

[Extract from the Punjab Govt. Gaz. (Extra), dated the 9th May, 2014]

GOVERNMENT OF PUNJAB
DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATS
VIKAS BHAWAN, SECTOR-62, AJITGARH (MOHALI)
(LAND DEVELOPMENT BRANCH)

NOTIFICATION

The 9th May, 2014

GRAM PANCHAYAT LANDS LEASE POLICY

No. 6/15/GI/2014/3284.-In exercise of the powers conferred under sub-rule (3) and (3-A) of rule 6 of the Punjab Village Common Lands (Regulation) Rules 1964, the Governor of Punjab is pleased to make the following Policy for leasing out lands vested in a Panchayat for a period up to 33 years.

Name and commencement of Policy

1. The policy may be called the Punjab Gram Panchayat Lands Lease Policy for leasing out lands vested in a Panchayat for a period up to 33 years. In short this policy will be called as Gram Panchayat Lands Lease Policy.

2. It shall come into force on and w.e.f. the date of its publication in the official gazette.

3. The words and expressions used in this policy, but not defined, shall have the same meaning as assigned to them in the Punjab Village Common Lands (Regulation) Act, 1961 and the Punjab Village Common Lands (Regulation) Rules, 1964.

4. **Lease to private persons or private institutions :-**

Shamlat land to private persons or private institutions shall be given through open auction only by a panchayat by giving advertisement in two leading daily newspapers i.e. one in English and one in Punjabi language, as specified by the Government in consultation with the Director Public Relations, Punjab. While giving advertisement by the panchayats the following procedure shall be followed:-

(1) The concerned Block Development and Panchayat Officer shall get the reserve price determined by the district price fixation committee headed by the Deputy Commissioner and while fixing the lease rate, the Committee shall consider the nature and market price of the land, its proximity to the highways and urban areas and all other relevant factors, as the case may be.

Provided that every year an increase of 10% of the lease money will be charged on the last year's payable lease amount.

(2) The size of such advertisement will be at least 8cm×4cm, where complete details of land, to be given on lease, purpose of lease, period of lease, date, place and time of auction etc. will be clearly mentioned.

(3) The advertisement shall be given at least 15 days prior to the date of auction.

(4) Where the area of land which is to be given on lease is not exceeding 10 acres, process of giving shamlat land on lease will be completed under the personal supervision of the concerned Block Development & Panchayat Officer. In case the area of the shamlat land exceeds 10 acres, the process of giving land on lease will be completed under the personal supervision of the concerned District Development & Panchayat Officer.

(5) The entire process of auction shall be video graphed in order to ensure transparency.

(6) After following the aforesaid procedure, necessary approval may be accorded by the Government as required under rule 6(3) of the Punjab Village Common Lands (Regulation) Rules, 1964.

5. **Lease to Government Departments, Boards and Corporations etc:-**

(1) Where the shamlat land is to be given on lease to the Government Departments, Boards or Corporations for the projects of public interest which are to be get implemented through private persons or private institutions, the same shall be given at the rate fixed by the District Price Fixation Committee headed by the Deputy Commissioner and while fixing the lease rate, the Committee shall consider the nature and market price of the land, its proximity to the highways and urban areas and all other relevant factors as the case may be.

Provided that every year an increase of 10% of the lease money will be charged on the last year's payable lease amount.

(2) Where the shamlat land is to be given for implementation of projects of renewable energy sources as approved by the Department of Power or Punjab Energy Development Agency for setting up of Solar and other renewable Energy Power Projects in the State, the same shall be given at the rate fixed by the District Price Fixation Committee headed by the Deputy Commissioner.

Provided that every year an increase of 10% of the lease money will be charged on the last years payable lease amount.

(3) A Gram Panchayat may lease out up to 75% of the total shamlat land available with it to the Department of Power or the Punjab Energy Development Agency. The said department and agency further lease out to the project implementers as may be approved by them. However, the department of Power of Punjab or the Punjab Energy Development Agency, as the case may be, shall be responsible to deposit the lease money with the Panchayat.

(4) The following procedure shall be followed before giving the shamlat land on lease to any of the Department of the Government, Board or Corporation:-

- (a) The concerned Department, Board or Corporation, authority, society etc, will send the details of requirement of land required for the project to the Director, Rural Development and Panchayats, Punjab.
- (b) After considering the aforesaid requirement, the said Director through its field functionaries, will identify the panchayat where the requisite land is available.
- (c) The Gram Panchayat referred to in item (b) above will consider the requirement in its meeting and if in the opinion of Panchayat, the said lease is beneficial to the panchayat as well as to the inhabitants of the village, the panchayat will pass a resolution to this effect and shall forward the same to the State Government through proper channel.
- (d) After, receiving the resolution of the panchayat as mentioned in item (c), the concerned Department, Board or Corporation etc., as the case may be, shall be asked by the Director to submit its consent as per the resolution passed by the Panchayat.
- (e) After getting the aforesaid consent from the concerned Department, Board or Corporation etc., the necessary approval may be accorded by the Government as required under the Punjab Village Common Lands (Regulation) Rules, 1964.

6. **Lease for purposes of social security and public welfare:-**

(1) Where the land is to be given on lease for the purpose of social security and public welfare like opening

Cow Shelters (Gaushala), Drug De-addiction Centers, Old Age Homes, Centre for Orphans and Schools for Specially Challenged Children, which are sponsored or recommended by the concerned administrative department, the panchayat may lease it out its shamlat land on such nominal rate as may be deemed appropriate by the panchayat keeping in view the nature and purpose of the project. The maximum area which can be given on lease for such project shall be as under:-

| Sr. No | Name of project | Maximum area which can be given |
|--------|---|---------------------------------|
| 1. | Cow Shelters(Gaushala) | 10 Acres |
| 2. | Drug De-addiction Centers | 1/2 Acre |
| 3. | Old Age Homes | 1 Acre |
| 4. | Centre for Orphans | 1/2 Acre |
| 5. | Schools for Specially Challenged Children | 2 Acre |

(2) It will be necessary for every institution mentioned in sub clause (1) to have one authorized representative of the panchayat, one authorized representative of the concerned sponsoring department and concerned Block Development & Panchayat Officer on its management board. The said management board shall ensure that the land given to such institute is used strictly for the purpose, it has been leased out to it. In case of misuse or breach of terms and conditions of lease, the same shall be liable to be cancelled by the panchayat with the approval of the State Government.

(3) The following procedure shall be followed before giving the shamlat land on lease to any of the institution referred in sub clause (1):-

- (a) The concerned institution will send the details of requirement of land required for the project along with the recommendation of the sponsoring department to the Director, Rural Development and Panchayats, Punjab.
- (b) After considering the aforesaid requirement, the Director through its field functionaries, will identify the panchayat where the requisite land is available.
- (c) The Panchayat referred to in item (b) above will consider the requirement in its meeting and if in the opinion of Panchayat, the said lease is beneficial to the panchayat as well as to the inhabitants of the village, the panchayat will pass a resolution to this effect and shall forward the same to the State Government through proper channel and after considering all the aspects of the case, the Government may accord the approval.

7. General Conditions applicable to all categories:-

(1) It will be incumbent upon the lessee to get the lease deed registered on such form as may be specified by the Government within two months. The lease deed shall be signed by the lessee, the authorized person of the Panchayat, the concerned Panchayat Secretary and the concerned Block Development and Panchayat Officer. The Block Development and Panchayat Officer shall ensure that the lease deed is registered strictly in accordance with the terms and conditions of the lease. The copy of the lease deed shall be sent by the Block Development and Panchayat Officer to the Director, Rural Development and Panchayat within 15 days after the registration of the lease deed.

- (2) The possession of shamlat land will be given to lease holder only after the registration of lease deed.
- (3) The leaseholder shall have to deposit one year's lease amount in advance during the month of April of every year with the Panchayat. If the leaseholder fails to deposit the lease money, within the stipulated period, a grace period of 30 days may be given. However during such grace period interest @18% will be charged from the lease holder. If the lease holder fails to deposit the lease money even after grace period along with interest, the lease shall be deemed to be cancelled.

Sd/-

Financial Commissioner and Secretary,
Punjab Government, Department of Rural
Development and Panchayat

0487/05-2014/Pb. Govt. Press, S.A.S. Nagar

PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATS

NOTIFICATION

The 30th September, 2014

No. G.S.R. 52/P.A.18/1961/S.15/Amd. (22)/2014.-In exercise of the powers conferred by section 15 of the Punjab Village Common Lands (Regulation) Act, 1961 (Punjab Act No. 18 of 1961), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Village Common Lands (Regulation) Rules, 1964, namely:-

RULES

1. (1) These rules may be called the Punjab Village Common Lands (Regulation) (Second Amendment) Rules 2014.

(2) They shall come into force on and with effect from the date of their publication in the Official Gazette.

2. In the Punjab Village Common Lands (Regulation) Rules, 1964, in rule 6,-

(i) in sub-rule (3), after the existing proviso, the following proviso shall be added, namely:-

"Provided further that in the cases of solar and other renewable energy power projects which are approved by the Department of Power or by the Punjab Energy Development Agency, the authority competent to accord prior approval, shall be the Deputy Commissioner of the district concerned."; and

(ii) in sub-rule (3-A), in clause (1), the following proviso shall be added, namely:-

"Provided that for the persons referred to in serial number 3 of the Table, the authority competent to permit a Gram Panchayat to lease out its land, shall be the Deputy Commissioner of the district concerned."

MANDEEP SINGH SANDHU,
Financial Commissioner and Secretary
to Government of Punjab, Department of
Rural Development and Panchayats

PART III

GOVERNMENT OF PUNJAB

**DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATS
(LAND DEVELOPMENT BRANCH)**

NOTIFICATION

The 30th September, 2014

No. S.O. 162/P.V.C.L.(R.)R./1964/R.6/2014.-In exercise of the powers conferred under sub-rule (3) and (3-A) of rule 6 of the Punjab Village Common Lands (Regulation) Rules 1964, the Governor of Punjab is pleased to amend the Gram Panchayat Lands Lease Policy notified in (the Punjab Government) Gazette (Extra), dated the 9th May, 2014 as under:-

In the Punjab Gram Panchayat Lands Lease Policy; In serial No. 5,-

- (i) in proviso to clause (2), for the figure and sign "10%", the figure and sign "6%" shall be substituted; and
- (ii) to clause (4), the following proviso shall be added, namely :-

"Provided that in the cases of solar and other renewable energy power projects which are approved by the Department of Power or by the Punjab Energy Development Agency, the authority competent for the purposes of items (a) to (e), as referred to above, shall be the Deputy Commissioner of the district concerned in place of Director, Rural Development and Panchayats or Government, as the case may be."

MANDEEP SINGH SANDHU,
Financial Commissioner and Secretary
to Government of Punjab, Department of
Rural Development and Panchayats.



Punjab Government Gazette

EXTRAORDINARY

Published by Authority

CHANDIGARH, TUESDAY, FEBRUARY 21, 2023
(PHALGUNA 2, 1944 SAKA)

LEGISLATIVE SUPPLEMENT

| | Contents | Pages |
|------------|---|--------|
| Part - I | Acts | |
| | <i>Nil</i> | |
| Part - II | Ordinances | |
| | <i>Nil</i> | |
| Part - III | Delegated Legislation | |
| | 1. Notification No. G.S.R.12/P.A.18/1961/ S.15/Amd. (25)/2023, dated the 17th February, 2023, containing amendment in the Punjab Village Common Lands (Regulation) Rules, 1964. | .. 123 |
| | 2. Notification No. S.O. 24/PVCL(R.)R./ 1964/R.6/(Amd.)/2023, dated the 17th February, 2023, containing amendment in the Gram Panchayat Lands Lease Policy. | .. 125 |
| Part - IV | Correction Slips, Republications and Replacements | |
| | <i>Nil</i> | |

(xx)

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATS
VIKAS BHAWAN, SECTOR-62, SAS NAGAR
(LAND DEVELOPMENT BRANCH)

NOTIFICATION

The 17th February, 2023

No. G.S.R. 12/P.A.18/1961/S.15/Amd.(25)/2023.- In exercise of the powers conferred by section 15 of the Punjab Village Common Lands (Regulation) Act, 1961 (Punjab Act No. 18 of 1961), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Village Common Lands (Regulation) Rules, 1964, namely:-

RULES

1. (1) These rules may be called the Punjab Village Common Lands (Regulation) (First Amendment) Rules, 2023.
- (2) They shall come into force on and with effect from the date of their publication in the Officials Gazette.
2. In the Punjab Village Common Lands (Regulation) Rules, 1964, in rule 6,-
 - (i) in sub-rule (3), the third proviso, shall be omitted; and
 - (ii) in sub-rule 3-A, in the Table, for Serial No. 4 A and entries relating thereto, the following shall be substituted, namely:-

| | | |
|----|---|---------------|
| 4A | Industrial project implementers approved by the Department of Science, Technology and Environment, Punjab, Department of New and Renewable Energy Sources, Punjab, Punjab Pollution Control Board and Punjab Energy Development Agency for the storage of paddy straw and biomass to be utilised as fuel. | Fifty percent |
|----|---|---------------|

K. SIVA PRASAD, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Rural Development and Panchayats.

PART III
GOVERNMENT OF PUNJAB
DEPARTMENT OF RURAL DEVELOPMENT AND PANCHAYATS
(LAND DEVELOPMENT BRANCH)

NOTIFICATION

The 17th February, 2023

No. S.O. 24/PVCL(R.)R./1964/R.6/(Amd.)/2023.- In exercise of the powers conferred by sub-rules (3) and 3A of rule 6 of the Punjab Village Common Lands (Regulation) Rules, 1964, the Governor of Punjab is pleased to make the following amendment in the Gram Panchayat Lands Lease Policy notified in the Punjab Government Gazette (Extra), dated the 9th May, 2014, namely:-

AMENDMENT

In the said Policy, in serial No. 5, for clause (3 A), the following clause shall be substituted, namely:-

“(3A) Where the shamlat land is to be leased out for the storage of paddy straw and biomass to be utilised as fuel in the industrial projects approved by the Department of Science, Technology and Environment, Punjab, Department of New and Renewable Energy Sources, Punjab, Punjab Pollution Control Board and Punjab Energy Development Agency, the rate of lease shall be fixed by the District Price Fixation Committee headed by the Deputy Commissioner. The Department of Science, Technology and Environment, Punjab and the Department of New and Renewable Energy Sources, Punjab shall ensure the payment of lease money by the project implementers to the Gram Panchayat or Gram Panchayats, as the case may be:”

Provided that the authority competent to accord sanction to the lease, shall be the State Government and every year an increase of six percent of the lease money shall be charged by the respective Gram Panchayat on the last year's payable lease amount.”

K. SIVA PRASAD, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Rural Development and Panchayats.