

No. 27(2)/73-SS.II.
Government of India
Ministry of Supply & Rehabilitation
(Department of Rehabilitation)
..*.*

Jaisalmer House, Mansingh Road,
New Delhi, the 20th March, 1981.

To

The Chief Secretary to the
Government of Tamil Nadu,
MADRAS.

Subject:- Transfer of the residuary work relating
to administration, management and
disposal of undisposed of evacuee
properties/agricultural lands and
realisation of rental arrears etc. to
the State Government.
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Sir,

I am directed to say that the Government of Tamil Nadu had taken over the work relating to management and disposal of the assets of the Settlement Organisation on an agency basis vide this Department's letter No. 27(2)/73-SS.II., dated the 30th September, 1975. This arrangement could not, however, be given effect to as certain formalities with regard to accounting procedure etc. could not be completed. The Government of India have now considered the question of transfer of administration, management and disposal of these assets to the State Government under some administrative and financial arrangement. This is also considered necessary in order to bring the Tamil Nadu State at par with other State Governments with whom similar arrangements have already been made.

2. It has been decided that in order to effect economy in expenditure and to ensure proper arrangements for administration, management and disposal of the evacuee properties, agricultural lands etc., as also the recovery of arrears of rent, these items of work may be transferred to the State Government in public interest to ensure proper and satisfactory disposal of the properties in accordance with the provisions of Administration of Evacuee

..... 2/-

Property Act, 1950 and the Displaced Persons (Compensation and Rehabilitation) Act, 1954, and the rules made thereunder. I am accordingly, to convey the sanction of the President, in supersession of this Department's letter dated the 30th September, 1975, referred to in para 1 above, to the transfer of the following items of work relating to administration, management and disposal of the remaining undisposed of evacuee properties/agricultural lands and recovery of arrears of rent etc. to the State Government on the terms and conditions specified below.

(I). URBAN EVACUEE PROPERTIES/URBAN EVACUEE LANDS.

There are 4 Urban evacuee properties as reported by the State Government in their letter No. 3477/Revenue, dated the 27th December, 1972. The reserve price of these properties is Rs. 1,89,950. Besides, there may be some unidentified properties which may come to light after the survey has been carried out by the State Government. All these properties would hereafter be managed and disposed of by the State Government in accordance with the provisions of Displaced Persons (Compensation and Rehabilitation) Act, 1954 and Rules framed thereunder and the State Government would pay to the Government of India 15% of the reserve price of the properties. The balance amount would be retained by the State Government on account of their charges for handling this item.

(II) RURAL EVACUEE AGRICULTURAL LANDS ETC.

There are about 30 Standard acres of evacuee agricultural lands as reported by the State Government vide their letter No. 3477/Revenue dated the 27th December, 1972 with the reserve price of Rs. 13,500/-. There may also be unidentified properties and lands which may come to light after survey has been carried out by the State Government. All these assets 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 as their charges for handling this item of work.

(III). RECOVERY OF THE ARREARS OF RENT IN RESPECT OF BOTH ACQUIRED AND UNACQUIRED EVACUEE PROPERTIES.

According to the information available with this Department, the amount of rent arrears

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in respect of both acquired and unacquired evacuee properties stood at Rs. 60,439/-. There are, however, practical difficulties in identifying the properties to which arrear liability relates. In these circumstances, the State Government will retain the amount actually recovered, if any, on account of the arrears of rent.

IV. DISPOSAL OF JUDICIAL CASES RELATING TO EVACUEE PROPERTIES IN THE STATE OF TAMIL NADU.

Some cases relating to evacuee properties have been coming up before certain Departmental Tribunals constituted by Department of Rehabilitation under the Administration of Evacuee Property Act, 1950, Evacuee Interest (Separation) Act, 1951 and the 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. At present no such cases is pending.

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

The State Government shall also deal with the work relating to cases pertaining to the properties included in the Compensation Pool in the State of Tamil Nadu in respect of which litigation matters may arise in the High Court and Civil Courts in Tamil Nadu. The State Government shall not claim any reimbursement of expenditure 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. At present only one case is pending in the High Court.

VI. 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 and Rehabilitation) Act, 1954

shall stand transferred to the Government of Tamil Nadu with effect from 1st April, 1981.

(VII) RESIDUARY WORK IN THE SETTLEMENT WING.

The residuary work relating to the properties etc. already disposed of will be taken over by the State Government and dealt with by them hereafter.

/debiting

3. Where any property/land is transferred to a family of repatriates from Sri Lanka or Burma, the cost may be realised by the amount to the Head of Account from which expenditure by way of loans and grants for resettlement of that family would otherwise have been incurred. The necessary loan bond covering the amount debited to the loan Head may also be taken from the family.

4. 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 and Rehabilitation) Act, 1954. Their claims shall as usual be dealt with by the Officer of the Government of India. The liability to satisfy the claims of the displaced persons shall continue to rest with the Government of India.

5. The payment to be made by the State Government under these arrangements shall be credited to the accounts 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, to the Suspense Head."

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

6. The properties mentioned above should be deemed to have been completely transferred to the Government of Tamil Nadu with effect from 1.4.1981. The entire price thereof payable on this account by the State Government in respect of various categories of properties shall be paid in six equal half-yearly instalments without payment of any interest thereon.

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The first half-yearly instalment shall fall due on 1.10.81 and the subsequent half-yearly instalments will be computed from that date. However, if the instalments are not paid on due dates, 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 Government in this respect will be intimated to the State Government by Deputy Chief Settlement Commissioner(G), Settlement Wing, Deptt. of Rehabilitation, New Delhi.

7. The relevant current records have already been transferred to the State Government. There are about 335 old property files lying in the Central Record room of this Department and these files shall also be taken over by the State Government. The expenditure on their transportation from New Delhi to Madras will be borne by this Department and the racks and Bastas will be made available.

8. Necessary powers under the Administration of Evacuee Property Act, 1950 and the Displaced Persons (Compensation and Rehabilitation) Act, 1954, will be delegated to the Officers of the State Govt. as may be required by the State Govt.

9. This letter issues with the concurrence of the Finance Branch vide their u.o. No. 1124/Fin/81, dt. 28.3.81.

Yours faithfully,

(N. M. WADHWANI)

UNDER SECRETARY TO THE GOVT. OF INDIA.

Copy to:-

1. The Governor, Tamil Nadu, Madras.
2. The Secretary to the Govt. of Tamil Nadu, Revenue Deptt. Madras.
3. The Secretary, Board of Revenue, Tamil Nadu, Madras.
4. The Dy. Controller of Accounts (Rehab), New Delhi - 3 copies.
5. The Director of Audit, Commerce, Works & Misc., New Delhi.
6. Dy. CSC(G)/Dy. CSC(J)/SC(G)/SC(P)/AO(P).
7. Finance Branch. (2 copies).
8. Director of Audit, Tamil Nadu, Madras.
9. Budget & Accounts Section.
10. SS.I. Section.

Copy also forwarded to:-

PS to M(R)/Secretary/JS(M)/CSC

UNDER SECRETARY.

Also

No.1(2)/Spl.Cell/82/SS.II.
Government of India
Ministry of Supply and Rehabilitation
(Department of Rehabilitation)

Jaisalmer House, Mansingh Road,
New Delhi, the 21st July, 1982.

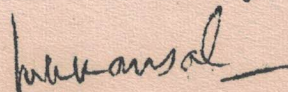
CORRIGENDUM

Subject:- Transfer of the residuary work relating to administration, management and disposal of undisposed of evacuee properties/agricultural lands and realisation of rental arrears etc. to the State Government.

Para 6 of this Department's letter No.27(2)/73-SS.II., dated 20.3.1981, may be substituted as under:-

"The properties mentioned above should be deemed to have been completely transferred to the Government of Tamilnadu with effect from 1.4.1984. The entire price thereof payable on this account by the State Government in respect of various categories of properties shall be paid in six equal half-yearly instalments without payment of any interest thereon. The first half-yearly instalment shall fall due on 1.10.1984 and the subsequent half-yearly instalments will be computed from that date. However, if the instalments are not paid by due dates, 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.

2. This issues with the concurrence of Finance Branch vide their UD No.1996/Fin/82 dated 12.7.82.



(M.K. KANSAL)
UNDER SECRETARY TO THE GOVERNMENT OF INDIA.
Tele. No.381540.

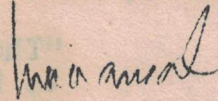
.....2/-

Copy to:-

1. The Governor, Tamilnadu, Madras.
2. The Secretary, Government of Tamil Nadu, Revenue Department, Madras.
3. The Secretary, Board of Revenue, Tamilnady, Madras.
4. The Deputy Controller of Accounts(Rehab), New Delhi.
5. The Director of Audit, Commerce, Works & Misc., New Delhi.
6. Deputy Chief Settlement Commissioner(M).
7. Finance Branch (2 copies).
8. Director of Audit, Tamilnadu, Madras.
9. Budget and Account Section.
10. SS.I. Section.

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PS to M(R)/Secretary/JS(B)/CSC.


UNDER SECRETARY.