



The Punjab Package Deal Properties (Disposal) Act, 1976

Act 21 of 1976

Keyword(s):

Package Deal Property, Scheduled Castes, Standard ACRE, Unauthorized Occupation

Amendment appended: 9 of 2016

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THE PUNJAB PACKAGE DEAL PROPERTIES (DISPOSAL) ACT 1976

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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 Act¹ 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:

1. Short Title

:

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

2. Definitions

:

In this Act, unless the context otherwise requires,-

(1) Commissioner² 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.18(40)J /61/Prop/Comp & Prop., dated 23rd March, 1963, and

(iii) No. F.18(40)/61-Prop-Comp & Prop, dated 29th March, 1983, reproduced in the Schedule to this Act;

but excluding such property as may be required for transfer or allotment, by way of compensation to a displaced 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) 'unauthorized occupation' a person shall be deemed to be in unauthorized 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 authorized 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 authorized 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.

3. Appointment of Chief Sales Commissioners and other Officers:

(1)³ 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 NaibTehsildars (Sales) in his district.

4. Power to transfer package deal property

:

(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;
- (e) by lease on such terms and conditions as may be prescribed;
- (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 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 subsection (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).

5.

Power to recover damages:

Where a Tehsildar (Sales) or Naib Tehsildar (Sales) is satisfied that any person is or has at any time been in unauthorized 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 installments 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.

6.

Recovery of certain sums as arrears of land revenue:

(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 (I) 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 action.

7.

Power to vary or cancel leases or transfers of any package deal property:

(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 subsection (1); or - -

(b) is, in the opinion of the Tehsildar (Sales) or Naib Tehsildar (Sales) otherwise in unauthorized 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 authorized by the Tehsildar (Sales) or Naib Tehsildar (Sales) as the case may be.

(3) 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.

8. Appeals to Sales Commissioner

:

(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.

9. Appeal to Chief Sales Commissioner

:

(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.

10. Power of revision

:

(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)⁴ 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.

(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 Commissioner⁵ and the Commissioner may pass such order, thereon as he thinks fit.

11.

Review and amendment of orders:

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.'

12. Powers of officers

:

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 minor or of unsound mind;
- (f) any other matter which may be prescribed:

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 XL V 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).

13. Functions and duties of Officers

:

Subject to the provisions of this Act and the rules made there under 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.

14

. Power to transfer cases

:

- (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.

15

. Power to call for record of proceedings

:

- (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.

(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.

15-A Pending cases

:

(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.

16. Bar of jurisdiction and finality of orders

:

(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.

17. Protection of action taken in good faith

:

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

18. Power to make rules

:

(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 realization 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 unauthorized 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. .

Amendments

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.

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

4

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

5

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

6

Substituted, vide Act 10 of 1979, published in Punjab Government Gazette, dated 15th May 1979 at page 33.

7

Substituted, vide Act 10 of 1979, published in Punjab Government Gazette dated 15th May 1979 at page 33.

3/6/1961

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.

Sub :

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

Sir

I am directed to refer to the correspondence resting with 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/ taur to the Punjab Government

(1) An area of 80.000 std. Acres of surplus land will be sold to the Punjab Government at the rate 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 6 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/ taur 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-Msic. 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.

5/3/1962

No. 3(54)/Pol.II/60-L&R 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 allot tees.

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 allot tees 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,

23/3/1963

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.

Sub :

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 sales / transfers might be cancelled in future on account of the future 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. 110/FRI/63, dated 22nd March, 1963.

Yours faithfully,

M. J. SRIVASTAVA,

Settlement Commissioner (C)

Statement Showing the Area and Cost of acquired Evacuee Urban Agricultural land in Punjab sold to the Punjab Government in a Package Deal.

SN Nature of land Area Rate per acre Amount

1. 2. 3. 4. 5.

Acres Rupees. Rupees

1. Evacuee Area 680.00 1,100 7,48,070.00

2. Area under occupancy 651.00 550 3,58,050.00

rights.

3. Evacuee share of 1296.00 550 7,12,800.00

area jointly owned by

Evacuees and non

Evacuees.

4. Shamlat lands, Ghair 186.00 -- 100.00 mumkin Rasta and (Token price

Ghairmumkin Johar in all)

Total: 2813-00 18,18,950

Notes:-(1) Evacuee area shown at Serial No.1 included 176 acres which were auctioned from Ist December, 1962 to 8th 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. I. SHRIVASTVA,

Settlement Commissioner and

Ex-Officio Under Secretary

to the Government of India.

29/3/1963

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.

Sub:

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

Sr. Nature of No. of Reserve Price to be paid

No. properties properties Price by the Punjab govt 1. 2. 3. 4. 5.

1. Houses 7381 11533313 1729997

2. Shops 170 664218 99633

3. Kholas/sites 7543 5971092 895564

Total

15094 18168623 2125294

Note:-Detailed lists of the properties transferred to the Punjab Government are being prepared 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.

Punjab State Acts

PART I

GOVERNMENT OF PUNJAB

**DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS,
PUNJAB**

NOTIFICATION

The 28th April, 2016

No. 12-Leg./2016.-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 25th day of April, 2016, is hereby published for general information:-

**THE PUNJAB PACKAGE DEAL PROPERTIES (DISPOSAL)
AMENDMENT ACT, 2016.
(Punjab Act No. 9 of 2016)**

AN
ACT

further to amend the Punjab Package Deal Properties (Disposal) Act, 1976.

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

1. (1) This Act may be called the Punjab Package Deal Properties (Disposal) Amendment Act, 2016. Short title and commencement.

(2) It shall be deemed to have come into force on and with effect from the 1st day of September, 2007.

2. In the Punjab Package Deal Properties (Disposal) Act, 1976, in section 4, after sub-section (1), the following sub-section shall be inserted, namely:- Amendment in section 4 of Punjab Act 21 of 1976.

"(1-A) Notwithstanding anything contained in any judgement order or decree of any court or the provisions of any other law for the time being in force,-

(i) any transfer made or purported to be made under the provisions of clause (c) of sub-section (1) shall not be called in question, except in accordance with the procedure and remedies provided in this Act in so far as it violates the provisions of this Act or rules or a general or a special order, made under clause (c) of sub-section (1);

- (ii) any general or special order issued, or to be issued, under clause (c) of sub-section (1) shall continue to be valid, and shall always be deemed to have been valid; and
- (iii) any transfers of land made under the provisions of clause (c) of sub-section (1), having been declared invalid by any court, shall continue to be valid irrespective of the court order." .

VIVEK PURI,

Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.