

The Punjab Panchayat Samitis and Zila Parishad (Sales, lease and other alienation of property and public places) Rules, 1964

PUNJAB

India

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Rule

THE-PUNJAB-PANCHAYAT-SAMITIS-AND-ZILA-PARISHAD-SALES-LE of 1964

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1. Short title, commencement and application.

(1)These rules may be called the Punjab Panchayat Samitis and Zila Parishads (sale, lease and other alienation of property and public places) Rules, 1964.(2)They shall come into force at once.

2. Definition.

- In these rules, unless the context otherwise requires :-(a)'Act' means the Punjab Panchayat Samitis and Zila Parishads Act, 1961;(b)'Commissioner' means the Commissioner of the Division in which the Panchayat Samiti or Zila Parishad is constituted;(c)'Property' means lands and other immovable property belonging to, vested in or under the management of a Panchayat Samiti or a Zila Parishad, as the case may be;(d)'Public Place' means any place, building or structure belonging to, vested in, or under the management of a Panchayat Samiti or a Zila Parishad, as the case may be, and to which the public has free access.

3.

(a) A Panchayat Samiti or a Zila Parishad may lease out any property or public place with the prior permission of the Deputy Commissioner. (b) All lease shall be by auction after giving publicity as laid down in rule 5 and shall be for a period not exceeding five years : [Provided that the auction shall not be necessary for the grant of leave of property or public place if - (i) such property or public place is proposed to be leased out to the Central Government, State Government, a Corporation or a Board owned or controlled by the Government or to a Mahila Mandal and in such a case the amount of lease money shall be assessed by the Executive Engineer, Panchayat Raj working in the Department of Rural Development and Panchayats in accordance with the principles being followed by the Department of Public Works in assessing the rental value of the property; (ii) the person to whom the property or public place is initially leased out by auction agrees, three months prior to the expiry of the lease period to enhance the lease money by ten per cent of the amount of existing lease money per year.]

4.

(1) A Panchayat Samiti or a Zila Parishad shall not ordinarily sell any property or public place belonging to or vested in it, if it can be leased out or profitably maintained : "Provided that the previous sanction shall be obtained of - (i) the Deputy Commissioner, if the value of the property or public place does not exceed ten thousand rupees; (ii) the Commissioner, if the value of the property or public place exceeds ten thousand rupees, but does not exceed fifty thousand rupees; and (iii) the Government if the value of the property or public place exceeds fifty thousand rupees. (2) All sales shall be by auction after giving publicity as laid down in rule.

5.

When any property or public place is to be sold or given on lease, the Panchayat Samiti or the Zila Parishad shall publicise an auction notice in atleast one Regional Language Newspaper and by displaying the auction notice at conspicuous places in the Samitis area and the headquarter town of the Zila Parishad and outside the offices of the Panchayat Samiti and Zila Parishad and in such other manner as may be considered useful by the Chairman, Panchayat Samiti or Zila Parishad.

6.

If a Panchayat Samiti or a Zila Parishad wishes to dispose of any property or public place in any manner otherwise than by sale or lease, it shall obtain the previous sanction of the [Government] [See Punjab Legislative Supplement Part III, dated 25.4.1984, pages 337.] after giving details of the proposed transaction.

7.

[No Sanction for the sale, lease or other disposition of the property or public place shall be accorded] [See Punjab Legislative Supplement Part III, dated 25.4.1984, pages 337.] under rules 3, 4, and 6, if such sale, lease or other disposition is not in the interest of the Panchayat Samiti or Zila Parishad, as the case may be, or causes inconvenience to the public.

8. [[See Punjab Legislative Supplement Part III, dated 25.4.1984, pages 337.]

(1) If the person to whom the property or public place is leased out under the provisions of these rules neither delivers to the Panchayat Samiti or Zila Parishad, as the case may be, the vacant possession of the property or public place immediately after the expiry of the period of lease nor agrees to enhance the lease money as provided in clause (ii) of the proviso to clause (b) of rule 3, within the period specified therein he shall, for the period he retains the property or public place in an unauthorised possession, be liable to pay to the Panchayat Samiti or Zila Parishad, as the case may be, an amount equivalent to twenty times the amount which would have been payable had the least of such property or public place continued during that period. The provisions contained in sub-rule (1) shall be deemed to be one of the terms of lease of property and public place granted by the Panchayat Samiti or Zila Parishad, after the commencement of the Punjab Panchayat Samitis and Zila Parishads (sales, lease and other alienation of property and public places) (First Amendment) Rules, 1984.

9.

If the Government is of opinion that, it is necessary or expedient, so to do, it may, for reasons to be recorded in writing relax any of the provisions of these rules with respect to any class or category of persons.] [See Legislative Supplement Part III, dated 25.4.1984, P. 337.]