

Annexure I

No.1(10)/Spl.Cell/CSC/71
Government of India
Ministry of Labour & Rehabilitation
(Department of Rehabilitation)
Office of the Chief Settlement Commissioner,

Jaisalmer House, New Delhi
Dated the 15/16th February 1972.

From

The Secretary to the Government of India,
Ministry of Labour & Rehabilitation,
(Department of Rehabilitation)
New Delhi.

To

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

Subject: Administration and management of the remaining
acquired evacuee urban agrl. lands/properties
and realisation of rental demands etc.

Sir

In supersession of this office letter No.2(11)/
Spl.Cell/69, dated 27-2-70, I am directed to state that the
question regarding administration and management of the
remaining acquired evacuee urban agricultural lands/
properties and realisation of rental demands vis-a-vis the
expenditure which is being incurred by the Settlement
Organisation of the Department of Rehabilitation, has been
engaging the attention of the Government of India for some
time past.

2. It has been observed that only a limited number
of acquired urban evacuee agricultural lands/properties
remain to be disposed of and the expenditure which is being
incurred for the purpose is out of proportion to the volume
of work and the receipts from their disposal.

3. Further, it has also been noticed that certain
properties are lying undiscovered for want of survey and
spot verification and the Govt. of India has no adequate
agency for this work.

4. In addition to the above, arrears on account of
rent of urban evacuee properties which run in to a considerable
amount have become long over due for recovery and their
realisation is presenting great difficulty besides entailing
substantial expenditure without any comparable results.

5. The Government of India has already entered into
an arrangement with the State Government for the realisation
of rent/lease money in respect of evacuee agricultural lands
on commission basis but the results of that arrangement have
not been encouraging.

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6. With a view to effecting economy in the expenditure which is being incurred by the Government of India, it has been decided to wind up the Settlement Organisation of the Government of India in the State of Punjab in public interest and to make administrative and financial arrangements with the State of Punjab for the disposal of the residuary work in a more satisfactory manner and for carrying out the purposes of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 and the Rules framed thereunder.

I am directed to convey the sanction of the President of India to the following administrative and financial arrangements being made with the Punjab Government for the management and disposal of the remaining acquired urban evacuee agrl. lands/properties and realisation of rental demands in accordance with the provisions of the said Act and the Rules framed there under. The properties involved shall continue to vest in the 'Compensation Pool' as heretofore and shall be disposed of in accordance with the provisions of the Act and Rules, aforesaid.

i) Recovery of arrears of rent of rural evacuee agrl. land and other rural evacuee properties.

The work of recovery of these arrears has already been entrusted to the State Government on agency basis vide this office letter No.3(51)/L&R/63, dated 22-6-64, According to available information, a sum of about Rs.37 lakh is reported to be outstanding on this account. The work of recovery of this amount shall be transferred to the State Government. The latter shall pay to the Govt. of India a sum equal to 10% of this amount. All recoveries effected on or before 15-9-69 will be credited to the Central Govt.'s account in accordance with this office letter No.3(51)/L&R-63, dated 22-6-64, and the recoveries effected from 16-9-69, shall be credited to the State Government's account. A short fall, if any, in recovery shall not be made up by the Government of India nor shall it claim any amount recovered by the State Government in excess of the amount paid to it by the latter. The expenditure incurred on making the recoveries shall be borne by the State Government.

ii) Recovery of price of land allotted to non-claimant Bhawalpuri displaced persons and Kashmiri migrants.

The recovery of these arrears has already been entrusted to the State Government on commission basis vide this office letter No. 3(8)/L&R-64 dated 1.6.65. The amount recoverable as on 1.9.69 on this account is report to be Rs. 1.72 lacs. The work of recovery of these dues shall be transferred to the State Government which shall pay to the State Government which shall pay to the Govt. of India a sum equal to 25% of the above demand. Recoveries made by the State Govt. on or before 15.9.69 shall be credited to the Central Government's account in accordance with this office letter No. 3(8)/L&R-64 dated 1.6.65 and the recoveries effected from 16.9.69 shall be credited to the State Government account. A short fall, if any, in recovery shall not be made by the Govt. of India nor shall it claim any amount paid to it by the latter.

The expenditure incurred on making the recoveries shall be borne by the State Government.

iii) Recovery of arrears of rent in respect of urban evacuee agricultural land and urban evacuee properties.

An amount of Rs. 91.49 lakhs is reported to be outstanding as on 1.8.69 on account of urban rental demand. In addition, a sum of Rs. 2.74 lakhs is outstanding on account of arrears of lease money of urban agricultural land. The work of recovery of these amounts shall be transferred to the State Government which shall pay to the Govt. of India a sum equal to 10% of these amounts. A short-fall, if any, in recovery shall not be made up by the Govt. of India nor shall it claim any amount recovered by the State Govt. in excess of these amounts paid to it by the latter. The expenditure incurred by the State Govt. in making recoveries shall be borne by the State Government.

iv) Urban evacuee properties.

All undisposed of urban evacuee properties excepting those in respect of which auctions have already been held but the acceptance of bids is still pending, shall hence forth be managed and disposed of under the provisions of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 and the Rules framed thereunder, by the State Govt. and the State Govt. shall pay to the Central Government a sum equal to 15% of the reserve price of these properties. The properties which have not yet been listed shall also be managed and disposed of in the same manner by the State Govt. which shall pay to the Govt. of India a sum equal to 10% of the reserve price of each such property after their survey and enlistment. The expenditure incurred on the management and disposal of these properties shall be borne by the State Govt. and the sale proceeds and other receipts from these properties w.e.f. 16.9.69 shall be credited to their account. The shortfall, if any, in recovery shall not be made up by the Government of India nor shall it claim any amount recovered by the State Govt. in excess of the amount paid to it by the latter.

v) Urban evacuee agricultural lands.

Listed and unsurveyed land to be unearthed by the staff of the State Government, urban evacuee agrl. lands which have still not been disposed of shall be managed and disposed of by the State Govt. in the same manner as indicated at sub-para (iv) above and they shall pay to the Central Govt. a sum calculated at the following rates:-

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| i) | Evacuee lands. | Rs. 1100/- per acre. |
| ii) | Lands held by occupancy tenants. | Rs. 550/- per acre. |
| iii) | Evacuee share of land jointly owned by evacuees and non-evacuees. | Rs. 550/- per acre. |

In respect of sub-paras (iv) & (v) above, no transactions by way of auction, allotment or negotiation in respect of such evacuee lands/properties as came within the scope of this arrangement were entered into by the erstwhile office of the Regional Settlement Commissioner, after 15.9.69 nor will any such transaction

hereafter be entered into by the Regional Settlement Commissioner (Central). All expenditure on the management, enlistment and disposal of these lands, shall be borne by the State Government and the sale proceeds and other receipts from the lands shall be credited to their account. A shortfall, if any, in recovery shall not be made up by the Government of India nor shall it claim any amount recovered by the State Government in excess of the amount paid to it by the latter.

7. The arrangement detailed above shall not in any way affect the payment of compensation to unsatisfied claimants, if any, in accordance with the provisions of the Displaced persons (Compensation & Rehabilitation) Act, 1954, and the Rules framed thereunder. Their claims shall, as usual, be dealt with by the officers of the State Government who have been delegated the powers of the Central Government under Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954.

8. The aforesaid arrangements shall be deemed to take effect from 16th September, 1969. The entire amount payable by the State Government under the aforesaid arrangements in respect of the dues mentioned in sub-para (i) (ii) and (iii) and in respect of the properties in sub-para (iv) and (v) of paragraph 6 of this letter but excluding those which were then un-surveyed and unlisted shall be deemed to have become due on 1st October, 1969, and required to be paid by the State Govt. to Central Govt. in six equal half-yearly instalments on 1.3.70, 1.9.70, 1.3.71, 1-9-71, 1.3.72 and 1.9.72.

The payment of first four instalments made by the State Government on 21.8.70, 11.3.71, 25.5.71 and 1.12.71 in terms of the previous sanction letter (now being superseded) is deemed to have been made on the stipulated dates and shall not be subject to payment of interest.

The remaining two instalments shall be paid by the State Govt. on 1.6.72 and 1.12.72 respectively. No interest shall be charged on sums outstanding out of the amount due from the State Government but instalments of which have not fallen due. However, if an instalment is not paid in full on the due date as mentioned above, the same or part thereof which is outstanding, shall be payable with interest for the period from the due date upto the date of payment the rate of interest being that as fixed by the Central Government from time to time.

9. The actual amount payable by the State Government to the Government of India under this arrangement shall be finally worked out by the Regional Settlement Commissioner (Central) after the State Govt. has verified the properties and lands from the Regional Settlement Commissioner (CENTRAL). The amount worked out by the Regional Settlement Commissioner (Central) as being due as on 1.9.69 shall be treated as provisional and payments will be made by the State Govt. on that basis subject to readjustment till the State Government has carried out the survey and physical verification of the properties and lands. The valuation of these properties as recorded

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in the books of the Regional Settlement Commissioner, Jullundur, will not, however, be called in question nor will the fact that the title to some of the properties is in dispute be a valid reason for rejecting the debits for such properties.

10. As regards the properties and lands which fall under sub-para (iv) and (v) of para 6 which are at present un-surveyed and not listed but which shall be surveyed, listed taken over by the Government of Punjab hereforth, the Govt. of Punjab shall render account thereof to the Central Government by 1.3.1973. and shall pay the amount due thereon at the same rates to the Central Govt. in one lump by 31st March, 1973. If any property still remains un-surveyed by that date, the Govt. of Punjab shall pay to the Central Govt. the amount in respect thereof as and when the properties are surveyed by them. The survey will be completed within six months of the issue of this sanction. A quarterly statement indicating details of agricultural lands/properties unearthed surveyed and listed during the quarter under review their reserve price, and the amount payable by the State Govt. to the Central Govt. on this account shall be furnished by the State Govt. to this office.

11. This letter issues with the concurrence of the Ministry of Finance (Deptt. of Expenditure) vide their U.O.No.417/L&R/72 dated 31st January, 1972.

Yours faithfully,

Sd/-

(G.S. Kahlon)

Secretary to the Government of India
Ministry of Labour & Rehabilitation
(Deptt. of Rehabilitation)
New Delhi.

Copy forwarded to:-

1. Ministry of Finance (L&R), with 3 spare copies.
2. The Regional Settlement Commissioner (Central) with 5 spare copies.
3. The Deputy Secretary to the Govt. of Punjab (Rehabilitation) Department, Jullundur, with 5 spare copies.
4. The Pay & Accounts Officer, DOR, New Delhi, with 2 spare copies.
5. The Accountant Genl., Punjab, Simla with 2 spare copies.
6. The Accountant General, C.W. & M., N-Delhi, with 2 spare copies.
7. Budget and Accounts Section, DOR, New Delhi with 2 spare copies.

Copy also forwarded for information to:-

1. P.S. to M(R)/DM(R)/Secretary.
2. P.A. to CSC/Dy. CSC/SC(C).
3. ASC(P)/ASC(A)/ASC(L)/OSD(A)/ASO(V)
ASO(L)/ASO(T)/ASO(Cell)/C&P/B&LA. Section.

Sd/- D.N.Asija.

Assistant Settlement Commissioner.