

THE BALOCHISTAN ACQUISITION OF PROPERTY
(WAPDA HOUSE) ORDINANCE, 1963

(W.P. Ord. XXIV of 1963)

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THE [BALOCHISTAN] ACQUISITION OF PROPERTY
(WAPDA HOUSE) ORDINANCE, 1963

(West Pakistan Ordinance XXIV of 1963)

[6 June, 1963]

An Ordinance to provide for the acquisition of certain property situate in the revenue estate of Mozang, Lahore, for the purpose of constructing the office of Water and Power Development Authority and to validate actions taken under the Martial Law Order No. 129 issued by the Martial Law Administrator, Zone 'B'.

Preamble. WHEREAS the property described in the Schedule was evacuee property and had been acquired by the Government of West Pakistan in exercise of the powers conferred on it by sub-section (2) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1958 (Act No. XXVIII of 1958), vide notification No. U. 8-79-59 (3113), dated 1% August, 1959, published in the Gazette of 28 August, 1959.

AND, WHEREAS, the Martial Law Order No. 129 was issued by the Martial Law Administrator, Zone 'B', on 29" May, 1962, providing for the acquisition of the said property for the purpose of constructing the office of the West Pakistan Water and Power Development Authority;

AND, WHEREAS, the validity of the said Martial Law Order and actions taken thereunder has been questioned;

AND, WHEREAS, it is expedient in the public interest to provide for the acquisition of the said property, for the purpose of constructing the office of the Authority, and to validate the actions taken in pursuance of the said Martial Law Order No.129;

AND, WHEREAS, the Provincial Assembly of West Pakistan is not in session and the Governor of West Pakistan is satisfied that circumstances exist which render immediate legislation necessary;

1 This Ordinance was promulgated by the Governor of West Pakistan on 6" June, 1963; approved by the Provincial Assembly of Pakistan, with amendments, on 16" July, 1963, under clause (3) of Article 79 of the Constitution of the Islamic Republic of Pakistan (1962); and published in the West Pakistan Gazette (Extraordinary), dated 16" July, 1963, pages 3127-3130.

Substituted by the Balochistan Laws (Adaptation) Order, 1975, for the words "West Pakistan".

3 Spelling of the word "Baluchistan", wherever it appears in this ordinance, is corrected by insertion of letter "o" instead of "u"; Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

Short title and
commencemen
t.

Definitions.

Acquisition of
property for
office of the
Authority.

NOW, THEREFORE, in exercise of the powers
conferred on him by clause (1) of Article 79 of the Constitution,
the Governor of West Pakistan is pleased to make and
promulgate the following Ordinance:—

1. (1) This Ordinance may be called the '[Balochistan]
Acquisition of Property (WAPDA Office) Ordinance, 1963.

(2) It shall come into force at once and shall be
deemed to have taken effect on and from the 29 May, 1962.

2. In this Ordinance, unless the context otherwise requires,
the following expressions shall have the meanings hereby
respectively assigned to them, that is to say—

(a) "Authority". means the Water and Power
Development Authority established under the
Water and Power Development Authority Act,
1958 (West Pakistan Act No. XXXI of 1958);

(b) "Government" means the Government of
'TBalochistan];

(c) "Martial Law Order No. 129" means the Martial
Law Order No. 129 issued by the Martial Law
Administrator, Zone 'B', on the 29% May 1962;
and

"

(d) "property" means the property described in the
Schedule to this Ordinance.

3. Notwithstanding anything to the contrary contained in
the Land Acquisition Act, 1894 (Act I of 1894), the Town
Improvement Act, 1922 (Punjab Act IV of 1922), as amended
by the Punjab Town Improvement (West Pakistan Amendment)
Ordinance 1962 (No. XVIII of 1962), the Municipal
Administration Ordinance, 1960 (Ordinance X of 1960), or any
other law for the time being in force, or in any decree, judgment
or order of any Court or Authority—

(a) Government shall forthwith take possession of the property, summarily ejecting, if necessary, any person in occupation of any part thereof;

(b) the compensation for the property shall be assessed by the Chief Settlement Commissioner, under the law relating to evaluation of evacuee

* Substituted by Balochistan Laws (Adaptation) Order, 1975, for the words "West Pakistan".

property;

(c) the compensation so assessed, shall be paid by the Authority to the Rehabilitation Department;

(d) Government shall transfer the property to the Authority subject to the provisions of section 41 of the Land Acquisition Act, 1894, so far as applicable, as if the Authority were a company, and shall put the Authority in possession thereof, and thereupon the property shall be deemed to have been duly acquired by the Authority free from all encumbrances, and

the actions taken under Martial Law Order No. 129 shall be deemed to have been validly taken under this Ordinance and shall be continued.

(See Schedule on next page)

SCHEDULE

The property quadrangle in shape measuring 104 feet along the Egerton Road on the north, 204 feet in the west, 107 feet on the common boundary between Park Hotel and boundary wall to Egerton Road in the east and comprising Khasra Nos. 1045, 1046 and part of 1044 Khasra Amarti of 1957-58 situated in the revenue estate of Mozang, Tehsil and District Lahore, consisting of buildings bearing property No. S.E. 27-R- 11 and open space, formerly belonging to Rai Bahadur Gopal Das.