



No. 1551-2019/1224/DDL,
Board of Revenue, Punjab,
(Settlement & Rehabilitation Wing)
Farid Kot House, Lahore.

2-8-2019

To
**The Director General,
Punjab Land Record Authority,
Punjab, Lahore.**

Subject: **INSTRUCTIONS FOR REVENUE AND LAND RECORD AUTHORITY**

Kindly refer to the subject cited above.

It has been noticed with great concern that many settlement cases, relating to evacuee properties, after having decided up to the supreme court and having attained finality, inspite of that the unscrupulous elements of society are getting stay orders from the civil courts with the connivance of officials/officers to grab the precious evacuee land and those stay orders are being implementing in the revenue record, without prior verification of PTD, PTO, TO, by the Settlement Department where as the jurisdiction of civil court is specifically barred by law. Moreover, many fake, bogus and fraudulent orders are also prepared by land mafia, with connivance; therefore, formal prior permission from the department is necessary/required before implementation into Revenue Record, to save the precious state/Ex-evacuee land. It has also been noticed that few Incharge of Arazi Record Centers flout orders of the Board of Revenue, in connivance with the land- grabbers, resulting into the loss to Government Ex-cheque due to illegal possession on Ex-Evacuee/Provincial Government land. The revenue hierarchy must be maintained. Furthermore, the Supreme Court of Pakistan, vide judgment, reported as 2015 SCMR 1721. it was held that civil courts or revenue courts have no jurisdiction to entertain or adjudicate upon the matters, relating to the evacuee properties. The head note of the judgment reads as under:-

**EVACUEE PROPERTY AND DISPLACED PERSONS LAWS (REPEAL)
ACT, (XIV OF 1975).**

"S.2(2)—Pakistan (Administration of Evacuee Property) Act, (XII of 1957) {since repealed}, S.41—Dispute concerning evacuee nature or otherwise of property—Forum—Civil or revenue authorities barred from exercising jurisdiction to entertain or adjudicate upon any such dispute—Where a property was rightly or wrongly treated to be an evacuee Property, Such treatment of property could only be assailed through proceedings before the Custodian of Evacuee Property or his successor, i.e. the Notified Officer".

Keeping in view the above mentioned requirements of law it is hereby directed that before implementing any stay orders, the formal permission and concurrence of the chief settlement commissioner, Punjab, must be solicited.

In case non-compliance of these instructions, strict legal as well as disciplinary action may be initiated against the responsible official/officer alongwith criminal proceedings.

**CHIEF SETTLEMENT COMMISSIONER
BOARD OF REVENUE, PUNJAB
FARID KOT HOUSE, LAHORE**

CC:-

1. All Divisional Commissioner in the Punjab with the request to kindly ensure compliance.
2. All the Notified Officers / Members Board of Revenue, Punjab, for information.
3. The Director General, Punjab Land Record Authority, with the request to ensure compliance.
4. All Assistant Commissioners in the Punjab with the direction to convey these instructions to all Revenue Officers / Gardawars / Patwaries and also insure incorporation of the instructions in Roznamcha Waqati of each and every Patwar Circle and send compliance report.
5. P.S.O to Senior Member, Board of Revenue, Punjab.
6. P.S to the Chief Settlement Commissioner, Punjab.
7. P.A to Secretary (Revenue & Establishment), Board of Revenue, Punjab.
8. P.A to Secretary (S&R), Board of Revenue, Punjab Lahore.
9. Deputy Secretary (General), S&R Wing, Board of Revenue, Punjab, Lahore.

