



**GOVERNMENT OF THE PUNJAB
COLONIES DEPARTMENT**

13th September 2019

NOTIFICATION

No.2106-2019/753-CL(I). In exercise of the powers conferred under section 10 of the Colonization of Government Lands (Punjab) Act, 1912 (*V of 1912*) and in supersession of Notifications No. 224-2010/117-CL-I, dated 13.01.2010 and No.917-2013/932-C.L(I), dated 26.11.2013, Governor of the Punjab is pleased to issue the following Statements of the Conditions for grant of leases of certain available State agricultural lands situated within prohibited zone, Municipal limits or State charagah land for temporary cultivation with immediate effect:

1. Existing leases.- The temporary leases of the State agricultural lands situated within prohibited zone or State charagah land in the Punjab shall be extended till 30.06.2020 in favour of existing lessees who shall pay arrears of rent from 30.06.2016 till 30.06.2020 with annual increase of ten percent (10%). After expiry, fresh auctions shall be conducted for a term of three years under these Statements of the Conditions.

2. Procedure for new lease.- (1) Selected agricultural State land situated within prohibited zone, Municipal limits or charagah land may be leased out in lots not exceeding subsistence holding of one hundred kanal (100-kanal) for a term of three years through an open auction and the eligibility for participation therein shall be as under:

- (a) the landless tenants or self-cultivators not owning more than four acres of land;
- (b) *bona fide* residents of the same chak, village or revenue estate, where such State land is situated;
- (c) in the absence of the above category of persons, *bona fide* residents of the adjoining chaks, villages or revenue estates where such State land is situated;

Explanation: bona fide residence of a person shall be determined, *inter alia*, on the basis of the address mentioned in the computerized National Identity Card.

- (d) eligibility of tenants or self-cultivators will be determined on the basis of Khasra Girdawari of last five years; and
- (e) one family shall not be eligible to get lease of more than one lot:

Explanation: for the purpose of this clause, the word "family" means husband, wife or wives, un-married children excluding major married son of the lessee living independently.

(2) No employee of the Provincial or Federal Governments, autonomous bodies and corporations or their dependents or minors shall be eligible to participate for lease of State land.

(3) The Assistant Commissioner concerned shall prepare schedules of State land in lots not exceeding subsistence holding of one hundred (100) kanals in respect of each village and get them approved by the District Collector concerned.

(4) For auctioning of State land on lease, the reserve rent shall be determined by District Rent Assessment Committee on the basis of the prevailing market rent of similar land in the vicinity.

(5) The possession of State land shall stand reverted to the State after expiry of the lease term and it shall be re-auctioned under these Statements of the conditions.

(6) Publicity of the open auction shall be made in the revenue estate concerned through print media, electronic media, beat of drums and announcements over loud speakers at least one week before the date of auction. In addition to this, announcements over loud speakers installed in the village mosques shall be made again before the auction is actually conducted. Record of such publicity shall be maintained by the auctioning officer.

(7) The open auction to be conducted by the Assistant Commissioner concerned shall be held in the village or revenue estate concerned in a common assembly and the proceedings shall be recorded in writing.

(8) Each participant shall deposit one fourth of the reserve rent to the Auctioning Officer and affix his signatures or thumb impression on the terms and conditions of lease before commencement of the auction proceedings.

(9) After completion of bid in respect of each lot, signatures or thumb impressions of all the participants and village Lambardar shall be obtained on the 'Fard Nilam' in authentication of the genuineness of the auction proceedings.

(10) The 'Fard Nilam' appended to these statements of the conditions shall be properly, legibly and completely filled in at the time of holding of open auction of State land by the Auctioning Officer.

(11) Auction proceedings shall be subject to the approval by the District Collector after having been satisfied with the genuineness of the proceedings.

(12) The District Collector shall approve or decide otherwise of auction proceedings within a period of fifteen days. In case of rejection of the auction proceeding, the highest bidder shall be provided an opportunity of hearing before such rejection and reasons shall be recorded in writing.

(13) The possession of State land shall be delivered immediately after auction proceedings have been confirmed by the District Collector and subject to payment of the lease rent for one year by the successful bidder and after adjustment of the one-fourth of the reserve rent already paid by him.

(14) Rent for the first year of the lease shall be paid by the lessee within fifteen days from the date the lease is granted and in the ensuing years, it shall be paid on or before the fifteenth day of January each year and such rent shall be for the whole year i.e. for Kharif and Rabi harvests.

(15) The rent for the second year and subsequent years shall be paid with fifteen percent (15%) annual increase.

(16) In case of default in payment of rent for a period of more than six months from the due date, the lease shall be liable to be cancelled by the District Collector provided that before passing such order for cancellation, the Collector shall afford the lessee an opportunity of being heard. All outstanding dues shall be recovered as arrears of land revenue.

(17) The lessee shall not assign, sub-let, mortgage or transfer in any manner the leased area or any part thereof.

(18) In case of death of the lessee during the currency of the lease, the tenancy shall devolve on the legal heirs for the un-expired period with the approval of Collector of Tehsil.

(19) No defaulter of rent or lease money shall be eligible to take part in the auction proceedings.

(20) The Board of Revenue, Punjab and the District Collector, at any stage, shall have the power to stop, postpone and cancel the auction proceedings.

(21) Plantation of local species of trees shall be carried out by the lessee in the leased land as per instructions issued by the Government from time to time.

(22) The lessee shall execute a bond or undertaking on non-judicial stamp paper to the effect that if during the currency of the lease, the land in entirety or a part thereof is required by the Government for any public purpose, the lessee shall surrender its peaceful possession without demur immediately and shall not claim any compensation in respect of development effected on the leased land or that of trees planted thereon. However, no lessee shall be ejected before he has reaped the main standing crops or is paid full compensation at market rates for such crops. He shall also undertake to hand over possession of the land peacefully to the Collector or his nominee on the expiry of the lease term.

(23) If at any time, it is found that the lessee has obtained the lease through fraud, misrepresentation and concealment of facts, the lease shall be cancelled forthwith by the Collector.

(24) Leases under these statements of the conditions shall be governed under the Colonization of Government Land (Punjab) Act, 1912 read with the General Colony Conditions 1938 and the temporary cultivation lease conditions issued by the Government of the Punjab in 1944.

BY THE ORDER OF THE GOVERNOR OF THE PUNJAB



**(SOHAIL SHAHZAD)
MEMBER/ SECRETARY
GOVERNMENT OF THE PUNJAB
COLONIES DEPARTMENT**

A copy is forwarded to:

- i) All Commissioners of Divisions, in the Punjab.
- ii) All District Collectors/ Deputy Commissioners, in the Punjab.
- iii) Managing Director, Cholistan Development Authority, Bahawalpur.
- iv) All Assistant Commissioners, in the Punjab.
- v) Superintendent, Government Printing Press with the request to print 65-copies of Gazette Notifications and forward to the Board of Revenue, Punjab.