

Revenue Department.
(Settlement wing)

NOTIFICATION.

15th November, 1976.

No. 2665-2899/Govt. Bond/Settlement:--- In exercise of the powers conferred by section 5 of the Evacuee Property and Displaced Persons Laws (Repeal), Act, 1975, (Act, XIV of 1975), read with section 2 thereof, the Government of ¹[Khyber Pakhtunkhwa], are pleased to make the following rules, namely:----

CHAPTER-I
PRELIMINARY.

1. **Short title and commencement.**---(1) These rules may be called the Satisfaction of Claims (Land) Rules, 1976.

(2) They shall come into force at once.

(3) They extend to the whole of the ²[Khyber Pakhtunkhwa].

2. **Definition.**--- In these rules, unless there is any thing repugnant in the subject or context;---

(a) “Bank” means the State Bank of Pakistan;

(b) “Bond” means the Government Bonds, interest free redeemable after three years from the date of issue;

(c) “Chief Settlement Commissioner” means the Officer appointed or notified by Government to perform the functions of Chief Settlement Commissioner under

¹ Sub. by the Khyber Pakhtunkhwa Act IV of 2011.

² Sub. by the Khyber Pakhtunkhwa Act IV of 2011.

sub-section (2) of section 2 of the Evacuee Property and Displaced persons Laws (Repeal) Act, 1975 (XIV of 1975);

- (d) “Claimant” means person whose claim in respect of agricultural land has been verified by a competent authority under any Law relating to evacuee property and displaced persons and who has not been allotted any land in lieu thereof or whose claim remains to be satisfied partially;
- (e) “Compensation” means the amount of money which a person is entitled to receive under the provisions of any scheme relating to settlement of claims of agricultural land for the time being in force;
- (f) “Government” means the Government of ³[Khyber Pakhtunkhwa];
- (g) “Public Debt Office” means the Office of the State Bank of Pakistan on the book of which a Bond is registered or may be registered;
- (h) “treasury” means any treasury located in ⁴[Khyber Pakhtunkhwa] and includes sub-treasury.

Chapter- II

ISSUE OF BONDS.

3. **Requisition for the issue of Bond.**--- The Chief Settlement Commissioner or any officer authorised by him in this behalf in writing, shall as soon as possible, send a requisition to the Bank in “Form-I” appended to these Rules for issuing to the claimant to a Bond or Bonds of the denominations to be stated therein for such amounts of compensation as have been calculated in accordance with his orders.

4. **Issue of Bonds.**---(1) The Bonds shall be issued in the “Form-II” appended to these Rule.

(2) The Bonds shall be issued in denomination of Rs. 1,000/-,
Rs. 500/-, Rs. 100/- and Rs. 10/-

³ Sub. by the Khyber Pakhtunkhwa Act IV of 2011.

⁴ Sub. by the Khyber Pakhtunkhwa Act IV of 2011.

(3) Fractions below Rs. 10/- shall be inserted in the Bonds in hand.

(4) The Bank shall issue the Bonds for and on behalf of the Government for the amount of compensation specified in the requisition received by it.

(5) The Bank shall forward Bond or Bonds to the Chief Settlement Commissioner or any other officer appointed by him in that behalf and obtain therefore an acknowledgement from him.

(6) The Chief Settlement Commissioner or any other officer appointed by him in that behalf shall call each claimant and deliver to him or his authorised representative the Bond or Bonds, after obtaining from him receipt, which shall be attested by the Chief Settlement Commissioner or the said other officer personally, as the case may be.

(7) The claimant may take delivery of the Bonds either personally or through his representative or agent duly authorised by him in writing in that behalf.

5. **Bonds subsequently found to be defective.---** (1) If any Bond is subsequently found to be defective or in excess of the amount which is due to a claimant, the Chief Settlement Commissioner shall call upon the claimant to produce the Bond before him and to show cause why the Bond should not be cancelled and fresh Bond issued on the basis of the calculation made by the Chief Settlement Commissioner.

(2) The Claimant shall be given a reasonable opportunity to inspect the record and to produce such evidence as he may consider appropriate.

(3) After hearing the claimant and examining such evidence as is produced by him, the Chief Settlement Commissioner shall immediately inform the Bank of the amount calculated by him and shall request it to cancel the Bond and issue a fresh Bond in accordance with the requisition to be sent to the Bank.

(4) The amount paid in excess shall be recovered as if it were an arrear of land revenue.

CHAPTER –III**CERTAIN PROVISION RELATING TO BONDS.**

6. **Characteristics of Bonds.**--- (1) Bonds shall be heritable and transferable but shall not be negotiable through any Bank.

(2) The Bonds or price thereof shall not be quoted at the stock exchange.

7. **Persons whose title to a bond of a deceased sole holder may be recognised by the Bank.**--- Subject to the provisions of rules 9 and 10 for the purpose of determining title to a Bond of a deceased sole holder, the Bank shall recognise only the following persons, namely:---

(a) the executor or administrator of the deceased holder; or

(b) the holder of a succession certificate granted under the Succession Act, 1925, or any other law for the time being in force.

8. **Right of survivors of joint-holders or several payees.**---(1) When a Bond is held by two or more persons jointly and either or any of them dies, the title to the Bond shall vest in the survivor or survivors of those persons.

(2) When a Bond is payable to two or more persons severally and either or any of them dies, the Bond shall be payable to the survivor or survivors of those persons or to the representative of the deceased or to any of them:

Provided that nothing contained in this rule shall effect any claim which any representative of a deceased person may have against the survivor or survivors under or in respect of any Bond to which this rule applies.

Explanation.--- For the purposes of this rule a body incorporated under the Companies Act, 1913 (VII of 1913) or Co-operative societies Act, 1912 (II of 1912), or the Co-operative societies Act, 1925 (Sind Act VII of 1925) or any other enactment for the time being in force, whether within or without Pakistan, relating to the incorporation of associations of individuals, shall be deemed to die when it is dissolved.

9. **Summary procedure on death of holder of Bond not exceeding one THOUSAND RUPEES face value.**--- Notwithstanding anything contained in rule 7, if within six months of the death of a person who was the holder of bond or Bonds the face value of which does not in the aggregate exceed one thousand rupees, probate of his will or letters of administration of his estate or a succession certificate issued under the law for the time being in force, is not produced to the Bank, or proof to the satisfaction of the Bank that proceedings have been instituted to obtain one of these is not furnished, the Bank may determine who is the person entitled to the Bond or Bonds or to administer the estate of the deceased and may make any order vesting the Bonds in the person so determined.

10. **Bond not exceeding one thousand rupees belonging to minor or insane person.**--- When a Bond or Bonds belong to a minor or to a person who is insane and is incapable of managing his affairs and the face value of the Bond or Bonds does not in the aggregate exceed one thousand rupees, the Bank may make such order as it thinks fit for the vesting of such Bond or Bonds in such persons as it considers, represents the minor or insane person.

11. **Transfer of Bonds.**--- The Bonds shall be transferable only in the manner hereunder:---

- (1) The Bonds shall be transferable by endorsement and like a promissory note payable to order.
- (2) No endorsement on a Bond shall be valid unless made by the signature of the holder or his duly constituted attorney or representative inscribed on the bank of the bond itself.
- (3) No writing on a Bond is valid for the purpose of negotiation if such writing purports to transfer only a part of the amount denominated by the Bond.
- (4) The Treasury or Sub-Treasury or any Office of the Bank or the Public Debt Office may decline to accept the Bond endorsed in blank for any Purpose unless the endorsement in blank is converted into that in full before presentation:

Provided that the Bond or Bonds shall not be redeemable for a period of three years from the date of issue thereof.

12. **Renewal Sub-division or Consolidation of Bonds.**--- Subject to any general or special instructions of the Bank, the Public Debt Office may, by its order, on the application of the holder, renew, sub-divide or consolidate a bond or bonds provided the bond or bonds has or

have been properly receipted in the column provided for the purpose on reverse of the Bond or Bonds.

13. **Issue of duplicate Bond or Bonds in lieu of lost, stolen, destroyed, mutilated or defaced either wholly or in part.**--- If a person entitled to a bond applies to the Bank alleging that the bond has been lost, stolen, or destroyed, or has been defaced or mutilated, the Bank may, on proof to its satisfaction of the loss, theft, destruction, defacement or mutilation of the bond subject to such conditions and on payment of such fees as in applicable in the case of other Government Securities, order the issue of duplicate bond payable to the applicant.

CHAPTER-IV

GENERAL.

14. **Information and inspection.**---(1) No person other than the claimant shall be entitled to inspect or receive information of any Bond in the possession or custody of the Bank or Public Debt Office or from any book, register or other documents kept or maintained by or on behalf of Government in relation to Bonds or any Bond save in such circumstances and manner and subject to such conditions as may be prescribed by the Bank.

(2) In the case as aforesaid the Public Debt Office may, subject to the other provision of these rules, grant a certified copy of any entry in any register or book maintained or kept by that Office relating to any bond, on being satisfied that such Bond has stood in the name of the applicant or of persons in whom the applicant has a representative interest in the Bond in respect of which the application is made.

15. **Power of Chief Settlement Commissioner to issue instruction.**--- The Chief Settlement Commissioner may, at any time, pass such orders, not inconsistent with the provisions of these rules, and issue such instructions, as he may deem necessary, for the proper implementation of these rules.

ZAFAR ALI KHAN
Secretary to Government of ⁵[Khyber Pakhtunkhwa],
Revenue Department,
Peshawar.

⁵ Sub. by the Khyber Pakhtunkhwa Act IV of 2011.

FORM-I

(UNDER RULE 3).

REQUISITION FOR ISSUE OF BONDS UNDER RULE 3 OF
 THE SATISFACTION OF CLAIMS (LAND) RULES, 1975 OF [KHYBER PAKHTUNKHWA] GOVERNMENT.

No.....

Dated.....

The Manager,
 State Bank of Pakistan,
 Public Debt Office,
 LAHORE.

Dear Sir,

Please issue the Bond (s) as detailed in the Schedule below:—

THE SCHEDULE.

| Serial No. | The name, father/husband's name and full address of the person in whose name the Bond (s) are to be issued. | Total amount (both in figures and words) for which the Bond (s) are to be issued. | The denomination (s) in which Bond (s) are to be issued. | Name of Office at which the payment is required. |
|------------|---|---|--|--|
| | 2 | 3 | 4 | 5 |
| 1 | | | | |

'FORM-II'.

GOVERNMENT OF 1[KHYBER PAKHTUNKHWA]

Rs.

GOVERNMENT BOND UNDER AGRICULTURAL SETTLEMENT SCHEME

No.

Interest Free Government Bond redeemable after 3 years from 1st July, 1974 issued under sub-section (1) of section 14 of the Displaced Persons (Land Settlement) Act, 1958 as amended by the Displaced Persons (Land Settlement) (Amendment) Act, 1974 (XXXVI of 1974) substituted by Evacuee Property Displaced Persons Laws (Repeal) Act No. XIV of 1975.

**THE GOVERNMENT OF 2[KHYBER PAKHTUNKHWA]
HEREBY PROMISES TO PAY.**

To,

.....
.....
.....
.....

Rupees.....

at State Bank of Pakistan.....

or at any Treasury or Sub-treasury in 3[Khyber Pakhtunkhwa] on the 1st July, 1977.

Rs.....

No.....

Dated the.....

**For and on behalf of the
Governor of 4[Khyber Pakhtunkhwa]**

**Manager,
State Bank of Pakistan,
Public Debt Office.**

Governor, State Bank of Pakistan.

1. Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.
2. Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.
3. Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.
4. Sub. by the Khyber Pakhtunkhwa Act No. IV of 2011.

For Manager

payable at.....
Manager
State Bank of Pakistan
Public Debt Office,

Public Debt Office,

All endorsements upon this bond must be clear and distinct. Vernacular endorsement must be literally translated into English immediately below the endorsement. Cross Endorsements are strictly prohibited.

| |
|---|
| 1. |
| 2. |
| 3. |
| 4. |
| 5. |
| 6. |
| When dividing the bond cut between these lines. |
| 7. |
| 8. |
| 9. |
| 10. |
| <p>Received, in lieu thereof, a renewed bond payable to</p> <p>(Holder's name.....)</p> <p>payable at..... (Treasury).</p> <p style="padding-left: 100px;">Sub-Treasury,</p> <p>(Holder's Signature).....</p> |

These spaces are reserved for endorsement, and each endorsement should be written within the space allotted.

This bond can be renewed at any time at the option of the holder on payment of the prescribed fee.