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No. 25(1)/73-SS, II.  
Government of India  
Ministry of Supply & Rehabilitation  
(Department of Rehabilitation)

Jaisalmer House, Mansingh Road,  
New Delhi, the 24th May, 1980.

To  
The Secretary to the Government of Andhra Pradesh,  
Revenue Department,  
HYDERABAD.

Subject: Transfer of items of work relating to administration, management and disposal of undisposed of acquired evacuee lands/properties and realisation of rental demands etc.

Sir,

I am directed to state that the question of administration, management and disposal of the remaining undisposed of acquired evacuee lands/properties and realisation of arrears of rental demands outstanding against individuals in respect of evacuee properties in the State of Andhra Pradesh has been under consideration of the Government of India for some time past.

2. It has been observed that only a limited number of acquired evacuee agricultural lands/properties remain to be disposed of. Besides, arrears on account of rural and urban evacuee properties which run into considerable amount have become long overdue for recovery and their realisation is presenting considerable difficulty.

3. With a view to effecting economy in expenditure and ensuring proper arrangement for administration, management and disposal of acquired evacuee lands/properties and recovery of arrears of rent of rural and urban evacuee properties it has been decided in public interest to transfer the aforesaid items of work to the Govt. of Andhra Pradesh for disposal of the residuary work in a satisfactory manner and for carrying out the purposes of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 and the Rules framed thereunder.

4. I am directed to convey the sanction of the President of India to the transfer of the work relating to administration, management and disposal of the remaining undisposed of acquired lands/evacuee properties and recovery of arrears of rent etc. to State Government on the terms and conditions specified against each:

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5. I. URBAN EVACUEE PROPERTIES AND URBAN EVACUEE LANDS.

Description of assets (As per by the State Government).	Payment to be made by the State Govt. to the Govt, of India.
✓ (a) 39 properties in the Districts of Khammam, Medak, and Mahboobnagar, the reserve price of which is Rs. 1,62,000. (Rupees one lakh and sixty two thousands).	15% of the reserve price.
✓ (b) 270 properties in the districts of Khammam, Nizamabad, Karimnagar, Trakasam, Nalgonda and Warrangal, the Market price of which as assessed in 1953 was Rs. 14,18,600. (Rupees fourteen lakhs eighteen thousand and six hundred only).	15% of the market value as assessed in 1953.
✓ (c) 175 properties in Hyderabad District the reserve price/ market value of which has not yet been assessed.	15% of the realised value of the properties/lands.
✓ (d) Residential building known as 'Golden Lodge' situated in Red Hills, Hyderabad, belonging to Shri Mohd. Fazuddin Khan, with assessed price of Rs. 1,54,178/- (Rupees one lakh fifty four thousand one hundred and seventy eight).	15% of the assessed price.

The properties, would, thereafter, be managed and disposed of by the State Government who would pay to the Government of India 15% of the reserve price/market value as assessed in 1953 or 15% of the value realised as a result of disposal of these properties, as the case may be. The Balance amount would be retained by the State Government.

II. RURAL AGRICULTURAL LAND.

There are approx. 361 standard acres of undisposed of rural agricultural land with reserve price of Rs. 1,26,450/- (Rupees one lakh twenty six thousand four hundred and fifty). Also, there are 350 acres of agri. land situated in Madchal Tehsil in Hyderabad, belonging to Mohd. Fazuddin Khan, with assessed price of Rs. 9,09,972/- (Rupees nine lakh nine thousand eight hundred and seventy two only). These lands would, hereafter be managed and disposed of by the State Government who would pay to the Government of India 5% of the reserve price. The balance amount would be retained by the State Government.

III. RECOVERY OF ARREARS OF RENT IN RESPECT OF URBAN AND RURAL EVACUEE PROPERTIES.

The work relating to collection of rent dues of

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(reported that

urban evacuee properties, urban evacuee lands and other dues of rural evacuee properties was entrusted to the state Govt. on agency basis in terms of the erstwhile Ministry of Rehabilitation letter No. 6(10)/L&R/63, dated 20.10.64. It is, however, there are certain practical difficulties in identifying properties to which arrears liability relates. In these circumstances, the State Government may retain the amounts actually recovered, if any, on account of arrears of rent.

IV. DISPOSAL OF JUDICIAL CASES RELATING TO EVACUEE PROPERTIES IN THE STATE OF ANDHRA PRADESH.

A number of cases relating to evacuee properties are pending with certain Departmental Tribunals constituted by the Department of Rehabilitation under the Administration of Evacuee Property Act, 1950, Evacuee Interest (Separation) Act, 1951 and Displaced Persons (Compensation and Rehabilitation) Act, 1954. The powers exercised by these Tribunals shall be delegated by the Government of India to the Officers of the State Government nominated by the State Government in this behalf. The State Government shall not claim any reimbursement of expenditure on account of appointment of staff and other expenses.

V. TRANSFER OF THE LITIGATION WORK CONNECTED WITH THE HIGH COURT/CIVIL COURTS.

The State Government shall take over from the Government of India the work relating to cases pertaining to the properties included in the Compensation Pool in the State of Andhra Pradesh in respect of litigation matters pending in the High Court and Civil Courts in Andhra Pradesh. The State Government shall not claim any reimbursement of expenditure on account of the establishment charges and counsel fee on account of this work. However, if as a result of some action of the officers of the Settlement Organisation of Union of India prior to coming into force of these arrangements, decrees are awarded by the Courts against the Chief Settlement Commissioner or the Union of India, the actual expenditure on account of such decrees shall be reimbursed by the Government of India to the State Government.

VI. RESIDUARY WORK IN THE SETTLEMENT WING.

Residuary work relating to the properties etc. already disposed of will be taken over by the State Govt. and dealt with by them thereafter.

VII. RECORDS.

The files pertaining to the litigation work referred to in item No. (V) above will be handed over by a representative of this Department at Hyderabad. The files pertaining to the residuary work vide para (VI) above will also be transferred to the State Government. In addition, there are about 6000 closed files in the Central Record Room of the Settlement Wing pertaining to the properties already disposed of. Necessary arrangements for transferring this record would be made by this Department. The expenditure on their transportation from New Delhi to Hyderabad would be met by this Department.

VIII. TRANSFER OF WORK UNDER THE EVACUEE INTEREST (SEPARATION) ACT, 1951.

The work relating to administration, management and disposal of composite properties in terms of the Evacuee Interest (Separation) Act, 1951 shall stand transferred to the State Government with effect from 1.6.1980.

(a) The State Government shall appoint a Competent Officer under Section 4 and an Appellate Officer under Section 13 of the said Act, to deal with the composite properties in respect of which proceedings under any provisions of the said Act have already been started or may be started hereafter.

(b) After the evacuee interest is separated, the State Government shall deal with and dispose of the properties in accordance with the Evacuee Interest (Separation) Act, 1951 and the Displaced Persons (Compensation & Rehabilitation) Act, 1954.

(c) The State Government shall pay to the Govt. of India the following share out of the sale proceeds of evacuee share in the composite properties:

- (i) In the case of urban evacuee properties and urban evacuee lands. 15% of the amount realised.
- (ii) In the case of rural evacuee lands/properties. 5% of the amount realised.

The remaining share of the sale proceeds in the evacuee interest shall be retained by the State Government on account of their administrative and other charges.

The entire expenditure on account of the administration, management and disposal of the composite properties in Andhra Pradesh and the establishment of the Competent Officer and Appellate Officer shall be borne by the State Government.

IX. THE REMAINING UNDISPOSED OF URBAN EVACUEE PROPERTIES URBAN EVACUEE LANDS AND RURAL AGRICULTURAL LANDS.

All the lands/properties held and dealt with by the Custodian of Evacuee Property under the Administration of Evacuee Property Act, 1950 which have not yet been finally disposed of under the provisions of the aforesaid Act or the Displaced Persons (Compensation & Rehabilitation) Act, 1954 shall stand

transferred to the Government of Andhra Pradesh with effect from 1. 6. 1980.

6. The arrangement detailed above shall not in any way affect the payment of compensation to the displaced persons having unsatisfied claims for properties left in former West Pakistan in accordance with the provisions of the Displaced Persons (Compensation & Rehabilitation) Act, 1954. Their claims shall, as usual, be dealt with the Officers of the Government of India. The liability to satisfy the claims of the displaced persons shall continue to rest with the Government of India.

7. The payment to be made by the State Government under these arrangements shall be credited to account of Government of India under the following Head of Account:-


" 088-Social Security and Welfare-Relief and Rehabilitation of displaced persons-Displaced Persons from former West Pakistan. Receipts forming part of compensation pool-Receipts on account of acquired evacuee properties adjustable by the Deputy Controller of Accounts (Rehabilitation), New Delhi through the Suspense Head"

" 858-Suspense Account-Pay and Accounts Officer-Suspense-Deputy Controller of Accounts (Rehabilitation), New Delhi."

8. The properties mentioned above should be deemed to have been completely transferred to the Government of Andhra Pradesh with effect from 1.6. 1980. The entire sale price thereof payable on this account by the State Government in respect of various categories of properties will accordingly become due on 1.6. 1980 and shall be paid in six equal half-yearly instalments without payment of any interest thereon. The first half-yearly instalment due on 1. 6. 1980 shall be paid by the State Government on 31.3.1981 and subsequent half-yearly instalments will be computed from that date. However, if the instalments are not paid on due dates as mentioned above, interest will be payable on any unpaid amount for the period of late payment, the rate of interest being fixed by the Central Government from time to time. The total amount payable by the State Govt. in this respect to the State Government by the Deputy Chief Settlement Commissioner(G), Settlement Wing, Department of Rehabilitation, New Delhi.

*Would be intimated*

9. This letter issues with the concurrence of the Finance Branch vide their u.o.No. 1827/FLN/80 dated 24.5.80.

  
( N. M. WALUWANI )  
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.

Copy to:-

- 1. Finance Branch with one spare copy.

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