

PHONE NO. 63862.

No. ASR-II-4228/72/3908-LC(II),
Punjab Land Commission,
Lahore, dated the 12th October, 1972.

From

Mr. Amir Ahmad Siddiqi, ICS,
Secretary,
Punjab Land Commission.

To

All Land Commissioners/Deputy Land
Commissioners in the Punjab (By name).

Subject: Defects noticed in the orders of the Lower Courts.

MR. A. G. RIZA, CSP, CHIEF LAND COMMISSIONER, PUNJAB.

Sir,

I am directed to point out that during the scrutiny and hearing of appeals/revisions it has been noticed that:-

- (i) the transferees have not generally been impleaded as parties and orders have been passed in their absence, which is against the dictates of natural justice. Since the rights of such persons are affected, it is necessary to implead them as parties and to ascertain their view points before any decision is taken. In this behalf, attention is invited to the instructions contained in this Secretariat circular letter No. DSH-863/72/2627-LC(II), dated the 30th June, 1972 and subsequent circular order of the Chief Land Commissioner D.O.No. 914/72/3196-LC(II), dated the 9th August, 1972.
- (ii) while making scrutiny of transactions, the original record relating to entries in the Roznamchas, Khasra-girdawari, date of entry of mutation, Dhal Bachh, etc. pertinent to a correct decision, have not been examined and instead reliance has been placed on the reports of the subordinate officials, which is not enough. In some cases glaring instances of tampering with and fabrication of record have been detected of which no notice appears to have been taken. The original record should,

therefore, be critically examined especially in cases of transactions reported to have taken place in November/December, 1971.

- (iii) In the majority of cases under para 7 of Martial Law Regulation No. 115, very brief and routine orders are passed declaring the transactions as void. The important issues of law and fact raised in these cases should be discussed and disposed of according to law.

It is requested that these instructions may be adhered to strictly while deciding judicial cases.

Your obedient servant,

Munir

SECRETARY,
Punjab Land Commission.

" SIDDIQUI ".

No ~~1684~~ /DLc Dated 30 ¹⁰ /71

A copy is forwarded to all
ALCs and S.A.LCs in the District
for information and guidance

[Signature]
Secretary
Punjab Land Commission
2/12