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GOVERNMENT OF PUNJAB
DEPARTMENT OF WATER RESOURCES
(WORKS BRANCH)
NOTIFICATION
The 7th September, 2026

No.WR-IRWR010/177/2022-IW2/434.- Whereas, the proprietors/landowners had executed Release Deeds in 1982 in favour of the Provincial Government in respect of the Kuhals and Gharats, including Ambiwala Gharat, whereby they surrendered their rights, title and interest in the said Kuhals and Gharats in favour of the Government for their maintenance, management and proper supply of water;

And whereas, pursuant to the aforesaid Release Deeds, mutation was sanctioned in favour of the Provincial Government and the Government issued Notification No. 7/8/81-M(2)/1986 dated 15.06.1982 under Section 5 of the Northern India Canal and Drainage Act, 1873, for the use and management of the water of the said Kuhals and Gharats by the Irrigation Department (now Department of Water Resources).

And whereas, subsequently, certain land owners filed CWP No. 1836 of 2014 titled as "*Surinder Singh and others Vs. State of Punjab and others*" before the Hon'ble Punjab and Haryana High Court, inter alia, seeking maintenance/repair of the water courses or, alternatively, restoration of the ownership and management of the Kuhals to the original owners.

And whereas, after examination of the matter, the Secretary, Irrigation Department issued Notification No.9/45/2014-IW(2)/6164 dated 12.12.2014, whereby the earlier Notification dated 15.06.1982 was withdrawn, mainly on the ground that, due to the changed conditions and substantial deepening of the bed of River Chakki, it was not technically feasible or economically viable or safe to restore the Kuhals through natural flow of water.

And whereas, subsequently, CWP No. 17837 of 2022 titled as "*Bhanu Partap Singh Manhas Vs. State of Punjab and others*" was filed before the Hon'ble Punjab and Haryana High Court, inter alia, seeking directions to take over the management and control of the land relating to the Kuhals and Gharats in view of the Release Deed and challenging the effect of the Notification dated 12.12.2014.

And whereas, the Hon'ble Punjab and Haryana High Court, vide order dated 05.12.2022, directed the competent authority to decide the representation dated 18.05.2022 by passing a speaking order after granting an opportunity of hearing to the concerned parties. Accordingly, the concerned parties were afforded an opportunity of personal hearing and their respective contentions were duly considered.

And whereas, upon examination of the official record, it was observed that the Notification dated 12.12.2014 had not been issued with the approval of the competent authority, and that the decision to withdraw the Notification dated 15.06.1982 had been taken at the level of the then Secretary, Irrigation, without approval of the Administrative Secretary or Council of Ministers/Minister-in-Charge, despite the matter involving Government land and substantial financial implications for the State Government.

And whereas, it was further considered that the land covered by the Release Deeds had been voluntarily surrendered by the proprietors in favour of the State Government for a common public purpose, namely, maintenance, management and proper functioning of the Kuhals and Gharats, and therefore the same ought not to have been released back merely on the ground that restoration of the Kuhals was not feasible at that point of time. Consequently, the Government vide Speaking Order dated 15.03.2023 withdrew the notification dated 12.12.2014 issued vide No. 9/45/2014-1W(2)/6164 dated 12.12.2024.

And whereas, some of the proprietors/landowners filed a writ petitions, CWP Nos. 9359-2023 (O&M) titled "Ashok Kumar and Others versus State of Punjab and others" and 11756-2023 (O&M) titled as "Balbir Singh and Others versus State of Punjab and others" challenging the order dated 15.03.2023 on the ground that the same was merely an executive order. The said writ petitions were disposed of by the Hon'ble Court on 13.08.2026, with liberty to the Government to withdraw the order dated 15.03.2023 and to issue an appropriate notification in accordance with law.

And whereas the entire matter has been reconsidered by the Government and, after taking into consideration the official record, and the orders passed by the Hon'ble Punjab and Haryana High Court, the Government has arrived at the conclusion that the Notification dated 12.12.2014 should not have been issued.

Now, therefore,

In view of the facts and circumstances stated above, and in compliance with the orders passed by the Hon'ble Punjab and Haryana High Court, the Government of Punjab, Department of Water Resources, hereby withdraws the speaking orders dated 15.03.2023 issued vide No. WR-IRWR09/86/2022-IW2/70/1-7 dated 17.03.2023 and also withdraws/rescinds Notification No. 9/45/2014-IW(2)/6164 dated 12.12.2014. Further, the Notification No. 7/8/81-M(2)/1986 dated 15.06.1982 shall continue to remain operative, and the rights, title and interest in the Kuhals and Gharats covered by the aforesaid Release Deeds shall continue to vest in the State Government as per the terms of the respective Release Deeds.

The Chief Engineer (Canals), Water Resources Department, Punjab, shall take necessary consequential action for taking back the possession of the land released pursuant to the Notification dated 12.12.2014 and for making necessary corrections in the revenue records, in accordance with law.

This Notification shall come into force with immediate effect.

Sd/-

KRISHAN KUMAR

Principal Secretary to Government of Punjab,
Department of Water Resources,
Punjab, Chandigarh.