

ENEMY PROPERTY (AMENDMENT) RULES, 2018, TRANSFER OF PROEPRY (VESTED AS ENEMY PROEPRY IN THE CUSTODIAN) ORDER, 2018 AND

REGD. No. D. L.-33004/99 Che Gazette of •tidia 1631 No. 1631 EXTRAORDINARY PART 11—Section 3—Sub.section (i) PUBLISHED BY AUTHORITY , 21, 30, 1939 NEW DELHI, WEDNESDAY, MARCH 21, 2018/PHALGUNA 30, 1939 a-Sfä-#r, 21 RI<, 2018 «r.*Tfi. era 1968 (1968 34) 23 g•g, fizrcr, 2015 t, (1) 2018 2. 2015 2) 2 (ii) (IT) ; (iii) (EO 1971 (1971 40) ; F) 0417" *FIT, q+zrq, 1971 (1971 40) 2 (4) ; 1675 GV2018 2 THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] (q) 'firz-rzrr", firrrzn", -m F) *FIT, qfifizrcr, 1971 (1971 40) (err) (2) "(2) '37 a-q-q•t a-a-a•zrq, 1971 (1971 40) F) •-g-q-a-q-q (l) '917' '917' ' RT" AT ' ; (i) CF#" GIRT" ; (ii) 7-rcâ-zra-r fi@rtaNt, 3fin.iFfr AT AT (7) (13) ; F) (14) , *QIT" I "(1) 3 (6) ftiTÉ 30)] 3 (13T) 3 (5) AT fr-a-az (1 F) (131) q-rrefr R•zrr ft-g *31T äTET I (13) 9ra I (13) , 9ra Tr TTFtr-2 1 (1 (13) q-rq-r YTF•q-3 (T) -3+•zrcr (2) Tr ; 5. fiz:rcr 5 4 THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] (11) q-r fizr#t" 91*t crr, q-.-fir-& *fifizrq, 1971 fizr#t (iii) "(130 ft--•rrp-q-rft vcräv, ftrrzrr, Rv•rzrr, a-fi I " ; (7) (2) "RfrT ; (ii) q-i-q-q•q; ai•qfä" I (i) 'Gi-q-q ; (i) 9ti (1) 9râ ; (ii) (2), CAT* Gi-q-q (iii) (2) 30)] 5 (ii) (2) 91*-t qæ, (iii) (2) 47:p.nfi7 fr•zrr "(3) 7-6--æ-T 3fir 31':râ q-r 11. (ii) F) rqrz«., VlföT" f*-æ-rq-r, 12. 14 z-q-rq" QT*t t:rFA, , 1971 (1971 40) 13. 14 ærr I (2) 3_rrq, R--fH •a-q-7-rJT I 14<. 1971 •q-q-q-r q@frzrcr, 1971 (1971 40) Ba:rr q-r 14. 1 5 I 15. zqüa-l, aqütr-2, z•qÉa-3 Fq-2, F•q-3 6 THE GAZETTE OF NDIA : EXTRAORDINARY —1 3 (14) —2 4(4) [PART 11—SEC. 3(i)] 30)] 7 5(4) 2015 4(fi), 2, q-r grfr7 AT 1968 2015 3. 1968 2015 q-rr!, AT q-fr-«.TTJT 8 THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] (ii) (iii) (iv) (v) (vi) 91't' "917 RT" "9ra -Gr 3.frT ""TT' FT" "QTfl I 1968 5, a-r-r 12 fi•zrq, 2015 4(fi), 1968 5, 12 2015 4(fi) 91't' "era FT' AT "QTfl era era 3T@fizrq, 1968 fi-q-q, 2015 RT' -AT "91-d 1968 Rzrq, 2015 a-RT 12 3•rtfi7 ft?TT 3fr afüfi-zrq, 1968 2015 30)] 9 a-zrq, 2015 4(1q), ü] q@fi•«, 1968 8 2015 "917" AT "QTfl FT" AT GINT t, 1968 2015 #q-fä it 1968 5, 12 2015 I --ä.q-f?.a-q-t . 1968 8 a-zrq, 2015 Ä; P.rr« 30T ft-rr "9%" FT" pra 2015 4(3), 4 (IØ) 31ü9r qx, P.rr« *r R•zi70T R-zrr 10 THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] 3.1fifiAT:r, 1968 5, 12 , 2015 • 16. 7 , (iii) FT. æt. 37/32/2017-tTfi] : ercrra-r-or, 11, 3, (i) 205(3T) 19 mi, 2015 I MINISTRY OF HOME AFFAIRS NOTIFICATION New Delhi, the 21st March, 2018 G.S.R. 256(E).—In exercise of the powers contered by section 23 of the Enemy Property Act, 1968 (34 of 1968), the Central Government hereby makes the following rules to amend the Enemy Property Rules, 2015, namely:- 1. 2. (l) These rules may be called the Enemy Property (Amendment) Rules, 2018. (2) They shall come into force on the date of their publication in the Official Gazette. In rule 2 of the Enemy Property Rules, 2015, (hereinafter referred to as the principal rules), (A) in sub-rule (1),- '(e) (g) after clause (a), the following clause shall be inserted, namely:- "Annexure" means ANNEXURE-I, ANNEXURE-11 and ANNEXURE -m appended to these rules;' clause (c) shall be omitted; after clause (d), the following clauses shall be inserted, namely:- "estate officer" shall have the meaning assigned to it in the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971); •public premises" shall have the meaning assigned to it in sub-clause (4) of clause (e) of section 2 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971): "rent", "standard rent", "lease rent", "licence fee" or "usage charges", as the case may be, means rent, standard rent. lease rent. licence fee or usage charges payable by the occupant for his occupancy of the enemy property; 30)] 11 •unaut1101ised cuupants" shall have the meaning assigned to it in clause (g) of section 2 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971)•,•, (B) for sub-rule (2), the tallowing sub-rule shall be substituted, namely:- "(2) Words and expressions used in these rules and not defined in the Act or in the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) shall have the meanings respectively assigned to them in those Acts.". 3

4. In rule 3 of the principal rules,- (a) (b) (c) (f) in sub-rule (1), for the word "enemy", the words ' "enemy" or "enemy subject" " or "enemy firm" shall be substituted; in sub-rule - tar the words "in the name of an enemy", the words "by the enemy or enemy subject or enemy firm" shall be substituted; for the words "including the nationality of the owner thereof".the words "and the name and address and other particulars of the person who is in possession of such property or the name of the occupier or manager or agent of the owner" shall be substituted; after sub-rule (5), the following sub-rule shall be inserted, namely:- "(5A) Without prejudice to the provisions contained in this rule, the District Authority shall take all such steps as may be necessary for the purpose of identification of the enemy property."•, tar sub-rule (6) ,the following sub-rule shall be substituted, namely:- "(6) The District Auth01ity or any person authorised by the Custodian shall prepare a detailed report of all cases identified as enemy property and shall submit the same to the Custodian along with his comments thereon.' , sub-rules (7) to (13) shall be omitted; after sub-rule (14) , the following sub-rule shall be inserted, namely:- "(15) The Custodian shall maintain a register containing the properties identified as enemy properties and place the same in public domain and also exhibit the same on the website of the office of the Custodian" .

In rule 4 of the principal rules,- tar sub-rule (1), the following sub-rules shall be substituted, namely:- (a)

"(1) On receipt of the report under sub-rule (6) of rule 3 or any other evidence, the Custodian shall examine and cause further inquiry, if considered necessary." (IA) On obtaining the required information referred to in sub-rule (5) of rule 3 and on being satisfied that the property or interest therein is prima facie enemy property, the Custodian shall serve or cause a notice to be served in



Form 1, on the person claiming title to such property or interest and on any other person or persons whom he considers to be interested in the property. (a) The notice referred to in sub-rule (IA) shall be served personally to the person concerned or to his manager, or to other members of his family; or be sent through registered KX)St; or affix it on some conspicuous part of the premises concerned of the enemy property or at the last known place of the business of the person concerned and may also be sent electronically. (b) The Dasti service of notice through police may be resorted only in the case of persistent noncompliance of the notice. (IC) Where a notice has been duly served, the person or persons concerned shall be called upon to show cause as to why the subject property should not be declared as an enemy property. 12 (d) THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] (1 D) Any other person or persons claiming to be interested in the proceedings relating to enemy property, may file an application before the Custodian who shall then prm•eed further to inquire under section 5A of the Act and hear the applicant himself or cause the same to be heard by his authorised representatives. (1 E) The Custodian shall give sufficient opm)rtunity to the noticees and if the noticees fail to appear on the dates fixed for hearing even after giving reasonable opportunity, the Custodian may prm•eed further to hear the matter ex-parte and declare the property as enemy property under section 5A of the Act. (IF) The Custodian may, after making such inquiry as he deems necessary, by order, declare that the property of the enemy or the enemy subject or the enemy firm described in the order, vests in him under section 5A of the Act and issue a certificate in Form 2 to this effect and such certificate shall be the evidence of the facts stated therein. (IG) After issue of the order under sub-rule (1 F), the Custodian shall issue an authorisation in Form 3, authorising the District Authority to take over the said enemy property immediately on his behalf."; sub-rule (2) shall be omitted; in sub-rule be substituted. for the words "vested property", the words "vested immovable enemy property" shall 5. In rule 5 of the principal rules, - (a) (b) (c) (d) in the heading, substituted:" , in sub-rule (1),- "for the words "immovable property", the words "immovable enemy property" shall be for the words •wested property in respect of which no income is received", the words immovable enemy property in respect of which no income is received" shall be substituted; in the first proviso,- "vested for the words "vested property", the words "vested immovable enemy property" shall be substituted; for the words "in the Act and in these rules", the words "under the Act and the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 and the rules made thereunder" shall be substituted; in the second proviso, for the words •whole property", the words ••whole immovable enemy property" shall be substituted; after sub-rule (1), the following sub-rules shall be inserted, namely:- "(IA) The lease, leave and licence agreement, or tenancy or occupancy of the enemy property shall not be transferable by the tenant, lessee or licensee, as the case may be. (1B) The provisions of entering into a leave and licence agreement under sub-rule (1) or payment of rent, standard rent, lease rent, licence fee or usage charges, as the case may be, by any occupant shall not conter a perpetual right to continue as a tenant, lessee or licensee, as the case may be. " in sub-rule (2), tar the words "the vested property", the words "the vested immovable enemy property" shall be substituted; in sub-rule (i) for the words "vested property" , the words "vested enemy property" shall be substituted; (ii) tar the words "this rule", the words "these rules" shall be substituted. 30)] In rule 6 of the principal rules 13 6. 8. 9. 10. tar the words "moveable property" at both the places including the heading thereof, the words "movable enemy property" shall be substituted; in the proviso, for the word ••prolxrty", the words ••movable enemy property" shall be substituted. In rule 7 of the principal rules,- in the heading, for the words "moveable property", the words •movable enemy property" shall be substituted; in sub-rules (2) to (4), for the words •wested property" wherever they occur, the words •wested movable enemy property" shall be substituted. In rule 8 of the principal rules,- in the heading and in sub-rule (1), for the words "moveable property", at both the places where they occur, the words movable enemy property" shall be substituted; in sub-rule (2), for the words "the owner of the property", the words "the person authorised in respect of possession of such movable enemy property " shall be substituted; after sub-rule (2), the following sub-rule shall be inserted, namely:- "(3) The Custexlian shall make entry in the inventory register and place the details thereof on its website in public domain.". In rule 9 of the principal rules,- in the heading and in sub-rule (1), tar the words "immovable property" at both the places where they m•cur, the words "im_movable enemy property" shall be substituted; in sub-rule (2), for the words "the owner of the property" , the words "the person authorised in respect of possession of such immovable enemy property" shall be substituted; after sub-rule (2), the following sub-rule shall be inserted, namely:- "(3) The Custodian shall make entry in the inventory register and place the details thereof on its website in

public domain.". In rule 11 of the principal rules, for the words "Of all the properties vested in him", the words "Of all the movable and immovable enemy prolxrties vested in him" shall be substituted. 11

12. In rule 12 of the principal rules,- the brackets and figure "(1)" shall be omitted: in clause (a), for the words "all rent, lease money", the words "all rent, standard rent, lease rent, licence fee or usage charges," shall be substituted; In rule 14 of the principal rules, after the words "evict the occupant forthwith", the words, brackets and figures "in accordance with the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971)" shall be inserted



13. After rule 14 of the principal rules, the following rules shall be inserted, namely:-

"14A.Accounts.- (1) The Custodian shall maintain proper accounts and other relevant records in respect of the income received by him and sale proceeds of the enemy properties sold by him and the expenditure incurred by him during every financial year. (2) The income received by the office of the Custodian, the enemy properties sold during every financial year and annual expenditure statement with the audit report of the office of the Custodian shall be forwarded annually to the Central Government. 14 14B. THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] Application of the provisions of the Public (Eviction of Unauthorised Occupants) Act, 1971.- The mention of particular matters in these rules shall not be held to prejudice or affect the general application of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) with regard to the effect of the disposal of immovable enemy property by way of sale or otherwise or eviction of the immovable property, being the public premises and Custodian being the estate officer under that Act." 15. Rule 15 of the principal rules shall be omitted. For Annexure I, Annexure-11, Annexure-III and



Form 1, Form 2, Form 3 and Form 4 appended to the principal rules, the following Annexures and Forms shall, respectively, be substituted, namely:- 'ANNEXURE 1 [See rule 3(14)] OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA STATEMENT SHOWING DETAILS OF PROPERTY UNDER PROCESS STATE: STATEMENT OF PROCESS CASE DISTRICT NAME SUB-DIVISION NAME POLICE STATION NAME POST OFFICE NAME BLOCK/TEHSIL NAME : CEPS OFFICE FILE NO. : NAME OF PAK NATIONAL CLASSIFICATION OF PROPERTY J.L. No. Name DATE OF VESTING R.S. Khr No. R.S. Plot L.R. L.R. Plot Total No. ANNEXURE 11 [See rule 4(4)] Area Share of Pak National Nature of property with name of present occu ier OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA STATEMENT SHOWING DETAILS OF DECLARED/ VESTED ENEMY PROPERTY STATE: STATEMENT OF DECLARED CASE DETAILS OF PROPERTY DISTRICT NAME SUB-DIVISION NAME POLICE STATION NAME POST OFFICE NAME BLOCK /TEHSIL NAME : CEP'S OFFICE FILE NO. NAME OF PAK NATIONAL 30)] Name CLASSIFICATION OF PROPERTY L.R. Plot Total Area Share of Pak National 15 Nature of (he property with name of present •xcu ler DATE OF VESTING: ANNEXURE 111 [See rule 5(4)] OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA STATEMENT SHOWING DETAILS OF INCOME RECEIVING ENEMY PROPERTY STATE: STATEMENT OF INCOME RECEIVING CASE DETAILS OF PROPERTY DISTRICT NAME SUB-DIVISION NAME POLICE STATION NAME POST OFFICE NAME BLOCKfIEHSIL NAME CEPS OFFICE FILE NO. NAME OF PAK NATIONAL DATE OF VESTING FORM 1 [See rule 4 (IA) of the Enemy Property Rules, 2015] OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA F. No. CEPI/ Dated: To SHOW CAUSE NOTICE Subject: Immovable enemy Whereas it appears, the subject property belonged to or/was held by or managed on behalf of "enemy" or "enemy subject" or "enemy firm" and the subject property appears to be an enemy property vested in the Custcxlian of Enemy Property for India and continues to vest in him under the Enemy Property Act, 1968 and the Enemy Property Rules, 2015 made thereunder

2. The undersigned is the Custodian/ Person authorised by the Custodian on his/her behalf to identify, preserve and manage the enemy property situated in the district/ tehsil under the charge of the Custodian

3. Now, therefore, the undersigned requires you to furnish the tallowing information/documents in person or through your representative and show cause in writing at the address given above within ten days of receipt of this notice as to why the subject property should not be declared as enemy property and be taken under the control of the Custodian for its preservation and management as provided under the Enemy Property Act, 1968 and the Enemy Property Rules, 2015.¹⁶ THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11 —SEC. 3(i)] 4. The reply should indicate specifically whether any personal hearing in the matter is required by you

5. In case no reply is received within the stipulated time as above, or you do not appear for the personal hearing on the date and time fixed for the said purpose, it will be presumed that you have nothing to say in the matter and the said property shall be taken over by the Custodian as enemy property and dealt with in accordance with the provisions of the said Act and Rules

6. List of documents/information required for the aforesaid purpose:- (i) Name of "enemy" or "enemy subject" or "enemy firm", the enemy property owned by them, date of migration of the then owner of the enemy property to Pakistan and other details of the enemy property.(ii) Details of subsequent transfers of the subject enemy property. (iii) Copies of relevant, revenue records relating to the subject enemy property. (iv) Dm•umentary evidence in support of your claim, if any in respect of the subject enemy property. (v) Death certificates or proof of dissolution and true genealogical charts of the "enemy" or "enemy subject" firm". (vi) Any other information in respect of the subject enemy property.

Date: Place: or "enemy BY ORDER Custodian/ person authorised by the Custodian



FORM 2 [See sections 5, 5A and 12 of the Enemy Property Act, 1968 and rule 4 (IF) of the Enemy Property Rules, 2015] OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA CERTIFICATE UNDER SECTIONS 5, 5A AND 12 OF THE ENEMY PROPERTY ACT, 1968 AND RULE 4 (IF) OF THE ENEMY PROPERTY RULES, 2015 WHEREAS all immovable enemy properties in India belonging to or held by or managed on behalf of the "enemy" or "enemy subject" or "enemy firm" and the subject property being an enemy property is vested in the Custodian of Enemy Property for India and continues to vest in him under the Enemy Property Act, 1968 and the Enemy Property Rules, 2015 made thereunder. AND WHEREAS, is/are held/managed by - "enemy firm" and the above enemy of Enemy Property for India. NOW, therefore, under section 5A read with section immovable enemy properties situated at _____ property 12 of the - (details of property) belong(s) to or on behalf of the "enemy" or "enemy subject" or has been declared as enemy property and vested in the Custodian. (Name of the Custodian of Enemy Property for India) Enemy Property Act, 1968 and the Enemy Property Rules, 2015 hereby certify that the mentioned property(s) is/are have been declared as enemy property(s) and vested in Custodian and continue to so vest under the provisions of the Enemy Property Act, 1968 and the Enemy Property Rules, 2015 and this certificate shall be the evidence of the facts stated herein. BY ORDER (Custodian of Enemy Property for India) (Seal of Office) 30] 17 FORM 3 [SEE RULE 4 (1 G) OF THE ENEMY PROPERTY RULES. 2015] OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA AUTHORISATION ORDER OF THE ENEMY PROPERTY UNDER SECTION 8 OF THE ENEMY PROPERTY ACT, 1968 AND THE ENEMY PROPERTY RULES, 2015 F. No. Dated: WHEREAS all immovable enemy properties in India belonging to or held by or managed on behalf of the "enemy", "enemy subject" or "enemy firm" are enemy property vested in the Custodian of Enemy Property for India under the Enemy Property Act. 1968 and the Enemy Property Rules. 2015 and continue to so vest in the said Custodian under sections 5A and 12 of the Enemy Property Act, 1968 and the Enemy Property Rules. 2015 S AND WHEREAS the person/ persons detailed in column (2) of the Schedule annexed hereto is/are a/all "enemy subject" or "enemy firm" owning/holding/managing the immovable enemy property/ "enemy" properties mentioned in column (3) thereof. AND WHEREAS the said property/ properties is/are enemy property/ enemy properties vested in the Custodian and continue to so vest in terms of the provisions of the aforesaid Act and Rules. NOW. therefore, 1 , the Custodian of Enemy Property for India. hereby authorise the District Magistrate/ Commissioner/ In-charge of District- . under section 8 of the Enemy Property Act, 1968 and the Enemy Property Rules, 2015 to take over control and management of and take such measures as he considers necessary or expedient for the preservation and management of the said immovable enemy property. Sl. No. Subject: - Name of the "enem firm" Schedule "enemy", "enemy subject" or 2 By Order Details of the enemy property 3 (Custodian of Enemy Property for India with seal) FORM 4 [SEE RULE 4(3) OF THE ENEMY PROPERTY RULES, 2015] OFFICE OF THE CUSTODIAN OF ENEMY PROPERTY FOR INDIA NOTICE (TO BE AFFIXED ON THE ENEMY PROPERTY) (Details of Immovable Enemy Property) WHEREAS on receipt of the authorisation Order under sub-rule (1 G) of rule 4 from the Custodian, the District Authority has taken control over the management of the aforesaid immovable enemy property and initiated action for recovery of arrears or dues recoverable from the occupier of the aforesaid immovable enemy property vested in the Custodian; AND WHEREAS the aforesaid immovable enemy property continue to remain so vested in the Custodian under sections 5, 5A and 12 of the Enemy Property Act, 1968 and the Enemy Property Rules, 2015; WITHOUT prejudice to above, Now therefore this Notice is being affixed over the aforesaid immovable enemy property declaring that the said property is vested in the Custodian. Date: Place: (District Authority with seal).'. 18 THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11 —SEC. 3(i)] 16. In Form 7 to the principal rules, the following Note shall be inserted at the end, namely:- "Note: In the table of this Form.- (i) "A/ I" refers to agricultural land; (ii) "H/B" refers to House building; (iii) "SIC" refers to Shop or commercial' . [F. No. 37/32/2017-EP] A. V. DHARMA REDDY. Jt. secy. Note : The principal rules were published in the Gazette of India, Extraordinary, Part 11, Section 3, Sub-section (i), vide notification number G.S.R. dated the 19th March. 2015. at RF*r, 21 Irri, 2018 «rma. *fifi-zrq, 1968 (1968 34) err-T 18 qir •a-ft 2. 3. *Tiw. -(1) 2018±1 (2) Efi -a-pa--q 18 -a-Hi-a (i) z•q-ä-g (iii) ; (v) a-rxr, (vi) I , *IIT I 30)] 19 4. (2) zrt it t, Rfrzr (4) frTiTÉ â-q-r -ft FT. â. 3713212017% (FREEDOM FIGHTER AND REHABILITATION DIVISION) ORDER New Delhi, the 21st March, 2018 G.S.R. 257(E).—In exercise of powers confened by section 18 of the Enemy Property Act. 1968 (34 of 1968) , the

Central Government hereby makes the following order for specifying the procedure for transferring property (not being an enemy property) vested in the Custodian as enemy property, to the person from whom such property was acquired and vested in the Custodian, namely:- 1. Short title and commencement.

— (1) This Order may be called the Transfer of Property (Vested as Enemy Property in the Custodian) Order, 2018. (2) It shall come into force on the date of its publication in the Official Gazette

2. Manner and period of making a representation under section 18 of the Act .- (1) Any person aggrieved by an order of vesting a property in the Custodian under the Act and the rules made there under may make a representation to the Joint Secretary in the Ministry or Department of the Government of India dealing in matters relating to enemy property, (hereinafter referred to as the "concerned Joint Secretary") within a period of thirty days from the date of receipt of such order or from the date of its publication in the Official Gazette, whichever is earlier. (2) Every such representation shall be accompanied by the following, namely:- (i) details of the property (including district name, sub-division name, police station name, post office name, block or tehsil name, date of vesting of transferable property) claimed to be owned by the transferee; (ii) copies of relevant revenue records relating to the property; (iii) documentary evidence in support of the claim, if any, in respect of the property; (iv) evidence in of being citizen of India; (v) name, addresses and other details of the occupant of the property, their status, their relationship with the transferee and other relevant details; (vi) any other information or document in support of the property and the transfer

3. Procedure for transfer of property (which is not an enemy property) vested in the Custodian.- (1) The concerned Joint Secretary shall, on receipt of a representation from a person aggrieved by an order vesting a property as enemy property in the Custodian referred to in sub-paragraph (1) of paragraph 2, initiate process for giving hearing to the person from whom such property was acquired after giving at least thirty days' notice to all concerned including the Custodian, requiring them to submit a reply, produce all documentary evidence and appear in person or through an authorised representative. (2) If any party fails to appear on the date fixed for hearing, a second and final notice shall be served through THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] registered post and if he again fails to appear after the second notice, then the proceedings shall be heard ex- parte and the reasons thereof shall be recorded. (3) On completion of the proceedings, the details including depositions shall be furnished to the parties. (4) The concerned Joint Secretary shall, after examining the evidence and calling for further reports and inquiry as may be necessary, pass such orders thereon as he thinks fit, and a copy of the said orders shall be sent to the parties. after approval of the Central Government

4. Transfer of property by the Custodian.- The Custodian, on receipt of the order of the Joint Secretary to treat the property not as an enemy property, shall revoke his earlier order vesting such property in him and publish the same in public domain and send a copy thereof to the concerned parties and to the District Authority for amending its records. [F. No. 37/32/2017-EP] A V DHARMA REDDY, Jt. secy. at RF*_r, 21 Irri, 2018 (1968 34) 6 2. 3. 4. 5. — (1) Sg 2018 1 *_r - gr-r var«) -h7 - (1) -qfi-a *31T I Fr T"- fifi q-IT8fr, : _ AT 3-fr(6. 7. 30)] (2) *fir q-r era - a-rrz-r;T gr«r (1) it FrETfr912t (2) q-q-fi (3) QIT -ft 21 8. -ä-q-Fff • - g) fir-r fr 2) ; (3) qfr@rg *31T I 22 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] 10. - 3713212017-\$ *9_r, 2018 9 3Tfrfia•q, 1968 fr err-r fi, 10, IF, Err-r 12 a•r-r 2F,ß) 31fifizrq 3-fr fi-«t -G-qfi 1968 (1968 EFT 34) 10, a•r-r 10*, 12 22q?F . .3frR•qr. ORDER New Delhi, the 21st March, 2018 G.S.R. exercise of powers conferred by sub-section (6) of section 8A of the Enemy Property Act, 1968 [34 of 1968]. the Central Government hereby makes the following order for the of enemy property (both movable and immovable) vested in the Custodian of Enemy Property for India under the said Act, namely:- 1. Short title and commencement. — (1) This Order may be called Guidelines for the disposal of Enemy Property Order, 2018. (2) It shall come into force on the date of its publication in the Official Gazette. 30)] 23 2. Custodian to submit list of all enemy properties to the Central Government. — A list of all vested enemy properties (movable and immovable) shall be prepared by the Custodian for its submission to the Central Government within three months from the publication of this order

3. Valuation of immovable enemy properties.— (1) For the purpose of valuation of immovable enemy property, there shall be constituted a Valuation Committee at the district level consisting of the following, namely :- Chairman (a) District Magistrate of a district where the property is situated... (b) Registrar/

Sub-Registrar of the Disnict..... ..Member (c) Superintendent/ Executive Engineer of CPWD/PWD.....Member (2) The Committee shall consider the circle rate of the area where the property is situated or a rate fixed by the distiiect administration as a mode of valuation of the property alongwith other valuation modes

4. Submission of valuation reports of the enemy properties.—The Custodian shall prepare and submit the State-wise list of the enemy properties along with their valuation to the Central Government within one month from the date of receipt of the valuation report from the Valuation Committee

5. Constitution of Committee for disposal of enemy property.—(1) The Central Government shall constitute a Committee consisting of the following to be known as Enemy Property Disposal Committee, namely:— (a) Additional Secretary to the Government of India in the Ministry or Department dealing with enemy property .. Chairman (b) AS and FA in the Ministry or Department dealing with enemy property Member (c) Joint Secretaw in the Departnment of Disinvestment and Public Asset Management, Ministry of Finance.....Member (d) Joint Secretary in the Ministry of Law and Justice . .. Member (e)ChiefEngineer,CPWD..... ..Member (f) Custodian of Enemy Property tor India.... ..Member (g) Joint Secretary in the Ministry or Department dealing with enemy property . ..Member-Secretary (2) The Committee shall give its recommendation to the Central Government for the disposal of enemy property or the manner in which the enemy property may be dealt with and matters connected therewith. (3) The quorurn for a meeting of the Committee shall be half its total strength

7. Recommendations to the Central Government by the Enemy Property Disposal Committee.— (1)The Enemy Property Disposal Committee shall make any of the following recommendations to the Central Government in relation to the enemy property, namely:— (a) sale of enemy property: (b) usage of enemy property by the Minisnies or Departments of the Central Government: (c) maintaining status quo in respect of enemy property; (d) transtZr of enemy property; (e) any other manner in which the enemy property may be dealt with. THE GAZETTE OF NDIA : EXTRAORDINARY [PART 11—SEC. 3(i)] (2) In case of vacant immovable enemy property, the Committee may recommend the purchaser offering the highest price for disposal of vacant immovable enemy property. (3) In case of occupied immovable enemy property, the Committee may recommend the percentage of valuation for its disposal to the existing occupier. (4) The Central Government shall consider the recommendations of the Committee and take its decision thereon

8. Sale of movable enemy property.The Custodian may sell the movable enemy propeny such as shares. with the prior approval of the Central Government, in one or more lots by itself or by authorisino any protessional body for such sale

9. Sale of immovable enemy property.— (1) In case of vacant immovable enemy propeny, the Custodian or any authorised body may sell the property, in one or more lots to secure maximum sale price, with the prior approval of the Central Government, by any one of the following methods, namely:— (a) by obtaining quotations from the persons interested in buying the immovable property: or (b) by inviting tenders from the public (including through e-mode): or (c) by holding public auction; or (d) by any other method of sale; or (e) by engaging a professional for sale of the property. (2) In case of occupied enemy property, the Custodian shall sell the propeny to the existing occupier or otherwise as may be decided by the Central Government and at the rate as determined by the Enemy Property Disposal Committee. (3) On receipt of the sale price of the property, the Custodian shall issue a certificate to the purchaser in APPENDIX - A. IO. Submission of report by the Custodian to the Central Government The Custodian shall send a to the Central Government at such interval. of the enemy property (movable and inunovable) disp-(jsed of whether by sale or otherwise, containing such details, including the price tor which such enemy property has been sold and the particulars of the buyer to whom the properties 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. [F. No. 37/32/2017-EP] A V DHARMA REDDY. Jt. secy. APPENDIX-A [See sections 5A, IO, IOA, 12 and 22A (b) of the Enemy Property Act, 1968 read with paragraph 9 of the Guidelines for the Disposal of Enemy Property Order, 2018] SALE CERTIFICATE (For Immoveable Enemy Property) Whereas the undersigned, being the Custodian under the Enemy Property Act and the rules and orders made thereunder and in exercise of the powers confened by section 8A. read with sections

10, IOA, 12 and 22A(b) of the Enemy Property Act, 1968 (34 of 1968).sold in favour of (purchaser). the immovable property vested free from all encumbrances in the Custodian under the atoresaid Act and shown below:- 2. The undersigned acknowledge the receipt of the sale price of Rs. only) in full and handed over the delivery and possession of the scheduled property. (Rupees 30)] Description of the Immovable Property — All that part and parcel of the property consisting of 25 'Plot No. in Survey No. / City or Town Survey No. and District / Khasar•a No. within the registration sub-district Bounded: On the North by On the South by On the East by On the West by (Custodian of Enemy Property tor India) Date--- ----- Place----- Uploaded by Die. of Printing at Government of India Press, Ring Road, Mayapuri, New 110064 and Published by the Controller of Publications, Delhi- 1 10054. b, spnvESH SARVESH KUMAR SRIVÅSIAVÅ SRIVASTAVA

