

**IN THE COURT OF MEMBER (JUDICIAL), FEDERAL LAND
COMMISSION, ISLAMABAD**

App. No.564-565/M/FLC/2024

Islamabad, the 5th August, 2024

From: Reader to Member
Federal Land Commission
Islamabad.

To

The Province of Punjab through Secretary (Colonies),
Punjab, Lahore.

The Senior Member/Chief Land Commissioner, Punjab,
Lahore.

The Additional Deputy Commissioner (Revenue)/
Deputy Land Commissioner,
Attock.

Additional Deputy Commissioner
(Revenue) Attock

Title:

✓ APP. NO.564/M/FLC/2024 – ABDUL ISHAQ SON OF LATE FAZAL DAD R/O
MOUZA THATTI KALRA, TEHSIL PINDIGHEB, DISTRICT ATTOCK VERSUS
PROVINCE OF PUNJAB AND OTHERS.

✗ APP. NO.565/M/FLC/2024 – SHAKIR ALI SON OF MUHAMMAD AFZAL R/O
KOT SUNDKI THESIL HASSAN ABDAAL, DISTRICT ATTOCK VERSUS
PROVINCE OF PUNJAB AND OTHERS.

MEMO

The above titled applications submitted by the counsel for the applicants has been fixed for hearing before the learned Member, Federal Land Commission on 27.08.2024 at 11.00 a.m in FEDERAL LAND COMMISSION, 7TH FLOOR, SHAHEED-E-MILLAT SECRETARIAT, CHINA CHOWK, ISLAMABAD.

It is, therefore, requested to kindly submit the reports on the applications (copies enclosed) through your representative duly well conversant with the facts of the case on the date, time and place mentioned above positively. The court has further directed that the Patwari Halqa alongwith original revenue record of the cases may also attend the court on above date of hearing.

Reader to Member
Federal Land Commission
Islamabad



Handwritten notes in Urdu and English. The Urdu text mentions 'نفاذ' (enforcement) and 'محکمہ زمین' (land department). The English text mentions 'Attock' and 'Punjab'. There is a date '27.08.2024' and a signature.

Handwritten signature and text in Urdu: 'موصوفی محمد کلامہ / P'.

BEFORE THE CHAIRMAN FEDERAL LAND COMMISSION
ISLAMABAD.

APP. NO. 564 Member/FLC/2024
IN

RP.I()/M/FLC/202

Abdul Ishaq son of late Fazal Dad resident of Mauza Thatti Kalra Tehsil Pindigheb
District Attock

.....Petitioner

Versus

- 1- Govt. of the Punjab through Secretary Govt. of the Punjab, Colonies
Department Lahore.
- 2- Chief Land Commissioner Punjab Lahore.
- 3- Land Commissioner Rawalpindi Division
- 4- Deputy Land Commissioner (DLC) Attock.
- 5- Assistant Land Commissioner, Pindigheb
- 6- Tehsildar Pindigheb
- 7- Patwari Halqa Thatti Kalra Tehsil Pindigheb.

.....Respondents

**APPLICATION UNDER SECTION 18 (3) of MLR 115 OF 1972 READ WITH
SECTION 27 OF LAND REFORMS ACT 1977 - REQUEST FOR GRANT OF
RESUMED / ALLOTABLE LAND MEASURING 173 KANALS 09 MARLAS TO
PETITIONER IN KHASRA NO. (PREVIOUS) 260 (NEW) 985/285/2/4 IN MAUZA
THATTI KALRA TEHSIL PINDIGHEB DISTRICT ATTOCK AS PER LAND
REFORMS POLICY.**

Respectfully,

Following submissions are submitted for kind perusal and consideration of
the competent authority:-

- 1- That vide order dated 8-10-1984 passed by the then Deputy Land Commissioner, Attock (bearing No.634/LR/G dated 6-11-1984) the surplus land measuring 293 Acres 03 Kanal 02 marlas (equal to 3968 units) situated in as many as 25 Mauzas of Tehsil Pindigheb was resumed from Mst. Gulab Bano daughter of Zamurad Khan resident of Pindigheb District Attock under the provisions of Land Reforms Act 1977.
- 2- That out of total 293 Acres 03 Kanals and 02 Marlas resumed land, land measuring 26 Acres, 05 Kanals and 02 Marlas (213 Kanals 02 Marlas) is situated in Mauza Thatti kalra Tehsil Pindigheb District Attock whereas the remaining resumed land is situated in 24 different mauzas.
- 3- That in the year 2007, the legal heirs of aforesaid Mst. Ghulab Bano, through Malik Iftekhar Ali Khan son Malik Amanat Ali Khan, moved an application for the grant of compensation in lieu of resumption of 3968 units land, as per provisions contained in Chapter IV Section 11 of the Land Reforms Manual. The said application was processed in the office of DLC Attock as well as in the office of Provincial Land Commission Punjab.

564-24-07-24

*Reader
Presented by the LC counsel
Hear. Attached in original file
and fix for 27/8/24*

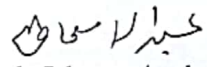
- 4- That as is evident from Jamabandi 1990-91 (copy enclosed), the Provincial Govt. through Punjab Land Commission is owner of 173-Kanals and 09-Marlas in Mauza Thatti Kalra, Tehsil Pindigheb and the Petitioner is among the tenants.
- 5- That we are in constant possession of the land, discussed in Para-4 above, since our forefathers and that our possession is intact till date without any interruption and our agriculture related houses also stand constructed therein.
- 6- That main purpose of MLR 115 of 1972 read with Land Reforms Act 1977 is to allot the resumed land to the tenants of that land or other tenants in order to improve the well- being of the peasantry by making agriculture a profitable vocation.
- 7- That as provided in section 15 Chapter V of the Land Reforms Manual, the land vested in Government under this Act, shall, subject to the provisions of this section, be granted free of charge to the tenants who are shown in the revenue record to be in cultivating possession of it during Kharif 1976 and Rabi 1975-76. Therefore, in the year 1997, being tenant over the stated land, I moved application on prescribed Form LR-1977-V to the then Assistant Commissioner Pindigheb seeking allotment of land in our tenancy possession. My application was duly processed in the concerned offices, but afterwards that was shelved without any final order and we are not being apprised of the latest situation.
- 8- That since its resumption, we are running from pillar to post to get the said land allotted in our names but we could not get it done so far. A number of applications were moved to the Deputy Land Commissioner Attock in this regard which he forwarded to the Assistant Commissioner Pindigheb for report, but despite issuance of reminders at different times, AC Pindigheb is not responding to the DLC anyway.
- 9- The Law and Rules do provide that the resumed land should be allotted to the tenants, as aforesaid, but the concerned offices have badly failed to implement the Land Reforms Laws in its true spirit in our case rather they are creating hurdles in the implementation of law and land is lying un-allotted so far.
- 10- That due to the fact that CPEC route is passing through the area of mauza Thatti Kalra and the prices of land situated in this Mauza have risen manifold, therefore such type of state owned lands are very soft target for "Qabza Mafia". Although, we do possess the aforesaid land since decades yet there is an apprehension of manipulation in the revenue record for grabbing of the stated land at the hands of unscrupulous elements which may makes us to face the untoward consequences.
- 11- That as per Section 27 read with all enabling provisions of Land Reforms Act 1977 the Federal Government through Federal Land Commission is fully empowered to take cognizance of such like pending cases for allotment of resumed land to the tenants and other eligible persons as per given criteria. That we the applicants are fully entitled to the allotment of land as we do qualify the eligibility criteria as well as priority criteria as provided in Land Reforms Laws.
- 12- That recently the Federal Land Commission was pleased to accept the alike requests for allotment of resumed land to the tenants and directions were issued to Deputy Land Commissioner Attock for incorporating necessary entries in the relevant revenue record.
- 13- That our valuable constitutional rights are involved in this case and we are being denied to acquire the said constitutional rights for about 30 years despite of our best possible efforts. As long as the resumed land is not allotted to the applicant, it would be continuous violation of the spirit of Land Reforms Laws in addition to the infringement of our constitutional rights.

14-It is affirmed that the contents of the instant application are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

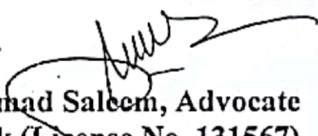
PRAYER

Keeping in view the above it is humbly prayed that the instant revision petition/application may kindly be accepted and subject land measuring ^{100K out of} 173-Kanals and 09-Marlas in Khasra No. 985/285/2/4 In Mauza Thatti Kalra Tehsil Pindigheb may kindly be allotted to the applicant in order to fulfill the aims and objectives of the Land Reforms Regulation and the Act of 1977. Moreover, till the final decision of the instant application, the respondents may kindly be restrained from further alienating or changing the current status of stated land in the revenue record or to illegally and unlawfully dispossess the applicant from the same.

Applicant


Abdul Ishaq s/o late Fazal
Dad r/o Kalra Tehsil
Pindigheb District Attock

Dated: 22/7 2024.


THROUGH COUNSEL. Muhammad Saleem, Advocate
District Courts Attock. (License No. 131567)