

PROCEDURE AND MECHANISM FOR DISPOSAL OF IMMOVABLE ENEMY PROPERTIES ORDER 2020

€ 33004/99 REGD. NO. D. L.-33004/99 Che Gazette of -3Jndia ü.\$r.-*.va.-3.-22012020-215636 CG-DL-E-22012020-215636 EXTRAORDINARY (ii) PART 11—Section 3—Sub-section (ii) PUBLISHED BY AUTHORITY 2811 No. 2811 22, 2020Ä•rv 2, 1941 NEW DELHI, WEDNESDAY, JANUARY 22, 2020/MAGHA 2, 1941 22 2020 (1968 34) *r 2020 aq-BT, fiq-rvr, fififä-Ri, (fien-g-ft-qrq), (Td (#tfi3T1i) 405 GI/2020 (1) 2 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(ii)] (Rü aqpr), (qr#r ö, (717 (fiQTtq0rqg-q) v:ftNfr I 4. (g ff-q-r-@--m (iii) (1) *QT, 2018 frr 7 (1) (T) vrÉ 3TÄ#rq-r ft, GT(T, 3-rqz•rrl ft, (3) 3/3/2018-+31Éftgr-q-11, 8 2019 31fhfi?T 6. zrr fiqrrrggq (qr&q\$r) t, *qr-fi-q-rrq (ii) (iii) ft-q-x a-g •q-N--« ft-q 3 3(ii)] 8ø q17T.---trfi3T1#, gg, Hr Rf&a-t q-rg, I ft-g, Tr crr8N-cr FT. 37/32/2018-#] MINISTRY OF HOME AFFAIRS ORDER New Delhi, the 22nd January, 2020 S.O. 292(E),—In pursuance of the powers conferred under sub-sections (5), (6) and (7) of section 8 A of the Enemy Property Act, 1968 (34 of 1968), the Central Government hereby makes the following order for disposal of immovable enemy properties vested in the Custodian of Enemy Property for India under the said Act, namely:- Short title and commencement.—(1) This Order may be called the Procedure and Mechanism 10 for Disposal of Immovable Enemy Properties Order, 2020. (2) It shall come into force on the date of its publication in the Official Gazette. Inter-Ministerial Group (IMG),—The Central Government may constitute an Inter Ministerial Group chaired/co-chaired by Secretary, DIPAM and Secretary, Ministry of Home Affairs and consisting of representatives of the Ministry of Home Affairs, Department of Economic Affairs, Department of Expenditure, Department of Public Enterprises, Department of Legal Affairs, Ministry of Corporate Affairs, Financial Advisor (DIPAM), Financial Advisor (Ministry of Home Affairs) and Custodian of Enemy Property for India (CEPI). 3, Core Group of Secretaries on Asset Monetisation (CGAM).—The Central Government may constitute a Core Group of Secretaries on Asset Monetisation (CGAM) under the Chairmanship of Cabinet Secretary comprising of Secretary (Department of Economic Affairs), Secretary (Department of Revenue), Secretary (Department of Expenditure), Secretary (Department of Public Enterprises), Secretary (Ministry of Corporate Affairs), Secretary (Department of Legal Affairs), Secretary (Urban Development) (in case of monetisation of land assets), Secretary (Ministry of Home Affairs) and Secretary (DIPAM). 40 Alternative Mechanism Central Government may constitute an Alternative Mechanism consisting of the following namely. (i) Home Minister; (ii) Finance Minister; and (iii) Minister of Road Transport and Highways. 4 50 6. THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(ii)] The procedure and mechanism for disposal of Immovable Enemy Properties,— (1) (2) (3) The immovable enemy property recommended for sale by the Enemy Property Disposal Committee of the Ministry of Home Affairs in terms of clause (a) of sub-paragraph (1) of Paragraph 7 of the Guidelines for the disposal of Enemy Property Order, 2018 and approved by the Ministry of Home Affairs and having value above the threshold, as may be approved by the Alternative Mechanism shall be disposed of, through sale or otherwise, as per the policy and procedure as approved by the Central Government. The immovable enemy property recommended for sale by the said Enemy Property Disposal Committee in terms of clause (a) sub-paragraph (l) of paragraph 7 of the said Order and having value below the threshold as approved by Alternative Mechanism, shall be disposed of, through sale or otherwise, by the CEPI with prior approval of the Central Government. The policy and procedure as approved and laid out in OM No. 3/3/2018- DIPAM —11, dated the 8th March, 2019 and further detailed transaction process as may be approved by the Alternative Mechanism shall be followed for disposal of immovable enemy properties. Submission of proposal by the Custodian of Enemy Property for India (CEPI) to DIPAM,—The CEPI shall before submitting any proposal to DIPAM in regard for disposal of immovable enemy property for placing before the Inter Ministerial Group (IMG).- (i) select the properties for disposal in consultation with all the stakeholders including the State Government; (ii) certify that the disposal of the identified enemy property is not in contravention of any judgement, decree or order of any court, tribunal or other authority or any law for the time being in force; and (iii) certify that a clear title deed is available and that the property is free of encumbrances and encroachments; and give a complete proposal with the coordinates and revenue papers of the said property along with the circle rates

(including the date on which this rate was fixed, and the periodicity of the revision of the circle rate), valuation and other relevant papers for consideration of the Inter- Ministerial Group (IMG)

7. The Inter Ministerial Group (IMG), after examining the proposal of CEPI, shall recommend it to the Core Group of Secretaries on Asset Monetisation (CGAM) or the Alternative Mechanism (AM), as the case may be, to approve the threshold value for sale of Immovable Enemy Properties

8. Submission of report by the Custodian to the Central Government—CEPI shall submit a report to the Central Government at such interval, of the immovable enemy property disposed of, whether by sale or otherwise, containing such details, including the sale value of such enemy property and the particulars of the buyer to whom the said property have been sold or disposed of; and the details of the proceeds of sale or disposal deposited into the Consolidated Fund of India, as the Central Government, may specify. Explanation.—For the purposes of this Order, the threshold value of Enemy Property shall be decided by the Alternative Mechanism (AM) based on the value of assets and any other criteria recommended by IMG/CGAM which would determine the assets that would be monetised through this mechanism. [F. No. 37/32/2018-EP] K. B. SINGH, Jt. secy. Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054. Signed by MANOJ KUMAR MANOJ KUMAR VERMA VERMA Date 202001.22 +05430'

