowered by or under this Act to determine, and no injunction shall be granted by any Court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

(2) Nothing in the Punjab Public Premises and Land (Eviction and Rent Recovery) Act, 1973, shall apply to package deal property.  
*Protection of action taken in good faith:*

17. No suit or other legal proceeding shall lie against the State Government or any person appointed under this Act in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.



Power to make rules;

16. (1) The State Government may, by notification in the official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

- (a) the scale according to which a standard acre is to be converted into ordinary acres;
- (b) the terms and conditions under which package deal property may be disposed of or transferred under section 4;
- (c) the form and manner in which and the time within which an application for the transfer of property may be made by an occupant and the particulars which it may contain;
- (d) the procedure for the transfer of property and the manner of realisation of the sale-proceeds;
- (e) procedure for valuation of any property forming part of the package deal property;
- (f) the principles of assessment of damages of package deal property under unauthorised occupation;
- (g) the powers, functions and duties of the Tehsildar (Sales) and Naib-Tehsildar (Sales);
- (h) the form and manner in which records and books of accounts may be maintained;
- (i) the form and manner in which appeals, revisions or other applications may be preferred or made under this Act and the procedure for hearing such appeals, revisions or other applications;
- (j) the fees payable in respect of appeals, revisions or other applications made under this Act;
- (k) the powers vested in Civil Court which may be exercised by an officer appointed under this Act;
- (l) any other matter which is to be or may be prescribed under this Act.

(3) Every rule made under this section shall be laid, 'as soon as may be, after it is made, before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive session aforesaid, the House agrees in making any modifications in the rule or the House agrees that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

# SCHEDULE

[See section 2(1)]

No. 3(35)/Pol.II//60, Land & Rent

GOVERNMENT OF INDIA

MINISTRY OF REHABILITATION

Office of the Chief Settlement Commissioner

Jaisalmer House, New Delhi.  
Dated the 3rd June, 1961.

From  
The Chief Settlement Commissioner &  
Joint Secretary to the Government of India.

To  
The Secretary to the Government of Punjab,  
Rehabilitation Department, Jullundur.

Subject :—Sales of surplus rural evacuee lands and houses/taurs to the Punjab Government.

Sir,

I am directed to refer to the correspondence resting with Shri B. S. Grewal's D.O. letter No. Reh.(61)/833, dated the 24th April, 1961, on the above subject, and to state that as a result of the further discussions held with him on the 4th May, 1961, the following decisions have been taken for transfer of the surplus evacuee lands and houses/taurs to the Punjab Government—

- (1) An area of about 80,000 std. acres of surplus land will be sold to the Punjab Government at the rate of Rs. 445 per std. acre.
- (2) The surplus rural houses/taurs, the estimated value of which is about Rs. 2 crores will be sold to the Punjab Government at 5 per cent of the reserve price already fixed.
- (3) The Punjab Government will be given a rebate equal to 5 per cent of the sale price of (1) and (2) above to meet



administrative expenses for the disposal of the above properties.

- (4) Banjar land, approximately, 1,11,004 acres will be sold to the Punjab Government at Rs. 5 per acre.
- (5) The entire area of Ghair mumkin land, the area of which is not yet known will be sold to the Punjab Government at a token price of Rs. 100.
- (6) Any other land which is not fit for cultivation such as land under river action or situated in the Bet areas will be treated as Ghair Mumkin/*banjar* land, as the case may be and sold to the Punjab Government on the rates mentioned under (4) and (5) above. The area of such land is also not yet known.

2. The area or the number wherever mentioned is only approximate. The Punjab Government would take immediate steps to find out the extent of area in each category and the number of the houses/taurs together with the reserve price. The total amount payable on that account will also be intimated by them soon.

3. It has also been decided that the entire price of the above properties will be paid by the Punjab Government within a period of 3 years commencing from 1st April, 1961. The payment will be made half yearly so as to complete the entire price in six instalments. The first instalment will be paid on 1st October, 1961. These instalments will not bear any interest. The last instalment will be paid on or before 31st March, 1964.

4. These properties will also be deemed to have been transferred to the Punjab Government with effect from the 1st April, 1961. All income derived from these properties after that date, i.e., rent, lease money, etc., will be credited to the State Head of Account.

5. The amount to be paid by the Punjab Government will be credited to the compensation pool under the head of account "XLVI—Misc. receipts, on account of Displaced Persons—Receipts on account of acquired evacuee property",

6. Monthly return of the progress of the work may please be forwarded to this office on the 10th of each month.

Yours faithfully,

S. W. SHIVESHWARKAR,  
Chief Settlement Commissioner and  
Joint Secretary to the Government of  
India.

GOVERNMENT OF INDIA  
MINISTRY OF REHABILITATION

Office of the Chief Settlement Commissioner

Jaisalmer House, New Delhi.  
Dated the 5th March, 1962.

From

The Chief Settlement Commissioner.

To

The Secretary to the Government of Punjab,  
Rehabilitation Department, Jullundur.

Subject:—Sales of excess land in occupation of the allottees.

Sir,

I am directed to refer to item No. 3 of the minutes of the meeting held at Chandigarh on the 29th January, 1962, on the above subject and to say that as decided in the meeting the excess area in occupation of the allottees may be treated as a part of the package deal and its price at the rate of Rs. 445 per standard acre be paid along with the price of other properties forming part of the deal. It may, however, be clarified that only the excess land which has been detected and sold after 1st April, 1961, will be disposed of in the above manner. The sale price of the excess land which was detected before the date will be paid directly to the Compensation Pool as was done hitherto.

Yours faithfully,

SHIV KUMAR VERMA,  
for Chief Settlement Commissioner.



No. F.18(40)J/61/Prop./Comp. & Prop.

GOVERNMENT OF INDIA ✓

MINISTRY OF WORKS, HOUSING AND REHABILITATION  
(DEPARTMENT OF REHABILITATION)

Office of the Chief Settlement Commissioner

Jaisalmer House, New Delhi.  
Dated the 23rd March, 1963.

From

The Chief Settlement Commissioner.

To

The Secretary to the Government of Punjab,  
Rehabilitation Department, Jullundur.

Subject :—Sale of acquired evacuee urban agricultural lands in Punjab  
to the Punjab Government in a Package Deal.

Sir,

I am directed to refer to Shri B. S. Grewal's D.O. letters Nos. 2976/C(Reh) and Reh(CH)/63/234, dated the 19th December, 1962 and 18th February, 1963, on the above subject and to Item No. III of the minutes of meeting held in the room of Secretary, Ministry of Works, Housing and Rehabilitation, on 8th January, 1963, with the Financial Commissioner, Punjab, and also to item IV of the minutes of the meeting held at Chandigarh on 16th February, 1963, between the Chief Minister, Punjab and the Union Minister of Works, Housing and Rehabilitation, and to convey the sanction of the President to the sale of the remaining acquired evacuee Urban Agricultural Land in Punjab to the State Government at the rates, etc., shown in the attached statement.

2. The total price recoverable from the Punjab Government in respect of the above lands is Rs. 18,18,950 (Rupees Eighteen Lacs, Eighteen Thousand, Nine Hundred and Fifty only). The above amount will be paid by the Punjab Government in a lump sum on 1st April, 1963, but in case the State Government desired to pay the amount within a period of one year, i.e., up to 31st March, 1964, no interest will be charged. The amount paid by the Punjab Government will be credited

to the Compensation Pool' under the Head of Account "L—II—Miscellaneous—Receipts on account of DPs—Receipts forming part of Compensation Pool—Receipts on account of sale of acquired Evacuee Properties".

3. The above lands will be deemed to have been transferred to the Punjab Government from 1st April, 1963. All income derived from these properties after 1st April, 1963, i.e., rents, lease money, etc., will be credited to the State Head of Account.

4. Acquired Evacuee Urban agricultural lands which had already been sold by auction or by allotment by the Regional Settlement Commissioner but in respect of which sale/transfers might be cancelled in future on account of the failure of purchasers to pay up the balance purchase price according to agreements, will also be transferred to the Punjab Government at the rates mentioned in para 1 above and the price paid by the Punjab Government will be credited to the Head of Account mentioned in para 2 above.

5. This letter issues with the concurrence of the Ministry of Finance (Department of Expenditure),—vide their U.O. No. 710/FRI/63, dated 22nd March, 1963.

Yours faithfully,

M. J. SRIVASTAVA,  
Settlement Commissioner (C) &  
Ex-officio,  
Under Secretary to the Government of  
India.



Statement Showing the Area and Cost of acquired Evacuee Urban Agricultural Lands in Punjab Sold to the Punjab Government in a 'Package Deal'

Serial No.	Nature of land	Area	Rate per acre	Amount
1	2	3	4	5
		Acres	Rs	Rs
1	Evacuee Area	680.00	1,100	7,48,070.00
2	Area under occupancy rights	651.00	550	3,58,050.00
3	Evacuee share of area jointly owned by Evacuees and non-Evacuees	1,296.00	550	7,12,800.00
4	Shamlat lands, Gharimunkin Rasta and Ghairmunkin Johar	186.00	..	100 (Token price in all)
Total		2,813.00		18,18,950

Notes:—(1) Evacuee area shown at Serial No. 1 included 176 acres which were auctioned from 1st December, 1962 to 31st January, 1963 and the bids were not confirmed.

(2) Detailed lists of the above lands, transferred to the Punjab Government, will be furnished to the State Government by the R.S.C., Jullundur.

M. J. SHRIVASTVA,  
Settlement Commissioner and Ex-Officio  
Under Secretary to the Government of India.

No. F18(40)/61-Prop/Comp. & Prop.

GOVERNMENT OF INDIA ✓

MINISTRY OF WORKS, HOUSING AND REHABILITATION

(Department of Rehabilitation)

Office of the Chief Settlement Commissioner

Jaisalmer House New Delhi.  
Dated the 29th March, 1963.

From

The Chief Settlement Commissioner.

To

The Secretary to Government of Punjab,  
Rehabilitation Department,  
Jullundur/Chandigarh.

Subject:—Transfer of acquired evacuee urban built-up properties to the Government of Punjab in package deal.

Sir,

I am directed to refer to item No. VI of the minutes of the meeting held at Chandigarh on the 16th February, 1963 between the Chief Minister, Punjab and the Union Minister for Works, Housing and Rehabilitation and to convey the sanction of the President to the sale of the remaining Acquired Evacuee Urban Built up properties comprising of houses, shops, Kholas/Sites in Punjab to the Punjab Government at 15 per cent of their reserve price as per details given in the attached statement.

2. The total price recoverable from the Punjab Government in respect of the above properties is Rs. 27,25,294 (Rupees twenty-seven lacs twenty-five thousand two hundred and ninety-four only). The above amount will be paid by the Punjab Government in a lump sum on 1st April, 1963 but in case the State Government desire to pay the amount within a period of one year i.e. up to 31st March, 1964, no interest will be charged. The amount paid by the Punjab Government will be credited to the "Compensation Pool" under the Head of Account "L-II—Miscellaneous Receipts on account of DPs—Receipts forming part of Compensation Pool—Receipts on account of Sale of acquired Evacuee Properties".



3. The above properties will be deemed to have been transferred to the Punjab Government from 1st April, 1963. All income derived from these properties after 1st April, 1963, i.e. rents, lease money etc. will be credited to the State Head of Account. All receipts of these properties in respect of the period prior to the 1st April, 1963, will be credited to the Central Government.

4. Acquired Urban Evacuee built up properties which had already been sold by auction or by allotment by the Regional Settlement Commissioner but in respect of which sales/transfers might be cancelled in future on account of failure of purchasers to pay up the balance purchase price or for any other reason will not form part of this Package Deal. Such properties will be disposed of by the State Government and the Sale-proceeds credited to the Central Government. The question of paying the State Government a commission on the sale-proceeds to cover their expenditure will be considered in due course.

5. This letter issues with the concurrence of the Ministry of Finance (Department of Expenditure),—vide their U.O. No. 766/FR-I/63, dated 27th March, 1963.

Yours faithfully,

M. J. SRIVASTAVA,

Settlement Commissioner and  
Ex-Officio Under Secretary to the Government of India.

Statement Showing Details in Respect of Acquired Evacuee Urban Properties in Punjab Sold to the Punjab Government in a Package Deal

Serial No.	Nature of properties	No. of properties	Reserve price	Price to be paid by the Punjab Government
1	2	3	4	5
			Rs	Rs
1	Houses	7,381	1,15,32,313	17,29,997
2	Shops	170	6,64,218	99,633
3	Kholas/Sites	7,543	59,71,092	8,95,564
		15,094	1,81,68,623	27,25,294

Note:—Detailed lists of the properties transferred to the Punjab Government are being prepared by the Regional Settlement Commissioner, Jullundur, after actual survey and will be furnished to the State Government by the Regional Settlement Commissioner. There may, therefore, be some variation in the above figures.

M. J. SRIVASTAVA,  
Settlement Commissioner and  
Ex-Officio Under Secretary to the Government of India.



## DEPARTMENT OF REHABILITATION

## Notification

The 24th September, 1976. (Amended up-to-date)

No. 2(753)/G-5/19556.—In exercise of the powers conferred by section 18 of the Punjab Package Deal Properties (Disposal) Act, 1976, the Governor of Punjab is pleased to make the following Rules, namely:—

1. These Rules may be called the Punjab Package Deal Properties (Disposal) Rules, 1976.

## CHAPTER I

## Definitions:

2. In these Rules, unless the context otherwise requires;

- (a) 'Act' means the Punjab Package Deal Properties (Disposal) Act, 1976;
- (b) 'agricultural worker' means a person who has agriculture as the only source of his livelihood but who does not own land and includes a Tenant, Sepi, Sanjhi or Agricultural Labourer;
- (c) 'cultivating possession' means continuous cultivating possession established by the entries in the revenue record;
- (d) 'head of the family' means a person living separately from his parents, may be in one and the same house and who is paying Chulha Tax, Chowkidara or any other cess;
- (e) 'land' means surplus evacuee agricultural land included in Package Deal Property, which is not occupied as the site of any building and is used for agricultural purposes or for purposes subservient to agriculture or for pasture;
- (f) 'landless' agriculturist means a head of the family who is an agricultural worker;
- (g) 'own holding' includes: (i) the land owned by any person, his wife and his dependent children but does not include his wife's or his dependent children's share in the holding of his living father or relation to which any one of them may succeed as legal heir or reversioner, (ii) any nazool or inferior evacuee agricultural land purchased from the

Revenue Department or any other source, on instalment basis or otherwise by the occupant of surplus rural evacuee agricultural land, his wife or dependent children even if it has not been fully paid for;

- (h) 'Prescribed scale' means the scale as prescribed in the Land Resettlement Manual;
- (i) 'Property' means the building or building site included in the Package Deal Property;
- (j) 'restricted auction' means an auction confined to the members of the Scheduled Castes or to socially and educationally Backward Classes of citizens, notified by the State Government, from time to time;
- (k) 'Rural area' means an area within the State of Punjab which is not urban area;
- (l) 'Rural Property' means land and property located in a rural area;
- (m) 'Urban area' means any area within the limits of a Corporation, a Notified Area Committee, a Town Area Committee, a small Town Committee, a contonment or any other area notified as such by the State Government, from time to time;
- (n) 'Urban Property' means land and property located in an urban area.

CHAPTER II  
(PART I)

3. *Transfer of land in rural area.*—(1) Persons entitled to make applications for the transfer of land, on the basis of possession.—An application for the transfer of land which is rural property, as and when invited by Government, may be made by a person \*whose own holding is less than five ordinary acres and who is an occupant of such property, or who is a landless agriculturist or who is such other landless occupant or belongs to such class of occupants, as may be notified by the Government from time to time:—

Provided that the applicant—

- (i) is head of the family;
- (ii) is a self-tiller;

\*Amended,—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.



*Explanation* :—A widow who is occupant and is getting the land cultivated by her son(s) or by employing servant(s); or otherwise shall be considered as self-tiller.

(iii) is in continuous and undisputed cultivating possession of the land from the crop that may be prescribed by the State Government from time to time; and

(iv) has applied for the transfer of the land occupied by him on or before the date, as may be prescribed by the State Government, from time to time.

(2) *Persons not entitled to make applications for the transfer of the land*:—An occupant shall not be entitled to apply if—

(i) he is a minor, provided he is not a legal heir of an occupant who has died after making an application by the prescribed date;

(ii) he is an allottee or vendee of land, the allotment or transfer whereof has been cancelled on the grounds of fraud, misrepresentation of facts or otherwise;

(iii) she is a woman, whose husband is alive but is not disabled or incapacitated;

\*(iv) he has already purchased surplus rural evacuee agricultural land on the basis of possession or in restricted auction and has disposed of the same, or has ceased to be entitled to hold the land by reasons of default in the terms and conditions of the transfer or sale.

(3) *Determination of eligibility*.—(i) On receipt of the application for the transfer of the land, the Tehsildar (Sales) or Naib Tehsildar (Sales) shall scrutinise the same under these rules and determine the eligibility of each applicant.

(ii) In determining the eligibility of an occupant, the Tehsildar (Sales) or Naib Tehsildar (Sales) shall ensure that applicant's possession is established to be continuous and undisputed from the prescribed crop to the date of scrutiny of his case, from the entries made in the Revenue Record:

Provided that in a case where the entries of Revenue record are found to be doubtful or have been tampered with or where any entry in the Revenue Record is found to have been corrected after the date as may be prescribed by the State Government from time to time, the Tehsildar (Sales) or Naib-Tehsildar (Sales) may reject the same:

\*Amended,—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.

Provided further that where, in a case, the Tehsildar (Sales) or Naib Tehsildar (Sales) is satisfied that certain entry or entries made in the Revenue Record have been tampered with malafide to harm the interest of an eligible occupant, he shall not reject the same, but shall refer it to the Sales Commissioner, for decision, who may decide it after holding such enquiry as he may deem fit.

(iii) In a case, where an occupant of the land has died after making the application by the date prescribed by the State Government from time to time, the Tehsildar (Sales) or Naib Tehsildar (Sales) shall proceed with the determination of the eligibility as if the legal heirs of the deceased were the occupants.

(iv) In the case of a legal heir, his own holding shall have the same meaning as that of the occupant's own holding and while determining the eligibility for the transfer of the land this holding shall be taken into account:

Provided that in the event of plurality of heirs of a deceased occupant, no individual heir shall be entitled to the transfer of the land exceeding his proportionate share in the land occupied by the deceased occupant.

\*(v) The occupant, who is a member of a registered society engaged in the cultivation of the land, shall be eligible for the transfer of land, notwithstanding, the fact that the entries in the Khasra Girdawari are in the name of the said society, provided he is a self tilling member and fulfils other conditions, prescribed for the purpose.

(4) *Determination of own holding, date for*.—The determining date for an occupant's own holding shall be the date on which his application for the transfer of the land is decided by the Tehsildar (Sales) or Naib-Tehsildar (Sales). A part or whole of the holding, if transferred by an occupant, his wife or his dependent children to any one in any manner or acquired by him, his wife, or his dependent children from any source on or after the date as may be prescribed by the State Government from time to time, and before the decision of his application by the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall be deemed to be a part or whole of his holding.

\*\* (5) *Price of the land*.—The price of the land transferred shall be determined at such rates as the State Government may prescribe from time to time.

(6) *Scrutiny of applications*.—(i) On receipt of an application for the transfer of land, the Tehsildar (Sales) or Naib Tehsildar (Sales) shall scrutinise and dispose it of under these rules.

\*Added,—vide Notification dated May 17, 1979.

\*\*Amended,—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.



(ii) Where the Tehsildar (Sales) or Naib Tehsildar (Sales) is satisfied that the occupant is eligible for the transfer of land in his or her possession, he shall send the case to the Sales Commissioner for approval, after recovery of the first instalment equivalent to 20 per cent of the total price of the land transferred and the arrears of rent/lease or damages, if any. \*These arrears shall be paid in lump sum or in such number of instalments as may be fixed by the Sales Commissioner by a specific order, keeping in view the circumstances of each case and the number of instalments so fixed shall not exceed the number of instalments in which price of land is to be recovered.

(iii) The Sales Commissioner may, after scrutiny of the case referred to him under sub-rule (2), either confirm or reject or modify the recommendations of the Tehsildar (Sales) or Naib Tehsildar (Sales):

Provided where a transferee is a woman or a minor, the Sales Commissioner shall send the case to the Chief Sales Commissioner, with his specific recommendations.

(7) Mode of recovery of price of land.—Where any land has been transferred to an occupant under these rules, the price of such land shall be payable in instalments, the number of such instalments and amount of each instalment shall be such as may be specified by the State from time to time.

(8) Interest on instalments.—Where any land is transferred on instalment basis, the transferee shall be liable to pay interest at the rate, as may be specified by general or special order by the State Government from time to time.

†(9) Default in the payment of instalment.—In the event of default on the part of transferee of land in the payment of any instalment by the stipulated date, Tehsildar (Sales) or the Naib Tehsildar (Sales) may recover the amount of the defaulted instalment with interest at the rate of seven per cent per annum as arrears of land revenue, and in the event of default of such instalments by transferee, the transfer of the land shall be cancelled.

(10) Refusal to accept the transfer of land.—Where an occupant refuses to accept the transfer of the land transferred to him, it shall be disposed of in auction or in any other manner prescribed under these rules. (10-A) Bar for 20 years on transfer.

(11) Deed of conveyance to be executed.—Where any land is transferred to an occupant under this chapter, and he has paid full price thereof, a Deed of Conveyance shall be executed in form specified in Appendix 'A' to these rules.

\*Added.—vide Notification dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.

†Amended/inserted.—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.

\*3-A. Allotment of rural land to holders.—The rural land which is not to be the basis of the basis of possession may in the first instance be allotted to the holders of rural land holders.

## PART II

4. (1) Allotment of land in rural area to permanently disabled soldiers killed in action.—(1) †Permanently disabled soldiers, widows or parents or children of the soldiers killed in the Chinese Aggression of 1962 and Pakistan aggression of 1965 and widows of the Personnel of the Armed Forces, Border Security Force and Punjab Armed Police killed in the Indo-Pakistan conflict of 1971, shall be entitled to the allotment on payment of the cultivable land as far as possible, up to the limit of ten ordinary acres inclusive of their own holdings, if any, at such rate, per standard acre as may be fixed by the State Government from time to time. For the purpose of valuation of land, ordinary acres shall be converted into standard acres, in accordance with the prescribed scale.

(ii) If any widow of a soldier killed in the Chinese aggression of 1962 or Pakistan aggression of 1965 or 1971 remarries a person other than real brother of her deceased husband before the allotment of the land, she shall lose her right to get the allotment and in that case allotment shall be made in the name of her children from the deceased soldier, and in case the widow is issueless, the allotment shall be made to the parents of the killed soldier, irrespective of the fact, whether or not, they have submitted separate applications by the prescribed date, in such a case, the application submitted by a widow, by the prescribed date, shall be deemed to have been duly submitted in time by the children or the parents of the deceased soldier, as the case may be.

Provided that in the case of the minor children of the deceased soldier, the allotment of land shall be made through their guardian.

(iii) If any allottee of land, who was a widow, remarries within a period of 10 years from the date of allotment, the land allotted to her shall be liable to be cancelled by the Tehsildar (Sales) or Naib Tehsildar (Sales) after due notice even if full price thereof had been paid and the area thus retrieved shall be allotted to the children of the deceased soldier, if any, through their guardian or to the parents of the deceased soldier, as the case may be.

(iv) The price of land shall be recovered in 20 half-yearly interest-free instalments: the first instalment equivalent to 5 per cent of the price payable at the time of allotment of the land by the Tehsildar (Sales) or Naib Tehsildar (Sales).

\*Amended/inserted.—vide Notification dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.

†Amended.—vide Notification, dated 30th June, 1979, published in Punjab Government Gazette, dated 14th September, 1979.



(ii) Where the Tehsildar (Sales) or Naib Tehsildar (Sales) is satisfied that the occupant is eligible for the transfer of land in his or her possession, he shall send the case to the Sales Commissioner for approval, after recovery of the first instalment equivalent to 20 per cent of the total price of the land transferred and the arrears of rent/lease or damages, if any. \*These arrears shall be paid in lump sum or in such number of instalments as may be fixed by the Sales Commissioner by a specific order, keeping in view the circumstances of each case and the number of instalments so fixed shall not exceed the number of instalments in which price of land is to be recovered.

(iii) The Sales Commissioner may, after scrutiny of the case referred to him under sub-rule (2), either confirm or reject or modify the recommendations of the Tehsildar (Sales) or Naib Tehsildar (Sales):

Provided where a transferee is a woman or a minor, the Sales Commissioner shall send the case to the Chief Sales Commissioner, with his specific recommendations.

(7) *Mode of recovery of price of land.*—Where any land has been transferred to an occupant under these rules, the price of such land shall be payable in instalments, the number of such instalments and amount of each instalment shall be such as may be specified by the State from time to time.

(8) *Interest on instalments.*—Where any land is transferred on instalment basis, the transferee shall be liable to pay interest at the rate, as may be specified by general or special order by the State Government from time to time.

†(9) *Default in the payment of instalment.*—In the event of default on the part of transferee of land in the payment of any instalment by the stipulated date, Tehsildar (Sales) or the Naib Tehsildar (Sales) may recover the amount of the defaulted instalment with interest at the rate of seven per cent per annum as arrears of land revenue.

(10) *Refusal to accept the transfer of land.*—Where an occupant refuses to accept the transfer of the land transferred to him, it shall be disposed of in auction or in any other manner prescribed under these rules.

(11) *Deed of conveyance to be executed.*—Where any land is transferred to an occupant under this chapter, and he has paid full price thereof, a Deed of Conveyance shall be executed in form specified in Appendix 'A' to these rules.

\*Added,—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.

†Amended/inserted,—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated February 16, 1979.

\*3-A. *Allotment of rural land to unsatisfied displaced land holders.*—The rural land which is not transferred on the basis of possession may in the first instance be allotted to unsatisfied displaced land holders.

## PART II

4. (1) *Allotment of land in rural area to permanently disabled soldiers killed in action.*—(1) †Permanently disabled soldiers, widows or parents or children of the soldiers killed in the Chinese Aggression of 1962 and Pakistan aggression of 1965 and widows of the Personnel of the Armed Forces, Border Security Force and Punjab Armed Police killed in the Indo-Pakistan conflict of 1971, shall be entitled to the allotment on payment of the cultivable land as far as possible, up to the limit of ten ordinary acres inclusive of their own holdings, if any, at such rate, per standard acre as may be fixed by the State Government from time to time. For the purpose of valuation of land, ordinary acres shall be converted into standard acres, in accordance with the prescribed scale.

(ii) If any widow of a soldier killed in \*the Chinese aggression of 1962 or Pakistan aggression of 1965 †or 1971 remarries a person other than real brother of her deceased husband before the allotment of the land, she shall lose her right to get the allotment and in that case allotment shall be made in the name of her children from the deceased soldier, and in case the widow is issueless, the allotment shall be made to the parents of the killed soldier, irrespective of the fact, whether or not, they have submitted separate applications by the prescribed date, in such a case, the application submitted by a widow, by the prescribed date, shall be deemed to have been duly submitted in time by the children or the parents of the deceased soldier, as the case may be:

Provided that in the case of the minor children of the deceased soldier, the allotment of land shall be made through their guardian.

(iii) If any allottee of land, who was a widow, remarries within a period of 10 years from the date of allotment, the land allotted to her shall be liable to be cancelled by the Tehsildar (Sales) or Naib Tehsildar (Sales) after due notice even if full price thereof had been paid and the area thus retrieved shall be allotted to the children of the deceased soldier, if any, through their guardian or to the parents of the deceased soldier, as the case may be.

(iv) The price of land shall be recovered in 20 half-yearly interest-free instalments; the first instalment equivalent to 5 per cent of the price, payable at the time of allotment of the land by the Tehsildar (Sales) or

\*Amended/inserted,—vide Notification, dated 20th January, 1979 published in Punjab Government Gazette, dated February 16, 1979.

†Amended,—vide Notification, dated 30th June, 1979, published in Punjab Government Gazette, dated 14th September, 1979.



Naib-Tehsildar (Sales). The next instalment shall be payable at the end of the first crop after the expiry of one year from the date of allotment.

\*(v) In the event of default in the payment of any instalment by an allottee, he shall be liable to pay interest at the rate of seven per cent per annum for the over-due period and in the event of default of two successive instalments, the Tehsildar (Sales) or Naib Tehsildar (Sales) shall recover the amount of defaulted instalments with interest as arrears of land revenue.

(2) *Deed of Conveyance to be executed.*—Where any land is allotted to any person under this Chapter and full price thereof has been realised, a Deed of Conveyance shall be executed in form specified in Appendix 'A' to these rules.

### PART III

5. *Transfer of Property in a rural area.*—(1) Where any property in a rural area is occupied by any person from January 1, 1970, or any other date that may be specified by the Government from time to time, he shall be entitled to its transfer provided his possession over it has been continuous and un-disputed.

(2) The transfer shall be made by the Tehsildar (Sales) or Naib-Tehsildar (Sales), on reserve or concessional price, as the case may be:

Provided that the occupant has made application for the transfer within such time as may have been or may from time to time be fixed by the Government and where no such application has been made in time, the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall transfer the property on payment of penalty amounting to 50 per cent of the reserve price, in addition to the said price, in the case of an occupant other than the members of the Scheduled Castes and Backward Classes and upto Rs. 50 in the case of Scheduled Castes or Backward Classes occupant.

(3) *Fixation of Reserve Price.*—(a) For the purpose of transfer of a property under these rules, the reserve price shall be the one entered in the Sikni Register. Where the price of a property is not mentioned in the Sikni Register, or the Sikni Register has been lost or destroyed, the reserve price of a built up property or a site shall be fixed by the Tehsildar (Sales) or Naib-Tehsildar (Sales), in consultation with the Village Panchayat subject to the approval of the Sales Commissioner:

\*Amended.—vide Notification, dated 20th January, 1979, published in Punjab Government Gazette, dated 16th February, 1979

Provided that in the case of a site located in a village covered by the following categories, the reserve price shall be fixed at the following rates:—

- |   |                            |
|---|----------------------------|
| (i) Village within 3 miles of a first class Municipality.                             | Prevailing market price.   |
| (ii) Village beyond 3 miles but within five miles of a first class Municipality.      | Rs. 1.20 per square meter. |
| (iii) Village within 2 miles of Municipalities other than a first class Municipality. | Re. 0.90 per square meter. |
| (iv) Village within five miles of a river, irrespective of population.                | Re. 0.15 per square meter. |
| (v) Village beyond five miles of a river, with population above one thousand.         | Re. 0.60 per square meter. |
| (vi) Village beyond five miles of a river, with population up to one thousand.        | Re. 0.30 per square meter. |

Provided further that where a village falls in more than one category, the reserve price of a site shall be fixed at the highest rate prescribed for any of the categories in which it falls.

(b) The market price of a site shall be assessed on the basis of the last 2 years transactions, in the village and the market price so fixed, shall be subject to the approval of the Sales Commissioner.

(c) A Scheduled Castes or a Backward Classes occupant shall be entitled to the transfer of a built up property at the concessional price of Rs. 30 provided its reserve price does not exceeds Rs. 1,000. If the reserve price of such property exceeds Rs. 1,000 the excess amount over and above the said limit, shall be payable by the occupant in addition to the concessional price of Rs. 30.

(d) A Scheduled Castes and Backward Classes occupant of a site, shall be entitled to its transfer at the concessional price of Rs. 10; provided the area of the site is 10 marlas or less or its reserve price is Rs. 1,000 or less. Where the area of the site or its reserve price exceeds the above limits, the occupant shall be entitled to the transfer of the site but the reserve price over and above Rs. 1,000 shall be payable by the occupant in addition to the concessional price of Rs. 10.



(e) Where any property above the price of Rs. 1,000 is occupied by more than one Scheduled Castes or Backward Classes occupant, the portion occupied by each shall be transferable on the concessional price of Rs. 30 provided the price of the said portion is Rs. 1,000 or less.

(4) *Mode of recovery of the price of a property.*—Where a property is transferred under this Chapter, its price shall be recoverable in lump sum by the Tehsildar (Sales) or Naib-Tehsildar (Sales) at the time of the transfer if the said price is Rs. 500 or less. If the price of the property is above Rs. 500 then 25 per cent of the same shall be recovered at the time of the transfer, and the balance amount shall be paid by the transferee within 15 days of the receipt of intimation with regard to the approval of the transfer.

Provided in the case of Scheduled Castes or Backward Classes occupant, the balance price shall be recovered in four half-yearly interest free instalments, or such number of instalments as may be fixed by the Government from time to time.

(5) *Recovery of rent of a property.*—Where a property is occupied by a member of the Scheduled Castes or Backward Classes, no rent shall be recoverable.

(6) *Default in the payment of price.*—In the event of default, in the payment of the balance price or any instalment, in relation thereto, the Tehsildar (Sales) or Naib Tehsildar (Sales) may cancel the transfer, forfeit the amount already paid and resume the property, after notice to the defaulter.

(7) *Authority competent to approve the transfer.*—(i) Where any property is transferred under these rules, its approval shall be accorded by the Tehsildar (Sales) or Naib Tehsildar (Sales) after the expiry of fifteen days from the date of the transfer provided the reserve price of the property is Rs. 250 or below;

(ii) Where the value of the property exceeds Rs. 250, the Tehsildar (Sales) or Naib-Tehsildar (Sales), shall refer the case to the Sales Commissioner for approval with his recommendation; and

(iii) The Sales Commissioner may after scrutiny of the case either confirm or reject or modify the recommendations of the Tehsildar (Sales) or Naib-Tehsildar (Sales).

(8) *Conveyance Deeds to be executed.*—Where any property is transferred to an occupant under this Chapter, and he or she has paid full price thereof, a Deed of Conveyance shall be executed in form specified in Appendix 'A' appended to these rules.

#### PART IV

6. *Sale of land or property by auction.*—\*(1) Where any land or property is not transferred under Part I, Part II and Part III of this Chapter, and it is not required for, sale by negotiation, to any Government Department, Semi-Government Department, Co-operative Society, Corporate Body, Public Institution or any local authority for a public purpose, it shall be disposed of by public auction or restricted auction by the Tehsildar (Sales) or Naib Tehsildar (Sales).

\*(2) *Land to be sold by public auction.*—The following categories of land shall be sold by public auction, open to all:—

(i) The lands retrieved by the Directory Organization set up by the State Rehabilitation Department which are not transferred to the displaced land holders;

(ii) Lands which are sub-urban or are potential residential or commercial sites or are under garden or fall within garden colonies;

(iii) Small fragments of land not exceeding 2 acres, surrounded by the holdings of the owners and are inaccessible;

(iv) Land already sold in open auction, but the sale of which has been set aside by a competent authority;

(v) 'Banjar' and 'Ghair Mumkin' land, which is fit for reclamation, or which is not transferred to the Forest Department for afforestation or village Panchayats.

(3) The surplus rural evacuee agricultural land, which does not fall in the categories mentioned in the preceding sub-rules, shall be disposed of by restricted auction.

(4) *Persons who can participate in restricted auction.*—Where any land is to be sold by restricted auction only a landless agriculturist who is a member of the Scheduled Castes and resides in the village in which the land offered for sale is situate shall be permitted to participate in the auction; provided that if after the proceedings of the restricted sale as above, more land is available for sale in the village, a landless agriculturist who is a member of the Scheduled Castes and resides in other villages of the same Patwar Circle shall be permitted to participate in the auction; provided further that if after the auction of land, as hereinbefore laid down, still more land is available for sale, landless

\*Amended,—vide notification dated 20th January, 1979 (published in Government Gazette Feb. 16, 1979).



agriculturist who is member of the Scheduled Castes and resides in other villages of the same Kanugo Circle shall be permitted to participate in the auction.

(5) *Persons not eligible to participate in restricted auction.*—(i) No minor or any one on his behalf, shall be permitted to participate in the restricted auction.

(ii) No Government servant or his dependent shall be eligible to take part in the restricted auction.

(iii) No member of the Scheduled Castes, who had already purchased land in restricted auction or on the basis of possession, and had disposed it of thereafter, shall be permitted to participate in the restricted auction.

(6) *Procedure for sale of land or property, by auction.*—Where any land or property is to be sold by public auction or by restricted auction;

(i) it shall be sold by the Tehsildar (Sales) or Naib-Tehsildar (Sales).

(ii) the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall cause a proclamation of the intended sale to be made in the language of the principal civil court of the original jurisdiction within whose jurisdiction the property is situate.

(iii) notice of intended sale shall be given at least fifteen days before the proposed sale and every such notice shall state the date, time and place of proposed sale, the description of land or property to be sold, the terms and conditions of the sale and any other particulars which the Tehsildar (Sales) or Naib-Tehsildar (Sales) considers material. One copy of the notice shall be affixed on a conspicuous public place.

(iv) Where any land is to be sold by restricted auction to the residents of a Patwar/Kanugo Circle, the proclamation and notice of sale shall be issued in all the villages situate in the Patwar or the Kanugo Circle, as the case may be.

(v) no sale shall take place until after the expiry of a period of fifteen days from the date of publication of the notice.

(vi) every auction of the land or property under these rules shall be subject to a reserve price fixed in respect of the land or property, which may not be disclosed to public.

(vii) the Tehsildar (Sales) or Naib Tehsildar (Sales) may withhold the sale of any land or property after recording the reasons, in writing, which may not be made public.

(viii) The Tehsildar (Sales) or Naib Tehsildar (Sales) may if the situation so demands, for reasons to be recorded in writing, adjourn the sale to a specific date and hour and an announcement to that effect shall be made at the time of adjournment of the sale:

Provided that where the sale is adjourned for a period exceeding fifteen days, a fresh notice shall be given.

(ix) the person declared to be the highest bidder for the land or property, as the case may be, at the public auction shall pay in cash 25 per cent of the amount of bid as earnest money on the spot to the officer conducting the sale and in default of such deposit the property may be resold:

Provided that in the case of sale by restricted auction, the earnest money shall be 5 per cent of the amount of bid.

(x) Where the highest bidder, whose bid is provisionally accepted resiles from the bid before its approval is communicated to him, the amount deposited by him under clause (ix) shall be forfeited.

(xi) the bid in respect of which a deposit under clause (ix) has been accepted shall be subject to the approval of the Sales Commissioner:

Provided that no bid shall be approved until after the expiry of a period of ten days of the auction.

(xii) (a) intimation of the approval of the bid or its rejection shall be given to the highest bidder (hereinafter referred to as auction purchaser).

(b) the auction purchaser shall, where the bid has been accepted, be required within fifteen days of the receipt of such intimation, to produce before the Tehsildar (Sales) or Naib-Tehsildar (Sales) the treasury challan in respect of the deposit of the balance of the purchase money in case the land or property has been purchase in open auction:

Provided that the Sales Commissioner may for reasons to be recorded in writing extend the aforesaid period of



fifteen days by such period not exceeding sixty days as he may think fit:

Provided further that the period extended under the preceding proviso may further be extended by the Chief Sales Commissioner.

\*(bb) where payment of the balance of the purchase money is made after the period of the first extension granted under the first proviso to sub-clause (b), the auction purchaser shall deposit alongwith the balance of the purchase money to be deposited under this sub-rule interest on such balance from the date of the expiry of the period of extension till the date of deposit, at such rate as may be fixed by the Government.

(c) where the land has been sold in restricted auction, the auction purchaser shall pay the balance price in 19 half-yearly equated interest-free instalments, the first instalment payable at the end of the first harvest after one year from the date of approval of the sale.

(xiii) if the auction purchaser does not deposit the balance of the purchase money within the period specified in clause (xii) or defaults in the payment of two successive instalments within the stipulated period, the Tehsildar (Sales) or Naib-Tehsildar (Sales)\* shall recover the amount of defaulted instalments as arrears of land revenue.

(xiv) when the purchase price has been realized in full from the auction purchaser, the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall issue to him a certificate of sale in the form specified in Appendix 'B' appended to these rules.

(7) *Possession of transferred agricultural land.*—Where any land has been disposed of in auction, the auction purchaser shall subject to the provision of any local or special law, be granted vacant possession of the land.

(8) *Bar on the alienation of the land purchased in restricted auction.*—(i) Where any land has been sold in restricted auction, the auction purchaser shall not be entitled to lease, transfer, sell, mortgage with possession, or otherwise alienate or part with the land wholly or partly, so purchased, in any manner, in favour of a person, who is not a member of the Scheduled Castes, for a period of twenty years: provided

Amended.—vide notification dated 30th August, 1979 published in Punjab Government Gazette dated 14th September, 1979.

Amended.—vide notification dated 20th January, 1979 published in the Punjab Government Gazette February 16, 1979.

that the land may be pledged in favour of a Government or Semi-Government Corporation, or Co-operative financing institution, for securing loan for effecting improvements on the said land.

(ii) An auction purchaser in restricted auction shall cultivate the land so purchased himself or through any member of the Scheduled Castes only.

(iii) If an auction purchaser in restricted auction violates any of the conditions, mentioned in clauses (i) and (ii) above, the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall be competent to cancel the sale, forfeit the amount already paid, and resume the land, after giving due notice to him.

\*(6-a) Objections.—(a) Where a person desires that the sale by auction of any rural property may not be confirmed under these rules, because of any material irregularity, or fraud, in the manner and conduct of the sale, he may make an application to that effect to the Sales Commissioner:

Provided that every such application for setting aside the sale shall be made within ten days of the said auction and the person making the application shall on demand, deposit a sum equivalent to twenty per cent of the highest bid as challenge money:

Provided further that if an objection is filed by a member of the Scheduled Castes, in respect of a sale made by restricted auction, the challenge money shall be equivalent to five per cent of the highest bid. In case of non-deposit of the challenge money within ten days of the order, the application shall automatically lapse.

(b) In case an application under clause (a) is accepted, the challenge money shall be refunded and the rural property shall be re-auctioned with the bid starting from the previous highest bid.

(c) In case an application under clause (a) is not accepted, the challenge money shall stand forfeited.

#### (PART V)

7. *Procedure for the setting aside transfer.*—Where any person is aggrieved by an order of the Tehsildar (Sales) or Naib-Tehsildar

Amended.—vide notification dated 20th January, 1979, published in Government Gazette February 16, 1979.

Amended.—vide notification dated 30th August, 1979 published in Punjab Government Gazette dated 14th September, 1979.



(Sales), under rules 3, 4, and 5, he may prefer an appeal to the Sales Commissioner within thirty days from the date of such order:

Provided that the Sales Commissioner may entertain an appeal after the expiry of thirty days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

### CHAPTER III

#### Transfer of Urban Properties

(8) (1) *Procedure for sale by public auction.*—(a) The urban property to be sold by public auction shall be sold by Tehsildar (Sales) or Naib Tehsildar (Sales).

(b) The Tehsildar (Sales) or Naib-Tehsildar (Sales) shall order a proclamation of the intended sale to be made in the language of the principal civil court of original jurisdiction within whose jurisdiction the property is situate.

(c) Notice of the intended sale shall be given at least fifteen days before the proposed sale and every such notice shall indicate the date, time and place of the proposed sale, the description of the urban property to be sold, its location and boundaries, where possible the terms and conditions of the sale and any other particulars which the Tehsildar (Sales) or Naib-Tehsildar (Sales) considers material. One copy of the notice shall be affixed at a conspicuous place in the locality where the property is situate. The notice of the intended sale shall also be given by beat of drum in the locality, where such property is situate.

(d) Where the Tehsildar (Sales) or Naib-Tehsildar (Sales) thinks it desirable that the notice of the intended sale of an urban property should also be published in the Daily Newspapers, he may get such notice published accordingly before putting it to auction.

(e) The Tehsildar (Sales) or Naib-Tehsildar (Sales) may by an order in writing and after recording reasons for so doing withhold sale of any urban property notified for sale.

(f) An urban property put to auction shall be sold subject to a reserve price fixed in respect thereof, but such reserve price shall not be disclosed.

(g) The Tehsildar (Sales) or Naib-Tehsildar (Sales) may, for reasons to be recorded, in writing, adjourn the sale to a specific date and hour and an announcement to that effect shall be made at the time of the adjournment of the sale;

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Provided that where a sale is adjourned for a period exceeding fifteen days, a fresh notice shall be given in the manner indicated in clause (c).

(h) A person declared to be the highest bidder at the public auction shall be required to pay in cash, at the fall of the hammer, the whole amount of the bid if it does not exceed Rs. 500. In case the amount of bid money exceeds the said amount of Rs. 500 he shall be required to pay an amount equal to 20 per cent of the bid as earnest money and to pay the balance within fifteen days of the date of receipt of intimation of acceptance of the bid. If this amount is not paid, the bid shall be deemed to have been cancelled and the urban property put to re-auction. The acceptance of the highest bid in respect of which a deposit has been made shall be provisional, subject to the confirmation of sale by the Sales Commissioner, provided that no bid shall be finally accepted until after the expiry of ten days from the date of auction.

(i) The Tehsildar (Sales) or Naib-Tehsildar (Sales) shall not be bound to accept the highest bid but may reject such a bid for reasons to be recorded in writing. A person whose bid is provisionally accepted under clause (h) shall be bound by his bid and shall if he resiles from such bid, be liable to forfeiture of the deposit made by him. The decision of the Officer with regard to the forfeiture of the deposit shall be final, subject, however, to appeal and revision as provided hereinafter.

(j) When a bid has been approved by the Sales Commissioner, the bidder shall produce before the Tehsildar (Sales) or Naib-Tehsildar (Sales), within fifteen days of the receipt of intimation by him of the acceptance of the bid, a challan showing deposit into the Treasury of the balance of the purchase money.

(k) \*(i) The Sales Commissioner, may, in deserving cases, extend the period of fifteen days specified in clause (j) by such period as he deems fit, but not in any case beyond sixty days. The Chief Sales Commissioner may, in cases of exceptional hardship grant such further extension for the payment of balance price as he may deem proper.

\*(ii) Where payment of the balance of the purchase money is made after the period of the first extension granted by the Sales Commissioner, an auction purchaser shall deposit alongwith the balance of the purchase money to be deposited under clause (j), interest on such balance from the date of the expiry of the period of extension till the date of deposit at such rate as may be fixed by the Government.

\*Amended,—vide notification dated 30th August, 1979 published in Punjab Government Gazette, dated 14th September, 1979.



\* (1) If the balance of the purchase money is not deposited within the period specified in clause (j) or the extended period, as specified in clause (k) (i) the earnest money shall be liable to forfeiture.

(2) *Objections.*—(a) Where a person desires that the sale by auction of any urban property may not be confirmed under these rules, because of any material irregularity, or fraud, in the manner and conduct of the sale, he may make an application to that effect to the Sales Commissioner:

Provided that every such application for setting aside the sale shall be made within ten days of the said auction and the person making the application shall on demand, deposit a sum equivalent to 20 per cent of the highest bid as challenge money. In case of non-deposit of the challenge money within ten days of the order, the application shall automatically lapse.

(b) In case an application under clause (a) is accepted, the challenge money shall be refunded and the urban property shall be re-auctioned with the bid starting from the previous highest bid.

(c) In case an application under clause (a) is not accepted, the challenge money shall stand forfeited.

9. *Procedure for transfer of urban property.*—(a) \*Houses, shops, building plots, sites or agricultural land which are being used for residential, commercial or industrial purposes may be transferred to the occupants on prevailing market price in case the occupants are in continuous possession of that house, shop, building plot, site or agricultural land since the 1st January, 1977, or such other date as the Government may, from time to time specify and in the case of building plot, site or agricultural land, he had raised construction thereon on or before the said date.

(b) \*An occupant who is transferred a building plot, site or agricultural land under sub-rule (a) may be transferred:

(i) an area not exceeding 500 Square Yards including the built up area in case it is used for residential purposes;

(ii) an area not exceeding 1,000 square yards including the built up area in case it is used for commercial or industrial purposes.

(bb) \*Where area of a building plot, site or agricultural land used for residential, commercial or industrial purposes by an occupant exceeds

\*Amended,—vide Notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.

the limits prescribed in clause (i) or (ii) of sub-rule (b), the excess area shall be sold to the occupant by negotiation by the Government at such additional price not exceeding 25 per cent of the market value in case the built up area is used for residential purposes and not exceeding 50 per cent of the market price in case the built up area is used for commercial or industrial purposes, as may be fixed by the Government, keeping in view the location and the potential value of the area :

Provided that the total area transferred to the occupant shall not exceed the ceiling fixed under the Urban Land Ceiling (Regulation) Act, 1976.

(c) Where a property is in the occupation of an individual, it shall be transferred to him if he is found eligible. However, where a property is occupied by more than one family in distinct portions which were divisible, such portions shall be transferred to them, separately; provided there is no dispute between them and the applications for the transfer of the portions under their respective possessions are made separately; by them, within the specified period. But, where there is a dispute between the persons occupying a property, and it is indivisible, it shall be disposed of by sale in auction.

(d) (i) \*Each transferee other than a member of the Scheduled Castes or Backward Classes shall be required to pay at the rate of 25 per cent of the price alongwith the arrears of rent or damages, in cash, of Urban Property to be transferred within thirty days of the determination of his eligibility, and the balance price shall be payable in lump sum or in three equated bi-annual instalments bearing such rate of interest as may be specified by the Government.

(ii) \*The arrears of rent or damages shall be paid in lump sum or in such number of instalments as may be fixed by the Sales Commissioner keeping in view the circumstances of each case and the number of instalments so fixed shall not exceed the number of instalments in which price of the urban property is to be recovered.

(iii) \*In case of default of any instalment, penal interest at such rate as may be specified by the Government shall be charged on the amount under default excluding the amount due on account of rent or damages. If the transferee fails to pay any instalment with interest on account of the balance amount or instalment on account of rent or damages within three months of the date on which it becomes due or within the time extended by the Sales Commissioner or the Chief Sales Commissioner, the Tehsildar (Sales) may recover the said amount as arrears of Land revenue.

\*Amended,—vide Notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.



(e) The members of the Scheduled Castes and Backward Classes shall be entitled to the following concessions:—

- (i) The Scheduled Castes and Backward Classes occupants may purchase properties under their occupation at a rate of 25 per cent of the market price:

\*Provided that any excess area above the limit prescribed in sub-rule (b) shall be transferred at the prevailing market price as referred to in sub-rule (bb).

- (ii) The total price will be payable by them in twelve equated half-yearly instalments; provided that the first instalment shall be paid within one month of the offer of sale.

- (iii) If a Scheduled Castes or a Backward Classes transferee does not pay the instalment on the due date, penal interest as prescribed by the Government will be charged on the amount under default or as may be determined by the Chief Sales Commissioner in each case. If, however, he fails to pay the instalment and interest due thereon, within six months of the date on which the instalment becomes due or within the time extended by the Sales Commissioner or the Chief Sales Commissioner, \*the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall recover the amount of the defaulted instalment with interest thereon at such rate as may be specified by the Government "as arrears of land revenue".

- (iv) Where it is established that a member of the Scheduled Castes had built a house before 15th August, 1947, on land which became urban evacuee land, such a person shall be entitled to retain the house without any further payment.

(f) An urban property, may be disposed of by negotiation, to Government Departments, Semi-Government Departments, Co-operative Societies, Corporate Bodies and Public Institutions for a public purpose, or to private companies registered under the Companies Act, 1956, in accordance with the Government policy as may from time to time be framed.

(g) All other properties, not covered by principles mentioned hereinbefore, shall be disposed of by public auction or in other manner as prescribed by the State Government, from time to time.

\*Amended,—vide Notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.

(h) \*Land-locked urban plots or plots unfit for independent construction and occupied by the owners of the adjoining houses or located within commercial or industrial premises, shall be sold to the occupants by negotiation by Government at market price, provided their possession is undisputed. Where the possession is disputed, the plot shall be disposed of by auction as prescribed in sub-rule (g) and the auction thus held shall be confined to the owners of the adjoining houses.

10. *Determination of eligibility for transfer.*—(a) The eligibility of every applicant will be determined by the Tehsildar (Sales) or Naib-Tehsildar (Sales), by holding such enquiry as he may consider necessary and after affording the applicant reasonable opportunity to establish his claim.

(b) If after making the enquiries, the Tehsildar (Sales) or Naib-Tehsildar (Sales) finds that the applicant is not eligible for transfer of an urban property, he shall reject the application after giving a hearing to the applicant and record the reasons for such rejection and shall also determine the amount recoverable as damage charges for the unauthorised use and occupation of such property.

(c) Every transfer of urban property shall be subject to the approval of the Sales Commissioner.

(d) When the transfer is approved by the Sales Commissioner, the transferee shall produce before the Tehsildar (Sales) or Naib Tehsildar (Sales), within thirty days of the receipt of the intimation by him of such approval, a challan showing the deposit into the Treasury of the amount payable:

Provided that the Sales Commissioner may extend the aforesaid period up to sixty days in deserving cases. The Chief Sales Commissioner may, in case of exceptional hardship grant such further extension for the payment of the price, as he may consider reasonable : \*2

(e) If the balance is not paid within the period specified above \*the amount of defaulted instalments shall be recovered as "arrears of land revenue".

11. *Fixation of price.*—In case of urban properties in which the price has already been determined by the Settlement Organization of the Government of India, the following criteria shall be followed :—

- (i) The year in which the price of a particular urban property was fixed shall be taken as the base year and from that

\*1. \*Inserted,—vide notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.

\*2. \*Amended,—vide Notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.



year onwards, till the date of re-assessment, the price of the plot area of the urban property shall be enhanced by 10 per cent of the price already assessed, per year; the price of the superstructure remaining the same. The Tehsildar (Sales) or Naib-Tehsildar (Sales) shall, in cases where the price so enhanced does not get equated with the prevailing market price, make a report indicating price so enhanced and the prevailing market price to the Chief Sales Commissioner, who may enhance the price further so as to equate it with the prevailing market price.

- ✓ (ii) (A) In all other cases, while fixing the market price, the following criteria will be kept in view:—
- (a) the value of the property in the neighbourhood;
  - (b) the general prevailing market price of similar urban property in that locality;
  - (c) in case, in a particular locality, no transaction is found to have been made, the last transaction in that locality or in the adjoining locality to be taken as the basis for assessing the market price by enhancing its price by 10 per cent per year of the amount of the last transaction;
  - (d) the rent of the other local properties in that particular locality;
  - (e) rental value, if any, as mentioned in the Municipal Property Register.
- (B) The assessment of market price on the basis of the criteria specified in sub-clause (A) will be made by the Tehsildar (Sales)\*, subject to the final approval of the Sales Commissioner.
- (C) In case where the price of the superstructure is to be fixed, the assessment of the price will be made by the Tehsildar (Sales), in collaboration with the Local Public Works Department authorities subject to the approval of the Sales Commissioner.
- (D) (i) \*In the case of a building plot, site or agricultural land, the area whereof is five hundred square yards or more
- \*Added.—vide Notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.

and is being used for commercial or industrial purposes, the market price shall be assessed by the Valuation Board comprising Sub-Divisional Officer (Civil), Executive Engineer, P.W.D. (B&R) or his representative not below the rank of Sub-Divisional Officer, the District Industries Officer and the Settlement Officer (Urban);

- (ii) \*Additional price of the area transferred to the occupants in excess of the limits prescribed in sub-rule (b) of rule 9 shall also be assessed by the Board referred to in para (i).

... 12. \*\*Process for submission of applications.—Any person claiming to be entitled to the transfer of any urban property, may apply, within such time as may be determined by the State Government, to the Tehsildar (Sales) or Naib-Tehsildar (Sales) concerned :

Provided that any application made after the date so determined shall be forwarded to the State Government or an Officer authorised by it who shall refer it to Tehsildar (Sales) or Naib-Tehsildar (Sales) for disposal.

### 13. Persons not eligible to purchase urban property :

No Officer or other person having any duty to perform in connection with valuation or sale of any urban property, or having any Official connection with the Rehabilitation Department, shall either directly or indirectly bid for, or otherwise, acquire or attempt to acquire any interest in such property except with the prior permission of the State Government.

### 14. Issue of Sale Certificates and Deeds of Conveyance :

When the purchase money has been realized, in full, from the purchaser, he shall be issued a sale certificate or a Conveyance Deed in the form appended to these rules and a copy of the Sale Certificate or the Conveyance Deed shall be sent to the Registering Authorities of the area where the whole or any part of the urban property is situate.

## CHAPTER IV.

15. Assessment of damages.—Where Tehsildar (Sales) or Naib-Tehsildar (Sales) is satisfied that any person is or has, at any time, been

\*Added.—vide Notification, dated 30th August, 1979, published in Punjab Government Gazette, dated 14th September, 1979.

\*\*Amended and proviso added.—vide Notification, dated the 30th August, 1979, published in Punjab Government Gazette, dated the 14th September, 1979.



in unauthorised occupation of any land or property, to which he was not entitled or which was in excess of that to which he was entitled, then, without prejudice to any other action, which may be taken against that person, he may assess the damages on the principles specified below :—

- (i) *Rural evacuee agricultural land.*—In case of rural property which is agricultural land, the damages shall be assessed and recovered at 20 times the land revenue or Rs. 40 per acre per harvest whichever is higher.
- (ii) *Urban land.*—In case of urban property which is agricultural land, the damages shall be assessed and recovered at 40 times the land revenue or Rs. 160 per acre per harvest, whichever is higher.
- (iii) *Urban Properties other than agricultural land.*—In case of an urban property other than agricultural land, the damages shall be assessed on the basis of prevailing market conditions including the rates of rent of similar properties in the locality in which the property is situated:

Provided that no such assessment shall be made without giving to the person concerned a reasonable opportunity of being heard.

#### CHAPTER V

16. *Procedure for appeal, review and revision.*—(1) Procedure for appeal:

- (a) An appeal shall be in the form of a Memorandum which shall be presented in person or through a duly authorised agent ;
- (b) A Memorandum of appeal shall be accompanied by a copy of the order appealed against and shall indicate clearly the grounds of appeal.
- (c) No order shall be passed without giving any person a reasonable opportunity of being heard.

(2) Procedure for revision :

- (a) A petition for revision shall be drawn up and presented in the same manner and within the same period as a Memorandum of Appeal and shall be accompanied by a copy of order sought to be revised.

- (b) The grounds of revision shall be clearly set out in the revision petition.

(3) *Supply of copies of final orders.*—Any person, subject to the provisions contained in the Punjab Copying Manual, may obtain copies of final orders passed by the authorities under these rules, on the payment of the prescribed fees.

(4) *Inspection of Record.*—Any interested person desiring to inspect the record of the proceedings relating to auction or transfer of any property may be allowed to do so on application subject to the payment of the prescribed Court fee.

#### CHAPTER VI

##### Miscellaneous.

17. (1) *Service of orders and notices.*—(i) Every order or notice made or issued under these rules shall be served by registered post acknowledgement due.

(ii) A notice issued under these rules shall be effective only at the expiry of the period stated therein and such period shall not ordinarily be less than fifteen days in any case.

(iii) The service of an order or notice under sub-rule (1) shall be deemed to have been effected if the order or notice has been properly addressed and despatched by registered post.

(iv) Where by due diligence the address of the person concerned cannot be known, the order or notice may be despatched to him through the Tehsildar (Sales) or Naib-Tehsildar (Sales) concerned.

(v) Where an order or notice sent by post is returned undelivered, or where the Chief Sales Commissioner or other authority is satisfied that there are reasons to believe that the order or notice cannot be delivered in the ordinary course, the Chief Sales Commissioner or other authority may direct that the order or notice may be served either:

(i) by publication in a newspaper having circulation in the area in which the person concerned is known to have last resided or to have carried on business; or

(ii) (a) by affixing a copy of the same on the conspicuous place on the property, in relation to which the order or notice has been made or issued; or



(b) by beat of drum at a place adjacent to such property and in the adjoining locality.

(2) Fees.—(1) The following fees shall be payable in respect of appeals and applications under the Act.

(1) Appeals :

(1) To the Chief Sales Commissioner	...	Rs. 15
(2) To the Sales Commissioner	...	Rs. 15

(2) Applications :

(1) Any application for revision	...	Rs. 20
(2) Any other miscellaneous application	...	Re. 1

(2) Any fee payable under this rule shall be paid in the form of court fee stamps.

Deputy Secretary to Government, Punjab,  
Rehabilitation Department, S.A.S. Nagar, Mohali.

ਕਨਵੇਅੰਸ ਡੀਡ

ਅੰਤਕਾ ਓ

ਨਿਯਮ 3(11), 4(2)

ਇੰਤਕਾਲ ਨਾਮਾਂ ਜੋ ਆਮ ਨਿਲਾਮੀ ਤੋਂ ਹੋਰਵੇਂ ਢੰਗ ਨਾਲ ਵੇਚੀ ਪੂਰਨ ਮਾਲਕੀ ਜਾਇਦਾਦ ਦੀ ਸੂਰਤ ਵਿਚ ਲਿਖਿਆ ਜਾਵੇਗਾ।

ਇਹ ਦਸਤਾਵੇਜ਼ ਜੋ \_\_\_\_\_ ਮਿਤੀ

\_\_\_\_\_ (ਮਹੀਨਾ) ਜੰਨ ਉਨੀ ਸੋ \_\_\_\_\_

\_\_\_\_\_ ਨੂੰ ਲਿਖਿਆ ਗਿਆ ਇਕ ਧਿਰ ਪੰਜਾਬ ਦੇ ਰਾਜਪਾਲ ਜਿਸ ਨੂੰ ਇਸ ਤੋਂ ਮਗਰੋਂ ਵਿਕਰੇਤਾ (ਜਿਸ ਵਿਚ ਜਦ ਤਕ ਪ੍ਰਸੰਗ ਜਾਂ ਉਸ ਦੇ ਅਰਥਾਂ ਤੇ ਵਿਰੁਧ ਕੋਈ ਗੱਲ ਨਾ ਹੋਵੇ, ਉਸ ਉਤਰ ਅਧਿਕਾਰੀ ਅਤੇ ਸਪੁਰਦਾਰ ਸ਼ਾਮਲ ਹੋਣਗੇ) ਕਿਹਾ ਜਾਵੇਗਾ ਅਤੇ ਦੂਜੀ ਧਿਰ ਸ੍ਰੀ \_\_\_\_\_

\_\_\_\_\_ ਸਪੁਰਦਾਰ ਸ੍ਰੀ \_\_\_\_\_

\_\_\_\_\_ ਜਿਸ ਨੂੰ ਖਰੀਦਾਰ ਕਿਹਾ ਜਾਵੇਗਾ, ਅਤੇ (ਜਿਸ ਵਿੱਚ ਜਦ ਤੱਕ ਪ੍ਰਸੰਗ ਜਾਂ ਉਸ ਦੇ ਅਰਥਾਂ ਵਿੱਚ ਕੋਈ ਗੱਲ ਇਸ ਦੇ ਵਿਰੁਧ ਨਾ ਹੋਵੇ, ਉਸ ਦੇ ਵਾਰਸ ਤਾਮੀਲਦਾਰ ਅਤੇ ਪ੍ਰਬੰਧਕ ਸ਼ਾਮਲ ਹੋਣਗੇ) ਵਿਚ-ਕਾਰ ਹੋਇਆ।

ਕਿਉਂ ਜੋ ਭੋਂ ਵਰਾਸਤੀ ਜਾਇਦਾਦ ਅਤੇ ਇਹਾਤੇ ਜਿਨ੍ਹਾਂ ਦਾ ਵੇਰਵਾ ਖਾਸ ਤੌਰ ਤੇ ਅਨੁਸੂਚੀ 1 ਵਿਚ ਦਿੱਤਾ ਗਿਆ ਹੈ ਵਿਕਰੇਤਾ ਦੇ ਅਧਿਕਾਰ ਅਤੇ ਕਬਜ਼ੇ ਵਿੱਚ ਹਨ :—

ਅਤੇ ਕਿਉਂ ਜੋ ਵਿਕਰੇਤਾ ਖਰੀਦਾਰ ਨੂੰ ਉਕਤ ਭੋਂ, ਵਰਾਸਤ ਜਾਇਦਾਦ ਅਤੇ ਇਹਾਤੇ, ਜੋ ਇਸ ਦੁਆਰਾ ਦਿੱਤੇ ਜਾਣ ਜਾਂ ਰੁਪਏ \_\_\_\_\_ ਕੀਮਤ

ਵਜੋਂ ਅਦਾ ਕਰਨ ਤੇ ਮੁਕੰਮਲ ਤੌਰ ਤੇ ਵੇਚਣ ਬਾਰੇ ਸਹਿਮਤ ਹੋ ਗਿਆ ਹੈ, ਖਰੀ-

ਦਾਰ ਨੇ ਵਿਕਰੇਤਾ ਨੂੰ (\_\_\_\_\_

\_\_\_\_\_ ) ਰੁਪਏ ਨਕਦ ਇਸ ਮੁਆਹਦੇ ਦੇ ਲਿਖੇ ਜਾਣ ਸਮੇਂ ਜਾਂ ਇਸ ਤੋਂ ਪਹਿਲਾਂ ਅਦਾ ਕੀਤੇ ਹਨ, ਵਿਕਰੇਤਾ ਨੂੰ ਇਸ ਲਿਖਤ ਦੁਆਰਾ ਸਵੀ-ਕਾਰ ਕਰ ਲਏ ਹਨ ਤੇ ਰਜੀਦ ਦਿੰਦਾ ਹੈ ਅਤੇ ਖਰੀਦਾਰ ਨੂੰ ਇਸ ਅਦਾਇਗੀ ਤੋਂ ਇਸ ਦੁਆਰਾ ਮੁਕਤ ਕੀਤਾ ਹੈ। ਉਹ ਸਾਰੀ ਭੋਂ ਜਾਂ ਉਸ ਦਾ ਟੁਕੜਾ, ਵਰਾਸਤੀ ਜਾਇਦਾਦ ਅਤੇ ਇਹਾਤੇ ਜਿਨ੍ਹਾਂ ਨੂੰ \_\_\_\_\_

\_\_\_\_\_ ਨਾਂ ਨਾਲ ਜਾਣਿਆ ਜਾਂਦਾ ਹੈ ਤੇ ਜਿਸ ਦਾ ਵੇਰਵਾ ਹੇਠਾਂ ਦਿੱਤੀ ਅਨੁਸੂਚੀ 1 ਵਿਚ ਦਿੱਤਾ ਗਿਆ ਹੈ, ਸਾਰੀਆਂ ਇਮਾਰਤਾਂ, ਚਰਾਂ-ਦਾਂ, ਵਾਂਡਾਂ, ਝਾੜੀਆਂ, ਖਾਦੀਆਂ, ਪਗਡੰਡੀਆਂ, ਪਾਣੀਆਂ, ਪਾਣੀ ਵਾਹਵਾਂ, ਖੁੰਨਾਂ



ਹੱਕਾਂ ਸਹੂਲਤਾਂ ਅਤੇ ਸਬੰਧਤ ਚੀਜ਼ਾਂ ਜੋ ਵੀ ਉਸ ਸਾਰੀ ਭੋਂ ਜਾਂ ਭੋਂ ਦੇ ਟੁਕੜੇ ਦੇ ਨਾਲ ਹਨ ਜਾਂ ਉਸ ਭੋਂ ਨਾਲ ਕਿਸੇ ਪ੍ਰਕਾਰ ਸਬੰਧਤ ਹਨ ਜਾਂ ਉਸ ਤੋਂ ਆਮ ਤੌਰ ਤੇ ਪ੍ਰਾਪਤ ਹੁੰਦੇ ਹਨ ਜਾਂ ਉਸ ਨਾਲ ਮਾਣੇ ਜਾਂਦੇ ਹਨ ਜਾਂ ਉਸ ਦੇ ਜਾਂ ਉਸ ਨਾਲ ਸਬੰਧਤ ਸਮਝੇ ਜਾਂਦੇ ਹਨ ਅਤੇ ਸਾਰੀ ਮਿਲਖ ਹੱਕ ਨਾਂ, ਹਿਤ, ਕਲੋਮ, ਅਤੇ ਅੰਗ ਜੋ ਕੁਝ ਵੀ ਵਿਕਰੇਤਾ ਦੇ ਉਕਤ ਇਹਾਤੇ ਤੇ ਉਸ ਦੇ ਹਰ ਭਾਗ ਨਾਲ ਸਬੰਧਤ ਹੋਣ ਖਰੀਦਾਰ ਨੂੰ ਛੁਟ ਵਿਕਰੇਤਾ ਲਈ ਰਾਖਵੀਆਂ ਰਖੀਆਂ ਉਸ ਇਲਾਕੇ ਵਿਚਲੀਆਂ ਖਾਣਾ ਅਤੇ ਹਰ ਪ੍ਰਕਾਰ ਦੀਆਂ ਖਣਿਜਾਂ ਜੋ ਵੀ ਉਕਤ ਇਲਾਕੇ ਵਿਚ ਜਾਂ ਅਧੀਨ ਹੋਣ ਅਤੇ ਉਸ ਲਈ ਸਹਿਤ ਵਿਕਰੇਤਾ, ਉਸ ਦੇ ਏਜੰਟਾਂ ਅਤੇ ਕਾਰਜਦਾਤਾ ਨੂੰ ਉਸ ਇਲਾਕੇ ਦੇ ਹਰ ਜਾਂ ਕਿਸੇ ਹਿੱਸੇ ਵਿਚ ਉਕਤ ਖਾਣਾ ਅਤੇ ਖਣਿਜਾਂ ਦੀ ਭਾਲ ਕਰਨ ਅਤੇ ਇਨ੍ਹਾਂ ਨੂੰ ਵਣਜ ਯੋਗ ਬਣਾਉਣ ਲਈ ਉਕਤ ਇਲਾਕੇ ਜਾਂ ਉਸ ਦੇ ਨਾਲ ਲਗਦੀਆਂ ਖਰੀਦਾਰਾਂ ਦੀਆਂ ਜ਼ਮੀਨਾਂ ਵਿਚ ਹਰ ਸਮੇਂ ਦਾਖਲ ਹੋਣ ਅਤੇ ਸਾਰੀ ਭੋਂ ਜਾਂ ਉਕਤ ਇਲਾਕੇ ਦੇ ਕਿਸੇ ਹਿੱਸੇ ਨੂੰ ਖੁਣ ਜਾਂ ਉਸ ਤੇ ਖੜੀ ਜਾਂ ਬਾਦ ਵਿਚ ਬਣਾਈ ਜਾਣ ਵਾਲੀ ਕਿਸੇ ਇਮਾਰਤ ਨੂੰ ਤੋੜਨ ਦਾ ਹੱਕ ਅਤੇ ਖੁਲ ਦੇ ਅਤੇ ਖਰੀਦਾਰ ਨੂੰ ਪੁਜਣ ਵਾਲੇ ਨੁਕਸਾਨ ਦਾ ਮੁਨਾਸਬ ਮੁਆਵਜ਼ਾ ਦੇਣ ਦੇ ਇਸ ਲਿਖਤ ਦੁਆਰਾ ਦਿਤੀ ਸੋਧੀ, ਇੰਤਕਾਲ ਕੀਤੀ ਅਤੇ ਸੁਨਿਸਚਿਤ ਕੀਤੀ ਜਾਂ ਦਰਜ ਕੀਤੀ ਉਕਤ ਭੋਂ, ਵਰਾਸਤੀ ਜਾਇਦਾਦ ਅਤੇ ਇਲਾਕਾ ਉਸ ਦੇ ਆਪਣੇ ਕਬਜ਼ੇ ਵਿਚ ਰੱਖਣ ਅਤੇ ਵਰਤਣ ਲਈ ਦਿਤੀ ਜਾਂਦੀ ਹੈ ਪਰ ਅਜਿਹੇ ਇਹਾਤੇ ਤੇ ਭੋਂ ਮਾਮਲਾ, ਕਰ ਅਤੇ ਟੈਕਸ ਜੋ ਉਕਤ ਇਲਾਕੇ ਤੇ ਨਿਰਧਾਰਤ ਕੀਤੇ ਹੋਣ ਜਾਂ ਕੀਤੇ ਜਾਣ ਜਾਂ ਲਗਾਏ ਜਾਣ ਉਸ ਨੂੰ ਅਦਾ ਕਰਨੇ ਪੈਣਗੇ ਅਤੇ ਵਿਕਰੇਤਾ ਖਰੀਦਾਰ ਨਾਲ ਇਹ ਪ੍ਰਤਿਗਿਆ ਵੀ ਕਰਦਾ ਹੈ ਕਿ ਉਸ ਨੇ ਅਜਿਹੀ ਕੋਈ ਗਲ ਨਹੀਂ ਕੀਤੀ ਜਾਂ ਕੋਈ ਅਜੇਹਾ ਨੁਕਸਾਨ ਨਹੀਂ ਸਹਿਆ ਜਿਸ ਨਾਲ ਉਕਤ ਇਲਾਕੇ ਭਾਰ ਗਸ਼ਤ ਹੋਏ ਹੋਣ ਜਾਂ ਇਨ੍ਹਾਂ ਤੇ ਅਸਰ ਪਿਆ ਹੋਵੇ । ਅਤੇ ਇਹ ਕਿ ਖਰੀਦਾਰ ਹੁਣ ਤੋਂ ਬਾਅਦ ਉਕਤ ਭੋਂ, ਵਰਾਸਤੀ ਜਾਇਦਾਦ ਅਤੇ ਇਹਾਤੇ ਨੂੰ ਸ਼ਾਂਤਮਈ ਅਤੇ ਆਰਾਮ ਨਾਲ ਕਬਜ਼ੇ ਵਿਚ ਰਖੇ ਅਤੇ ਵਰਤ ਸਕੇਗਾ ਅਤੇ ਵਿਕਰੇਤਾ ਜਾਂ ਕੋਈ ਵਿਅਕਤੀ ਜਾਂ ਵਿਅਕਤੀਆਂ ਨੇ ਉਸ ਵਲੋਂ ਟਰਸਟ ਵਿਚ ਜਾਂ ਅਧੀਨ ਕਾਨੂੰਨੀ ਤੌਰ ਤੇ ਜਾਣਿਆ ਪੂਰਬਕ ਦਾਵਾ ਕਰਨ ਵਾਲਾ/ਵਾਲੇ ਤੇ ਜਾਂ ਕਿਸੇ ਵੀ ਤਰ੍ਹਾਂ ਦੀ ਕਿਸੇ ਕਾਨੂੰਨੀ ਬੇਦਖਲੀ ਜਾਂ ਮੁਦਾਖਲਤ/ਕਲੋਮ ਜਾਂ ਮੰਗ ਤੋਂ ਬਿਨਾਂ ਉਸ ਦੇ ਕਿਰਾਏ ਅਤੇ ਮੁਨਾਫੇ ਪ੍ਰਾਪਤ ਕਰੇਗਾ/ਕਰਨਗੇ ਅਤੇ ਹੋਰ ਇਹ ਕਿ ਉਹ ਵਿਕਤਾ ਅਤੇ ਸਾਰੇ ਉਹ ਵਿਅਕਤੀ ਜੋ ਕਾਨੂੰਨੀ ਜਾਂ ਅਮਲੀ ਤੌਰ ਤੇ ਉਕਤ ਭੋਂ ਵਰਾਸਤੀ/ਜਾਇਦਾਦ ਅਤੇ ਇਹਾਤਿਆਂ ਤੋਂ ਜਾਂ ਇਨ੍ਹਾਂ ਵਿਚੋਂ ਕਿਸੇ ਇਕ ਜਾਂ ਇਨ੍ਹਾਂ ਦੇ ਕਿਸੇ ਹਿੱਸੇ ਤੇ ਜੋ ਉਸ ਪਾਸ ਟਰਸਟ ਵਿਚ ਤੋਂ ਜਾਂ ਅਧੀਨ ਰਖਿਆ ਹੋਵੇ, ਕੋਈ ਮਿਲਖ ਜਾਂ ਹਿਤ ਦਾ ਦਾਵਾ ਰਖਦੇ ਹੋਣ, ਸਮੇਂ ਸਮੇਂ ਸਿਰ ਅਤੇ ਇਸ ਤੋਂ ਬਾਅਦ ਹਰ ਸਮੇਂ ਖਰੀਦਾਰ ਵਲੋਂ ਬਿਨੇ ਕੀਤੀ ਜਾਣ ਤੇ ਅਤੇ ਉਸ ਦੇ ਖਰਚੇ, ਅਜਿਹੇ ਬਾਰੇ ਕੰਮ ਇਕਰਾਰਨਾਮਾਂ ਅਤੇ ਚੀਜ਼ਾਂ ਜੋ ਵੀ ਕੁਝ ਹੋਣ, ਉਕਤ ਭੋਂ ਵਰਾਸਤ ਤੇ ਇਹਾਤਿਆਂ ਅਤੇ ਇਨ੍ਹਾਂ ਦੇ ਸਾਰਿਆਂ ਹਿੱਸਿਆਂ ਨੂੰ ਖਰੀਦਾਰ ਦੇ ਹਵਾਲੇ ਕਰਨ ਤੇ ਉਸ ਦੀ ਵਰਤੋਂ ਲਈ ਹੋਰ ਵਧੇਰੇ ਪੂਰਨ ਤੌਰ ਤੇ ਸੁਨਿਸਚਿਤ ਕਰਨ ਲਈ ਉਕਤ ਦਸੇ ਢੰਗ ਅਨੁਸਾਰ ਵਾਜਬ ਤੌਰ ਤੇ ਹੋਵੇਗਾ, ਜਾਂ ਹੋ ਸਕੇਗਾ, ਕਰੇਗਾ ਜਾਂ ਲਿਖੇਗਾ ਜਾਂ ਕਰਵਾਏਗਾ ਜਾਂ ਲਿਖਵਾਏਗਾ ।

ਜੋ ਖਰੀਦਾਰ ਨੇ ਇਹ ਜ਼ਮੀਨ ਸਦਾ ਲਈ ਨਕਾਰਾ ਹੋਏ ਫੌਜੀ ਜਾਂ ਸ਼ਹੀਦ ਹੋਏ ਫੌਜੀ ਦੀ ਵਿਧਵਾ ਆਦਿ ਦੇ ਨਾਂ ਤੇ ਖਰੀਦੀ ਹੋਵੇ ਤਾਂ ਉਹ ਇਸ ਜ਼ਮੀਨ ਨੂੰ ਅਲਾਟ ਹੋਣ ਦੀ ਮਿਤੀ ਤੋਂ ਦਸ ਸਾਲ ਦੇ ਸਮੇਂ ਦੇ ਅੰਦਰ ਵੇਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਢੰਗ ਨਾਲ ਮੁੜਕਿਲ ਨਹੀਂ ਕਰ ਸਕੇਗਾ । ਇਸ ਸ਼ਰਤ ਦੀ ਉਲੰਘਣਾ ਕਰਨ ਵਾਲੇ ਖਰੀਦਾਰ ਤੋਂ ਵੇਚੀ ਹੋਈ ਭੋਂ ਵਾਪਸ ਲੈ ਲਈ ਜਾਏਗੀ ।

ਇਸ ਦੀ ਤਸਦੀਕ ਵਜੋਂ ਵਿਕਰੇਤਾ ਨੇ \_\_\_\_\_ ਉਸ

ਵਲੋਂ ਉਕਤ ਦਿਤੀ ਮਿਤੀ ਅਤੇ ਸਾਲ ਦੇ ਦਿਨ ਇਸ ਤੇ ਹਸਤਾਖਰ ਕੀਤੇ ਹਨ ।

### ਅਨੁਸੂਚੀ I

ਉਹ ਸਾਰੀ ਭੋਂ ਜਾਂ ਉਸ ਦਾ ਹਿੱਸਾ ਅਤੇ ਇਮਾਰਤ (ਇਮਾਰਤਾਂ) ਜੋ \_\_\_\_\_

\_\_\_\_\_ ਥਾਂ ਤੇ ਸਥਿਤ ਹਨ ਤੇ ਜਿਨ੍ਹਾਂ ਦੀ ਪਮਾਇਸ਼ \_\_\_\_\_

\_\_\_\_\_ ਹੈ ਅਤੇ ਜਿਨ੍ਹਾਂ ਨੇੜੇ

ਤੇ ਨਾਲ ਉਤਰ ਦੀ ਦਿਸ਼ਾ ਵਿਚ \_\_\_\_\_ ਦੱਖਣ

ਦੀ ਦਿਸ਼ਾ ਵਿਚ \_\_\_\_\_ ਪੂਰਬ

ਦੀ ਦਿਸ਼ਾ ਵਿਚ \_\_\_\_\_ ਪੱਛਮ ਦੀ ਦਿਸ਼ਾ

ਵਿਚ \_\_\_\_\_ ਹਨ ।

### ਅਨੁਸੂਚੀ II

ਉਕਤ ਦੇ ਹਸਤਾਖਰ \_\_\_\_\_ ਜੋ

ਪੰਜਾਬ ਦੇ ਰਾਜਪਾਲ ਲਈ ਅਤੇ ਵਲੋਂ ਨਿਮਨ ਦੀ ਹਾਜ਼ਰੀ ਵਿਚ ਕੀਤੇ ਗਏ ।

1. \_\_\_\_\_

2. \_\_\_\_\_



ਅੰਤਰਕਾ 'ਅ'

ਵਿਕਰੀ ਦਾ ਸਰਟੀਫਿਕੇਟ

(ਪੂਰਨ ਮਾਲਕੀ ਜਾਇਦਾਦ)

ਨਿਯਮ 6(6) (xiv)

ਇਹ ਤਸਦੀਕ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ਕਿ ਪੰਜਾਬ ਪੈਕਿਜ ਡੀਲ ਪ੍ਰਾਪਰਟੀ (ਡਿਸਪੋਜ਼ਲ) ਐਕਟ, 1976 ਦੀ  
ਧਾਰਾ 4 ਅਧੀਨ ਮੈਨੂੰ ਸੌਂਪੇ ਗਏ ਅਧਿਕਾਰ ਦੀ ਵਰਤੋਂ ਕਰਦੇ ਹੋਏ ਅਨੁਸੂਚੀ ਵਿਚ ਦੱਸੀ ਗਈ ਜਾਇਦਾਦ  
ਦੀ ਮਿਤੀ \_\_\_\_\_ 19 \_\_\_\_\_

\_\_\_\_\_ ਨੂੰ ਕੀਤੀ ਗਈ ਆਮ/ਸੀਮਤ ਨਿਲਾਮੀ ਵਿਚ ਸ਼੍ਰੀ \_\_\_\_\_  
\_\_\_\_\_ ਦੇ ਸਭ ਤੋਂ ਵੱਧ ਕੇ ਬੋਲੀ ਦੇਣ ਤੇ ਅਤੇ ਉਸ ਦੀ ਬੋਲੀ ਪ੍ਰਵਾਨ

ਕੀਤੇ ਜਾਣ ਤੇ ਅਤੇ ਉਸ ਦੁਆਰਾ ਉਸ ਦਾ ਮੁਲ ਨਕਦੀ ਵਿਚ ਦੇਣ ਤੇ \_\_\_\_\_  
\_\_\_\_\_ ਮਿਤੀ ਤੋਂ ਉਕਤ ਜਾਇਦਾਦਾਂ ਖਰੀਦਾਰ ਹੋਣ ਦਾ ਐਲਾਨ ਕੀਤਾ ਜਾਂਦਾ ਹੈ ।

ਸੀਮਤ ਬੋਲੀ ਵਿੱਚ ਖਰੀਦੀ ਹੋਈ ਜ਼ਮੀਨ ਜਾਂ ਉਸ ਦੇ ਕਿਸੇ ਹਿੱਸੇ ਨੂੰ ਖਰੀਦਾਰ ਖਰੀਦਣ ਦੀ ਮਿਤੀ  
ਤੋਂ ਵੀਹ ਸਾਲ ਤੱਕ, ਕਿਸੇ ਗੈਰ ਅਨੁਸੂਚਿਤ ਜਾਤੀ ਦੇ ਵਿਅਕਤੀ/ਵਿਅਕਤੀਆਂ ਕੋਲ ਉਪ ਰੋਕਤ ਸਮਾਂ ਲੰਘਣ  
ਤੱਕ ਮੁੰਤਕਿਲ, ਵੇਚ ਜਾਂ ਰਹਿਣਥਾ ਕਬਜ਼ਾ ਜਾਂ ਕਿਸੇ ਹੋਰ ਢੰਗ ਨਾਲ ਇੰਤਕਾਲ ਨਹੀਂ ਕਰ ਸਕੇਗਾ । ਪਰ  
ਜ਼ਮੀਨ ਦੇ ਸੁਧਾਰ ਕਰਨ ਲਈ, ਸਰਕਾਰ ਜਾਂ ਅਧਿਕਾਰੀ ਕਾਰਪੋਰੇਸ਼ਨ ਜਾਂ ਸਹਿਕਾਰੀ ਵਿੱਤੀ ਸੰਸਥਾ, ਤੋਂ  
ਕਰਜ਼ਾ ਲੈਣ ਲਈ, ਖਰੀਦਾਰ, ਇਨ੍ਹਾਂ ਅਦਾਰਿਆਂ ਕੋਲ ਇਹ ਜ਼ਮੀਨ ਜਾਂ ਉਸ ਦਾ ਭਾਗ ਗਿਰਵੀ ਰਖ ਸਕੇਗਾ ।  
ਇਸ ਸ਼ਰਤ ਦੀ ਉਲੰਘਣਾ ਕਰਨ ਤੇ ਇਸ ਸਰਟੀਫਿਕੇਟ ਦੁਆਰਾ ਮੁੰਤਕਿਲ ਕੀਤੀ ਹੋਈ ਜ਼ਮੀਨ ਵਾਪਸ ਲੈ ਲਈ  
ਜਾਵੇਗੀ ।

ਅੱਜ ਮਿਤੀ \_\_\_\_\_ 19 \_\_\_\_\_ ਦੇ

ਦਿਨ ਮੇਰੇ ਹਸਤਾਖਰ ਅਧੀਨ ਜਾਰੀ ਕੀਤਾ ਗਿਆ ।

ਅਨੁਸੂਚੀ

ਹਸਤਾਖਰ \_\_\_\_\_

ਨਾਂ \_\_\_\_\_

ਅਫਸਰ ਦਾ ਪਦ \_\_\_\_\_

## ANNEXURE III

## PUNJAB GOVERNMENT

## Department of Rehabilitation

## ORDER

In exercise of the powers delegated under Rules 87 and 88 of the Displaced Persons (Compensation and Rehabilitation) Rules of 1955, vide Notification No. 3(1)/IRT/71, dated February 24, 1971 of the Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Rehabilitation), I, Randhir Singh, Deputy Secretary to Government, Punjab, Rehabilitation Department exercising the powers of Authorised Chief Settlement Commissioner direct that the urban evacuee property which is a house or a shop or a building plot or a site or agricultural land as has been used for residential or commercial or industrial purpose, transferred to the State Government by the Central Government in the Administrative and Financial Arrangement of 1970, may be sold by negotiation to an occupant on the prevailing market price,

## Provided:

his possession over the same is continuous from January 1, 1977 and he has applied for its transfer by the prescribed date of December 31, 1977, and provided in the case of a building plot or a site or agricultural land as has been used for residential or commercial or industrial purpose, construction has been raised thereon on or before January 1, 1977.

2. (i) A building plot, or a site or agricultural land as has been used for construction of residential building, an occupant shall be transferred area upto 20 marlas;

(ii) A building plot or a site or agricultural land as has been used for commercial or industrial purpose, an occupant shall be transferred area upto 1000 sq. yards;

(iii) Where area of a building plot or a site on agricultural land being used for residential commercial or industrial purpose by an occupant exceeds the limits prescribed in clause (i) & (ii) above the excess area may be sold to the occupant by negotiation by an authority duly authorised to do so with such additional price upto 25 per cent of the market price in the case of residential plot and upto 50 per cent



of the market price in the case of a commercial or industrial plot, as would be fixed, keeping in view the location and potential of each plot, but, in no case the total area transferred will exceed the ceiling fixed under the Urban Land Ceiling (Regulation) Act of 1976.

3. (i) Each transferee, other than a member of the Scheduled Castes and Backward Classes shall be required to pay 25 per cent of the price alongwith the arrears of rent or damages in cash, of urban evacuee property to be transferred, within 30 days of determination of his eligibility and the balance shall be payable in lumpsum or in three equated bi-annual instalments bearing such rate of interest as may be prescribed.

(ii) The arrears of rent or damages shall be paid in lumpsum or in such number of instalments as may be fixed by the Settlement Commissioner, keeping in view the circumstances of each case and the number of instalments so fixed shall not exceed the number of instalments in which price of the urban evacuee property is to be recovered; and

(iii) In the case of default of any instalment, penal interest as may be prescribed shall be charged on the amount under default excluding the amount due on account of rent or damages. If the transferee fails to pay any instalment with interest on account of the balance price, or instalment on account of rent or damages within three months of the date on which it becomes due, or within the time extended by the Settlement Commissioner or the Chief Settlement Commissioner, the amount of defaulted instalments with such penal interest as may be prescribed, shall be recovered as 'arrears of land revenue'; provided that the penal interest shall be chargeable only on the defaulted amount of balance price.

4. The occupants who are members of the Scheduled Castes and Backward Classes shall be entitled to the following concessions:—

- (i) they may purchase properties in their possession at the rate of 25 per cent of the market price;
- (ii) the price of the properties transferred, will be recoverable in twelve equated half-yearly instalments the first instalment being payable by a transferee within thirty days of the offer of sale;
- (iii) If a Scheduled Castes or Backward Class transferee does not pay the instalments by the due date, penal interest as may be prescribed will be charged on

the amount under default. If he fails to pay the instalments and interest due thereon, within six months of the date on which instalment becomes due, or within the time extended by the Settlement Commissioner or Chief Settlement Commissioner, the amount of defaulted instalment with such interest as may be prescribed shall be recovered as 'arrears of land revenue'.

- (iv) Where it is established that a member of the Scheduled Castes had built a house before 15th August, 1947 on the land which became urban evacuee land, such a person shall be entitled to retain the house without any further payment;
- (v) The Scheduled Castes and Backward Classes occupants who are occupying two urban evacuee properties, one for residential purpose and the other for commercial or industrial purpose, shall be entitled to the transfer of both the properties at 25 per cent of the market price:

Provided in the case of a building plot or a site or agricultural land being used for residential or industrial or commercial purpose, any excess area above the limit prescribed in clauses (i) and (ii) of para 3 above, shall be transferred to an occupant at the prevailing market price, as laid down in clause (iii) of the said para.

5. Where a property is in occupation of an individual, it shall be transferred to him, if he is found eligible. However, where a property is occupied by more than one family in distinct portions which are divisible, such portions shall be transferred to them separately, provided there is no dispute between them and the applications for the transfer of the portions under their respective possessions are made separately by them by the prescribed date. But, where there is dispute between the persons occupying a property and it is indivisible, it shall be disposed of by sale in auction.

6. Land-locked urban plots or plots unfit for independent construction and occupied by the owners of the adjoining houses or located within commercial or industrial premises, shall be sold to the occupants by negotiation at the current market price, provided their possession is undisputed. Where the possession is disputed, the plot shall be disposed of by auction which shall be confined to the owners of the adjoining properties.



7. (a) The eligibility of every applicant will be determined by the Managing Officer, by holding such enquiry as he may consider necessary and after affording the applicant reasonable opportunity to establish his claim;

(b) If after making the enquiry, the Managing Officer finds that the applicant is not eligible for transfer of an urban evacuee property, he shall reject the application after giving a hearing to the applicant and record the reasons for such rejection and shall also determine the amount recoverable as damages for use and occupation of the property.

(c) Every transfer of urban evacuee property shall be subject to approval by the Settlement Commissioner;

(d) When the transfer is approved by the Settlement Commissioner, the transferee shall produce before the Managing Officer, within thirty days of the receipt of the intimation by him of such approval, a challan showing the deposit into treasury of the amount payable;

Provided that the Settlement Commissioner may extend the aforesaid period upto sixty days in deserving cases. The Chief Settlement Commissioner may, in case of exceptional hardship, grant such further extension for the payment of the price, as he may consider reasonable;

(e) If the balance is not paid within the period specified above, the amount of defaulted instalments shall be recovered as 'arrears of land revenue'.

8. In case of properties in which the price has already been determined by the Settlement Organization of the Government of India, the following criteria shall be followed for fixation of price:

(i) The year in which the price of a particular urban property was fixed, shall be taken as the base year and from that year onwards, till the date of re-assessment, the price of the plot area of the urban property shall be enhanced by 10 per cent of the price already assessed per year; the price of the superstructure remaining the same. The Managing Officer shall in cases where the price so enhanced does not get equated with the prevailing market price, make a report through the Settlement Commissioner, indicating price so enhanced and the prevailing market price, to the Chief Settlement Commissioner, who may enhance the price further so as to equate it with the prevailing market price.

(ii) (A) In all other cases, while fixing the market price, the following criteria will be kept in view:—

(a) the value of the property in the neighbourhood.

(b) the general prevailing market price of similar urban property in that locality.

(c) In case, in a particular locality, no transaction is found to have been made, the last transaction in that locality or in the adjoining locality, be taken as the basis for assessing the market price by enhancing its price by 10 per cent per year of the amount of the last transaction.

(d) the rent of the other local properties in that particular locality.

(e) rental value, if any, as mentioned in the Municipal Property Register.

(B) The assessment of market price on the basis of the criteria specified in sub-clause (A) will be made by the Managing Officer subject to approval by the Settlement Commissioner.

(C) In a case where the price of superstructure is to be fixed, it may be assessed by a Managing Officer in collaboration with the local Public Works Department authorities. The price thus fixed shall be subject to approval by the Settlement Commissioner.

(D) (i) In the case of a building plot or a site or agricultural land being used for commercial or industrial purpose, the current market price shall be assessed by the Valuation Board comprising S.D.O. (Civil), Executive Engineer, PWD, B and R or his representative, not less than the status of an S.D.O., District Industries Officer and the Settlement Officer (Urban) provided the area thereof is 500 sq.yards or above.

(ii) Additional price of the area transferable to the occupants over and above the limits of 20 marlas and 1000 sq. yards prescribed in clauses (i) and (ii) of para 2 above, which may be sold by negotiation by an authority authorised to do so, shall also be assessed by the above Board as laid down in clause (iii) of the said para 2.



9. (i) Any person claiming to be entitled to the transfer of an urban property, may apply within such time as may be determined, to the Tehsildar (Sales)-cum-Managing Officer or Naib Tehsildar (Sales)-cum-Manging Officer concerned;

Provided that any application made after the date so prescribed shall be forwarded to the Deputy Secretary (Reh) (Chief Settlement Commissioner) who shall refer it to the Tehsildar (Sales)-cum-Manging Officer or Naib Tehsildar (Sales)-cum-Managing Officer for disposal.

(ii) Such application shall be accompanied by an affidavit, duly attested by a Magistrate 1st Class, or Notary Public, or an Oath Commissioner, certifying the contents of the application.

10. No Officer or other person having any duty to perform in connection with valuation or sale of any urban evacuee property, or having any official connection with the Rehabilitation Department, shall either directly or indirectly bid for, or otherwise, acquire or attempt to acquire any interest in such property, except with the prior permission of the competent authority.

11. An urban evacuee property which is not transferred on the basis of possession or is not required for sale by negotiation to any Cooperative Society, Government Company or local authority or to any Corporate body for a public purpose, excluding such urban evacuee agricultural land as is transferable to lessees or sub-lessees under Chapter V-A of the Displaced Persons (C & R) Rules of 1955, shall be disposed of by auction according to the procedure laid down in rule 90 of the Rules *ibid*.

12. This order shall supersede the order dated February 2, 1977.

RANDHIR SINGH,  
Deputy Secretary to Government Punjab,  
Rehabilitation Department-  
cum-Chief Settlement Commissioner,  
Jullundur.

JULLUNDUR,

Dated : August, 30, 1979.

# ANNEXURE IV

## GOVERNMENT OF PUNJAB

Department of Rehabilitation

### ORDER

For the purpose of

(i) clause (i) of Para 3 of the Order dated August 30, 1979 issued under the authority of Notification No. 3(1)/ITR/71, dated February 24, 1971 of the Government of India, Ministry of Rehabilitation, the rate of interest shall be 6 per cent per annum.

(ii) clause (iii) of Paras 3 & 4 of the aforesaid Order, the rate of penal interest shall be 9 per cent per annum.

(iii) clause (ii) of Para 4 of the Order, the rate of interest shall be 4 per cent per annum.

(iv) clause (i) of Para 9 of the aforesaid Order, the prescribed date shall be December 31, 1977.

RANDHIR SINGH

Deputy Secretary-(Reh)-cum-  
Chief Settlement Commissioner,  
Rehabilitation Department,  
Punjab, Jullundur.

Endst. No. RD(770) Part-IV/UI/18025-18088, dated Jullundur the, 14th September, 1979.

A copy is forwarded for information and necessary action to:—

1. Commissioner, Jullundur, Patiala, and Ferozepur Divisions.
2. All Deputy Commissioners in the State.
3. All Sub Divisional Officers (C) in the State.
4. All Tehsildars (Sales)/Naib Tehsildars (S) in the State.

In continuation of this Department Memorandum No. RD(770) Part IV/UI/16648-55, dated August 30, 1979 and the endorsement of the same date.

RANDHIR SINGH,  
Deputy Secretary (Reh)-cum-  
Chief Settlement Commissioner,  
Rehabilitation Department, Punjab,  
Jullundur.



## ANNEXURE V

## PUNJAB GOVERNMENT

## Department of Rehabilitation

To

All the Tehsildars (Sales)  
in the State.

No. RD(770)/Part-IV/U-I/16648-551, dated, Jullundur, the 30th  
August, 1979.

*Subject:*—Policy with regard to the disposal of urban evacuee/package  
deal land/properties taken by the State Government from the  
Government of India.

*Memorandum:*

The revised policy with regard to the disposal of urban evacuee and package-deal property/agricultural land taken over from the Central Government, was approved by the Council of Ministers on June 27, 1979. The policy decisions were explained to you, in detail, in the meeting held on July 2, 1979. You were also given a copy each of the Memorandum submitted to CMM, containing the proposals of the Department and comparative statement explaining the old and the new policies. Now, for the implementation of the revised policy, Punjab Package Deal Properties (Disposal) Rules of 1976 have been suitably amended. A copy thereof is enclosed. Similarly, an Administrative order has been issued under the authority of D. S. (Reh.)-cum-C.S.C. for application to the properties covered by the Administrative & Financial Arrangement of 1970. A copy of the same is also enclosed. The Memorandum submitted to the Council of Ministers and the comparative statement showing the old and the new policies provide the basis for the revised policy, but for the implementation thereof, reliance has to be put on the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules of 1979, and the Administrative order. In case there is any disparity of details between the comparative statement showing the old and new policies and the aforesaid Rules/Administrative directions, the latter should be deemed to be authentic.

2. The revised policy makes a departure from the old policy—in that the barring clause of owning a house or shop or building site or plot or commercial or industrial premises by an occupant, for the transfer of evacuee package deal property occupied by him has been removed. Similarly, the definition of 'Construction' has been revised so as to mean

"not a brick and plaster construction" only, but the construction which should be in relation to the resources, class, status and financial capability of an occupant and the nature of trade being pursued by him. It is possible that a large number of applications of occupants may have been rejected because of the aforesaid barring clause and the interpretation of 'construction' as brick and plaster construction only. The Government has decided that these rejected applications should be restored for re-processing under the revised policy and the rules framed for its implementation. You should, therefore, make *suo-moto* references in all such cases to the authorities competent to entertain these references under the provisions of the Punjab Package Deal Properties (Disposal) Act of 1976, and the Displaced Persons (Compensation & Rehabilitation) Act of 1954, recommending the setting aside of the derogatory orders passed against such occupants. It is needless to point out that under the Displaced Persons (C&R) Act of 1954, a *suo-moto* reference against the order of the Tehsildar (Sales)-cum-M.O. or Naib Tehsildar (Sales-cum-M.O. or the Authorised Settlement Commissioner lies to the Chief Settlement Commissioner, under Section 24 of the Act *ibid*, and against the order of the Chief Settlement Commissioner, to the learned Financial Commissioner under Section 33 of the aforesaid Act. Under the Punjab Package Deal Properties (Disposal) Act, 1976, a *suo-moto* reference against the order of the Tehsildar (Sales) or Naib Tehsildar (Sales) or the Sales Commissioner lies to the Chief Sales Commissioner under Section 10 of the Act *ibid* and against the order of the Chief Sales Commissioner, to the authority exercising the powers of the State Government. All such references should be made to the competent authority through the Settlement Officer (Urban).

3. Government have not extended the prescribed date for entertaining applications from the occupants of urban evacuee or Package-deal property which continuous to be December 31, 1977, as notified earlier. A provision has, however, been made in the revised policy for disposal of application received after the aforesaid prescribed date from any occupant or class of occupants in accordance with the revised policy meaning thereby that applications received by the Tehsildars (Sales-cum-Managing Officers or Naib Tehsildars (Sales)-cum-Managing Officers or Assistant Settlement Officer (Sales)-cum-Managing Officer (Headquarters) after the prescribed date of December 31, 1977, will be disposed of by the Tehsildars (Sales)/Naib Tehsildars (Sales) in their capacity as such or as Managing Officers, depending upon the type of property, after obtaining orders of Government. Similarly, if any applications are received even now from occupants of urban evacuees or package deal property, the same should be referred to Government for orders, giving detailed reasons and justification, as to why a person making the application could not apply within time. In this connection, proviso to sub-clause (i) of clause 9 of the Administrative order issued under the authority of D.S. (Reh.)-cum-C.S.C. and Rule 9 of the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules of 1979 are referred to.



All application received after the prescribed date of December 31, 1977, should be entered in the registers maintained for the purpose, after the last application shown to have been received in time. Fresh applications now received should also be entered likewise. These applications should be entered in the said register in a chronological order.

4. Government is anxious that the work regarding disposal of urban evacuee or package-deal property should be finished as quickly as possible. Now that the formalities for implementing the revised policy have been completed, you should put your head and hands down to it and endeavour to complete the disposal of these properties by March 31, 1980 positively.

5. Reports regarding the progress achieved should be supplied by the 5th of each month, as heretofore. Settlement Officer (Urban) has been asked to prescribe the revised proforma for the purpose, if required.

RANDHIR SINGH,

Deputy Secretary to Government, Punjab,  
Rehabilitation Department, Jullundur.

# ANNEXURE VI

## GOVERNMENT OF PUNJAB

### DEPARTMENT OF REHABILITATION

#### Notification

The 30th August, 1979.

No. RD(770)/U-I/Part-IV/16673.—In exercise of the powers conferred by section 13 of the Punjab Package Deal Properties (Disposal) Act, 1976 (Punjab Act No. 21 of 1976), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules, further to amend the Punjab Package Deal Properties (Disposal) Rules, 1976, namely:—

1. These rules may be called the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules, 1979.

2. In the Punjab Package Deal Properties (Disposal) Rules, 1976 (hereinafter referred to as the said rules) in rule 4, in sub-rule (1), in clause (ii), between the figures and word "1965" and "remarries", the word and figure "or 1971" shall be inserted.

3. In the said rules, in rule 6, in sub-rule (6), in clause (xii), after sub-clause (b), the following sub-clause shall be inserted, namely:—

"(bb) Where payment of the balance of the purchase money is made after the period of the first extension granted under the first proviso to sub-clause (b), the auction purchaser shall deposit alongwith the balance of the purchase money to be deposited under this sub-rule, interest on such balance from the date of the expiry of the period of extension till the date of deposit, at such rate as may be fixed by the Government."

4. In the said rules, for rule 7, the following rule shall be substituted, namely,—

"7. Procedure for setting aside transfer.—Where any person is aggrieved by an order of the Tehsildar (Sales) or Naib-Tehsildar (Sales), under rules 3, 4 and 5, he may prefer an appeal to the Sales Commissioner within thirty days from the date of such order.



Provided, that the Sales Commissioner may entertain an appeal after the expiry of thirty days if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time."

5. In the said rules, in rule 8, in sub-rule (1),—(i) in clause (h), for the words "thirty days" the words "fifteen days" shall be substituted; and (ii) clause (k) shall be renumbered as sub-clause (i) of that clause and after sub-clause (i) as so renumbered, the following sub-clause shall be inserted, namely :—

"(ii) Where payment of the balance of the purchase money is made after the period of the first extension granted by the Sales Commissioner, an auction purchaser shall deposit alongwith the balance of the purchase money to be deposited under clause (j), interest on such balance from the date of the expiry of the period of extension till the date of deposit at such rate as may be fixed by the Government."

6. In the said rules, in rule 9,—(i) for sub-rule (a) and (b), the following sub-rules shall be substituted, namely :—

(a) Houses, shops, building plots, sites or agricultural land which are being used for residential, commercial or industrial purposes may be transferred to the occupants on prevailing market price in case the occupants are in continuous possession of that house, shop, building plot, site or agricultural land since the 1st January, 1977, or such other date as the Government may, from time to time specify and in the case of building plot, site or agricultural land, he had raised construction thereon on or before the said date.

(b) An occupant who is transferred a building plot, site or agricultural land under sub-rule (a) may be transferred :

(i) an area not exceeding 500 square yards including the built up area in case it is used for residential purposes.

(ii) an area not exceeding 1000 sq. yards including the built-up area in case it is used for commercial or industrial purposes.

(bb) Where area of a building plot, site or agricultural land used for residential, commercial or industrial purposes by

an occupant exceeds the limits prescribed in clause (i) or (ii) of sub-rule (b), the excess area shall be sold to the occupant by negotiation by the Government at such additional price not exceeding 25 per cent of the market value in case the built up area is used for residential purposes and not exceeding 50 per cent of the market price in case the built-up area is used for commercial or industrial purposes, as may be fixed by the Government, keeping in view the location and the potential value of the area :

Provided that the total area transferred to the occupant shall not exceed the ceiling fixed under the Urban Land Ceiling (Regulation) Act, 1976. (ii) for sub-rule (d), the following sub-rule shall be substituted, namely :—

"(d) (i) Each transferee other than a member of the Scheduled Castes or Backward Classes shall be required to pay 25 per cent of the price alongwith the arrears of rent or damages, in cash, of urban property to be transferred within thirty days of the determination of his eligibility and the balance price shall be payable in lumpsum or in three equated bi-annual instalments bearing such rate of interest as may be specified by the Government.

(ii) The arrears of rent or damages shall be paid in lumpsum or in such number of instalments as may be fixed by the Sales Commissioner keeping in view the circumstances of each case and the number of instalments so fixed shall not exceed the number of instalments in which price of the urban property is to be recovered.

(iii) In case of default of any instalment, penal interest at such rate as may be specified by the Government shall be charged on the amount under default excluding the amount due on account of rent or damages. If the transferee fails to pay any instalment with interest on account of the balance amount or instalment on account of rent or damages within three months of the date on which it becomes due or within the time extended by the Sales Commissioner or the Chief Sales Commissioner, the Tehsildar (Sales) may recover the said amount as arrears of land revenue."

(iii) In sub-rule (e),—(i) to clause (i), the following proviso shall be added, namely :—

"Provided that any excess area above the limit prescribed in sub-rule (b) shall be transferred at the prevailing market price as referred to in sub-rule (bb)."



(ii) in clause (iii), for the words "the property shall be liable to be resumed and amount paid with interest, if any, shall be forfeited", the words and brackets "the Tehsildar (Sales) or Naib-Tehsildar (Sales) shall recover the amount of the defaulted instalment with interest thereon at such rate as may be specified by the Government "as arrears of land revenue" shall be substituted,

(iv) after sub-rule (g), the following sub-rule shall be inserted, namely :—

"(h) land-locked urban plots or plots unfit for independent construction and occupied by the owners of the adjoining houses or located within commercial or industrial premises, shall be sold to the occupants by negotiation by Government at market price, provided their possession is undisputed. Where the possession is disputed, the plot shall be disposed of by auction as prescribed in sub-rule (g) and the auction thus held shall be confined to the owner of the adjoining houses."

7. In the said rules, in rule 10,—(i) the second proviso to sub-rule (d) shall be omitted.

(ii) in sub-rule (e), for the words "the money already paid shall be liable to forfeiture", the words "the amount of defaulted instalments shall be recovered as 'arrears of land revenue' shall be substituted.

8. In the said rules, in rule 11,—(i) in sub-clause (B), the words "in collaboration with the concerned Tehsildar (Mahal), where necessary, in case of assessment of price of plot areas of urban properties" shall be omitted;

(ii) after sub-clause (C), the following sub-clause shall be inserted, namely :—

"(D) (i) In the case of a building plot, site or agricultural land, the area whereof is five hundred square yards or more and is being used for commercial or industrial purposes, the market price shall be assessed by the Valuation Board comprising Sub-Divisional Officer (Civil), Executive Engineer, PWD (B&R) or his representative not below the rank of Sub-Divisional Officer, the District Industries Officer and the Settlement Officer (Urban);

(ii) Additional price of the area transferred to the occupants in excess of the limit prescribed in sub-rule (b) of rule 9 shall also be assessed by the Board referred to in para (i).

9. In the said rules, for rule 12, the following rule shall be substituted, namely :—

"12. Any person claiming to be entitled to the transfer of any urban property, may apply, within such time as may be determined by the State Government, to the Tehsildar (Sales) or Naib-Tehsildar (Sales) concerned :

Provided that any application made after the date so determined shall be forwarded to the State Government or an officer authorised by it who shall refer it to Tehsildar (Sales) or Naib-Tehsildar (S) for disposal."

K. D. VASUDEVA,

Financial Commissioner, (Revenue) and  
Secretary to Government of Punjab,  
Department of Revenue and  
Rehabilitation, Chandigarh.



## ANNEXURE VII

GOVERNMENT OF PUNJAB

DEPARTMENT OF REHABILITATION

## ORDER

For the purpose of :—

- (i) Sub-clause (bb) of clause (xii) of sub-rule (6) of Rule 6 of the Punjab Package Deal Properties (Disposal) Rules, 1976 (since inserted by Rule 3 of the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules, 1979), the rate of interest shall be one per cent above the current bank rate.
- (ii) Sub-clause (ii) of clause (k) of sub-rule (i) of Rule 8 of the aforesaid Rules (since inserted,—vide Rule 5 of the Punjab Package Deal Properties (Disposal) Third Amendment Rules of 1979), the rate of interest shall be one percent above the bank rate.
- (iii) Sub-rule (d) of rule 9 (since amended by Rule 6 of the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules of 1979) the rate of interest shall be 6 per cent per annum.
- (iv) Clause (iii) of sub-rule (e) of Rule 9, (since amended by Rule 6(iii)(ii) of the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules of 1979) the rate of interest shall be 4 per cent per annum.
- (v) For both the above categories, the rate of penal interest shall be 9 per cent per annum.
- (vi) Rule 12 (since amended by Rule 9 of the Punjab Package Deal Properties (Disposal) (Third Amendment) Rules, 1979, the prescribed date shall be December 31, 1977.

RANDHIR SINGH,

Deputy Secretary to Government, Punjab,  
Rehabilitation Department,  
Jullundur.

Endst. No. RD(770) 18092-18102, dated 14th September, 1979.

A copy is forwarded for information and necessary action to:—

1. Commissioner, Jullundur, Patiala and Ferozepur Divisions.
2. All the Deputy Commissioners in the State.
3. All the Sub Divisional Officers (C) in the State.
4. All the Tehsildars/Naib Tehsildars (Sales) in the State.

In continuation of this Department Memo RD(770) Party-IV/VI

16648-55, dated August 30, 1979.

RANDHIR SINGH,

Deputy Secretary to Government, Punjab,  
Rehabilitation Department,  
Jullundur.

## ANNEXURE VIII

## PRESS NOTE

It was decided by the Punjab Government in the Rehabilitation Department that those urban evacuee houses which were received by the Punjab Government in the old Urban Package Deal and under the Administrative and Financial arrangements made in 1970, from the Government of India and were in possession of rural land allottees be transferred to the occupants at 20 per cent of their reserve price and that no rent should be recovered from them provided they were not allotted any rural house/taur or had not received grant in lieu thereof. A press Note in this behalf was issued by the Government in June, 1970, and all interested persons were asked to make applications for transfer of the said houses by 31st July, 1970. Representations have been made by the rural land allottee that they did not come to know of the contents of the press Note and the Government decision, before 31st July, 1970, and therefore, could not make the requisite applications. In the interest of rural land allottees in occupation of urban evacuee houses, the Punjab Government have decided to extend the date for applications upto 31st October, 1970. All those persons who are interested to get the houses transferred in their favour according to the above scheme should apply to the Assistant Settlement Officer (Sales) Urban, 665 Model Town, Jullundur, before 31st October, 1970, after which no application will be entertained and the evacuee urban properties in possession of the rural land allottees will be disposed of by sale.

Dated: 14th September, 1970.

Department of Rehabilitation.



ANNEXURE IX  
PUNJAB GOVERNMENT  
DEPARTMENT OF REHABILITATION

To

All the Tehsildars (S)-cum-M.O./Naib Tehsildars (S)-cum-M.O. in the State.

No. RD(770)/Part-IV/U-I/16700-17, dated Jullundur, the 31st August, 1979.

*Subject:*—Policy with regard to the disposal of urban evacuee/package deal land/properties taken by the State Government from the Government of India transfer of urban houses in possession of rural land allottees.

*Memorandum :*

Continuation this Department Memo. No. RD(770) Part-IV/U-I/6648-55, dated August 30, 1979, on the subject cited above.

2. Urban evacuee houses and taurs in possession of rural land allottees who have not been allotted any rural house/taurs as appurtenant to their allotments or have not received any grants in lieu thereof may be transferred to them in terms of the instructions issued.—vide Memo No. 134(P-IV)-G-II/26141-55, dated November, 9, 1970 (copy enclosed).

3. The disposal of pending applications, if any, should be taken in hand forthwith. If any application is received now, it should be submitted to the undersigned through the Settlement Officer (Urban) for orders regarding its entertainment, as has been provided in para 3 of the instructions issued.—vide Memorandum dated August 30, 1979, in respect of occupants of urban evacuee property.

RANDHIR SINGH,

Deputy Secretary to Government, Punjab,  
Rehabilitation Department, Jullundur.

PUNJAB GOVERNMENT  
DEPARTMENT OF REHABILITATION

To

1. The Chief Settlement Commissioner, Reh., Department, Jullundur.
2. The Under Secretary (R&R)-cum-Settlement Officer (S), Chandigarh.
3. The Settlement Officer (S) Urban, Jullundur.
4. The land Claims Officer-cum-Settlement Officer (S), Jullundur.
5. The Additional Settlement Officer (S), Jullundur.
6. The Settlement Officer (Accounts), Jullundur.
7. The Assistant Settlement Officer (S), Jullundur.
8. The Assistant Settlement Officer (Accounts), Jullundur.
9. The Superintendent (Urban).
10. The Superintendent (Legal).
11. Camp Assistant.
12. All the Senior Auditors.
13. Reader to the Deputy Secretary (Reh.), Jullundur.

No. 134(P-IV)/G-II/26141-55, dated, Jullundur, the 9th November, 1970.

*Subject:*—Transfer of urban evacuee houses in occupation of rural land allottee-clarification of points involved in the disposal of transfer applications.

*Memorandum:*

Continuation this Department Endorsement No. 102/P-IV/22227-30/G-2, dated 18th September, 1970, with which a copy of Press Note on the subject cited above was sent.



2. The following further decisions taken by Government on the subject are given below for information and necessary action :—

- (i) If a rural land allottee is in possession of more than one urban house, he may be allowed to purchase one house of his choice at 20 per cent of the reserve price while the other house/houses may be transferred to the occupant according to the general policy of the Government
- (ii) In case a rural land allottee has no urban evacuee house but is occupying only a *taur*, the *taur* may be transferred to him at 20 per cent of the reserve price. This concession will not be allowed in respect of *taur* in occupation of an allottee who has been allowed the concession in respect of an urban house;
- (iii) Where two houses were owned independently by different Muslim avacuees, the same should be treated as separate units even if these might have been evaluated as a single unit by the staff of the Regional Settlement Commissioner. One of such houses may be given to the rural allottee on the concessional price, while for the other house/houses he may be treated like any other occupant of urban evacuee property;
- (iv) Where the urban houses in possession of the rural land allottees have not been evaluated, the valuation of these houses may be made on 1956-57 pattern as in the case of other houses and not at the present market value.

D. S. CHAUDHARY,

Deputy Secretary to Government, Punjab,  
Rehabilitation Department, Jullundur.

# ANNEXURE X

## PRESS NOTE

Dated Jullundur, the 28th November, 1975.

Punjab Government have decided to transfer, free of cost, plots, out of urban evacuee land/urban package deal land/land in the Rehabilitation Colonies, including Model Towns, to the widows of personnel of Armed Forces, B. S. F. and P. A. P. killed in action in 1971 Indo-Pak War, subject to the following terms and conditions:—

### (A) Regarding plots/House sites in Urban Areas:

- (1) The deceased husband did not own any residential plot/house of his own, in any urban town in India.
- (2) The widow does not own a plot or a house of her own, in an urban town, nor she has been allotted one under any other scheme in any urban town in India.
- (An affidavit to this effect, duly attested by a Magistrate 1st Class, shall be required to be produced by the widow, alongwith her application. In addition, she shall also be required to produce a certificate from the District Soldiers', Sailors' and Airmens' Board/Military Authority concerned, that her husband actually died in action, in the Indo-Pak War of 1971).
- (3) (a) The widow of Commissioned Officer will be eligible for allotment of a plot/house site, measuring 500 square yards, in an urban area, subject to availability of adequate number of plots in particular town/district.
- (b) Widow of a non-commissioned armed personnel/BSF/PAP will be eligible for a plot/house site, measuring 250 square yards, in an urban area.
- (4) The transferee shall not be permitted to sell/transfer the plot, so allotted, for a period of 10 years from the date of taking possession of the plot.

### (B) Regarding Rural Agricultural Land in Rural area:

- (1) The War widows will be entitled to an allotment of 10 ordinarily acres of agricultural land inclusive of her own holding or the land in the name of her deceased husband/



dependent children, if any, at the rate of Rs. 450/- per standard acre;

(2) 5 per cent of the price will be payable as earnest money and the remaining 95 per cent will be recovered in 19 half-yearly interest-free equated instalments. First instalment will become due at the end of the first harvest after the expiry of one year from the date of allotment;

(3) If the allottee does not deposit 5 per cent amount as earnest money, the allotment shall be cancelled;

(4) If the allottee fails to deposit 2 instalments consecutively, the allotment shall be liable to be cancelled.

(5) The sale certificate shall be issued in favour of the allottee till after the payment of the last instalment.

2. The War widow will have the option either to have residential plot/house site, in an urban area or rural agricultural land to the extent of 10 ordinary acres, according to their option. She shall have to furnish an affidavit alongwith the application to the effect that she had submitted an application only for urban/rural area (as the case may be).

3. The widows, considering themselves eligible for the allotment of plots in urban areas or for rural agricultural land, are advised to submit their applications, duly supported by affidavits/certificates to the Deputy Secretary, Rehabilitation, Punjab, 705-Model Town, Jullundur, within a period of two months from the date of release of this Press Note.

Issued by the State Rehabilitation Department,  
Punjab.

# ANNEXURE XI

## GOVERNMENT OF PUNJAB

### DEPARTMENT OF REHABILITATION

#### Order

The Governor of Punjab is pleased to direct that the open sites in the Rehabilitation Colonies, as mentioned in the schedule below be utilized for laying out gardens/parks/ roads. The management and control of these sites shall vest in the respective Municipal Corporations/Municipal Committees with the Clear stipulation that the sites would not be utilized for any purpose other than that specified above.

This order shall supersede the notification issued vide 9708/TSH dated June 25, 1981.

#### SCHEDULE

Open Space	Description of the open space.	Purpose for which to be utilized	Area A K M Yd.
<b>Model Town Ludhiana</b>			
I	Triangular opposite House No. 578-579 on the corner of 120' wide road leading to Ferozpur.	Park	1-4-0-0
II	Semi circle adjacent to H. No. 566 to 575 and on the 80' wide road	Do	1-3-19-0
III	Rectangular opposite H. No. 37-38 & 39 on 40' wide road	Do	1-10-2-0
IV	In between H. No. 226 to 231 & 233 to 237 connected by 30' wide road.	Do	1-1-8-0
V	Triangular adjoining H. No. 264 to 266 and on two sides 40' wide road.	Do	0-7-1-0
VI	Surrounded by 40' wide road on four sides and adjoining H. No. 272-273, 294 to 296 and 298-299 & 303 and 304 to 396	Do	1-0-7-0
VII	Opposite H. No. 355 to 357, 348-349 and surrounded by 40' wide road.	Do	1-2-0-0
VIII	Rectangular opposite H. No. 590-591 and connected by 80' wide road on the boundary line.	Do	0-7-1-0



IX	Adjacent H. No. 404 to 406 and on three sides 40' wide road	Do	1-3-10-0
X	Opposite H. No. 180-182, 584 to 586, 179 & 198 to 200 surrounded by 40' wide road	Do	1-0-6-0
XI	Surrounded by H. No. 146 to 150 & 151 to 154.	Do	1-1-7-0
XII	In between H. No. 626 & 627 colony	Do	0-0-9-15
<b>Eight Marla Colony Ludhiana</b>			
I	Adjacent H. No. 5 & 11 to 33 on the Ludhiana-Ferozepur Railway line	Park	0-20-14-18
II	Triangular on a semi circle 40' wide road and in front of H. No. 29 to 33 & 201 to 206	Do	0-6-3-0
III	Triangular-adjacent H. No. 16 to 21 connected by two sides road 40' wide	Do	0-1--19-15
IV	In between H. No. 34-35, 48-49 & 46-47 connected by road-60' wide	Do	0-1-0-14
V	Surrounded by H. No. 72 to 85 and on one side 24' wide road	Do	0-3-9-6
VI	Traingular opposite H. No. 213 to 218 on two sides roads 40' and 30' wide and 10' lane on the third side.	Do	0-2-2-12
VII	Surrounded by H. No. 192 to 199 & 99 on the circular road 60' wide with 10' lane.	Do	0-2-6-4
VIII	Triangular surrounded by roads on three sides and adjacent to H. No. 180 to 234.	Do	0-2-4-21
IX	Triangular surrounded by roads on all sides and adjacent to H.No. 180 to 181	Do	0-0-14-20
X	Surrounded by H.No. 115 to 127, 16' wide lane on three sides and 30' wide road on the front side.	Do	0-1-0-14
XI	Surrounded by 16' wide road in front of H.No. 148 to 163 touching 60' and 30' wide roads and on two sides.	Do	0-12-15-9
<b>Four Marla Cheap Tenement Adjacent to Eight Marla Colony Opposite Bus Stand Ludhiana.</b>			
I	Triangular surrounded by roads on three sides and adjacent to block No. 18	Do	0-2-3-1
II	Surrounded by roads on all the sides adjoining to H. No. 121 to 130.	Do	0-1-8-3

III	Triangular surrounded by roads on all the sides between Block No. 16, 17, 19 and 14	Park	0-3-9-13
IV	Retangular surrounded by roads on three sides between Block No. 9 and 12 and on the Ludhiana, Ferozepur Railway line.	Do	0-1-11-3
V	Rectangular surrounded by roads on all sides near block No. 3 and 4	Do	0-0-9-9
VI	Triangular adjacent to the main road specified for expansion of the road near Block No. 21 & 22.	Road	0-2-3-20
<b>Four Marla Cheap Tenement Known As Abdullahpur Ldhiana.</b>			
I	Rectangular 146'X83' surrounded by roads on all the sides.	Park	0-2-18-12
II	Rectangular 118'X98' near water works and surrounded by roads on all the sides.	Do	0-2-15-29
III	Rectangular 110' x74' surrounded by roads on all the sides and adjoining to H. No. 127.	Do	0-1-19-1
<b>Jawahir Nagar Mud Huts Colony Ludhiana.</b>			
I	On the edge of G.R. Road.	Park	0-3-5-3
<b>Four Marla Cheap Tenement Amloh Road, Khann</b>			
I	Rectangular No. 128 surrouded by roads on three sides beteen block No. 21,22 13, 14 & 18	Park	0-3-7-6
II	Rectangular Ho. 129 surrounded by roads on all sides. In between block No. 21,22 &23.	Do	0-7-10-20
III	No. 131 surrounded by roads on three sides and opposite H. No. 160-161 and 162 of Block No. 20	Do	0-0-5-10
<b>Model Town, Hoshiarpur</b>			
I	Surrouned by roads on three sides and opposite H. No. 22 & 219.	Park	0-1-12-4
II	Surrounded y roads on two sides and opposite H. No. 36	Do	0-5-7-1
III	Opposite H. No. 31 to 35 connected by roads 80' wide	Do	0-5-12-20
IV	Opposite H.No. 54 & 48 and connected road on Northern side	Do	0-2-19-4
V	Near No. 53, 54 and connected by road on Northern side	Do	0-2-15-1



VI	Surrounded by roads on three sides between H.No. 94 to 100 & 129 to 133.	Do	0-51-7-10
VII	Adjacent to H.No 4 and connected by roads on Western side.	Do	0-3-16-8
VIII	Adjacent to H. No. 1 & 201	Do	0-1-5-13
IX	Opposite H. No. 61 of 55	Do	0-1-17-4
X	Opposite H. No. 245 & connected by road on Eastern side.	Do	0-1-16-5
XI	Adjacent to H. No. 61-B & connected by road on Northern side	Do	0-0-15-3
XII	Opposite H. No. 58-59 connected by road on Northern side	Do	0-1-18-9
XIII	Adjacent to shopping centre on the 60' wide road	Do	0-5-16-0
XIV	In between H. No. 23 to 27 & 30 to 33 and 20' wide lane on one side.	Do	0-6-8-0

#### Mud Hut Colony opposite Civil Hospital Hoshiarpur

I	Triangular corner plot situated on the boundary line and surrounded by roads on two sides 19' wide.	Park	0-0-9-10
II	Rectangular adjacent H. No. 31 to 34 & 36	Do	0-0-13-0
III	On the paved street 16' wide	Do	0-0-15-6

#### Shopping Centre Dalhousi Road Pathankot

I	In front of shopping centre bearing No. 11 to 17	Park	0-1-4-19
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#### Eight Marla Cheap Tenement Pathankot

I	Behind shops situated on Dhangu Road. On the edge of Ganda Nala.	Park	0-1-5-11
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#### Four Marla Colony Adjacent to 8 Marla Cheap Tenement, Pathankot

I	Rectangular surrounded by roads on all sides and opposite Qr. No. 222 to 231.	Park	0-2-6-21
II	On the main road opposite open space No. I above.	Do	0-3-10-10
III	Surrounded by roads on all sides known as Gura Nank Park	Do	0-5-12-22

#### Five-Marla Colony Pathankot

I	In between H.No. 179 to 192 & 193 to 200. 178, 269 & 271 to 282 and 299	Do	0-12-4-0
II	Surrounded by roads on all sides and between H. Nos. 16 to 20 & 21 to 25	Do	0-1-10-4
III & IV	Surrounded by roads on all sides and between H. No. 213 to 217 and 218 to 222	Do	0-3-12-14
V	On the outer skirit facing lane outting Park H. No. 40 and 26	0-3-12-23	
VI	On the outer skirit facing H. No. 25 and surrounded by lane	Do	0-0-19-17

#### Four Marla Nathu Nagar Dhangu Road Pathankot

I	Adjoining well and on the road leading from Pathankot Dhangu Road to Jullundur	Do	0-0-3-4
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#### Model Town Phagwara

I	Semi Circle in between Shopping Centre on G.T. Road	} Park Do	0-11-1-5
II&III	Behind the Semi circle Shopping Centre on G.T. Road		
IV	Surrounded by road on all sides and opposite H.No. 1 to II near School	Do	0-10-19-16
V	Surrounded by road on all sides in between H. No. 42 and 43	Do	0-3-2-13
VI	Surrounded by roads on all sides between H.No. 39 & 52	Do	0-7-15-6
VII	Surrounded by roads on all sides between H.No. 43 & 44	Do	0-5-16-0
VIII	Surrounded by roads on all sides between H. No. 22 and 23	Do	0-1-0-7
IX	Triangular surrounded by roads on all sides opposite H. No. 20 to 23	Do	0-3-17-17

#### Model Town Jullundur

I	Surrounded by semi circle road 80' wide in front of H. No. 597-598	Park	0-35-2-22
II	Opposite H. No. 476-478-491-497 & House No. 517 L & R and 528 to 530	Do	0-10-11-11
III	In front of Model Town, Market A & B	Do	0-23-11-6
IV	In between House No. 715 & 716	Do	0-0-14-6



V	In between H. No. 713-A to 717-A and Road...	Road	0-1-10-13
VI	Semi Circle surrounded by H. No. 281 to 286 on the road which connect H. No. 84 to 88	Park	0-6-7-3
VII	Surrounded by roads on all sides and H. No. 561 to 568	Do	0-7-9-13
VIII	Surrounded by H. No. 190 to 197	Do	0-5-14-19
IX	Surrounded by H. No. 168, 169, 511, 170 & 175 to 177	Do	0-3-12-9
X	Behind Singh Sabha Gurdwara Model Town, Jullundur	Do	0-34-14-6
XI	Surrounded by semi circle road and between H. No. 19 to 27 & 41 to 49	Do	0-15-14-6
XII	In front of H. No. 427—428	Do	0-1-7-19
XIII	Semi Circle surrounded by H. No. 621 to 624..	Do	0-8-19-5
XIV	land surrounded by H. No. 3, 703, 679 & 697	Road	0-0-10-17

R. C. KAPILA,

Financial Commissioner (Revenue) &  
Secretary to Government, Punjab,  
Rehabilitation Department.

# ANNEXURE XII

## PUNJAB GOVERNMENT

### DEPARTMENT OF REHABILITATION

To

All the Tahsildars (Sales), in the State.

No. MTC/U. I/11388-95, dated, Jullundur, the 21st July, 1981.

*Subject.*—Disposal of sites left-un-developed due to revised lay outs in the Model Colonies viz., Model Towns, Model Houses, 8 Marla Cheap Tenements, 4 Marla Cheap Tenements, Shopping Centres and Mud hut Colonies, etc., set up by the State Rehabilitation Department in Punjab—Occupation and illegal construction raised thereon.

#### MEMORANDUM:

The question of disposal of open sites left undeveloped in the Rehabilitation Colonies, as a result of revised lay-outs prepared by the Public Works Department, at the execution stage and subsequently, which are under unauthorised occupations, has been engaging the attention of Government. It has now been decided that these open sites may be sold by private treaty to the unauthorised occupants at a fixed valuation, as may be determined by the Government, subject to the following conditions:—

(i) The possession of an occupant is un-disputed and continuous from January 1, 1977 and he has raised construction thereon, on or before the said date.

N.B. In no case, such open sites as are under temporary constructions, thatched huts, Khokhas, etc., should be transferred;

(ii) The intended transferee should be head of the family, having independent means of livelihood;

(iii) A transferee shall be liable to pay damage charges for the use and occupation of the site, as may be approved by the Deputy Seiretary (Reh)-cum-Collector;

(iv) It is not proposed to invite applications from the unauthorised occupants of the open sites. The Rehabilitation Authority (Tehsildar Sales) posted in a District will inspect each site, obtain application from the occupant on the spot and



process it for the purposes of determining his eligibility, in accordance with the procedure laid down for the transfer of urban Package Deal/Administrative and Financial Arrangement, Properties.

(v) The 'fixed valuation' shall be the market price which may be assessed by the Rehabilitation Authority (Tehsildar Sales), keeping in view the following criteria:—

(a) The value of the property in the neighbourhood.

(b) The general prevailing market price of the similar urban property in that locality, which may be worked out on the basis of sale transactions held during the preceding one year.

(c) In case, in a particular locality no transaction is found to have been made in the preceding one year, the last transaction if any, in that locality or in the adjoining locality, be taken as the basis and the market price be fixed by enhancing the amount of the last transaction by 10 per cent per year.

(d) In absence of any sale transaction in the locality or in the adjoining locality, the transactions held during the preceding one year in the neighbouring localities should be adopted as the basis. In case, no transaction in the preceding one year in the neighbouring localities is found, then last transaction should be adopted as the basis and the market price be fixed by enhancing the amount of the last transaction by 10 per cent per year.

(e) The market price shall be subject to approval by the Deputy Secretary (Reh)-cum-Deputy Commissioner, except in the cases falling under (d) above, which shall be subject to the approval by Government.

(vi) In the case of a Scheduled Castes/Backward Classes occupant, 'fixed valuation' shall be 25 per cent of the market price, determined for a site.

(vii) Each transfer shall be subject to approval by the Deputy Secretary (Reh)-cum-Deputy Commissioner.

(viii) A successful transferee, other than a member of the Scheduled Castes/Backward Classes, shall make payment of the earnest money equivalent to 25 per cent of the market price to the Rehabilitation Authority (Tehsildar

Sales) at the time of determination of his eligibility by the latter. A successful transferee who is a member of the Scheduled Castes/Backward Classes shall be liable to pay earnest money equivalent to 25 per cent of the price recoverable from him.

(ix) After the confirmation of the transfer by the Deputy Secretary (Reh)-cum-Deputy Commissioner, the balance price shall be payable by the transferee in lump-sum within 15 days of the receipt of notice by the transferee to this effect or in such period as may be extended by a competent Rehabilitation Authority.

(x) Such of the transferees as are desirous of making payment of the balance price in instalments shall pay the same as follows:—

(a) *Scheduled Caste/Backward Class occupants.*

In 12 half yearly equated instalments with interest at 4 per cent per annum; the earnest money paid by them being the first instalment; and

(b) *Non-Scheduled Castes and non-Backward Classes occupants.*

In three half-yearly equated instalments with interest at 6 per cent per annum, excluding the amount of earnest money already paid by them.

(xi) In the event of default in the payment of any instalment by a transferee, penal interest at 9 per cent per annum shall be charged on the defaulted amount.

(xii) If a transferee commits default in the payment of two consecutive instalments, the Deputy Secretary (Reh)-cum-Deputy Commissioner, shall be competent to proceed with the recovery of the defaulted amount as arrears of land revenue, provided no order to this effect is made by him, without giving to the person concerned a reasonable opportunity of being heard. An order thus made by him would be subject to revision and appeal as provided in the East Punjab Refugees Rehabilitation (Building and Building Sites) Act, 1948.

2. While transferring the above sites, due care should be taken that the plots notified as Parks or reserved for common or public purposes are not transferred to the unauthorised occupants. Such plots should be got vacated and the same be transferred to the Municipal Committees concerned.



3. The plots earmarked for commercial purposes, i.e., shopping Centres or for any other commercial activities should not be transferred on the basis of possession. These plots should be got vacated and disposed of by open auction.

4. A survey of the Rehabilitation Colonies had already been undertaken with a view to determining the dimensions of the problem. The lists thus prepared contain the names of the unauthorised occupants and the area in each one's respective possession. While allowing the transfer of open sites, these lists should invariably be consulted to safeguard against the possibility of any undeserved transfer to an occupant, who has entered upon the possession of an open site after the crucial date of January 1, 1977.

5. Such of the open sites as are required to be sold by open auction should be disposed of after getting the market price thereof approved by the Government and after giving wide publicity in accordance with the procedure already laid down for the disposal of urban Package Deal and Administrative and Financial Arrangement properties.

6. It should be ensured that no open site in any Rehabilitation Colonies is allowed to be encroached upon or unauthorisedly occupied by any person. You should undertake constant survey of these colonies and if any fresh encroachment or unauthorised construction comes to your notice, immediate steps should be taken to remove the same, according to law.

RANDHIR SINGH,

Deputy Secretary,  
For Secretary to Government, Punjab,  
Rehabilitation Department.

ANNEXURE XIII  
PUNJAB GOVERNMENT  
DEPARTMENT OF REHABILITATION

To

1. All Deputy Commissioners in the State.
2. The Land Claims Officer, Jullundur.

No. RI(126)12894-912Reh(R), dated, Jullundur, the  
21st April, 1961

Subject :—Allotment of superior grade land to the inferior grade claimants.

Memorandum:

1. It has come to notice that in Punjab and in the districts of erstwhile Pepsu, allotments of rural evacuee agricultural lands had been made irrespective of the grade, thereby accommodating inferior grade claimants in substantially superior grade villages. A question has arisen whether such erroneous allotments made in disregard of the Scheme of Grading should be reviewed at this stage or not.

2. It is presumed that some allottees might have made appreciable improvements in such lands and, keeping in view their long possession and consequent hardship likely to be caused to them if their allotments are disturbed, it has been decided by the Government that all rural allotments made in the past in disregard of the Scheme of Grading should not be opened at this late stage. However, cases in which the allotments of inferior grade claimants in superior grade villages have been contested or have come to the notice of the department and action on them is pending, will not come under the category. Such allotments shall be regularised by charging additional premium from the allottees in the manner indicated below, if they are desirous to keep such allotments, otherwise their allotments should be cancelled and they may be given alternative allotments in their appropriate grades.

3. It has also been decided that, in future, if any inferior grade claimant is keen to get allotment in 'A' grade village, he should be accommodated after charging him the following premium and provided there is no better grade claimant for that particular area :—

(i) II grade claimant	... 20 per cent.
(ii) III grade claimant	... 30 per cent.
(iii) IV grade claimant	... 50 per cent.



4. According to the principles enumerated in the Land Resettlement Manual, a III (third) grade claimant can be fitted in a II (2nd) grade village and, similarly, a IV (forth) grade claimant can be accommodated in a III (third) grade village, if there is no better claimant for such areas, without imposition of any additional premium. This rule should be followed even now.

5. In case a IV grade claimant wants land in a 2nd grade village and there is no better grade claimant for that land allotment may be made to him on imposition of 40 per cent premium. Similarly, when an inferior grade claimant asks for allotment in a suburban village having no additional premium, he shall have to pay the necessary premium according to the above scale in order to bring his claim at par with a first grade claimant and no further premium should be charged from him

Six spare copies of this letter are sent herewith for communication to the Tehsildars in your district/staff working under you

R. S. PHOOLKA,

Deputy Secretary to Government, Punjab,  
Rehabilitation Department.

#### ANNEXURE XIV

To

The Land Claims Officer,  
Rehabilitation Department,  
Jullundur.

No. RI(165)7123/G-7, dated, Jullundur, the 20th April, 1972

Subject :—Change of option.

Memorandum:

Continuation this Department No. RI(165)16710-28/G-5, dated the 4th August, 1971, on the subject cited above.

2. In order to curb the tendency on the part of the unsatisfied/partially satisfied claimants to approach this Department time and again for transfer of their parcha claims from one district to another with a view to securing allotment of land in districts, where the level of price is relatively high, it has been decided that the State of Punjab may be divided into the following four zones :—

- (i) First zone consisting of Jullundur and Ludhiana Districts;
- (ii) Second zone comprising of Rupar, Hoshiarpur, and Kapurthala Districts;
- (iii) Third zone consisting of Patiala, Sangrur and Bhatinda Districts; and
- (iv) Fourth zone comprising of Ferozepur, Amritsar, and Gurdaspur Districts.

In case evacuee land of equivalent grade is not available in the district of original allotment, the feasibility of transferring the Parcha Claim to another district of the same zone shall only be considered.

3. The above instructions will apply where allotment previously been made but subsequently cancelled for one reason or the other. Where allotment has not so far been made, cases of such claimants would be governed under the Scheme of Allocation of Areas laid down in Appendix II of the Land Resettlement Manual. It is, however, made clear that other principles governing transfer of Parcha Claims will remain unchanged.

4. These instructions come into force immediately, but will be without prejudice to the over-all allotment policy, which may be involved/adopted by the Government hereafter.

D. S. CHAWLAHARY,  
for Secretary to Government, Punjab,  
Rehabilitation Department.



## PUNJAB GOVERNMENT

## DEPARTMENT OF REHABILITATION

To

The Land Claims Officer,  
Jullundur.

No. RI(165) Part VI/24083, dated Jullundur, the 26th December, 1975

Subject :—Change of option for transfer of Parcha Claims from one District to another District.

## Memorandum:

Continuation this Department Memo No. RI(165)/9123/67, dated 20th April, 1972, on the subject cited above.

2. The following instructions are issued regarding the transfer of Parcha Claims of the un-satisfied claimants from one district to another :—

- (a) All un-satisfied claimants should be made allotment of rural evacuee agricultural land in the districts of their original allotment, as laid down in Appendix II of the Land Resettlement Manual;
- (b) Similarly, all claimants of alternative allotments, should be given allotments in the districts of their original allotment;
- (c) Where evacuee land of equivalent grade is not available in the district of original allocation/allotment, the allotment should be made strictly in accordance with the instructions issued on April 20, 1972.
- (d) The above guide lines would be applicable only to genuine unsatisfied claimants and not to the holders of purchased claims, in whose cases, no change of district would be allowed under any circumstances. Relaxation will, however, be made in the extremely hard cases of widows, orphans, incapacitated claimants who are entitled to fresh alternative allotment up to 5SAs. In such case, allotment of land will be made outside the scope of the instructions dated April 20, 1972, but all such cases shall be referred to Government for prior approval.

3. These instructions should be meticulously followed, keeping in view the allotment policy as already approved by the Government and circulated with the instructions issued by the Department from time to time.

AMRIK SINGH,  
Deputy Secretary to Government, Punjab,  
Rehabilitation Department, Jullundur.

## ANNEXURE XV

To

The Land Claims Officer,  
Rehabilitation Department,  
Jullundur.

No. RI(120)/76/24738, dated Jullundur, the 20th December, 1976

Subject :—Allotment of land to Non-Punjabi Claimants.

## Memorandum:

Please refer to para 5 of the instructions issued,—vide this Department Memorandum No. R-II(165) Part-VI/23148-250, dated November, 24, 1976 (copy enclosed). The following criteria has been laid down for allotment of land to unsatisfied claimants of Non-Punjabi extraction, whose cases have been/are being referred by the Government of India, Department of Rehabilitation under Section 32 of the Displaced Persons (Compensation and Rehabilitation) Act, of 1954, read with Sub-rule (2) of Rule 66 of the Displaced Persons (Compensation and Rehabilitation) Rules, of 1955:—

- (i) A non-Punjabi claimant settled in any district of Punjab, may be given allotment in that very district subject to the availability of area, headless of the fact whether or not any area, for the purpose, has been reserved in that district;
- (ii) If no area is available in the district of his residence, it may be given to him in any of the nearest districts where the area has been reserved for the purpose, according to his choice;
- (iii) A Non-Punjabi claimant settled outside Punjab, may be given allotment in any district of his choice, subject to the availability of the land, out of the districts in which area for the purpose has been reserved, on 'first come first serve' basis. Where the number of claimants, seeking allotment in a particular district, is more than one and their claims have been referred to the Tehsildar (Sales)-cum-Managing Officer concerned, for allotment, on one and the same date, allotment may be made to them in alphabetical order, keeping the English spelling of their names in view. If their names happen to be the same, then preference may be given to the smaller claimant;



(iv) The claimants settled/outside Punjab, may be asked to give three choices of districts, in order of preference, out of the districts in which area has been reserved for the purpose, district of his first choice, it may be allotted to him in the district of his second or third choice, as the case may be; and

(v) If any area is utilized for the purpose in the districts, where the same has not been reserved, the area thus utilized, will be adjusted towards the reserve area, thereby releasing equivalent area, for sale by restricted auction, out of the 'reserve' area.

2. The existing procedure of re-verification of the claims by the Assistant Registrar (L)-cum-Managing Officer, as and when received from the Government of India, by making back references or by personal visits to the Department of Rehabilitation, depending upon the number of the claims requiring re-verification, should be followed as heretofore. After the re-verification has been done, the Assistant Registrar (L)-cum-Managing Officer should ensure that the case of a claimant is finalized for the purpose of allotment of land in accordance with the aforesaid criteria, in one hearing. In order to achieve this object, the notice to be issued to each claimant for the production of the requisite documents, should be comprehensive and self-explanatory so that the claimant may not have to seek adjournment for supplying the omissions or deficiencies, if any, in these documents. As in the case of unsatisfied or partially satisfied claimants of Punjabi extraction, the cases of these claimants will also require clearance from the Head Office, before sending the 'Goshwaras' to the Tehsildar (Sales)-cum-Managing Officer concerned for allotment of land.

3. The avoid inconvenience to these claimants, it has further been decided that the Tehsildar (Sales)-cum-Managing Officer concerned of the district, to whom a particular claim is sent for allotment should complete all the requisite formalities in one hearing. It shall be his responsibility to procure 'Farist Baqaia' from the Patwari, check the same meticulously with the original revenue record, prepare the allotment order and to issue the warrant of possession, on one and the same day. The object of making allotment in one day can be achieved by summoning the Patwari concerned alongwith the record, in his office.

4. All pending cases, in which requisite formalities have already been completed and are ripe for allotment, should be sent to the Tehsildar (Sales)-cum-Managing Officer concerned for allotment, under intimation to each claimant, immediately.

5. A proper account of the area utilized for the purpose, should be kept, so as to ensure that the stipulated limit of 1,500 standard acres

is not exceeded. Similarly a complete account of the area utilized for the above purpose, out of the villages in which no areas have been reserved should be kept separately by the Tehsildar (Sales)/Naib-Tehsildars (Sales) for the purpose of adjustment towards the reserved area of 6,000 standard acres. In order to keep proper co-ordination, the Tehsildars (Sales)/Naib-Tehsildars (Sales) as the case may be, will intimate the details of the area utilized, out of the surplus rural evacuee agricultural land available in the villages in which no reservation has been made, to their counterparts on the Revenue side, so that they may not dispose of the same in restricted or open auction.

6. The aforesaid instructions should be followed meticulously, by all concerned.

BRAJINDRA SINGH,  
Deputy Secretary, (Reh.),  
for Financial Commissioner (Revenue),  
and Secretary to Government, Punjab,  
Rehabilitation Department.



ENCLOSURE OF ANNEXURE XV  
PUNJAB GOVERNMENT  
DEPARTMENT OF REHABILITATION

To

1. All the Tehsildars (Sales) in the State and Naib Tehsildars (Sales), Ropar and Sangrur.
2. All the Tehsildars (Mahal)-cum-Sales in the State.  
No. R-I(165) Part-VI/23148-200, dated Jullundur, 24th November, 1976

Subject:—Allotment of land to partially unsatisfied claimants.

Memorandum:

For some time past, the question whether allotment of surplus rural evacuee agricultural land be made to:—

- (a) Partially unsatisfied claimants of Punjabi or Non-Punjabi extraction; and
- (b) Permanently disabled soldiers and widows, parents, children of the soldiers killed in the Chinese aggression of 1962 and Pak. aggression of 1963:

in the villages of their original allotments or in the villages in which areas have been reserved in pursuance of the instructions issued,—vide this Department Endorsement No. G-5/11559-691, dated June, 17, 1976 has been under the active consideration of the Government. After considering the problems in the perspective, it has been decided that alternative and additional allotments admissible to these categories of allottees should be made to them in the villages of their original allotments, subject to the availability of land, provided those villages have not become urban. In case, any such village has become sub-urban, a sitting allottee will be eligible to the allotment of additional or alternate area after the application of the requisite cut(s) as required under the rules. If no allotable areas are available in those villages, then subject to the aforesaid provision the allottees may be given requisite allotments in the adjoining villages according to Rules.

2. It has also been decided that fresh allotment to wholly unsatisfied claimants of Punjabi extraction and war widows of 1971, who seek allotment of land in Kapurthala, Ropar, Sangrur, Patiala and Bhatinda Districts, where no areas have been reserved may be made to them in these districts according to Rules, subject to availability of area.

3. It should be ensured that first priority in the matter of allotment of land is given to the unsatisfied claimants and partially satisfied claimants whether of Punjabi or Non-Punjabi extraction. Others should be accommodated only to the extent possible after the demands of the former categories have been met.

4. A complete account of the area utilized for the above purpose, out of the villages in which no areas have been reserved should be kept separately for the purposes of adjustment towards the reserved area of 6,000 standard acres. In order to keep proper co-ordination, the Tehsildars (S)/Naib-Tehsildar (S) as the case may be, will intimate the detail of the areas utilized, out of the surplus rural evacuee agricultural land available in the villages in which no reservation has been made, to their counterparts on the Revenue side, so that they may not dispose of the same in restricted or open auctions.

5. Detailed instructions regarding allotment of land to displaced persons of Non-Punjabi, extraction, whose cases are being referred by the Government of India, for allotment, in Punjab, will be issued separately.

6. The above instructions should be followed meticulously. The instructions already issued in this behalf,—vide IA(v) of this Department Endorsement No. G-5/11559-691, dated June 17, 1976, should be deemed to have been modified to the above extent.

AMRIK SINGH,  
Deputy Secretary,  
for Financial Commissioner (Revenue)  
and Secretary to Government, Punjab,  
Rehabilitation Department.



## ANNEXURE XVI

ਪੰਜਾਬ ਸਰਕਾਰ  
ਪੁਨਰਵਾਸ ਵਿਭਾਗ

ਸੇਵਾ ਵਿਖੇ,

1. ਲੈਂਡ ਕਲੇਮਜ਼ ਅਫਸਰ,  
ਪੁਨਰਵਾਸ ਵਿਭਾਗ, ਜਲੰਧਰ ।
2. ਸਹਾਇਕ ਰਜਿਸਟਰਾਰ (ਐਲ),  
ਕਮ ਮੈਨੇਜਿੰਗ ਅਫਸਰ, ਪੁਨਰ ਵਾਸ ਵਿਭਾਗ, ਜਲੰਧਰ ।
3. ਸੈਕਸ਼ਨ ਅਫਸਰ (ਲੈਂਡ) ਕਮ ਮੈਨੇਜਿੰਗ, ਅਫਸਰ,  
ਪੁਨਰ ਵਾਸ ਵਿਭਾਗ, ਜਲੰਧਰ ।

ਨੰ: ਆਰ 1 (165) ਪਾਰਟ-7/10901—03/ ਮਿਤੀ ਜਲੰਧਰ 20 ਜੂਨ, 1978  
ਵਿਸ਼ਾ:—ਅਸਤੁਸ਼ਟ ਪੰਜਾਬੀ ਅਤੇ ਨਾਨ ਪੰਜਾਬੀ ਸਰਨਾਰਥੀਆਂ ਅਤੇ ਹਿੰਦ ਪਾਕਿ ਜੰਗ ਵਿਚ ਮਾਰੇ ਗਏ ਫੌਜੀਆਂ ਦੀਆਂ ਵਿਧਵਾਵਾਂ ਆਦਿ ਨੂੰ ਪੇਂਡੂ ਨਿਕਾਸੀ ਤੋਂ ਅਲਾਟ ਕਰਨ ਬਾਰੇ ।

ਯਾਦ-ਪੱਤਰ

ਉਪਰੋਕਤ ਵਿਸ਼ੇ ਤੇ ਇਸ ਵਿਭਾਗ ਦੇ ਯਾਦ ਪੱਤਰ ਨੰ: ਆਰ-1(165) ਪਾਰਟ-7/24083-97, ਮਿਤੀ 26 ਦਸੰਬਰ, 1975 ਦੇ ਸਿਲ ਸਿਲੇ ਵਿੱਚ ਅਤੇ ਯਾਦ ਪੱਤਰ ਨੰ: ਆਰ-1 (120)76/24738-861, ਮਿਤੀ 20 ਦਸੰਬਰ, 1976 ਰਾਹੀਂ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ ਹਦਾਇਤਾਂ ਵਿਚ ਅੰਸ਼ਕ ਤਰਮੀਮ ਕਰਦੇ ਹੋਏ ਇਹ ਫੈਸਲਾ ਕੀਤਾ ਗਿਆ ਹੈ ਕਿ -

- (ੳ) ਜੇ ਪੰਜਾਬੀ ਅਸਤੁਸ਼ਟ ਦਾਵੇਦਾਰ ਨਿਕਾਸੀ ਜ਼ਮੀਨ ਦੀ ਅਲਾਟਮੈਂਟ ਦੇ ਪਾਤਰ ਹਨ, ਉਨ੍ਹਾਂ ਨੂੰ ਜ਼ਮੀਨਾਂ ਦੀ ਅਲਾਟਮੈਂਟ ਕੇਵਲ ਉਨ੍ਹਾਂ ਹੀ ਜ਼ਿਲਿਆਂ ਵਿੱਚ ਕੀਤੀ ਜਾਵੇ ਜਿਨ੍ਹਾਂ ਜ਼ਿਲਿਆਂ ਵਿੱਚ ਉਨ੍ਹਾਂ ਨੂੰ ਸ਼ੁਰੂ-ਵਿਚ ਐਲੋਕੇਟ ਕੀਤਾ ਗਿਆ ਸੀ, ਜਿਵੇਂ ਕਿ ਮਿਤੀ 26 ਦਸੰਬਰ, 1975 ਨੂੰ ਜਾਰੀ ਕੀਤੀਆਂ ਗਈਆਂ ਹਦਾਇਤਾਂ ਵਿੱਚ ਕਿਹਾ ਗਿਆ ਹੈ । ਇਸ ਵਿੱਚ ਨਵੀਆਂ ਤੇ ਮੁਤਬਾਦਲ ਅਲਾਟਮੈਂਟ ਦੇ ਕੇਸ ਵੀ ਸ਼ਾਮਲ ਹੋਣਗੇ ;
- (ਅ) ਜੇ ਕਿਸੇ ਅਸਤੁਸ਼ਟ ਪੰਜਾਬੀ ਦਾਵੇਦਾਰ ਵਲੋਂ ਜ਼ਮੀਨ ਅਲਾਟ ਕਰਨ ਲਈ ਉਸ ਦੇ ਰਿਹਾਇਸ਼ੀ ਜ਼ਿਲ੍ਹੇ ਵਿੱਚ ਜ਼ਮੀਨ ਉਸ ਦੇ ਗਰੇਡ ਅਨੁਸਾਰ ਨਾ ਮਿਲ ਸਕੇ ਤੇ ਉਹ ਘਟੀਆ ਗਰੇਡ ਵਿੱਚ ਜ਼ਮੀਨ ਨਾ ਲੈਣਾ ਚਾਹੁੰਦਾ ਹੋਵੇ, ਉਸ ਨੂੰ ਕੇਵਲ ਉਸ ਦੇ ਸਬੰਧਤ ਜ਼ੋਨ ਵਾਲੇ ਜ਼ਿਲਿਆਂ ਵਿਚ ਹੀ ਜ਼ਮੀਨ ਅਲਾਟ ਕੀਤੀ ਜਾਵੇ, ਜਿਵੇਂ ਕਿ ਮਿਤੀ 26 ਦਸੰਬਰ, 1975 ਦੀਆਂ ਹਦਾਇਤਾਂ ਦੇ ਸਬ-ਪੈਰਾ 2 (ਸੀ) ਵਿੱਚ ਲਿਖਿਆ ਹੋਇਆ ਹੈ ;
- (ੲ) ਇਕ ਜ਼ਿਲ੍ਹੇ ਤੋਂ ਦੂਜੇ ਜ਼ਿਲ੍ਹੇ ਵਿਚ ਅਲਾਟਮੈਂਟ ਲਈ ਗੋਸ਼ਵਾਰਾ ਅਲਾਟਮੈਂਟ ਕੇਵਲ ਸਰਕਾਰ (ਮੰਤਰੀ ਜੀ) ਦੀ ਪ੍ਰਵਾਨਗੀ ਨਾਲ ਹੀ ਤਬਦੀਲ ਕੀਤਾ ਜਾ ਸਕੇਗਾ ਤੇ ਇਹ ਅਧਿਕਾਰ ਕੋਈ ਵੀ ਅਫਸਰ ਆਪਣੀ ਪੱਧਰ ਤੇ ਨਹੀਂ ਵਰਤ ਸਕੇਗਾ । ਵਿਕੇ ਹੋਏ ਕਲੇਮ ਕਿਸੇ ਵੀ ਹਾਲਤ ਵਿਚ ਜ਼ਿਲ੍ਹਾ ਅੰਮ੍ਰਿਤਸਰ, ਲੁਧਿਆਣਾ ਅਤੇ ਜਲੰਧਰ ਵਿਚ ਅਲਾਟਮੈਂਟ ਲਈ ਤਬਦੀਲ ਕਰਨ ਦੀ ਆਇਗਾ ਨਹੀਂ ਹੋਵੇਗੀ ਤੇ ਨਾ ਹੀ ਕਿਸੇ ਹੋਰ ਜ਼ਿਲ੍ਹੇ ਤੋਂ ਹੀ ਬਦਲਿਆ ਜਾਵੇਗਾ । ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਵਿਚ ਵਿਚੋਲਣ ਕੇਵਲ ਸਰਕਾਰ ਦੀ ਪ੍ਰਵਾਨਗੀ ਨਾਲ ਮਿਤੀ 26 ਦਸੰਬਰ, 1975 ਨੂੰ ਜਾਰੀ ਕੀਤੀਆਂ ਹਦਾਇਤਾਂ ਦੇ ਪੈਰਾ 2 (ਡੀ) ਅਨੁਸਾਰ ਕੀਤਾ ਜਾ ਸਕੇਗਾ ;

(ਸ) ਪੰਜਾਬ ਦੇ ਲੁਧਿਆਣਾ, ਅੰਮ੍ਰਿਤਸਰ ਅਤੇ ਜਲੰਧਰ ਜ਼ਿਲਿਆਂ ਨੂੰ ਛੱਡ ਕੇ, ਨਾਨ-ਪੰਜਾਬੀ ਦਾਵੇਦਾਰ ਜਿਹੜੇ ਜ਼ਿਲ੍ਹੇ ਵਿਚ ਰਹਿੰਦਾ ਹੋਵੇ, ਉਸ ਨੂੰ ਨਿਕਾਸੀ ਜ਼ਮੀਨ ਉਸੇ ਜ਼ਿਲ੍ਹੇ ਵਿਚ ਅਲਾਟ ਕੀਤੀ ਜਾਵੇ । ਚਾਲੂ ਨੀਤੀ ਅਧੀਨ ਹਰ ਨਾਨ-ਪੰਜਾਬੀ ਕਲੇਮੈਂਟ ਕੋਲੋਂ ਜ਼ਮੀਨ ਅਲਾਟ ਕਰਵਾਉਣ ਲਈ ਉਪਰੋਕਤ ਤਿੰਨੋਂ ਜ਼ਿਲਿਆਂ ਤੋਂ ਇਲਾਵਾ, ਪਫਰੈਂਸ ਲੈ ਲਈ ਜਾਵੇ । ਜ਼ਿਲਾ ਅੰਮ੍ਰਿਤਸਰ, ਲੁਧਿਆਣਾ ਅਤੇ ਜਲੰਧਰ ਵਿਚ ਕੇਵਲ ਉਨ੍ਹਾਂ ਨਾਨ-ਪੰਜਾਬੀ ਕਲੇਮੈਂਟਸ ਨੂੰ ਹੀ ਅਲਾਟ ਕੀਤੀ ਜਾਵੇ ਜੋ ਇਨ੍ਹਾਂ ਜ਼ਿਲਿਆਂ ਦੇ ਸਿਟਇੰਗ ਅਲਾਟੀ ਹੋਣ ਅਤੇ ਉਨ੍ਹਾਂ ਨੂੰ ਅਡੀਸ਼ਨਲ ਜਾਂ ਮੁਤਬਾਦਲ ਰਕਬਾ ਹੀ ਅਲਾਟ ਕਰਨਾ ਹੋਵੇ । ਜੇ ਨਵੇਂ ਕਲੇਮ ਕੇਂਦਰੀ ਸਰਕਾਰ ਵਲੋਂ ਆਉਂਦੇ ਹਨ, ਉਨ੍ਹਾਂ ਕਲੇਮਾਂ ਵਿੱਚ ਅਲਾਟਮੈਂਟ ਉਕਤ ਜ਼ਿਲਿਆਂ ਵਿੱਚ ਨਾ ਦਿਤੀ ਜਾਵੇ ਕਿਉਂ ਜੋ ਇਨ੍ਹਾਂ ਜ਼ਿਲਿਆਂ ਵਿਚ ਕਾਸ਼ਤਾਂ ਨਿਕਾਸੀ ਜ਼ਮੀਨਾਂ ਬਹੁਤ ਘਟ ਹਨ ;

(ਹ) ਜਿਥੋਂ ਤਕ ਨਿਕਾਰਾ ਫੌਜੀ ਵਿਧਵਾਵਾਂ ਅਲਾਟੀਆਂ ਨੂੰ ਜ਼ਮੀਨ ਦੀ ਅਲਾਟਮੈਂਟ ਦਾ ਸਬੰਧ ਹੈ, ਉਨ੍ਹਾਂ ਨੂੰ ਉਨ੍ਹਾਂ ਵਲੋਂ ਮੰਗੇ ਗਏ ਜ਼ਿਲਿਆਂ ਵਿੱਚ ਜ਼ਮੀਨ ਦੀ ਅਲਾਟਮੈਂਟ ਤਾਂ ਹੀ ਕੀਤੀ ਜਾਵੇ ਜੋ ਉਨ੍ਹਾਂ ਦੀ ਉਥੇ ਜਦੀ ਜਾਇਦਾਦ ਜਾਂ ਅਲਾਈਡ ਤੋਂ ਹੋਵੇ ਨਹੀਂ ਤਾਂ ਉਨ੍ਹਾਂ ਨੂੰ ਜ਼ਮੀਨ, ਸਵਾਏ ਲੁਧਿਆਣਾ, ਜਲੰਧਰ ਅਤੇ ਅੰਮ੍ਰਿਤਸਰ ਜ਼ਿਲਿਆਂ ਦੇ ਜਿਥੇ ਕਿਤੇ ਜ਼ਮੀਨ ਹੋਵੇ, ਦਿੱਤੀ ਜਾਵੇ ।

2. ਇਨ੍ਹਾਂ ਹਦਾਇਤਾਂ ਦੀ ਇਨ-ਬਿਨ ਪਾਲਣਾ ਕੀਤੀ ਜਾਵੇ ।

3. ਇਸ ਦੀ ਪਹੁੰਚ ਰਸੀਦ ਭੇਜੀ ਜਾਵੇ ।

ਬਰਜਿੰਦਰਾ ਸਿੰਘ  
ਉਪ-ਸਕੱਤਰ,  
ਵਾਸਤੇ ਸਕੱਤਰ, ਪੰਜਾਬ ਸਰਕਾਰ,  
ਪੁਨਰਵਾਸ ਵਿਭਾਗ ।



## ANNEXURE XVII

## PUNJAB GOVERNMENT

## DEPARTMENT OF REHABILITATION

To

1. All the Tehsildars (Sales) in the State.
  2. Naib Tehsildar (Sales) Patiala, Bhatinda and Sangrur.
- No. 33150-76/SO(S) Urban, Dated, Jullundur, the 12th August, 1970.

*Subject:*—Disposal of Evacuee Agricultural lands situated around the Towns.

Memorandum

With the expansion and development of the residential houses and Industrial concerns in the Cities/Towns of the State of Punjab it has been observed that all along the adjoining areas of these Cities/Towns, Industries and Abadis are spreading up and each price of land has thus become a potential site. Consequently the value of these sub urban/agricultural lands has considerably appreciated and those are have become potentially sound. Keeping in view, therefore, the present development, these areas cannot now be treated at par with the ordinary agricultural lands. As such, it has been decided that the class of evacuee agricultural lands which are situated around the Cities/Towns and have become potentially residential/Industrial sites, should not be disposed of by allotment hereafter. The above decision shall be applicable to the following categories of areas situated around the Cities/Towns:

- (i) The areas which are situated within one mile radius beyond the limits of 'A' Class Municipal Committee;
- (ii) Areas which are situated within half a mile radius beyond the limits of the 'B' Class Municipal Committee/Notified Area Committee and Towns having population of not less than ten thousand; and
- (iii) Deleted,—vide No. 9/742/4381-92, dated 12th April, 1971.

Where, however, it is considered that the nature and location of the agricultural land is such that it does not fall within the four-corners of the above decision, you may send a proposal to the undersigned through, Settlement Office (U), giving the particulars of the said land, as indicated in the enclosed proforma, and seek approval of the authorities for its allotment.

D. S. CHAUDHARY,  
Deputy Secretary to Government, Punjab,  
Rehabilitation Department.

Sr. No.	Khasra No.	Area	Kind of Soil	Proximity to the town	Distance from nearest road Abadi/ Shopping centre etc.	Population	Distance from outer civic limit	Type of potentiality	Remarks
1	2	3	4	5	6	7	8	9	10



ANNEXURE XVIII  
PUNJAB GOVERNMENT  
DEPARTMENT OF REHABILITATION

To

All Tehsildars (Sales) in the State.

Naib-Tehsildars (S), Patiala, Bhatinda and Sangrur.

No. 9(742)/4381-92, dated Jullundur, the 12th April, 1971.

Subject:—Disposal of evacuee Agricultural lands around the Towns.

Memorandum:

Please refer to this Department Memorandum No. 33115-26/SO(S)-Urban, dated 12th August, 1970, on the subject cited above.

2. The item No. (iii) of para 1 of the instructions issued the reference and which reads as under, is hereby deleted:—

(iii) Area of half a mile on either side all along G. T. Road from Pakistan Border to Haryana Border.

Please acknowledge receipt of this letter.

ALAKH PARKASH,  
for Deputy Secretary to Government, Punjab,  
Rehabilitation Department.

PUNJAB GOVERNMENT  
DEPARTMENT OF REHABILITATION

To

All Tehsildars (Sales)/Naib-Tehsildars (Sales), in the State.  
No. RI(165)VII/4197-4216/G-7, dated, Jalandhar, the 16th April, 1982  
Subject:—Regarding alternative allotment of land to unsatisfied claimants.

Memorandum:

It has been decided by Government that clearance of the Policy Branch of the Head Office in cases where alternative allotment is to be given, may be obtained before making the allotment. You should, therefore, refer all such cases to this Department for clearance. Any deviation from these instructions will be viewed seriously. These instructions will become operative with immediate effect.

MOHAN SINGH,  
for Deputy Secretary to Government, Punjab,  
Rehabilitation Department, Jalandhar.



## ANNEXURE XX

## PRESS NOTE

Dated, Jullundur, the 16th June, 1971.

The Punjab Government have further extended the concession of allotment of surplus rural evacuee lands to the following categories of Soldiers, their parents, children etc.

- (i) (a) permanently disabled soldiers and widows of soldiers who could not apply for allotment of land by 30th November, 1967.
- (b) parents of non-married soldiers and dependent children of widower soldiers who could not apply for allotment of land by 5th January, 1970.
- (ii) Children of widows who re-married after the death of their husbands in operation against Chinese and Pakistan aggressions.
- (iii) Parents of married soldiers killed in Chinese and Pakistan aggression and whose issueless wives had re-married after their deaths.
- (iv) Children of soldiers widowers killed in Chinese and Pakistan aggressions and whose wives died without availing of the benefit extended by the State Government for allotment of land.

2. Allotment of land will be made to the above categories in the following manner, out of 5 per cent of the available evacuee area reserved in each district for the purpose:—

- (i) As far as possible the eligible persons will be allotted land in their home districts.
- (ii) In case the reserved area in a district falls short of the requirement of the eligible persons, allotment of land will be made drawing lots by the Deputy Commissioner of the District in the presence of the Tehsildar (Sales)/Naib-Tehsildar (Sales) and the applicants.
- (iii) The applications of the eligible persons who fail to win the draw will not be rejected but will be forwarded to the Head Office of the Rehabilitation Department at Jullundur. After State-wise assessment of the area still available out of that reserved for the purpose it will be examined by the Rehabilitation Department whether it is sufficient for meeting the requirements of the spill over applications. If it is sufficient then these applications will be sent to those District where un-utilized areas will be available after obtaining the choice of the applicants and keeping in view

the fact that an applicant is accommodated in a district adjoining his/her own district.

- (iv) If the available area is in-sufficient to meet the requirements of the spill over applications, then a lottery will be drawn at the Headquarters at Jullundur in the presence of the applicants, under the supervision of the Financial Commissioner (Taxation) or any other officer mentioned by him in this behalf. The successful applicants will be accommodated in the districts where un-utilized area will be available.

3. An eligible person will be allotted surplus rural evacuee land to 10 Ordinary Acres inclusive of his/her own holding if any, and the price of the land so allotted will be charged @ Rs. 450 per Standard Acre, recoverable in 20 half yearly equated interest free instalments.

4. The district-wise details of the reserved area, available for allotments are:—

S. No.	Name of District	Reserved area available for allotment
		674
1.	Amritsar	1,406
2.	Ferozepur	416
3.	Gurdaspur	209
4.	Hoshiarpur	330
5.	Rupar	406
6.	Ludhiana	67
7.	Patiala	38
8.	Sangrur	
9.	Bhatinda	580
10.	Kapurthala	1,501
11.	Jullundur	
Total:—		5,627

5. The persons considering themselves eligible for allotment of surplus evacuee land under the above scheme, should apply to the Tehsildar (Sales)/Naib Tehsildar (Sales) posted in their Districts by the 21st September, 1971. The persons residing in Zira and Moga Tehsils of Ferozepur District are required to apply to the Tehsildar (Sales), Moga. No application will be entertained after the prescribed date. No persons who have already applied in response to the earlier Press Note and their cases are pending need not apply afresh.

State Rehabilitation Department  
Punjab.



## ANNEXURE XXI

PUNJAB GOVERNMENT

Department of Rehabilitation

To

All the Tehsildars (Sales)  
in the State.

No. RI(115) Part-II/7378-85, dated, Jalandhar, the 18th June, 1982.

Subject.—Disposal of Shamlat Deh lands in wholly or partially evacuee villages.

Memorandum:

Continuation of this Department Memo. No. RI(115)/Part-II/14064-159, dated 12th September, 1977, on the subject cited above.

2. As you are aware, disposal of Shamlat Deh land including the land vested in the Shamlat Deh due to river action had been suspended till the decision of the appeal pending in the Supreme Court of India,—vide the aforesaid communication. It has come to notice that these instructions are not complied with meticulously. You are once again desired to note that no 'Shamlat Deh' land be allotted to the unsatisfied land claimant or disposed of in any other manner till further instructions from this department. Any laxity in this matter would be seriously viewed.

N. S. CHEEMA,  
Deputy Secretary to Government, Punjab,  
Rehabilitation Department.

PUNJAB GOVERNMENT

Department of Rehabilitation

To

All the Tehsildars (Sales) in the State.

No. RI(115) Part-II/G-7/18429-40/Dated, Mohali, the 7th October, 1983.

Subject.—Disposal of Shamlat Deh lands of wholly or partially evacuee villages.

Memorandum:

Continuation of this Department Memorandum No. RI(115)/Part-II/7378-85, dated 18th June, 1982, on the above noted subject.

2. The disposal of evacuee share in Shamlat Deh including the land which vested in the Shamlat Deh due to river action had been stopped till decision of the appeal filed by the Gram Panchayat of Village Jamalpur Awana in the Supreme Court of India,—vide this Department communication No. RI(115)Part-II/14064-159, dated 12th September, 1977, which was reiterated in the communication under reference. A few cases of violation of the instructions have been brought to the notice of this Department by court in Deputy Commissioners in the State. You are once again directed to ensure that evacuees interest in Shamlat Deh is not allotted or disposed of in any manner till further instructions. Any laxity in this behalf would be seriously viewed.

NARINDER SINGH CHEEMA,  
Deputy Secretary to Government, Punjab,  
Rehabilitation Department.



ANNEXURE XXIII  
PUNJAB GOVERNMENT

Department of Rehabilitation

To

All the Deputy Commissioners  
in the State.

No. 2(505)G-5/Policy-III/10273-84, Dated, Jullundur, the 7th July,  
1981.

**Subject:—Disposal of surplus rural evacuee agricultural lands/properties.**  
**Memorandum:**

The work regarding disposal of acquired rural evacuee lands/properties was with-held in order to re-examine the policy. The Government have now decided to resume the work with some modifications. These changes in the policy are given as under for future guidance and strict adherence:—

- (i) In respect of cultivable rural evacuee land which is not transferable on the basis of possession, the unauthorised occupations should be got vacated and land disposed of in restricted or open auction as provided under Rule 6 Part IV of the Punjab Package Deal Properties (Disposal) Rules, 1976.
- (ii) Applications received for the transfer of the rural evacuee land under the various Press Notes issued by the State Government, on the basis of possession should be processed expeditiously and disposed of within a period of one month positively.
- (iii) In certain cases, it was noticed that the disposal of some applications on the basis of possession was with-held as the land in possession of the occupants became urban or sub-urban on account of the extension of civil limits of the adjoining towns. All these applications should now be processed in accordance with the extant policy. Such of the persons who are found eligible to the transfer of land in their possession, be provided alternative rural agricultural evacuee land at the rates fixed. The sub-urban/urban land so vacated by these persons shall be disposed of by the Tehsildars (Sales)/Naib Tehsildars (Sales) appointed on

urban side. All the pending applications should accordingly be processed and finalized within a month. The number of eligible cases together with the area involved Tehsil-wise should be communicated to this Department by 31st July, 1981, positively.

- (iv) The reserve price of the rural evacuee land to be disposed of by restricted/open auction was fixed as far back in the year 1961-62. Since the value of the land has appreciated, it has been decided that the reserve price already fixed in each assessment circle should be enhanced three times. The reserve price have already been communicated to you. So while conducting the future sales, it should be ensured that the highest bids are accepted after enhancing the previous assessed price as directed above. Revised prices are being communicated to you separately.
- (v) In respect of uncultivable lands comprising Banjar Qadim and Ghair Mumkin land etc. It has also been decided that after transferring the chunks of land measuring 20 Acres or above to the Forest Department for Aforestation and meeting with the demand of State Industries Department in respect of rural land required for Industrialization or the land required by the Village Panchayats for common purposes, the rest of the land should be disposed of by open auction. A reference has been made to the above referred Departments to indicate their requirements. As soon as requirements are received from these quarters, further instructions would follow.

The disposal of the land has now to be taken up in the light of the decisions referred to above. Where necessary, the existing rules are being amended to provide legal sanctity to the aforesaid decisions.

RANDHIR SINGH,  
Deputy Secretary to Government, Punjab,  
Rehabilitation Department.



ANNEXURE XXIV  
PUNJAB GOVERNMENT  
Department of Rehabilitation

All the Deputy Commissioners  
in the State.

No. 2(505)/G-5/Policy-III/5134-45, dated, Mohali, the 14th March, 1983.  
Subject :—Disposal of surplus evacuee agriculture land/properties.

Memorandum:

Continuation of this department Memo No. 2(505)G-5 policy-III/1317-28, dated 1st February, 1983, on the subject cited above.

2. Instances are still coming to the notice of this department that the instructions issued by the department,—vide Memo. No. 2(505)G-5/Policy-III/10273-84, dated 7th July, 1981 and the communication, under reference, only restrain the disposal of *Banjar and Ghair Mumkin* land comprising of blocks of 20 acres or above and these do not apply to other land which can be sold by open auction. It is thus imperative to once again clarify that no *Banjar/Ghair Mumkin* land is to be sold till further instructions from this department. If some land has been sold, the sales in those cases may not be confirmed. The cases in which sales have been confirmed, may be sent to the Headquarters office at Mohali for further action to set aside the sales under the due process of law.

NARINDER SINGH CHEEMA,  
Deputy Secretary to Government, Punjab,  
Rehabilitation Department, Mohali.

ANNEXURE XXV  
PUNJAB GOVERNMENT  
Department of Rehabilitation

To

All the Deputy Commissioners  
in the State.

No. 2(505)/G-5/Policy-III/8921-32, dated, Mohali, the 20th May, 1983.  
Subject:—Disposal of surplus *Banjar & Ghair Mumkin* land.

Memorandum:

Continuation this department Memo. No. 2(505)/G-5/Policy-III/1317-28, dated 1st February, 1983, on the subject cited above.

2. It has been decided by the Government to stop the disposal of *Banjar/Ghair Mumkin* lands by way of open auction forthwith till the receipt of fresh orders in this behalf. It is further directed that all the files in which confirmation has been ordered by the respective Sales Commissioners in respect of the sale of *Banjar/Ghair Mumkin* lands conducted after 7th July, 1981, be referred to this department for getting them set aside from the Chief Sales Commissioners by making *suo-moto* references under Section 10 of the Punjab Package Deal Properties (Disposal) Act, 1976, as auctions appear to have been conducted without offering lands first to the Forests, Industries and Panchayats Departments.

RAJESH CHHABRA,  
Joint Secretary (Revenue),  
for Financial Commissioner, Revenue &  
Secretary to Government, Punjab,  
Rehabilitation Department, Mohali.