

OFFICE MEMORANDUM

SuB:- TIMELY RELEASE OF REQUISITIONED PROPERTIES & STRICTLY OBSERVING THE PROVISIONS OF REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY ACT,1952.

In terms of Sections 6 (1) and 6 (1A) of the Requisitioning and Acquisition of Immovable Property Act, 1952 properties requisitioned on or before 10th Mar 70 are required to be released from requisition by 10th Mar 87 and properties requisitioned after 10th Mar 70 within 17 years from the date of requisitioning. It has been observed that no proper watch over release of the requisitioned properties by various Ministries/Deptt. UT Adm is kept with the result that statutory requirement of release of the properties within the specified period is overlooked. The Act was last amended in 85 extending the period of requisitioning from 15 years to 17 years with the clear understanding that all the requisitioned properties would be released during next two years.

2. All Ministries/Deptt. Were requested in 1985 vide O.M. No. 19016 (2)/85-P0I-IV dated 25 Apr 85 to take expeditious action for release of all properties requisitioned on or before 10 Mar 70 on highest priority basis. It was also made clear that it would be the responsibility of the Ministries/Deptt. /Union Territory Administration which has requisitioned the property to ensure that the same were either acquired of the conditions specified in the Act for acquisition were fulfilled or they were released from requisitioning during the period specified in the Act. It was further clarified that in case there was any delay and violation of the provisions of the Act, the responsibility would vest on the Ministry/Deptt. /Union Territory Administration concerned. The estimates Committee in its 9th Report (10 Lok Sabha) have again stressed the need for timely release of requisitioned properties and for acquiring properties only when the conditions specified in the Act for acquisition are fulfilled. The Committee has also observed that in case of delay in release of properties and violation of the provisions of the Act, responsibility may be invariably fixed and suitable administrative action taken against the Officers found guilty of negligence or apathy.

3. It is therefore, once again impressed upon all the Ministries/Deptt/Union Territory Administration to take