

**PART I**

**GOVERNMENT OF PUNJAB**

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

**NOTIFICATION**

The 29<sup>th</sup> August, 2014

**No.23-Leg./2014.**-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 20<sup>th</sup> Day of August, 2014, is hereby published for general information:-

**THE PUNJAB POLICE (AMENDMENT) ACT, 2014**

**(Punjab Act No. 22 of 2014)**

AN

ACT

*further to amend the Punjab Police Act, 2007.*

BE it enacted by the Legislature of the State of Punjab in the Sixty-fifth Year of the Republic of India, as follows:-

**1.** (1) This Act may be called the Punjab Police (Amendment) Act, 2014. Short title and commencement

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

**2.** In the Punjab Police Act, 2007, for section 54, the following sections shall be substituted, namely:- Substitution of section 54 of Punjab Act 10 of 2008.

“54. (1) The State Government shall by notification in the Official Constitution of the State Police Complaints Authority and the Divisional Police Complaints Authority. Gazette, constitute a State Police Complaints Authority for the State of Punjab and the Divisional Police Complaints Authority for each, or a group of districts or police commissionerate, to exercise the powers and perform the functions conferred upon, or assigned to the State Authority and the Divisional Authority under this Act.

(2) The State Police Complaints Authority shall consist of the following who shall be appointed by the State Government, by notification in the Official Gazette,-

(i) a Chairperson, who is or a retired Civil Services Officer not below the rank of Chief Secretary of the State Government or a Secretary to the Government of India or a retired Director General of Police of the State Government;

(ii) two members from amongst the following:-

(a) a civil service officer who has retired from a post not below the rank of Principal Secretary to the State Government; or

(b) a police officer who has retired from a post not below the rank of Additional Director General of Police of the State Government; or

(c) persons belonging to the State of Punjab with repute and contribution in the field of academia, social work, public affairs or law:

Provided that the State Police Complaints Authority shall have at least one woman as a member in case the Chairperson is not a woman.

(3) The Divisional Police Complaints Authority shall consist of the following who shall be appointed by the State Government, by notification in the Official Gazette and shall have the jurisdiction in the area as specified by the State Government,-

(a) a Chairperson, who was a civil service officer retired from a post not below the rank of Secretary to the State Government or a police officer who has retired from a post not below the rank of Deputy Inspector General of Police of the State Government;

(b) two members from amongst the following:-

(i) a police officer who has retired from a post not

below the rank of Senior Superintendent of Police of the State Government; or

- (ii) Persons belonging to the State of Punjab with repute and contribution in the field of academia, social work, public affairs or law:

Provided that the Divisional Police Complaints Authority shall have at least one woman as a member in case the Chairperson is not a woman.

54-A. A person appointed as Chairperson or Member of the State Term of office of the Police Complaints Authority or the Chairperson and the Members. Divisional Police Complaints Authority shall hold office for a term of three years from the date on which he enters upon his office or till he attains the age of seventy years whichever is earlier.

54-B. A person shall be eligible to be appointed as Chairperson or Eligibility of Member of the State Police Complaints Chairperson and Authority or the Divisional Police Members. Complaints Authority if he-

- (a) is a citizen of India;
- (b) is not holding an office of profit under the Central or State Government;
- (c) does not hold any elected office, including that of a Member of Parliament or of a Member of State Legislature or of any local body under the Government;
- (d) is not a member of or is associated in any manner with, an organization declared unlawful under any law;
- (e) has not been convicted for any criminal offence involving moral turpitude; or for any other criminal offence;
- (f) is not facing prosecution for any offence mentioned in clause (e) and against whom charges have not been framed by a court of law; and
- (g) is not of an unsound mind.

54-C. (1) The Chairperson or any Member of the State Police Resignation and removal of Chairperson and Members. Complaints Authority or the Divisional Police Complaints Authority may, by notice in writing under his hand addressed to the State Government, resign from his office.

(2) The State Government may remove the Chairperson or any Member, on the following grounds, if he-

- (i) is adjudged an insolvent; or
- (ii) has been convicted by a criminal court at any time for an offence which, in the opinion of the State Government, involves moral turpitude; or
- (iii) is persistently negligent to perform his duties; or
- (iv) has acquired such financial or other interest which is likely to affect prejudicially his functions as a Chairperson or a Member; or
- (v) is in a situation that would make him ineligible for appointment as per the conditions of eligibility given in section 54-B:

Provided that the State Government may remove the Chairperson or any Member of the State Police Complaints Authority or the Divisional Police Complaints Authority for any other reasons to be recorded in writing.

54-D. The State Police Complaints Authority shall inquire into Functions of State Police Complaints Authority. allegations of 'serious misconduct' against police officers of the rank of Senior Superintendent of Police/Deputy Commissioner of Police and above, by taking cognizance on receipt of a complaint from a victim or any person duly authorized on his behalf through a self attested declaration.

54-E. The Divisional Police Complaints Authority shall inquire into Functions of the Divisional Police Complaints Authority. the allegations of 'serious misconduct' against police personnel of, and below, the

rank of Superintendent of Police/Assistant Commissioner of Police on a complaint received from a victim or any person, duly authorized on his behalf, through a self-attested declaration.

*Explanation:*—‘Serious misconduct’, for the purpose of sections 54-D and 54-E, shall mean any act or omission on the part of a police officer that leads to or amounts to –

- (a) grievous hurt in police custody;
- (b) illegal detention;
- (c) extortion;
- (d) land/house grabbing;
- (e) sexual harassment; and
- (f) any complaint referred by the State Government:

Provided that the State Police Complaints Authority or the Divisional Police Complaints Authority shall not inquire into any matter which is already being inquired by National Human Rights Commission or State Human Rights Commission, or any other body duly constituted under any law for the time being in force:

Provided further that the State Police Complaints Authority or the Divisional Police Complaints Authority shall not inquire into any complaint pertaining to any matter older than a year:

Provided further that no anonymous, synonymous, pseudonymous and non-specific complaint(s) shall be entertained by the State Police Complaints Authority or the Divisional Police Complaints Authority.

54-F. The State Police Complaints Authority shall make rules for Rules for conduct of business. the conduct of its business, and that of the Divisional Police Complaints Authorities, with the approval of the State Government.

54-G. The remuneration and allowances payable to, and other terms Remuneration, allowances and terms and conditions of service of Chairperson and members. and conditions of service of, the Chairperson and Members of the State Police Complaints Authority and the Divisional Police Complaints Authority shall be such as may be prescribed:

Provided that the remuneration and allowances, other terms and conditions of the Chairperson, or a Member of the State Police Complaints Authority and the Divisional Police Complaints Authority, shall not be varied to his disadvantage after his appointment.

- 54-H. (1) For the purpose of making an inquiry referred to in Powers of the sections 54-D and 54-E, the State Police Authority. Complaints Authority and the Divisional Police Complaints Authority shall be vested with powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) and, in particular, in respect of the following matters, namely:—
- (i) summoning and enforcing the attendance of any person and examining him on oath;
  - (ii) discovery and production of any document;
  - (iii) receiving any public record or copy thereof from any court or office; and
  - (iv) issuing summons for the examination of witnesses or documents.
- (2) The State Police Complaints Authority or the Divisional Police Complaints Authority, as the case may be, before finalizing its opinion, shall give the head of the State Police or head of the district police, as the case may be, an opportunity to present the department's views and additional facts, if any.
- (3) The State Police Complaints Authority or the Divisional Police Complaints Authority, as the case may be, shall, upon completion of the inquiry, communicate its findings and recommendations to the State Government.
- (4) The State Government shall consider the findings and recommendations of the State Police Complaints Authority and the Divisional Police Complaints Authority for taking appropriate action.

- 54-I. Each Divisional Police Complaints Authority, shall prepare and submit to the State Police Complaints Authority, an annual report for the last calendar year before the 31<sup>st</sup> of January of the succeeding year. The State Police Complaints Authority shall compile a report, by clubbing all the reports submitted to it by the Divisional Police Complaints Authorities alongwith its own report, and shall submit it to the State Government. The annual report submitted to the State Government shall be laid as soon as may be, after its submission, before the House of the State Legislature while it is in session, for a period of fourteen days, which may be comprised in one session or in two or more successive sessions.”

**H.P.S. MAHAL,**  
Secretary to Government of Punjab,  
Department of Legal and Legislative Affairs.

**PART I**

**GOVERNMENT OF PUNJAB**

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

**NOTIFICATION**

The 29th August, 2014

**No. 24-Leg./2014.**-The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 20th Day of August, 2014, is hereby published for general information:-

**THE PUNJAB RENT (AMENDMENT) ACT, 2014**

**(Punjab Act No. 23 of 2014)**

AN

ACT

*further to amend the Punjab Rent Act, 1995.*

BE it enacted by the legislature of the State of Punjab in the Sixty-fifth Year of Republic of India, as follows:-

**1.** (1) This Act may be called the Punjab Rent (Amendment) Act, 2014. Short title and commencement.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

**2.** In the Punjab Rent Act, 1995, (hereinafter referred to as the principal Act), in section 2,- Amendment in section 2 of Punjab Act 13 of 2012.

(i) for clause (a), the following clause shall be substituted, namely:-

“(a) “Appellate Authority” means the Appellate Authority appointed under sub-section (1) of section 50 of this Act;”;  
and

(ii) clauses (b), (e) and (n) shall be omitted.

**3.** In the principal Act, in section 4, for sub-section (2), the following sub-section shall be substituted, namely:- Amendment in section 4 of Punjab Act 13 of 2012.

“(2) Notwithstanding anything contained in the Registration Act, 1908 (16 of 1908), every agreement referred to in sub-section (1) shall be in the Form specified in Schedule I appended to this Act and shall be registered under and in accordance with the provisions of the



Registration Act 1908 by the authority specified thereunder, on payment of registration fee of rupees one thousand.”.

Amendment in section 20 of Punjab Act 13 of 2012.

**4.** In the principal Act, in section 20, in sub-section (1), the sign and word “Tribunal” shall be omitted.

Amendment in section 31 of Punjab Act 13 of 2012.

**5.** In the principal Act, in section 31, in sub-section (3), for the word “Tribunal”, the words “Appellate Authority” shall be substituted.

Amendment in section 36 of Punjab Act 13 of 2012.

**6.** In the principal Act, in section 36, sub-section (3) shall be omitted.

Amendment in section 37 of Punjab Act 13 of 2012.

**7.** In the principal Act, in section 37, for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) An order made by a Rent Authority under this Act, or an order passed in appeal, shall be executable by a Rent Authority designated by the Appellate Authority in this behalf and for this purpose the Rent Authority so designated shall have all the powers of a Civil Court.”.

Amendment in section 38 of Punjab Act 13 of 2012.

**8.** In the principal Act, in section 38,—

(i) in sub-section (6), in clause (b), and

(ii) in sub-section (7), in clause (d),

for the words “Chairman of the Tribunal”, the words “Appellate Authority” shall be substituted.

Amendment in Chapter VI of Punjab Act 13 of 2012.

**9.** In the principal Act, in CHAPTER VI, for the heading “Punjab Rent Tribunal”, the heading “Appellate Authority” shall be substituted.

Omission of sections 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49 of Punjab Act 13 of 2012.

**10.** In the principal Act, sections 39, 40, 41, 42, 43, 44, 45, 46, 47, 48 and 49 shall be omitted.

11. In the principal Act, for section 50, the following section shall be substituted, namely:-

Substitution of  
section 50 of  
Punjab Act 13 of  
2012.

“50. (1) Save as otherwise expressly provided in this Act, the

Jurisdiction, State Government may, by a general or special  
powers and order, by notification confer on such officers and  
authority of authorities, as it may think fit, the powers of  
the Appellate Appellate Authority in relation to,—  
Authority

- (a) all appeals against the orders of the Rent Authority under this Act ;
- (b) any other matter, except the registration of agreements referred to in sub-section (2) of section 4 of this Act, arising from the provisions of this Act; and
- (c) review of its own orders and decisions.

(2) The Appellate Authority may, either *suo moto* or on application of any of the parties and after notice to the parties and after hearing such of them as it may desire to be heard, call for records of any case pending before the Rent Authority under this Act, and either itself try the case or give direction for disposal of the case to such Rent Authority.

(3) Any person aggrieved by an order passed or a decision made by a Rent Authority may, within thirty days from the date of such order or decision, prefer an appeal, in writing, to the Appellate Authority in the prescribed form and accompanied by certified copy of the order or decision appealed against :

Provided that an appeal may be entertained after the expiry of the said period of thirty days, if the appellant satisfies the Appellate Authority that he had sufficient cause for not preferring the appeal within the specified period.

(4) In computing the aforesaid period of thirty days, the time taken in obtaining certified copy of the order or decision to be appealed against shall be excluded.

(5) An appeal shall lie to the Appellate Authority from every order or decision of Rent Authority made under this Act both on question of law and facts :

Provided that no appeal shall lie against an order or decision of the Rent Authority made under section 21 or section 33 of this Act.

(6) On receipt of an appeal under sub-section (3), the Appellate Authority shall, if satisfied, after such inquiry as it may deem necessary that the appeal is a fit case for adjudication by it, entertain such appeal, but if the Appellate Authority is not so satisfied, it may summarily reject the appeal after recording its reason.

(7) The Appellate Authority shall endeavour to dispose of an appeal against the order or decision of the Rent Authority under clause (d), clause (e), or clause (q) of sub-section (2) of section 20 of sections 21, 22, 23, 24 or 31 within one month of filing of such appeal.

(8) The Appellate Authority shall have the power to effect conciliation between the parties in any case pending before it.”.

Omission of section 51 of Punjab Act 13 of 2012.

**12.** In the principal Act, section 51 shall be omitted.

Substitution of section 52 of Punjab Act 13 of 2012.

**13.** In the principal Act, for section 52, the following section shall be substituted, namely:—

“52. (1) Subject to the other provisions of this Act, a person, aggrieved by any order pertaining to any matter within the jurisdiction of the Appellate Authority, may make an application to the Appellate Authority in the form specified in Schedule XIII appended to this Act for the redressal of his grievance.

(2) Every application under sub-section (1) shall be in such form and be accompanied by such affidavits, documents or any other evidence and by such fees in respect of the filing of such applications and by such other fees for the service or execution of processes under the provisions of the Court Fees Act 1870, as amended by the State Government from time to time.

(3) On receipt of an application under sub-section (1), the Appellate Authority shall, if satisfied after such inquiry as it may deem necessary that the application is a fit case for adjudication or trial by it, entertain such application but where the Appellate Authority is not so satisfied, it may summarily reject the application after recording its reasons.”.

**14.** In the principal Act, section 53 shall be omitted.

Omission of section 53 of Punjab Act 13 of 2012.

**15.** In the principal Act, for sections 54 and 55, the following sections shall be substituted, namely:—

Substitution of section 54 and 55 of Punjab Act 13 of 2012.

“54. Notwithstanding anything contained in any other provisions of this Act or in any other law for the time being in force, no interim order (whether by way of injunction or stay) shall be made on, or in any proceeding relating to, an application or appeal unless,—

(a) copies of such application or appeal and of all documents in support of the plea for such interim order are furnished to the party against whom such application is made or appeal is preferred; and

(b) an opportunity is given to such party to be heard *in* the matter :

Provided that the Appellate Authority may dispense with the requirements of clauses (a) and (b) and make an interim order as an exceptional measure, if it is satisfied, for reasons to be recorded, in writing, that it is necessary so to do for preventing any loss being caused to the applicant or the appellant, as the case may be, which cannot be adequately compensated in money, but any such interim order shall, if it is not sooner vacated, cease to have effect on the expiry of a period of fourteen days from the date on which it is made unless the said requirements have been complied with before the expiry of that period or the Appellate Authority has continued the operation of the interim order.

55. A person making an application or preferring an appeal to the Appellate Authority under this Act may either appear in person or take the assistance of a legal practitioner of his choice to present his case before the Appellate Authority.”

Appearance before the Appellate Authority.

Omission of section 56, 57, 58, 59, 61, 62, 63 and 64 of Punjab Act 13 of 2012.

**16.** In the principal Act, sections 56, 57, 58, 59, 61, 62, 63 and 64 shall be omitted.

Amendment in section 65 of Punjab Act 13 of 2012.

**17.** In the principal Act, in section 65, for the word “Tribunal”, wherever occurring, the words “Appellate Authority” shall be substituted.

Amendment in section 68 of Punjab Act 13 of 2012.

**18.** In the principal Act, in section 68, for the word “Tribunal”, the words “Appellate Authority” shall be substituted.

Amendment in SCHEDULE-I of Punjab Act 13 of 2012.

**19.** In the principal Act, in SCHEDULE-I, for the words “Rent Authority”, wherever occurring, the words “Registering Authority” shall be substituted.

Amendment in SCHEDULE-XIII of Punjab Act 13 of 2012.

**20.** In the principal Act, in SCHEDULE-XIII, for the heading, the following heading shall be substituted, namely:—

“Form of application for appeal to the Appellate Authority under section 52.”.

**H.P.S. MAHAL,**  
Secretary to Government of Punjab,  
Department of Legal and Legislative Affairs.

**PART III**

**GOVERNMENT OF PUNJAB**

**DEPARTMENT OF REVENUE, REHABILITATION AND  
DISASTER MANAGEMENT**

**NOTIFICATION**

The 21st August, 2014

**No. G.S.R.43/Const./Art.309 and P.A.17/1887/S.28/Amd.(4)/2014.-**

With reference to the Government of Punjab, Department of Revenue, Rehabilitation and Disaster Management, Notification No. G.S.R.37/Const./Art.309/P.A.17/1887/S.28/Amd./2014, dated the 20th June,2014, and in exercise of the powers conferred by Article 309 of the Constitution of India read with Section 28 of the Punjab Land Revenue Act, 1887 (Punjab Act No. 17 of 1887), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Revenue Kanungos (Group 'C') Service Rules, 1994, namely;-

**RULES**

1. (1) These rules may be called the Punjab Revenue Kanungos (Group 'C') Service (Amendment) Rules, 2014.
  - (2) They shall come into force at once.
2. In the Punjab Revenue Kanungos (Group 'C') Service Rules, 1994, in rule 8;-
  - (a) in sub rule (1), for clause (ii), the following clause shall be substituted, namely :-
    - (ii) in the case of Kanungos,- hundred percent by promotion from amongst the Patwaris who have an experience of working as such for a minimum period of ten years, in the district, to which the posts relate and shall have undergone the Refresher Course as specified in Appendix 'B' to these rules; and
  - (b) sub rule (2) shall be omitted

**N.S. KANG,**

Financial Commissioner Revenue and  
Secretary to Government of Punjab,  
Department of Revenue,  
Rehabilitation and Disaster Management.

**PART IV**

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
**CORRECTION SLIP**

The 22nd August, 2014

**No. 177/Rules/II.D4.-**Rule 4(6) of Chapter 17 of the Rules and Orders of Punjab and Haryana High Court, Volume-IV is amended as under:-

"**4(6)** Copies of records required by the Supreme Court Legal Aid Committee, High Court Legal Aid Committee, District Legal Service Authorities and Sub-Divisional Legal Service Committees constituted by the State Governments/Union Territories, shall be supplied free of charge, provided that the application for copy is received from the Member Secretary/Secretary of such Committees/Authorities or any other person so authorized by them."

BY ORDER OF HON'BLE THE ACTING CHIEF JUSTICE AND  
JUDGES

Sd/-  
**PUNEESH JINDIA,**  
REGISTRAR RULES,  
FOR REGISTRAR GENERAL.



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LEGISLATIVE SUPPLEMENT

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(cvi) PUNJAB GOVT. GAZ. (EXTRA), AUGUST 29, 2014  
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**Part - IV    Correction Slips, Republications and  
Replacements**

Correction Slip No. 177/Rules/II.D4, dated the  
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