

HARYANA GOVERNMENT
DEVELOPMENT AND PANCHAYATS DEPARTMENT
Notification
7th February, 1964

No. G.S.R.1/P.A.18/61/S.15/1964.-The following rules, as amended up to 15th October, 2018 are re-published below for general information:-

THE PUNJAB VILLAGE COMMON LANDS (REGULATION)
RULES, 1964¹

- Short title. 1. These Rules may be called the Punjab Village Common Lands (Regulation) Rules, 1964.
- Definitions. 2. In these rules, unless the context otherwise requires,-
- (a) “Act” means the Punjab Village Common Lands (Regulation) Act, 1961;
- (b) “Form” means a form appended to these rules ;
- (c) ²[“Panchayat Samiti” means the Panchayat Samiti constituted under the Haryana Panchayati Raj Act, 1994 (11 of 1994) and having jurisdiction under the said Act ;]
- (d) “Sabha area” means an area declared to be a Sabha area under ³[section 7 of the Haryana Panchayati Raj Act, 1994 (11 of 1994);]
- (e) ⁴[Omitted].
3. (1) The Panchayat shall prepare a land utilization plan of the land in shamilat deh vested in it under the Act. ⁵[It shall be the duty of Block Development and Panchayat Officer to assist the Gram Panchayat concerned in the preparation of said plan].
Such plan shall be subject to approval of –
- (a) the Panchayat Samiti : where the area exceeds 100 acres but does not exceed ⁶[500 acres].
- (b) ⁷[the Zila Parishad : where the area exceeds 500 acres but does not exceeds 1000 acres; and]
- (c) the Government : where the area exceeds 1,000 acres.
- The manner in which and the purpose for which shamilat deh may be used.Sections 5 and 15(2) (a).

¹ First Published, - vide notification No.G.S.R. 45/P.A. 18/61/S15/64, dated the 3rd February, 1964, in the Punjab Government Gazette, Legislative Supplement, Part II, dated the 7thFebruary, 1964.

² Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

³ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁴ Omitted, - vide Haryana Government notification No.G.S.R.224/P.A.18/61/S.15Amd. (2)/76, dated the 21stOctober, 1976.

⁵ Inserted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

⁶ Substituted, - vide Haryana Government notification No.G.S.R.224/P.A.18/61/S.15/Amd (2)/76, dated 21th October, 1976 and further substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

⁷ Omitted, - vide Haryana Government notification No.G.S.R224/P.A.18/61/S.15/Amd (2)/76, dated 21th October, 1976 and further inserted, - vide aryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

¹[(2) Subject to the approval of competent authority prescribed under the Act or these rules, the Panchayat may ²[make] use of the land in shamilat deh vested in it under the Act, either itself or through another for any one or more of the following purposes :-

- (i) Grazing of animals ;
- (i-a) ³[Gaushala;]
- (ii) Tree plantation or any other purpose related to forestry ;
- (iii) Dyeing and tanning of skins and hides ;
- (iv) Storage of fuel, fodder and/or grain ;
- (v) Cremation or burial ground ;
- (vi) Manure pits ;
- (vii) Public latrines, and/or urinal ;
- (viii) Drains or water channels ;
- (ix) Playgrounds ;
- (x) Government School building and its library ;
- (xi) Government Hospital or Dispensary, Maternity or First-aid Centres, Veterinary Hospital or Dispensary ;
- (xii) Vehicle parking related to agriculture and incidental purposes ;
- (xiii) Panchayat ghar or Janjghar or Village Chaupal ;
- (xiv) Ponds and Fisheries ;
- (xv) Wells, Hand-pumps, Water works, or any other Water Lifting device ;
- (xvi) Crop thrashing ground ;
- (xvii) Kohloo ;
- (xviii) Cultivation ;
- (xix) Model Farm, Seed Farm, Dairy Farm, Nursery, Garden or any other Horticultural purposes ;
- (xx) Production of food, fiber or fodder crops;
- (xxi) Stone Crusher, Brick-kilns, Pottery, extraction of shora, sand, stone, kankar, bajri or other minerals defined in the Punjab Minor Mineral (Concession) Rules, 1964 ;
- (xxii) Special Economic Zone Projects and Industrial development ;
- (xxiii) Roads, Pathways, Streets, Lanes and Bye-lanes ;
- (xxiv) Recreation parks, Children's Park and Sports Stadium ;
- (xxv) Residential;
- (xxvi) Educational and knowledge centres including libraries to be set up by non-governmental institutions or individual ;

¹ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

² Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

³ Inserted, - Haryana Government notification No.S.O.46/P.A.18/1961/S.15/2018, dated the 25th July, 2018.

(xxvii) Hospital or Dispensary, Maternity or First-aid Centres, Veterinary Hospital or Dispensary to be set up by non-governmental institution or individual;

(xxviii) Any other kindred common purpose:

Provided that the use of land for the purposes mentioned under clauses (xix) to (xxviii) shall be with the prior approval of State Government.]

(3) Subject to the approval of Panchayat Samiti, a Panchayat may unite with any other body or bodies being a Gram Panchayat, local authority or an institution or branch of an institution, established for the development of Panchayats and recognized by government in taking up any of the purpose specified in sub-rule (2).

¹[(4) The Panchayat shall earmark an area of land not exceeding five acres, if available, in the village for the use of potters to excavate raw earth if so advised by the Deputy Commissioner].

4. ²[Omitted].

³[5. A Panchayat, if it is of opinion that it is necessary so to do for the benefit of the inhabitants of the village may, with the prior approval of the State Government, transfer any land in shamilat deh by exchange with the land of an equivalent ⁴(market) value to be determined by the Deputy Commissioner in whose jurisdiction the land is situated:

Exchange of land.
Sections 5 and
15(2) (f).

Provided that State Government shall not accord any approval in cases which are not received through the Deputy Commissioner concerned:

Provided further that for the purpose of allotment of residential plots to the eligible families identified under the scheme approved by the State Government, to allot house-sites to the Scheduled Castes', ⁵[Backward Classes'] families and the families living below poverty line, the concerned Deputy Commissioner or Sub-Divisional Officer (Civil), as may be authorized by the State Government, shall be competent to accord approval for transfer any land in shamilat deh, by way of exchange, with the land of equivalent value].

Leases of land.
Sections 5 and
15(2) (f).

⁶[6. (1) Except where otherwise provided in these rules, all leases of land in shamilat deh shall be by auction, after making publicity in the manner laid down in sub rule (10). All documents executed in this connection shall be signed ⁷[by the Sarpanch] or in his absence by a Panch performing the duties of the Sarpanch and two other Panches of the Gram Panchayat.

(2) Lease of land in shamilat deh already under plough shall not be given for a period exceeding two years while that of land not under plough and infested with trees, bushes etc. may be given for a period not exceeding five years to the highest bidder

¹ Added, - vide Haryana Government notification No.DPH-LA-1-91/636, dated the 9th December, 1991.

² Omitted, - vide Haryana Government notification No. G.S.R.52/P.A.18/S.15/Amd. (1)/82, dated the 1st April, 1982.

³ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁴ Inserted, - vide Haryana Government notification No. S.O 67/P.A.18/61/S.15/1964, dated the 15th October, 2018.

⁵ Inserted, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

⁶ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁷ Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

ordinarily in the month of April or May to the maximum advantage of the inhabitants of village. The annual lease money shall be paid on the bidding spot and for the remaining years of lease, if any, the annual lease money shall be paid, in advance, not later than February every year. The auction shall be subject to the approval of-

(a) the Panchayat Samiti-

(i) where the area does not exceed 100 acres and the highest bid of the lease at the auction is less than the average lease rate of similar lands in the neighbourhood for the last five years; or

(ii) where the area exceeds 100 acres, but does not exceed ¹[500] acres;

²[(a-i) the Zila Parishad- where the area exceeds 500 acres but does not exceeds 1,000 acres; and]

(b) the Government- where the area exceeds 1,000 acres:

Provided that on the application of the lessee made before the expiry of the lease, the Panchayat may renew the lease for a period not exceeding two years at a time if it considers that renewal of lease is in the interest of better cultivation and is satisfied that the lessee has made improvements by rendering such land fit for cultivation or has made improvements by digging a well or installing a pumping-set or a tube-well or constructing a *pucca* structure on such land:

Provided further that the annual lease money of such land for which lease has been renewed shall be determined by the Collector or the officer appointed by him for the purpose on the basis of market rental value of similar lands in the neighbourhood:

Provided further that-

(a) the maximum area of land in shamilat deh to be leased to a person for cultivation shall not exceed ten acres at any time;

(b) the Panchayat shall not lease land in shamilat deh for cultivation to a person-

(i) having a holding of ten acres or more; or

(ii) already holding lease under any other Panchayat;

(c) out of the land proposed to be leased for cultivation, thirty per cent, ten per cent, ten per cent, respectively, shall be reserved for giving on lease by auction, to members of the Scheduled Castes, Backward Classes and dependents of defence personnel killed in any war after the independence of India.

Explanation.-If on two different dates fixed for auction, no such person is forthcoming or the Panchayat Samiti refuses to confirm the auction under sub-clause (i) of clause (a) of sub-rule (2), the reservation shall cease to have effect ;

(d) out of land proposed to be leased for cultivation, five acres to ten acres land according to the need shall be reserved for grazing and resting of cattle in case land for such purposes is not already available; and

(e) any Sarpanch or Panch or member of his/her family such as father, grandfather, mother, grandmother, wife/husband, son/daughter, son-in-law, daughter-in-law, grandson/ granddaughter, great-grandson/ great-granddaughter, or any other relative dependent on him/her shall not be allowed to bid for the auction and to take land in shamilat deh on lease.

³[(2A). Gram Panchayat, with prior approval of Director Panchayat, may lease out its land in shamilat deh earmarked for charand and is under plough to the registered

¹ Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

² Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

³ Inserted, - vide Haryana Government notification No. S.O. 46/P.A.18/1961/S.15/2018, dated the 25th July, 2018.

gaushalas in open auction for cultivation of fodder for a maximum period of two years, subject to the following conditions:-

- (i) A gaushala can only be given upto 10 acres of land each for every 1000 animals. In case of lesser or higher number of animals, the land shall be given in proportion of the strength of animals.
- (ii) In case there is a single bidder, the lease money shall not be less than Rs.5100/- per acre per year for the gaushala of the same village and Rs.7100/- per acre per year for the gaushala of the neighbouring villages. The auction proceedings shall be conducted separately for the gaushalas to the same village and for the gaushalas of the neighbouring villages.
- (iii) The annual lease money shall be paid on the bidding spot and for the second year of lease, if any, the annual lease money shall be paid in advance.”.

(3) The potters and the members of Scheduled Castes of the same village may be allotted non-cultivable land on lease upto one acre for installation of *maidani* brick kiln for a period of one year at the rate of ¹[five thousand rupees] per year.

²[(3A) A panchayat may lease out its non-cultivable land by way of open auction with minimum reserve price of rupees twenty thousand per acre per year for a period of five years and further renewable for a period of five years at a time for setting up brick kiln:

Provided that-

- (i) progressive increase in lease money shall not be less than twenty five per centum of the lease money after every five years;
- (ii) the brick-kiln owner shall not be allowed to excavate the earth more than four feet in depth;
- (iii) the lessee shall pay an amount equal to lease money of two years in advance in the shape of earnest money to the panchayat, which shall be adjusted against the lease money of the last two years of the lease period and no interest shall be payable on the amount of earnest money;
- (iv) the lessee shall deposit the initial lease money on the bidding spot, failing which the auction shall automatically stand cancelled;
- (v) the lessee shall deposit the annual lease money for subsequent years on or before the due date, which shall be the date he takes possession of the land, failing which the lease shall automatically stand cancelled and the security forfeited; and
- (vi) the lessee have no right to sub-let the lease land.

³[(4) Gram Panchayat may with prior approval of the State Government, lease out its land in the zone notified for the purpose by the Environment Department or to which the Haryana State Pollution Control Board intends to issue ‘No Objection Certificate’ by auction on annuity basis for a period not exceeding twenty years for setting up stone crushers. The terms and conditions of lease including the lease money and mode of leasing out, shall be such as approved by the State Government from time to time:]

Provided that-

- (i) progressive increase in lease money shall not be less than twenty per centum of the initial annual lease money after every three years;

¹ Substituted,- vide Haryana Government notification No. S.O. 67/P.A.18/61/S.15/1964, dated the 15th October, 2018.

² Inserted, - vide Haryana Government notification No. S.O 62/P.A.18/1961/S.15/2010, dated the 15th April, 2010.

³ Substituted, - vide Haryana Government notification No. S.O 11/P.A.18/1961/S.15/2009, dated the 23rd January, 2009.

- (ii) an amount equal to two and a half years initial yearly lease money shall be deposited in favour of Gram Panchayat as security by fixed deposit receipt in the Haryana State Cooperative Bank before taking possession, which shall be adjustable against lease of the 19th and 20th year;
- (iii) the lessee shall deposit the initial annual lease money on the bidding spot, failing which the auction shall automatically stand cancelled; and
- (iv) the lessee shall deposit the annual lease money for subsequent years on or before the due date, which shall be the date he takes possession of the land, failing which the lease shall automatically stand cancelled and the security forfeited.

¹{(5) Panchayat may with the prior approval of the State Government, lease out its land by allotment for a period not exceeding thirty-three years and further renewable for a period not exceeding thirty-three years for setting up infrastructure facilities, units of public utility nature, Special Economic Zone Projects and Industrial Development or for such purposes as may be approved by the State Government, to be for the benefit of village community. However, Panchayat may with the prior approval of the State Government, lease out the land for the purpose of educational and medical institutions to be established by the State Government or the Central Government or their agencies like Boards/Corporations, for a period upto ninety-nine years. The terms and conditions of lease including the lease money and mode of leasing out, shall be such, as may be approved by the State Government, from time to time:

Provided that State Government may specify the maximum area of land in shamilat deh which can be leased out by a Gram Panchayat and may further specify the area to be retained by each Gram Panchayat for common purposes such as charand, pond, cremation ground, playground etc. in the interest of inhabitants of the village:

Provided further that the concerned Deputy Commissioner shall be the competent authority to accord approval to the Gram Panchayat for leasing out its land upto an area of one acre, over which unauthorized religious construction has taken place before the 29th September, 2009.}

(6) Auction of every pond-

- (i) used for plantation of shingharas may be made on yearly basis in the month of July every year; and
- (ii) ²[used for stocking fish may be made for a period not less than five years and not exceeding ten years preferably in the month of May and June:]

Provided that not more than half of the total number of ponds in a village shall be leased out at any point of time:

³[Provided further that the reserve annual price shall not be less than rupees ten thousand per acre per year].

¹ Substituted, - vide Haryana Government notification No. S.O 83/P.A.18/1961/S.15/2013, dated the 11th October, 2013.

² Substituted vide Haryana Government notification No. S.O. 62/P.A.18/1961/S.15/2010, dated 15th April, 2010 and further Substituted, - vide Haryana Government notification No. S.O 63/P.A.18/1961/S.15/2013, dated the 16th July, 2013 and further Substituted vide Haryana Government notification No. S.O. 61/P.A. 18/1961/S.15/2019, dated 7th August, 2019.

³ Added, - vide Haryana Government notification No. S.O 62/P.A.18/1961/S.15/2010, dated the 15th April, 2010.

(7) The Panchayat may auction every year the surplus and useless trees with the prior approval of Deputy Commissioner. All trees standing on the land in shamilat deh shall be marked with numbers and the number of trees so marked shall be specifically mentioned in the auction notice and the sale deed.

(8) In every case of lease, a lease deed shall be duly executed by the lessee and the lessee shall surrender to the Panchayat, possession of the land leased to him, if he defaults in the payment of rent.

(9) The Panchayat may, by resolution passed in this behalf, entrust the auction of lease of any land in shamilat deh vested in it to the Panchayat Samiti which may depute its Executive Officer to conduct the auction, after giving due publicity in the manner specified in sub-rule (10), at the cost of the Panchayat.

(10) (a) The publicity to lease auction programme shall be given 15 days before the date of auction by specifying the description of land, the date, time and place fixed for the auction of lease-

- (i) through any local vernacular newspapers and where the auction of stone quarries bajri or other minor minerals or for setting up stone crushers is to be held, also through an English newspaper with wide circulation;
- (ii) by pasting a copy of the auction notice on an outer door of Panhayatghar, village Patwar Khana, offices of Panchayat Samiti and at some other conspicuous places of the shamilat deh or of the estate in which the shamilat deh is situated; and
- (iii) by beat of drum within the Sabha area.

¹{(b) The terms and conditions of auction shall be mentioned in the auction notice to be pasted at conspicuous places in the sabha area and also announced at the time of auction.}

- (11) (i) The auction of lease of any land in shamilat deh vested in the Panchayat shall be conducted in the presence; and under the supervision, of the Block Development and Panchayat Officer and in case of his inability, an Extension Officer of the Block.
- (ii) A copy of every auction notice shall be sent to the Block Development and Panchayat Officer concerned fifteen days before the date of auction.
- (iii) The Block Development and Panchayat Officer or the Extension Officer, as the case may be, shall present himself at every auction in respect of which a notice is sent to him under clause (ii).

(12) On the expiry of lease period, the land shall automatically revert to the Panchayat and no separate proceedings under any law shall be required to terminate the lease or to take the possession thereof. The Panchayat shall be competent to take over the possession of the leased premises including the constructions thereon, if any, for which no compensation shall be payable.

²[6A.(1) Notwithstanding anything contained in these rules, the Gram Panchayat may, with prior approval of the Assistant Collector of the first grade, lease out its land by

Lease of land in shamilat deh to lessees of East Punjab Utilisation of Lands Act, 1949 and the Punjab Village Common Lands (Regulation) Act, 1953. sections 5A and 15(2)(f).

¹ Substituted, - vide Haryana Government notification No. S.O 67/P.A.18/61/S.15/1964, dated the 15th October, 2018.

² Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008 dated 3rd January, 2008 and further substituted, - vide Haryana Government notification No.S.O.107/P.A.18/1961/S.15/2013, dated the 13th December, 2013.

way of allotment for cultivation purposes initially for a period upto 33 years further renewable for the same period twice, to a person who does not own any land for agriculture on the date of commencement of the Act and has been the original lessee either under the provisions of the East Punjab Utilization of Lands Act, 1949 (Punjab Act 38 of 1949) or under the provisions of the Punjab Village Common Lands (Regulation) Act, 1953 or his legal heirs, for a period not less than seven years and has remained in continuous cultivating possession of the leased land upto 24th September, 1986 with corresponding entries in the revenue record, subject to the following terms and conditions:-

- (i) the maximum lease period including the renewals shall not exceed 99 years;
 - (ii) the legal heirs of the original lessee shall be granted the lease of the land to the extent of their share in the originally allotted land. The share shall be determined by the revenue officials and countersigned by the concerned Sub-Divisional Officer (Civil);
 - (iii) maximum area of land in shamilat deh to be leased out to an original lessee or his legal heirs shall not exceed ten acres or the area originally allotted, whichever is less;
 - (iv) the lessee shall have no right to sub-lease the land;
 - (v) the lessee pay one time payment at the rate of rupees two thousand per acre per year for the period he remained in cultivating possession without making payment of lease money. However, the lessees who have already deposited the penalty amount in compliance of the orders passed by competent authority, they shall not be liable for payment of one time settlement amount for the relevant period;
 - (vi) the lessee shall pay the lease money at the rate of rupees two thousand per acre per year with ten percent increase after every five years.
- (2) In case of violation of any conditions as specified in sub rule(1) above and the terms and conditions of the lease deed, the possession of the land shall revert back to the Gram Panchayat.
- (3) The original lessee or his legal heirs may submit an application in the prescribed proforma alongwith the copies of revenue record in support of their claim, to the concerned Gram Panchayat with a copy to the concerned the Block Development and Panchayats Officer, within a period of six months from the date of notification of these rules. A separate register shall be maintained by the Block Development and Panchayats Officer and copy of application so received shall be entered immediately. The Block Development and Panchayats Officer after making entry shall forward the copy of the application to the concerned Gram Panchayat for necessary action.
- (4) The Gram Panchayat shall consider the application and pass a resolution with regard to the lease of land within a period of thirty days. The Block Development and Panchayats Officer shall forward a copy of the resolution so passed alongwith the application and documents attached by the applicant to the Assistant Collector of the first grade for approval and shall also retain a copy of the same with him. Thereafter, the Assistant Collector of the first grade shall pass appropriate order within a period of sixty days.
- (5) The Gram Panchayat shall execute a lease deed in favour of the original lessee or his legal heirs, within a period of one month from the date of approval accorded by the Assistant Collector of the first grade.]

7.(1) Subject to the provisions of section 5 of the Act, where in a village cultivable area in Shamilat deh is 200 acres or more, such land may be leased out without auction to the Collective Farming Co-operative Societies, if any, constituted in the village under the Punjab Co-operative Societies Act, 1961, on such terms and conditions as may be agreed to by the Panchayat with the approval of the ¹[Panchayat Samiti]. Where there are more than one

Lease of land in
Shamilat deh to
Collective Farming
Cooperative
Societies, Sections 5
and 15(2) (f).

¹ Added, - vide Haryana Government notification No. G.S.R. 90/P.A.18/61/S.15/Amd./70, dated the 24th July, 1970

Collective Farming Co-operative Societies in a village, the land in shamilat deh may be leased out to them in pro-portion to the strength of their ¹[members]. The Collective Farming Co-operative Societies shall execute a lease deed in favour of the Panchayat. The total period of the lease shall not exceed 5 years.

(2) Such leases shall be subject to review by the ²[Panchayat Samiti] concerned annually so that the Panchayat or the Society may not suffer due to subsequent events which may affect the fertility or improvement in the land.

(3) If in any case the Panchayat has purchased a tractor or other equipment for the cultivation on the land in shamilat deh, the Collective Farming Co-operative Societies may purchase or take on hire such machinery and equipment on such reasonable price or rent, as the case may be, mutually settled by the Panchayat and the said Society.

(4) In case the Society used such land for any purpose other than cultivation and purposes subservient thereto or violates any terms or conditions of the lease or ceases to cultivate such land collectively in accordance with the bye-laws of the Society, the Panchayat may resume the land without payment of any compensation.

(5) Lease money shall be payable by the Collective Farming Co-operative Societies in advance as provided in ³[sub-rule (2)] of rule 6.

Sale, gift, exchange, transfer, alienation, lease contract and agreement detrimental to the interests of Panchayat. Sections 5B(2), 10A(2)(iii) and 15(2).

⁴[7A. Any sale, gift, exchange, transfer, alienation, lease, contract or agreement shall be deemed to be detrimental to the interest of a Panchayat if,-

- (i) it has been granted or made, as the case may be, otherwise than by following the procedure laid down for grant of lease or making of sale, gift, exchange, transfer, alienation, contracts and agreements by the Panchayat; or
- (ii) it adversely affects any of the development schemes of the Panchayat; or
- (iii) it has resulted or is likely to result in a loss to the Panchayat; or
- (iv) it is benami; or
- (v) it is not for the benefit of the inhabitants of the village].

Manner of Payment of Compensation assessed by the Collector under sub-section (5) of section 10-A. Sections 10A(5) and 15(2)(k).

⁵[7-B. The amount of compensation assessed by the Collector under sub-section (5) of section 10-A shall be paid by the Panchayat direct to the payee against proper receipt or by money order, if the payee so desires, after deducting therefrom money order commission or other expenses, if any ;

- (i) in lump sum where the amount of compensation does not exceed ⁶(ten thousand rupees); and
- (ii) in three equal annual instalments where the amount of compensation exceeds ¹[ten thousand rupees].

¹ Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

² Substituted for 'Zila Parishad', - vide Haryana Government notification No.G.S.R.224/P.A.18/61/ S.15Amd. (2)/76, dated 21st October, 1976.

³ Substituted, - vide Haryana Government notification No. S.O 67/P.A.18/61/S.15/1964, dated the 15th October, 2018.

⁴ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁵ Rules 7A and 7-B added, - vide Punjab Government Notification No. G.S.R.44/P.A.18/61/S.15/ (1)/65, dated the 4th March, 1965.

⁶ Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

Use of Shamilat deh
by residents.
Sections 5 and 15(2)
(g).

8. (1) The land in Shamilat deh declared by the Panchayat by a resolution in writing, as pasturable may be utilized by the residents of the village for :-

- (a) grazing purposes; or
- (b) collecting dry fuel-wood from the jungle on terms laid down by the Panchayat.

(2) Open spaces near the abadi deh may, with the previous permission of the Panchayat and in the manner laid down by it be utilized by the inhabitants of the village for threshing the harvests.

(3) ²[Omitted].

(4) The Panchayat may, if necessary, earmark suitable land for use as manure pits by the inhabitants of the village on such nominal charges as may be fixed by it :

Provided that the Panchayat may exempt a member of Scheduled Caste or Backward Class or any landless labourer or tenant, on the grounds of poverty from the payment of such charges.

9. ³[Omitted].

Land to be used
free of charge.
Sections 5 and
15(2) (g).

10. The Panchayat may allow the use of land in shamilat deh vested in it free of charge to the inhabitants of the village for any one or more of the following purposes:-

- (a) steeping of heap or any other plant in ponds;
- (b) ⁴[temporary residential purposes of members of the Scheduled Castes or Backward Classes or dependents of the defence personnel killed or seriously injured and rendered handicapped in any war or counter insurgency operation after the Independence of India, in genuine cases on grounds of poverty for a period not exceeding one year];
- (c) any other suitable common purpose.

Purposes for
which land
may be
hypothecated.
Sections 5 and
15(2) (k).

11. A panchayat may with the prior sanction of the ⁵[Panchayat Samiti] hypothecate the land in Shamilat Deh vested in it for the purpose of borrowing money from the Government or a Co-operative Bank for the improvement of such land or for any other development scheme.

⁶[12. (1) A Panchayat may, with the previous approval of the State Government, sell land in shamilat deh vested in it under the Act for –

Purposes for
which land
may be sold.
Sections 5 and
15(2) (f).

¹ Substituted, - vide Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

² Omitted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

³ Omitted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁴ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁵ Substituted for 'Zila Parishad', - vide Haryana Government notification No.G.S.R.224/P.A.18/61/ S.15Amd. (2)/76, dated 21st October, 1976.

⁶ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

- (i) ¹[the purpose of constructing affordable houses by Government agency or Government owned Companies or Board or Corporation for the inhabitants of the concerned village or office building of Panchayat Samiti, Zila Parishad or of any Government department, Government owned companies and Public Sector Undertakings, at the rate not less than the floor rates notified by the State Government from time to time:]

²[Provided that in case land underneath the house constructed and occupied by a person is or has been protected under the Ancient Monuments and Archeological Sites and Remains Act, 1958 (Central Act No.24 of 1958 or the Punjab Ancient and Historical Monuments and Archeological Sites and Remains Act, 1964 (Punjab Act 20 of 1964), Gram Panchayat may with the prior approval of the State Government, sell its land to a Government Department or Government Agency for rehabilitation of such person evicted or to be evicted from such protected site, whether he is an inhabitant of the concerned village or not;]

- (ii) the purpose of setting up infrastructure facilities, educational institutions, Special Economic Zone Projects and Industrial Development, units of public utility nature as may be approved by the State Government to be for the benefit of inhabitants of the village at the rate not less than the market rate ;
- (iii) the purpose of residence to the inhabitants of the village not less than the floor rates notified by the State Government from time to time for a size of a plot to an individual not exceeding 250 square yards:

Provided that the vendee shall not sell or dispose of the land in any other manner whatsoever, before the expiry of a period of twenty years from the date of the sale:

Provided further that land shall revert back to the Gram Panchayat if it is used for the purpose other than it was sold:

Provided further that the State Government may impose such other terms and conditions as it may deem fit for such sale³[:]

⁴[Provided further that not more than twenty-five percent of the total land in shamilat deh shall be allowed to be sold.]

(2) Where it is proposed to sell the land in shamilat deh under sub-rule (1), the Panchayat shall forward to State Government a copy of its resolution passed by a majority of the three-fourth of its members proposing to sell the land through the Deputy Commissioner stating –

- (a) the area and location of the land proposed for sale;
- (b) the estimated income from the sale;
- (c) the reasons as to why the Panchayat wants to sell the land and the plans for utilization of the income from the sale.

¹ Substituted, - vide Haryana Government notification No. S.O.98/P.A.18/1961/S.15/2009, dated the 18th December, 2009.

² Inserted, - vide Haryana Government notification No. S.O.37/P.A.18/1961/S.15/2020, dated the 20th July, 2020.

³ Substituted, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

⁴ Added, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

(3) The publicity for sale of land in shamilat deh by auction shall be made by the Deputy Commissioner in accordance with the procedure laid down in sub-rule (10) of rule 6 on receipt of the approval of the State Government who shall also decide whether the land shall be sold in one or more lots and the officer who shall be present at the time of auction:

Provided that nothing contained in this sub-rule shall apply to the sale of shamilat land for the purposes specified in clause (i) and (ii) of sub-rule (1).

(4) The Gram Panchayat may with the prior approval of ¹[the State Government], sell its non-cultivable land in shamilat deh to the inhabitants of the village who have constructed their houses on or before the 31st March, 2000, not resulting in any obstruction to the traffic and passers by, along with open space upto 25% of the constructed area or an appurtenant area upto a maximum of 200 square yards at not less than collector rate, ²[floor rate or market rate, whichever is higher].

³[13. A Panchayat may, with the previous approval of the State Government, gift the land in shamilat deh vested in it under the Act for-

- (i) the purpose of constructions of houses, laying out common places and providing other amenities under the Model Village Scheme approved by the State Government for the benefit of the inhabitants of the village; and
- (ii) residential purpose upto the extent of 200 square yards, to the members of defence forces and paramilitary forces seriously injured and rendered handicapped or to the dependent families of such members killed, in any war or counter insurgency operation during their service, not having sufficient residential accommodation or to the members of the Scheduled Castes or Backward Classes or economically weaker sections, on the ground of poverty:

⁴ [Provided that gift of land under this rule shall not be made to a person, if he/she or any of his/her family member has ever been gifted the land or inherited land gifted by the Gram Panchayat or the State Government.

Explanation.- For the purpose of this rule 'family' shall mean a family unit consisting of the individual concerned, his spouse, their un-married sons and daughters and dependent parents:]

Provided ⁵[further] that State Government shall not accord any approval in cases which are not received through the Deputy Commissioner concerned:

Provided further that the concerned Deputy Commissioner or Sub-Divisional Officer (Civil), as may be authorized by the State Government, shall be competent to accord approval for allotment of 100 square yards residential plot out of land in shamilat deh, by way of gift, to the eligible family identified under the scheme, approved by the State

¹ Substituted, - vide Haryana Government notification No. S.O 11/P.A.18/1961/S.15/2009, dated the 23rd January, 2009.

² Added, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

³ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁴ Inserted , - vide Haryana Government notification No. S.O 76/P.A.18/1961/S.15/2012, dated the 5th December, 2012.

⁵ Inserted , - vide Haryana Government notification No. S.O 76/P.A.18/1961/S.15/2012, dated the 5th December, 2012.

Government for purpose of providing house-sites to the Scheduled Castes', ¹[Backward Classes'] families and the families living below poverty line].

⁶[Terms and conditions of gift]. Sections 5 and 15(2) (f).

²[13-A. (1) The terms and conditions on which the land under section 5A ³[and rule 13] may be gifted shall be as under:-

- (a) the donee shall not sell, lease, mortgage or dispose of the land in any other manner whatsoever, before the expiry of a period of twenty years from the date of the gift :
⁴[Provided that the donee may mortgage the land with ⁵{any Schedule Bank Housing Board or the Government} for the purpose of raising loan for the construction of the house;]
- (b) the donee shall construct a house on the land within a period of ⁶[five] years from the date of the gift;
- (c) the donee shall use the land for residential purpose and for no other purpose ; and
- (d) in case of death of the donee, his legal heirs shall be bound by the conditions herein contained.

(2) In case of breach of any of the terms and conditions specified in sub-rule (1), the ⁷[Assistant Collector, Ist Grade] shall, after affording a reasonable opportunity of being heard heard to the donee, cancel the gift and resume the gifted land. In such an event the donee shall not be entitled to any compensation in respect of any development or construction made by him on such land].

Utilization of the income from the Shamilat Deh. Sections 9 and 15.

14. The income derived by a Panchayat from the use and occupation of the land in shamilat deh vested in it shall be utilized for the benefit of the inhabitants of village as laid down in the ⁸[Haryana Panchayati Raj Act, 1994 (11 of 1994)] and for the improvement, maintenance and management of the shamilat deh.

Payment of compensation under section 3(2). Sections 3(2) and 15(2) (d).

15. Any person who is entitled to compensation under sub-section (2) of section 3 of the Act, may, within a period of twelve months from the date of commencement of these rules, apply to the Assistant Collector for the determination of the amount of compensation payable to him by the Panchayat :

Provided that the Assistant Collector may entertain the application after the expiry of the said period of twelve months if he is satisfied that the applicant was prevented by sufficient cause from filing the application in time.

¹ Added, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

² Inserted, - vide Haryana Government notification No.G.S.R.152/P.A.18/61/S.15/Amd. (1)/76, dated the 28th June, 1976.

³ Added, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁴ Proviso to sub-rule (1) of rule 13A added,- vide Haryana Government notification No.G.S.R.242/P.A.18/61/S.15Amd.(3)/76, dated the 11th November, 1976

⁵ Substituted,- vide Haryana Government notification No.G.S.R.117/P.A.18/61/S.15/Amd. (1)/80, dated the 14th November, 1980.

⁶ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁷ Substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

⁸ Substituted, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

(2) On receipt of an application, the Assistant Collector shall issue notice to the Panchayat and after giving an opportunity of being heard and after making such enquiry as may be considered necessary, shall determine the amount of compensation payable by the Panchayat.

(3) Where there is any dispute as to the person or persons who are entitled to the compensation the ¹[Assistant Collector] shall decide such dispute and if the ²[Assistant Collector] finds that more than one persons are entitled to compensation he shall apportion the amount thereof amongst such persons.

(4) The amount of compensation shall be determined in accordance with the following principles:-

- (a) If the land has been sold by the Panchayat, the amount of compensation of the land shall be the same as received by it from the vendee ;
- (b) If the land is utilized by the Panchayat for any of its purposes, the amount of compensation shall be determined by working out an average of the sale-proceeds of the land of the same nature and kind sold in the village ³[or neighbouring villages] during the last three years and if no such land has been sold in the village ⁴[or neighbouring villages] reasonable price as may be determined.

Provided that the payment of such compensation shall be made in six equal annual instalments if the amount involved is more than ⁵(ten thousand rupees).

16.(1) The Panchayat shall by a resolution to be recorded in the Proceeding Book, appoint its Sarpanch or any other Panch to contest any suit filed by or against the Panchayat. The Sarpanch or Panch so appointed shall file a copy of the resolution duly attested by the Sarpanch, under the seal of the Panchayat in the Court alongwith other documents.

(2) The actual expenditure incurred in the defence of the case shall be chargeable to the funds of the Panchayat.

(3) The Sarpanch or Panch so appointed shall not be competent to compound or admit claim of the party suing the Panchayat without prior authorization by the Panchayat by a resolution in writing passed in a meeting specifically called for the purpose ⁶[and prior approval of the Block Development and Panchayat Officer concerned]. If any decree or order is passed by the Court as a result of fraud, misrepresentation, concealment, concealment of facts or collusion with the opposite party, the Sarpanch or Panch shall be personally liable for the loss caused to the Panchayat.

17. (1)(i)The landless tenants and other tenants ejected or to be ejected in the village shall apply to the Panchayat for the allotment of surplus area of Shamilat deh earmarked for the purpose not later than October every year. Such applications shall be acknowledged in writing and entered in the register of tenant by the Panchayat.

¹ Substituted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

² Substituted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

³ Inserted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

⁴ Inserted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

⁵ Substituted, - vide Haryana Government notification No. S.O 67/P.A.18/61/S.15/1964, dated the 15th October, 2018.

⁶ Inserted,- vide Haryana Government notification No.S.O.74/P.A.18/61/S.15/99, dated the 30th March, 1999

Procedure where a Panchayat sues or is sued in its representative capacity. Section 15(2)(h).

The manner and the order of priority in which the excess area is to be utilized by the collector under sub-section (1) of section 5. Sections 5(1) and 15(2).

(ii) The Panchayat shall formulate ¹[with the help of concerned Block Development and Panchayat Officer] a proposal in the month of January every year for the allotment of the surplus area to the tenants and send the proposal to the Collector through the Panchayat Samiti for approval. The Collector shall ordinarily approve the proposal of the Panchayat. Where however there are complaints, the Collector may modify or return the proposal to the Panchayat for submitting a revised proposal.

(iii) Where there are more tenants than the surplus area with the Panchayat, preference shall be determined by the order in which applications for resettlement were made and where the applications had been made simultaneously the priority shall be decided by drawing lots.

(2)(i) Applications for distribution of the remaining excess area of Shamilat deh, if any, shall be made to the Panchayat within one month of the date of determination of such area by the Panchayat.

(ii) Such applications ²[shall] be acknowledged and entered by the Panchayat in the register to be maintained for the purpose.

(iii) The Panchayat shall submit a proposal to the Collector in this behalf within two months of the notification of the surplus area through Panchayat Samiti.

(iv) In cases where the demand for the remaining excess area exceeds the total available area priority shall be given to the smallest landowners ³[having equal land holdings and the priority] shall be decided by drawing lots.

(3) In case a tenant or small land-holder does not take possession of the area allotted to him within six months from the date of allotment, the allotment shall be inoperative and that area shall be utilized for resettlement of another tenant or small land-holder, as the case may be.

Demarcation of the surplus area. Sections 15(2) and 15(2)(j)(l).

18. (1) The Panchayat having excess area in accordance with section 5 of the Act shall notify to the Patwari concerned the area to be kept under its control and that to be allotted to landless tenants and other tenants ejects or to be ejected or to be distributed among small land-holders of the village.

(2) The Patwari, shall, after verifying all the particulars of the land so notified, send a statement giving full details of the land to the Assistant Collector Ist grade in duplicate who shall retain one copy of the statement and forward the other to the Collector concerned who shall order the demarcation of the excess area by an officer not below the rank of an Assistant Collector IInd grade.

Unauthorized occupation of shamilat deh. Sections 7 and 15(2) (k).

19. For purposes of section 7 of the Act, a person shall be deemed to be in unauthorized occupation of any land in shamilat deh-

(a) where he has, whether before or after the commencement of the Act entered into possession thereof otherwise than under and in pursuance ⁴[of] ⁴[of] any allotment, lease or grant by the Panchayat ; or

¹ Inserted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

² Substituted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

³ Substituted, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

⁴ Inserted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

- (b) where he being an allottee, lessee or grantee, has by reason of the determination or cancellation of his allotment, lease or grant in accordance with the terms in that behalf, therein contained, ceased whether before or after the commencement of the Act, to be entitled to occupy or hold such land in shamilat deh ; or
- (c) where any person authorized to occupy any of land in shamilat deh has whether before or after the commencement of the Act.-
- (i) sublet in contravention of the terms of allotment, lease or grant without the permission of the Panchayat or of any other authority competent to permit such subletting the whole or any part of such land in shamilat deh ; or
- (ii) otherwise acted in contravention of any of the terms expressed or implied, under which he is authorized to occupy such land in shamilat deh ;

Explanation.-For purposes of clause (a), a person shall not merely by reason of the fact that he has paid any rent be deemed to have entered into possession as allottee, lessee or grantee.

20. (1) If the Assistant Collector of the Ist grade is of opinion that any persons are in unauthorized occupation of or claim interest in the land in shamilat deh situated within his jurisdiction and that they should be evicted, he shall issue in the manner hereinafter provided a notice in writing calling upon all the persons concerned to show cause why an order of eviction should not be made.

(2) The notice shall—

- (a) specify the grounds on which the order of eviction is proposed to be made ; and
- (b) require all persons concerned, that is to say, all persons who are or may be in occupation of or claim interest in the land in shamilat deh, to show cause, if any, against the proposed order on or before such date as is specified in the notice being a date not earlier than ten days from the date of issue thereof.

(3) The Assistant Collector shall cause the notice to be affixed ¹[on some conspicuous place] outside the Panchayatghar or any other building used as office by the Panchayat and at some conspicuous places of the estate in which the land in Shamilat deh is situated. Whereupon the notice shall be deemed to have been duly given to all persons concerned.

² [(4) Where the Assistant Collector knows or has reasons to believe that any persons are in occupation of the land in shamilat deh, then without prejudice to the provisions of sub-rule (3) he may cause a copy of the notice to be served on every such person by delivering or tendering it to that person or by ³{registered post within acknowledgement due}].

21. (1) If, after considering the cause, if any, shown by any person in pursuance of notice under rule 20 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard the Assistant Collector is satisfied that the land in shamilat deh is in an unauthorized occupation, the Assistant Collector may, on a date to be fixed for the purpose, make an order of eviction for reasons to be recorded therein, directing that the land in shamilat deh, shall be vacated by all persons who may be in unauthorized occupation thereof or any part thereof, and cause a copy of the order to be

Issue of notice to show cause against order of eviction. Sections 7 and 15(2)(k)(l).

Eviction of unauthorized persons. Sections 7 and 15(2)(k).

¹ Inserted, -vide Haryana Government notification No.G.S.R.6/P.A.18/61/S.15/Amd. (1)/77, dated the 7th January, 1977.

² Substituted, - vide Haryana Government notification No.G.S.R.224/P.A.18/61/S.15Amd. (2)/76, dated the 21st October, 1976.

³ Substituted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

affixed on the outer door of the Panchayatghar and at some other conspicuous places of the shamilat deh or of the estate in which the land in shamilat deh is situated.

(2) If any person refuses or fails to comply with the order of eviction ¹[within thirty days after the expiry of time period of appeal,] the Collector or any other officer duly authorized by him in this behalf, may evict that person from and take possession of the land in Shamilat deh and may, for that purpose use such force as may be necessary.

²[21-A. The memorandum of appeal to the Collector or Commissioner shall be accompanied by an attested copy of the order appealed against and shall indicate-

- (a) details of the order appealed against;
- (b) grounds of appeal; and
- (c) remedy sought].

Appeal against the order of the Assistant Collector of the 1st Grade or Collector. Sections 7(4), 10A, 13A, 13AA and 15.

22. The Panchayat shall maintain the under mentioned forms for the management of land in shamilat deh :-

- (i) Register containing the description of shamilat deh (Form I).
- (ii) Map containing the description of the shamilat deh.
- (iii) Agreement register for leases or Patas etc. (Form II).
- (iv) Accounts Ledger for the rents and receipts (Form III).
- (v) Register of tenants (Form IV).
- (vi) Form of lease deed (Form V).

Maintenance of forms. Section 15(2)(c).

Repeal.

23. The Punjab Village Common Lands (Regulation) Rules, 1955 published with Punjab Government, Revenue Department, Notification No. 5557-R(c)-54-216, dated the 18th February, 1955, and the Pepsu Village Common Lands (Regulation) Rules, 1955 published with Pepsu Government Revenue Department Notification No 6 Agr., dated the 15th October, 1955 are hereby repealed ³[:]

Provided that any action taken or anything done under the rules ⁴[so] repealed shall be deemed to have been taken or done under the corresponding provision of these rules.

¹ Substituted, - Haryana Government notification No.S.O.87/P.A.18/1961/S.15/2011, dated the 14th November, 2011.

² Inserted, - vide Haryana Government notification No.G.S.R.224/P.A.18/61/S.15/Amd. (2)/76, dated 21st October, 1976 and further substituted, - vide Haryana Government notification No. S.O 3/P.A.18/1961/S.15/2008, dated the 3rd January, 2008.

³ Substituted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd.(1)/79, dated the 29th November, 1979.

⁴ Substituted, - vide Haryana Government notification No.G.S.R.129/P.A.18/61/S.15Amd. (1)/79, dated the 29th November, 1979.

FORM I

¹[(See Rule 22)]

Register containing the description of shamilat deh

Name of Gram Panchayat -----

Tehsil and District-----

Serial No	Description of land	Number of trees growing on the land	of on	Details of the land given on lease or sold	Period for which lease has been decided or conditions of sale	Total amount of lease or sale proceeds
1	2	3		4	5	6

Amount collected as lease ² [money or] sale proceeds	Balance	To whom leased or sold.	Signature of the Sarpanch	Signature of lessees/purchasers	Remarks
7	8	9	10	11	12

¹ Inserted, - vide Haryana Government No. G.S.R. 224/P.A.18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

² Inserted, - vide Haryana Government No. G.S.R. 224/P.A.18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

FORM II

¹[(See rule 22)]

Agreement Register for lease or Patas

Name of Gram Panchayat _____

Tehsil and District _____

Serial No.	Description of land to be auctioned	Name and address of bidders	Last bid	Signature of bidders	Signature of auctioneer	Signature of Sarpanch	Amount received in cash
1	2	3	4	5	6	7	8

FORM III

²[(See rule 22)]

Register of Rents and Receipts

Name of Gram Panchayat _____

Tehsil and District _____

Serial No.	No. of the files	Area of the fields	Name of the tenants	Rate fixed	Rent in arrears	Total sum recoverable	Sum recovered	Receipt No. and Date
1	2	3	4	5	6	7	8	9

¹ Inserted, - vide Haryana Government No. G.S.R. 224/P.A.18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

² Inserted, - vide Haryana Government No. G.S.R. 224/P.A.18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

FORM IV

¹ [(See rule 22)]

Register of Tenants

Serial No.	Excess area with the Panchayat under section 5	Name of the persons who have applied for allotment of excess area	Name of persons to whom excess area has been allotted	Conditions of tenancy, etc	Date of the deed
1	2	3	4	5	6

FORM V

² [(See rule 22)]

This deed of lease made this _____ day of _____ between the Panchayat _____ (hereinafter referred to as the 'lessor') of the one part and Shri _____, son of _____ resident of village _____, tehsil _____ district _____ (hereinafter called the 'lessee' which expression shall include his heirs, executors, administrators, successors and assignees) of the other part.

And, whereas the lessor has agreed to let and the lessee has agreed to take the land hereinafter described and intended to hereby ³[leased] upon the terms and subject to the conditions hereinafter appearing.

Now, thereafter, this deed witnesseth that the lessor does hereby grant to the lessee through auction a lease of the piece of land measuring _____ bighas _____ biswa pertaining to Khasra No. _____ situated in village _____, tehsil, district _____ to hold the same in accordance with the Punjab Village Common Lands (Regulation) Rules, 1964, and subject to the following conditions:-

(1) The lessee hereby takes the aforesaid land for the term of _____ year and beginning from Kharif/Rabi _____ on the yearly rent of Rs. _____ per bigha /acre. The lessee has paid Rs. _____ in advance and shall pay to the lessor Rs. _____ for the 1st year on _____ and thereafter the yearly rent Rs. _____ shall be paid in the advance in the month of February, every year.

(2) That the lessee shall pay, when due in respect of the said land or any part thereof-

¹ Inserted, - vide Haryana Government No. G.S.R. 224/P.A.18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

² Inserted, - vide Haryana Government No. G.S.R. 224/P.A. 18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

³ Substituted, - vide Haryana Government No. G.S.R. 224/P.A. 18/61/S.15/Amd.(2)/76, dated the 21st October, 1976.

- (a) full assessments, cesses, water rates and other charges imposed by competent authority under any law for the time being in force;
 - (b) lease money in accordance with the Punjab Village Common Lands (Regulation) Rules, 1964.
- (3) That the lessee shall not assign, transfer in any way, mortgage or sublet the land hereby demised or premises thereon or any part thereof.
- (4) That the lessee shall use the land only for the purpose of cultivation of food, fibre or fodder crops according to improved methods of cultivation and for no other purpose.
- (5) That the lessee shall be responsible for removing the bushes, leveling the fields, cleaning the Khals, making bunds, clearing the mud out of the water courses etc. in the demised area.
- (6) That all matters relating to cultivation e.g. ploughing, sowing, watering, cropping, digging manuring, use of fertilizers and control of pests, etc., will be carried out as recommended by the Agriculture Department and under the instructions and guidance of the Extension Officer (Agri), V.L.W. of the area.
- (7) That the lessee shall bear full costs of seeds, fertilizer, insecticides. etc.
- (8) That the lessee shall look after the crops, fencing, trees and other necessary fixtures on the land.
- (9) That the lessor shall have a right to purchase or exchange the whole of the lessee's produce or a part thereof, at the current market rates for seed purposes.
- (10) That the lessee shall have to abide by the Regulation of the Irrigation Department, in default of which, he will have to pay the penalty which may be imposed by the authorities of said Department for wastage of water.
- (11) That the lessee can keep two milch cattle and two young stock per plough. The urine and dung, etc. of farm animals shall have to be stored in a manure pit under the instructions of the Extension Officer (Agri.) of the area.
- (12) That during the period of lease, the lessee shall keep his ordinary place of residence at _____ and shall not reside elsewhere without the permission of Sarpanch.
- (13) That if the lessee neglects his duties, the lessor will have the right to get these duties performed at his (lessee's) expense.

(14) That the lessor shall have a right to get damaged from lessee for any loss which may result from his non-compliance with any of the above conditions.

(15) That in the event of lessee's death, his heir shall be allowed to continue the tenancy till the expiry of the lease period. In the event of lessee's leaving the land of his own accord before the expiry of the lease, he shall forfeit his right to crops and shall not be entitled to any compensation for such forfeiture.

(16) That in case there is breach on the part of the lessee or any of the conditions herein contained and to be observed and performed by him, the lessor or any person authorized by him in his behalf may terminate the lease and re-enter the demised premises and in such case, the lessee shall not be entitled to get any compensation, whatsoever.

(17) That in case the lessee fails to pay the rent or to cultivate the land he shall deliver the possession of the land in question to the Sarpanch of the Panchayat (lessor) or any other person authorized by the lessor. The lessee shall on the expiry of the lease, vacate and give possession of the land to the lessor.

(18) That if any difference or dispute shall arise during the pendency of this lease between the parties hereto in regard to any matter or thing concerning this lease and the terms thereof, such difference or dispute shall be referred to the District Development and Panchayat Officer of the district concerned whose decision shall be binding on the parties and shall be final and conclusive.

(19) In witness whereof the parties to this agreement have hereunto set and subscribed their hands on the dates hereinafter mentioned respectively.

Witness

Signature of the lessee
Revenue ticket, surety, etc.

Witness

Signature of Sarpanch/ Panch
on behalf of the Panchayat.

Sudhir Rajpal,
Principal Secretary to Government, Haryana,
Development and Panchayats Department.

HARYANA GOVERNMENT

DEVELOPMENT AND PANCHAYATS
DEPARTMENT

THE PUNJAB VILLAGE COMMON LANDS
(REGULATION) RULES, 1964

(As amended upto 15th October, 2018)