

**The Punjab Revenue Commission.**

Recommendation of the Commission for making an insertion in clause (1) of sub-section (g) of Section 2 and insertion of clause (4a) after clause (4) of sub-section (g) of section 2 of the Punjab Village Common Lands (Regulation) Act, 1961 (Punjab Act 18 of 1961) so as to vest the vacant sites and plots not owned by any person in the Panchayat.

The Punjab Revenue Commission has drafted and submitted to the Government 'The Punjab *Abadi deh* (Record of Rights) Bill, 2021' ('Bill' – for short). The Bill primarily relates to providing a mechanism for recording and maintaining the existing rights of the proprietors in the *abadi deh* area. In terms of the Bill, the dwelling and residential houses including its open or enclosed court yards, besides, shops and other establishments, common areas, vacant lands, vacant plots and other sites are to be identified, assigned a survey number and recorded in the names of the proprietors as on the appointed date i.e., 1<sup>st</sup> January, 2021.

In the course of preparation of the Bill it was observed that some parcel of lands and plots within the *abadi deh* of a revenue estate are not owned by anyone and such lands and plots, therefore, vest in the State. These are mostly used by the inhabitants of the village for common purposes.

It has been observed that some persons who though have no claim whatsoever to such vacant lands and plots within the *abadi deh* of a revenue estate are likely to represent as being owned by them by claiming to be in possession. This would result in loss of the lands and plots for common purposes, besides, encourage the usurpation of such lands by those who are not entitled.

The Commission is of the view and recommends that the vacant lands and plots within the *abadi deh* area, which are not owned by any person, to prevent their misuse should vest in the panchayat. The panchayat would be in a position to oversee and look after these lands on day-to-day basis and prevent these being encroached upon or misused; besides, it would be accountable for its lapses, if any.

It is, therefore, recommended to make insertions in the Punjab Village Common Lands (Regulation) Act, 1961 (Punjab Act No.18 of 1961) in the manner as has been proposed in the attached Draft of the Punjab Village Common Lands (Regulation) (Amendment) Bill, 2021 in this regard.

Dated: 04.03.2021.

Member Secretary,  
Revenue Commission, Punjab.

The Punjab Village Common Lands (Regulation) (Amendment) Bill, 2021.  
(Punjab Bill No. \_\_\_\_ of 2021).

AIMS AND OBJECTS.

The State of Punjab is enacting a legislation to provide a mechanism for recording and maintaining the existing rights of the proprietors in the *abadi deh* area. The dwelling and residential houses including its open or enclosed court yards, besides, shops and other establishments, common areas, vacant lands, vacant plots and other sites are to be identified, demarcated, assigned a survey number and recorded in the names of the proprietors as on the appointed date i.e., 1<sup>st</sup> January, 2021.

Some parcel of lands and plots within the *abadi deh* of a revenue estate are not owned by anyone and such lands and plots, therefore, vest in the State. These are mostly used by the inhabitants of the village for common purposes. Persons who though have no claim whatsoever to such vacant lands and plots within the *abadi deh* of a revenue estate are likely to represent as being owned by them by claiming to be in possession. This would result in loss of the lands and plots for common purposes, besides, encourage the usurpation of such lands by those who are not entitled.

The vacant lands and plots within the *abadi deh* area, which are not owned by any person, to prevent their misuse should like other shamlat lands vest in the panchayat, which would be in a position to oversee and look after these lands on day-to-day basis and prevent these being encroached upon or misused; besides, it would be accountable for its lapses, if any.

It is, therefore, with said object and purpose that the present Bill is being enacted.

A Bill to further amend the Punjab Village Common Lands  
(Regulation) Act, 1961 (Act No.18 of 1961) in its application to the State  
of Punjab.

Be it enacted by the legislature of the State of Punjab in the  
Seventy-second Year of the Republic of India as follows: -

1. **Short title and commencement.** - (1) This Bill may be called the Punjab Village Common Lands (Regulation) (Amendment) Bill, 2021.  
(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.
2. **Definition.** - "Principal Act" unless the context otherwise requires shall mean the Punjab Village Common Lands (Regulation) Act, 1961 (Punjab Act No.18 of 1961).
3. **Insertions in section 2 (g) (1).** - In clause (1) of sub-section (g) of section 2 of the Principal Act, after the words, "lands described in the revenue records as *shamlat deh*" and before the words, "excluding *abadi deh*;" a comma (,) shall be inserted and at the end after the words, "excluding *abadi deh*" and before the semi-colon (;), the following shall be inserted; "unless otherwise expressly provided".
4. **Insertions of sub-section 4 (a) after section 2 (g) (4)** - After clause (4) of sub-section (g) of section 2 of the Principal Act, the following clause (4a) shall be inserted;  
  
"(4a) vacant land or plot situate in *abadi deh* or *gorah deh* not owned by any person;"