

THE BALOCHISTAN (ADAPTATION AND
REPEAL OF LAWS) ACT, 1957

(W.P. Act XVI of 1957)

CONTENTS

SECTIONS

Preamble.

1. Short title and commencement.

2. Definitions.

3. Adaptation of laws.

4. Grammatical changes.

5. Exercise of powers.

6. Repeal.

7. Savings and validation.

'THE 7? [BALOCHISTAN] (ADAPTATION AND
REPEAL OF LAWS) ACT, 1957

(W.P. Act XVI of 1957)

[25% July, 1957]

An Act to adapt and repeal certain laws applicable to the Province of ?[Balochistan].

Preamble. WHEREAS it is expedient to adapt and repeal certain laws applicable to the Province of ?[Balochistan];

It is hereby enacted as follows:-

Short title and L. (1) This Act may be called the *[Balochistan] commencement (Adaptation and Repeal of Laws) Act, 1957.
t.

(2) It shall be deemed to have come into force on and from the 14th day of October, 1955.

41(3) It extends to the whole of the Province of [Balochistan] except the Tribal Areas.]

Definitions. 2. (1) In this Act, unless there is anything repugnant in the subject or context—

(a) "Administration" means any authority, howsoever constituted immediately before the appointed day, to administer a territory or area and includes the Government of any Province, State or other area included in the Province of [Balochistan];

(b) "Appointed day" means the fourteenth day of October, 1955;

(c) "Board of Revenue" means the Board of Revenue established — under the [Balochistan] Board of Revenue Act,

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This Act was passed by the W.P. Assembly on 6" March, 1957; assented to by the Governor of W.P. on 18" July, 1957; and, p the W.P. Gazette (Extraordinary), dated 25" July, 1957, pages 709-789.

Subs. for the words "West Pakistan" by Balochistan Laws (Adaptation) Order, 1975, made by Governor of Balochistan under A of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9" May 1975.

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

Added by W.P. Ord. VII of 1964.

Subs. for the words "West Pakistan" by Balochistan Laws (Adaptation) Order, 1975, made by Governor of Balochistan under A of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9" May 1975.

Adaptation of laws.

1

1957);

(d) "Existing law" means any Act, Ordinance, Regulation, Rule, Order or Bye-law made or issued by the appropriate Legislature or other competent authority including any public notification issued thereunder and in force in the territories and areas included in the Province of Balochistan] or any part thereof immediately before the appointed day, but shall not include any law with respect to any of the matters enumerated in List I of the Seventh Schedule to the Government of India Act, 1935; and

(e) "Instrument" means any instrument or document in force in the territories and areas included in the Province of Balochistan] or any part thereof immediately before the appointed day.

(2) Any expression not defined in this Act and defined in the Establishment of West Pakistan Act, 19557, or the Government of India Act, 19357, shall be deemed to have the meaning assigned to it by the said Acts.

3. (1) Wherever in any existing law, or in any instrument, a reference, in whatever form, not being a reference in the title, preamble, description or citation of such law or instrument, is made to any Province or area or State or to the States Union mentioned in column No.1 of Schedule I annexed to this Act, then notwithstanding anything to the contrary contained in such law or instrument, but subject to the other provisions of this Act, with effect from the appointed day, it shall, unless there be anything repugnant in the subject or context, be construed, as, and be deemed to be, a reference to the territories and areas included in the districts, or States, as the case may be, mentioned against it in column No. 2 of the said Schedule.

(2) Wherever in any existing law or any instrument

i.e. West Pakistan Act XI of 1957 as adopted by the Balochistan Laws (Adaptation) Order, 1975.

2 Adapted by the Pakistan Provisional Constitution Order, 1947; and repeal by Article 221 of the Constitution of Islamic Republic of Pakistan (1956) together with all enactments amending or supplementing that Act.

3 Passed by the constituent Assembly on 30th September, 1955, assented by Governor General on 3rd October, 1955; published

Gazette of Pakistan (Extraordinary), dated 3 October, 1955.

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in force in the whole or any part of the territories or areas included in the Balochistan States Union, or in any Province or State or other area included in the Province of [Balochistan] and mentioned in column No.1 of Schedule II annexed to this Act, any term mentioned in column No.2 of the said Schedule appears, it shall, as from the appointed day, and subject to any reservation made in this behalf and to the other provisions of this Act, be deemed to have been replaced by the term mentioned against it in column No. 3 of the said Schedule.

(3) The laws mentioned in Schedule II annexed to this Act shall be deemed to have been adapted to the extent and in the manner mentioned in column No. 5 of the said Schedule.

(4) As from the appointed day, unless there be a direction to the contrary in this Act, all references in any existing law or in any instrument—

(i) to the Governor-General, the Agent to the Governor-General, the Crown representative, the Central Government, the Chief Commissioner or Resident in relation to Balochistan, or to the Lieutenant-Governor or Governor of any of the Governor's Provinces unless the context indicates otherwise, be deemed to be references to the Governor or the Provincial Government of the Province of [Balochistan], as the case may be, and _ references to the administration of any of the said Provinces, territories or areas howsoever worded, shall be deemed to be references to the Provincial Government of [Balochistan];

(i1) to any Board, Committee, authority, functionary, officer or office, howsoever worded, or to any tribunal other than a High Court, which Board, Committee, authority, functionary, officer, office or tribunal has ceased to function or exist and has been replaced by another as a

Subs. for the words "West Pakistan", by Balochistan Laws (Adaptation) Order, 1975, made by Governor of Balochistan under

268 of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9" May 1975

of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9th May 1975.

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(iii)

(iv)

(v)

result of the establishment of the Province of '{Balochistan}', shall be deemed to be references to the Board, Committee, authority, functionary, officer, office or tribunal, howsoever named or _ designated, constituted, appointed or created to exercise all or any of the functions and duties of the aforementioned Board, Committee, authority, functionary, officer, office or tribunal, for the whole or a part of the territories in relation to which the said Board, Committee, authority, functionary, officer, office or tribunal, had been constituted, appointed or created;

to "Punjab Act", "Sind Act", "Bombay Act", "North-West Frontier Province Act", "Bahawalpur Act", "Khairpur Act", "Balochistan Regulation", "Balochistan States Union Act", "Balochistan States Union Regulation", howsoever worded, shall mean, respectively, references to the relevant Act or Regulation, in force immediately before the appointed day in the Provinces, States or the States-Union, as the case may be, included in the Province of West Pakistan;

to the official Gazette of any of the territories and areas included in the Province of West Pakistan, howsoever worded, shall, subject to the provisions of section 10 of the Establishment of West Pakistan Act, 1955', be deemed to be references to the official Gazette of the Province of West Pakistan;

to a Subordinate Judge shall include references to the Civil Judge in localities and areas where the latter designation is used;

1 Passed by the constituent Assembly on 30" September, 1955, assented by Governor General on 3TM October, 1955; published

Gazette of Pakistan (Extraordinary), dated 3 October, 1955.

Grammatical 4.
changes.

(vi) to "Punjab Legislative Assembly", "Sind Legislative Assembly", or "North-West Frontier Province Legislative Assembly", shall be deemed to be reference to the Provincial Assembly of West Pakistan.

Where this Act requires that in any existing law a plural noun shall be substituted for a singular noun or vice versa or a masculine noun for a neuter noun or vice versa there shall be made also in any verb or pronoun used therefore such consequential amendments as the rules of grammar may require.

Exercise of powers. 5.

(1)

(ii)

(iii)

1

As from the appointed day—

the powers exercised and duties performed before the appointed day by any officer of the administration of any Province, State or other territory or area included in the Province of West Pakistan, except '[the Karachi Area] in relation to the whole or any part of the territory under the charge of such administration, shall be exercised and performed by such officer or officers as may be specified in this behalf by the Governor of West Pakistan, for that territory or part thereof, and all references to the first named officer in any existing law or instrument shall be deemed to be references to the officer or officers so specified;

any reference in any existing law or instrument to any authority for which some other authority has been substituted by virtue of this Act or of any action taken under this Act shall be deemed to be a reference to the authority so substituted;

the Province of West Pakistan shall be deemed to be substituted as a party in all proceedings pending in any Court or before any authority for and on behalf of the administration of any territory or area included in the Province of West Pakistan, other than '[the Karachi Area] except in proceedings with respect to any property used for any of the purposes specified in List I of the Seventh Schedule to the Government of India

Subs. for the words "the Capital of the Federation", by the West Pakistan Laws (Adaptation) Order, 1964.

Repeal.

Savings and validation.

Act, 1935¹, or with respect to any rights, liabilities or obligations arising out of any matter specified in List I of the said Schedule.

6. The laws mentioned in Schedule IV annexed to this Act shall be deemed to have been repealed from the appointed day.

7. (1) Notwithstanding the repeal of the West Pakistan (Adaptation of Laws) Order, 1955², the expiry of the West Pakistan (Adaptation of Laws) Ordinance, 1956³, and the West Pakistan (Adaptation and Repeal of Laws) Ordinance, 1956⁴, or any judgment, decree or order of any Court, Tribunal or other Authority, everything done, action taken, obligation, liability, penalty or punishment incurred, inquiry or proceedings commenced, officer appointed or person authorised, jurisdiction or power conferred, rules made and order issued under any provision of any existing law, in pursuance of the amendments, omissions, modifications or repeals made by or under the said Order or the said Ordinances shall be deemed to have been validly done, taken, incurred, commenced, appointed, authorised, conferred, made or issued and be continued, and if not inconsistent with the provisions of this Act, be deemed to have been respectively done, taken, incurred, commenced, appointed, authorised, conferred, made or issued under any such existing law as adapted or repealed by this Act.

(2) Everything done, action taken, obligation, liability or penalty incurred or proceeding commenced, officer appointed or person authorised, jurisdiction or power conferred, rules made and order issued after the date of expiry of the West Pakistan (Adaptation of Laws) Ordinance, 1956⁵, and before the 18th day of October, 1956, under any provision of an existing law which could have been done, taken, incurred, commenced, appointed, authorised, conferred, made or issued under any such law, in pursuance of the amendments, omissions, modifications or repeals made by or under the said Ordinance if it had been in force during the said period, shall be deemed to have been validly done, taken, incurred, commenced, appointed, authorised, conferred, made or issued and be

Adapted by the Pakistan Provisional Constitution Order, 1947; and repeal by Article 221 of the Constitution of Islamic Republic of

Pakistan (1956) together with all enactments amending or supplementing that Act.

Made by the Governor of West Pakistan under section 5 of the Establishment of West Pakistan Act, 1955; and published in W

Gazette (Extraordinary), dated 14th October, 1955.

3 ie. W. P. Ordinance III of 1956; published in the West Pak Gazette (Extraordinary), dated 16th March, 1956.

i.e. W.P. Ordinance XXIV of 1956; made on 16th October, 1956; published in the W.P Gazette (Extraordinary).

i.e. W. P. Ordinance III of 1956; published in the West Pak Gazette (Extraordinary), dated 16th March, 1956.

continued and, if not inconsistent with the provisions of this Act, be deemed to have been respectively done, taken, incurred, commenced, appointed, authorised, conferred, made or issued under any such existing law as adapted or repealed by this Act.

(See Schedule on next page)

SCHEDULE I

[See SECTION 3(1)]

Column 1 Column 2

Bahawalpur State, or the State of Districts of Bahawalnagar, Bahawalpur and Rahimyar Bahawalpur. Khan.

Balochistan or Balochistan Province, or 1. The Pishin District comprising the Tehsils of—the Province of Balochistan. (i) Pishin:

(ii) Chaman;
(iii) = Shorarud.

2. The Sibi District comprising the Tehsils of—

(i) Sibi;
(ii) Shahrig.

3. | The Duki District comprising the Tehsil of Duki.

Leased Areas being the areas defined in
the Leased Areas (Laws) Order, 1950
(G.G.O. 3 of 1950).

The Areas within the borders of
Balochistan as defined in Ministry of
States Frontier Regions' Notifications
No. F-9 (170)-F/48-1 and F-9 (170)-F-
48-II, dated the 27 June 1950.

Balochistan State Union
Khairpur State or the State of Khairpur.

North-West Frontier Province.

Amb, Chitral, Dir and Sawat States.

Punjab, Punjab Province, or the
Province of the Punjab

Sind, Sind Province, or the Province of
Sind.

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The Quetta District;
The Nasirabad Sub-Division;

The Bolan District (including Kachhi Railway District and
Nushki Railway District);

The Nushki Tehsil.

The Kohlu and Marri Bugti District comprising the Tehsils
of—

(i) Kohlu;

(ii) Kohlu Railway;

(iii) Marri Bugti.

The Loralai District comprising the Tehsils of—

(i) Musakhel:

(ii) Bor;

(iii) = Barkhan;

(iv) Sanjawl.

The Zhob District comprising the Tehsils of—
(i) Fort Sandeman;

(ii) Hindubagh;

(iii) ~~ Killa Saifullah.

The Dalbandin District, including Western Sinjrani

country comprising the Tehsil of Dalbandin.

Districts of Kalat, Kharan, Las Bela and Mekran.

District of Khairpur.

Districts of Bannu, Dera Ismail Khan, Hazara, Mardan,
Kohat and Peshawar.

Amb, Chitral, Dir or Sawat States, as the case may be.

Districts of Campbellpur, Dera Ghazi Khan, Gujranwala,
Gujrat, Jhelum, Jhang, Lahore, Lyallpur, Mianwali,
Montgomery, Multan, Muzaffargarh, Rawalpindi,
Shahpur, Sheikhpura and Sialkot.

Districts of Dadu, Hyderabad, Tharparkar, Upper Sind
Frontier, Larkana, Nawab Shah, Sanghar, Sukkur and
Thatta.

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SCHEDULE II

[See SECTION 3(2)]

Territory Existing Term Substituted Term

1 2 3

Punjab

North-West Frontier
Province.

(i) Balochistan

(ii) Leased Areas being

(iii)

the areas defined in the
Leased Areas (Laws)
Order, 1950 (G.G.O. 3
of 1950).

The Areas within the
borders of Balochistan
as defined in Ministry
of States and Frontier
Regions' Notifications
No. F.9. (170)-F/48-1
and F-9 (170)F/48 -II,
dated the 27 June,
1950.

Bahawalpur State.

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Financial Commissioner or Financial
Commissioners.

Revenue Commissioner or Revenue and
Divisional Commissioner.

Revenue Commissioner or Revenue
Commissioner in Balochistan.

His Highness the Nawab Ruler Bahadur
of Bahawalpur, his heirs and successors,
or the Ruler of the Bahawalpur State, or
Alahazrat, Sarkar-i-Ali or Alahazrat or
Alahazrat the Ameer of Bahawalpur
State or His Highness, or His Highness
the Nawab Ruler Bahadur.

The Bahawalpur Government or the Government of Bahawalpur or the local Government or the Government of the Bahawalpur Darbar, or the State Government or the Government of Alahazrat the Ameer of Bahawalpur, or the Government of the Bahawalpur State, or His Highness's Government or the Government of His Highness the Nawab Ruler Bahadur.

Indian Penal Code.

The State Revenue or the Revenue of the State.

Board of Revenue.

Commissioner.

Commissioner.

Provincial Government except when any of the expressions

occurs in an oath = or affirmation, where it shall mean the Constitution of

Pakistan as by law established.

Provincial Government.

Pakistan Penal Code.

Provincial Revenue.

SCHEDULE II

[See SECTION 3(2)]

Territory Existing Term Substituted Term

1 2 3

AM. The Wazir-i-Azam, or AM. the Commissioner.

Khairpur State.

Chief Minister, or AM. the Prime Minister, or AM. the Revenue Minister, or the Minister Incharge.

Financial Commissioner.

His Highness the Nawab Ruler Bahadur's subjects, or the subjects of the State, or the State subjects.

British India.

Government of India.

The Ruler in the Judicial committee or the Judicial Committee.

Forces of Sarkar-i-Ali, or the State Forces, or the Forces of the Bahawalpur State, or the State Troops.

H.H. the Mir, his heirs and successors, or H.H. the Mir of Khairpur, his heirs and successors.

Darbar, or Khairpur Darbar, or Government, or Khairpur Government, or Kachehry, or Council, or His Highness in Council, or State, or State Government, or His Highness the Mir of Khairpur.

President, or Council of Administration, or Council, or President of Council.

Judicial Committee.

Board of Revenue.

Inhabitants of the area comprising the Districts of Bahawalpur, Bahawalnagar

and Rahim yar khan.

Provinces and Capital of the Federation.

Government of Pakistan.

Governor of West Pakistan in relation to all mercy petitions against convictions in murder cases and in respect of other matters it shall mean _ the appropriate Court.

Forces of the Government of Pakistan.

Provincial Government except when the expression occurs in an oath or affirmation, where it shall mean the Constitution of Pakistan as by law established.

Provincial Government.

Commissioner.

Governor of West Pakistan in relation to all mercy petitions against convictions in murder cases and in respect of other

[See SECTION 3(2)]

Territory Existing Term Substituted Term
1 2 3

matters it shall mean the appropriate Court.

Chief Minister, or Minister or Minister Commissioner.
Law and Order, or Minister Finance and
Industries or Wazir, or Revenue
Minister, or Education Minister, or
Health Minister, or Council of Ministers
or Finance and Revenue Minister, or
Finance and Revenue Member, or
Minister Incharge of Agriculture, or
Public Works Minister, or Council
Member Incharge, or President Council.

Council of Rulers. Provincial Government.

Balochistan States. Wazir-i-Azam. 'Provincial Government or any Officers empowered by the Governor of West Pakistan to perform the functions of Wazir-i-Azam in relation to any matters except Judicial matters where it shall mean the appropriate Court].

Wazir-i-Muarif District Judge.

1 Subs. by W.P. Ord. XXIV of 1959.

? The entry in columns 2 and 3 "Qazi and Civil Judge" omitted by W.P. Ord. V of 1962.

[See SECTION 3(2)]

Territory Existing Term Substituted Term

1 2 3

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Year of the | Number of the
Act, Act, Regulation

Regulation or Order

or Order

1850 XII

1870 VII

1879 XVII

1883 XIX

1894 I

1 Ins. By W.P. Ord. XXXI of 1961.

2 Ins. By W.P. Ord. XXXI of 1961.

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act, Provision adapted Adaptation made

Regulation or Order

CENTRAL ACTS AND REGULATIONS

The Public Section 5 For "Government" substitute "the

Accountants Central or the Provincial

Default Act. Government".

The Court Fees Schedule I In Article 13, delete "at Lahore" and
Act. for "Court of the Financial

Commissioner of the Punjab"

substitute "Board of Revenue".

Schedule II (i) In Article 10, clause (c), omit
"Chief Commissioner".

(ii) In Article 11, clause (b), omit
"or Chief Commissioner".

The Sind Section | (i) Omit "of Sind".

ecaturists (ii) For "Province" — substitute

eireh AC "Province of Sind as it existed
before the appointed day".

The Land Section 4(2)(f) For "Provincial © Government"
Improvements substitute "Board of Revenue".

Loans Act.

'TSection 3(c) For "Provincial Government"
substitute "Board of Revenue or
Commissioner"]

The Land Section 4(1) For "Provincial © Government"
Acquisition Act. substitute "Commissioner or Board
of Revenue".

Section 4(2) For "such Government" substitute

Sections 5-A(2),

6(1), 6(3), 7,

17(1), 17(2),

17(4), 31(3),
35(1), proviso to
36(2), 38(1), 39,
40(1), 40(2),
*[48(1), 48(2)],
49(2) and 49 (3).

"the Commissioner or the Board of
Revenue".

For "Provincial Government"
substitute "Commissioner".

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

Section 6(1)

Section 17(4)

Section 41

Section 49(2)

1896 XX The Sind Sections 24 and

Incumbered Estates 32

Act.

1899 II The Stamp Act. Section 57

Sections 58, 59

and 60.

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Adaptation made

(i) For "Secretary to — such Government" substitute "the Commissioner".

(ii) For "its" occurring before "orders" substitute "such".

For "its" substitute "he".

(i) For "Provincial Government" where it occurs for the first time substitute "Commissioner".

(ii) For "it" occurring before "shall" substitute "he".

For "it" substitute "he".

For "Provincial Government" substitute "Board of Revenue".

(i) in sub-section (1).

(a) For clause (a), substitute the following:-

"(a) if the case arises in West Pakistan, to the High Court of West Pakistan;"

(b) omit clause (b).

(ii) In sub-section (2), omit “or
Chief Court”.

Omit “or Chief Court”.

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

CENTRAL ACTS AS APPLICABLE TO PUNJAB

11870] VII The Court Fees Proviso to For "the Punjab" — substitute

Act. Section 30 "Pakistan".

1900 XU The Punjab Sections 2(8), For "Provincial Government"

Alienation of Land 4(1), 6(1)(d), 8(1) ~~ wherever it occurs substitute "Board

Act. (c), 23 and 24. of Revenue"

Section 3-A For "Provincial Government" where

it occurs first substitute "Board of

Revenue".

Section 13-B (b) For "Financial Commissioner"

substitute "Board of Revenue" and

thereafter insert "only on a point of

law".

Section 13-C For "Financial Commissioner"

substitute "Board of Revenue" and

for "he" substitute "it".

Section 3-C For "he" substitute "it".

Proviso

Section 13-D(b) For "Financial Commissioner"

substitute "Board of Revenue".

The PUNJAB ACTS

1883 XX >The Punjab Section 15 For the proviso to sub-section (1)

District Boards substitute the following:-

Act. "Provided that the bye-election

for filling the place shall be held
within a period of six months from
the date of occurrence of the
vacancy:

Provided further that in no case
shall a bye-election be held within a
period of six months of the date on
which the term of office of members
expires and such vacancy shall be
left unfilled:

Provided also that if a question
arises whether the bye-election was

1 Subs. by W.P. Ord. XXXI of 1961, for the figure "1878".

? Rep. by the Basic Democracies Order, 1959 (18 of 1959).

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SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order

Regulation or Order
or Order

1887 XVI The Punjab
Tenancy Act.

Section 56

Throughout the
Act

Section 4

Section 4(12)
Explanation.

Section 4(18)
Section 78(1)

Section 80(c)

Section 82(1)

Adaptation made

held within six months from the date
of occurrence of the vacancy or
when the term of office of members
expires, it shall be referred to the
Provincial Government whose
decision in the matter shall be final."

For "Provincial Government"
wherever it occurs substitute
"Commissioner", and make

necessary substitution for the
pronouns used for it.

For "Financial Commissioner"
substitute "Board of Revenue" and
make all necessary substitutions for
the pronouns used for it.

After clause (1) insert the following

as Clause (1-A):-

"(1-A) 'Government' shall, unless the context otherwise provides, mean the Provincial Government."

For "Provincial Government" substitute "Board of Revenue".

After "Provincial Government" insert "or Board of Revenue".

Omit "other".

For "Financial Commissioner" substitute "Board of Revenue only on a point of law".

In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

(i) Commissioner without first obtaining the sanction of the Board of Revenue.

(11) Collector without first obtaining the sanction of the Commissioner,

Year of the Number of the — Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

Section 84(3)

Section 84(4)

1887¹ XVII The Punjab Land Sections 3(1)(c),
Revenue Act. 6(3), 10, 18(2),

28(1), 29(1),
32(1), 38(1),
50(2), 51(1),
53(1), 53-A(1),
53-A (2), proviso
(i), 101-A(1),
107, 120(3),
136(1), 136(2),
136(4), 145,
146(b) and
158(2)(xx)

Section 3(10)

Explanation

Section 3(15)

Section 3

1 Repealed by W.P. Act XVII of 1967, s.184, part two of the Schedule.

2 Subs. for the words "sub-section", by W.P. Ord. XXXI of 1961.

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Adaptation made

and no. order shall be
reviewed by any _ other
Revenue Officer without first
obtaining the sanction of the
Revenue Officer to whose
control he is immediately
subject."

Omit "Commissioner or" and for
"Financial Commissioner"
substitute "Commissioner".

For sub-section (4) of section 84
substitute the following:-

"(4) If after examining a record called for under sub-section (1), or sub- section (2), or submitted under sub-section (3) the Board of Revenue or the Commissioner, as the case may be, is of the opinion that it is expedient to interfere with the proceedings or the order shall pass an order accordingly".

For "Provincial Government" wherever it occurs substitute "Board of Revenue".

For "Provincial Government" substitute "Board of Revenue".

After "Provincial Government" insert "or Board of Revenue".

Insert the following as new ?[clause] namely:-

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

Sections 3(19),

6(5), 111), (2),

(3), 12(1), (2),

14(c), 16(1),

24(1), 27, 29(3),

30(2), 31(2),

33(1), (2), (3),

35(a), 46, 47(1),

53(2), (3), 55(3),

58, 59(2), (3), 60-

C, 61(1)(b),

63(1), (2), 64(1),

(2), 97, 100(1),

102, 110(1),

3[124], 141,

148(1), 155(1),

(3) and 157.

Section 6(1)

Section 7

Section 13(c)

Section 15(1)

3 Subs. *ibid*, for the figure "111".

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Adaptation made

"(20) 'Board of Revenue' means the
Board of Revenue established
under the West Pakistan
Board of Revenue Act, 1957".

For "Financial Commissioner"
substitute "Board of Revenue" and
make all necessary changes of the
pronouns used there for.

Omit clause (a).

Omit.

For "Financial Commissioner"

substitute "Board of Revenue only on a point of law".

In the proviso. for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

(1) Commissioner without first obtaining the sanction of the Board of Revenue.

(11) Collector without first obtaining the sanction of the Commissioner,

and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

Revenue Officer to whose
control he is immediately
subject".

Section 16(3) Omit "Commissioner or" and
substitute "Commissioner" for
"Financial Commissioner".

Section 16(4) For sub-section (4) of section 16
substitute the following:-

"(4) The Board of Revenue may
in any case called for under sub-
section (1) and a Commissioner
may in any case called for under
sub-section (2) or reported under
sub- section (3) pass such order as it
or he thinks fit:

Provided that no order shall
be passed under this section
reversing or modifying any
proceedings or order of a
subordinate Revenue Officer and
affecting any question of right
between private persons without
giving those persons an opportunity
of being heard".

Section 48-B After "Provincial Government"
insert "or Board of Revenue, as the
case may be".

Section 50(2) For "Financial Commissioner"
substitute "Commissioner".

Section 60-A Substitute the following:-

"60-A. Procedure to be followed in
making rules— Before
making any rule under the
provisions of section 60, the
Provincial Government shall, in
addition to observing the procedure
laid down in section 22 of the 'West
Pakistan General Clauses Act, 1956,
publish by notification a draft of the

proposed rule for the information of
persons likely to be affected
thereby."

1 Now Balochistan, see Balochistan Laws (Adaptation) Order, 1975.

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SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

Sections 71(3), For "Financial Commissioner"

73, 75, 76, 771), substitute "Commissioner".

79(1), 95(2), 101-

A(4) and 147(3).

Section 137(1) Omit "except the Financial

Commissioner" and the commas

preceding and following these

words.

Section 158(1) Insert "Board of Revenue" after

"Provincial Government".

1903 II The Punjab Court Section 4(1) (i) For "Financial

of Wards Act. Commissioner" substitute

"Commissioner", and

(ii) omit "for the Punjab".

Section 4(2) Omit "the Commissioner of the

Division or".

Sections 4(3), For "Provincial Government"

4(4), 16(1), substitute "Board of Revenue".

17(2), 34 and

45(1).

Section 4(3) Omit "Commissioner or".

Sections 5 and For "Provincial Government"

7(1) substitute "Court of Wards".

Section 11(1) For the portion beginning with the

word "For the purpose" and ending

with words "order under section 6"

substitute the following:-

"For the purpose of satisfying

himself as to whether in respect of

any land-holder the Court of Wards

should be moved to make an order

under section 5(2) or section 6".

Section 44 Omit the first proviso and "further"

from the second proviso.

1905 II The Punjab Minor — Section 55 For "Financial Commissioner,

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Revenue" substitute "Board of

Revenue".

Canals Act.

Sections 61(1) For "Financial Commissioner"

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order
and 61(3).

1911 II 'The Punjab Section |

Municipal Act.

Section 17

2[1912 Vv The Colonization Sections 3 and 33

of Government

Land (Punjab).

Sections 10(1)

and 29

Section 36

1913 I The Punjab Sections 3(3) and

Preemption Act. 8(2)

1 Rep. by Ord. X of 1960.

2 Ins. By W.P. Ord. XXXI of 1961.

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Adaptation made

substitute "Board of Revenue".

In sub-section (2) after "Punjab"
insert "before the creation of the
Province of West Pakistan".

For the provisos to sub-section (1)
substitute the following:-

"Provided that the bye-election
for filling the place shall be held
within a period of six months from
the date of occurrence of the
vacancy:

Provided further that in no case
shall a bye-election be held within a
period of six months of the date on
which the term of office of member
expires and such vacancy shall be
left unfilled:

Provided also that if a question
arises whether the bye-election was
held within six months from the date
of occurrence of the vacancy or,
when the term of office of members
expires it shall be referred to the

Provincial Government whose
decision in the matter shall be final."

For "Provincial Government"
substitute "Board of Revenue".

For "Provincial Government"
substitute "Board of Revenue"
subject to the general approval of
the Government".

Insert "Board of Revenue" in
between "Provincial Government"
and "or Collector".]

For "Provincial Government"
wherever it occurs substitute "Board
of Revenue".

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order
1916 II *The Punjab Section 5 In sub-section (1) for clauses (b) and

Medical Regulation (c) substitute the following:-

Act. "(b) six members nominated by
the Provincial Government,
four of whom shall be from
the districts constituting the
Punjab and two from the
districts constituting the
North-West Frontier
Province before the creation
of the Province of West
Pakistan".

1932 I The Punjab Nurses Section 2 Delete "Punjab" from clause (a) and

Regulation Act. also from clause (d) where it occurs

for the first time.

Section 3 Delete "Punjab" from sub-section
(1) and clauses (a) and (b) of sub-
section (2).

Section 8 Delete "Punjab".

1934 VII The Punjab Relief Sections 1(2), 8, After "Provincial Government"
of Indebtedness 9, 13(4) and 15-A_ wherever it occurs insert "or the
Act. (12). Board of Revenue".

1935 Vv The Punjab State Section 2 In Clause (4) delete "Punjab"

Aid to industries

Act.

Section 3 In sub-section (1)—

(i) In clauses (a) and (b)
delete "Punjab".

(ii) For clause (d) substitute the
following, namely-
"(d) Five members to be
appointed by the Provincial
Government from among the
residents of the Punjab as it
existed before the coming into
being of the Province of West
Pakistan."

Section 4 Delete the section.

Section 9 Delete the first proviso and the word

3 Rep. by W.P. Ord. XIX of 1960.

Year of the Number of the

Act, Act, Regulation

Regulation or Order

or Order

1936 II

1936 III

1936 IV

1938 IV

1939 XI

1940 VI

1 Rep. by W.P. Ord. X of 1958.

2 Rep. by W.P. Ord. VI of 1960.

3 Rep. by W.P. Act XIX of 1964,

4

Rep. by P.O. 18 of 1959.

SCHEDULE III

[See SECTION 3(3)]

Short title of the Act,

Regulation or Order

The Punjab Debtors

Protection Act.

'The Punjab

Entertainment Duty

Act.

?The Punjab

Consolidation of

Holdings Act.

3The Punjab

Restitution of

Mortgaged Lands

Act.

4The Punjab

Village Panchayat

Act.

The Punjab Thal

increase in Value

Provision adapted

Sections 3(2), (3)

and 4(2).

Section 6-A

Section 3

Sections 1(2),

2(1)(c), 2(1)(A),

3(2-A) and 4(3)

Section 24

Sections 3(2) and

3-(2a).

Section 10(b)

Section 10-A

Section 11(1)(b)

Section 6(5)

Sections 3(1),

3(2), 7(1), 8 and

Adaptation made

"further" from the second proviso.

For "Provincial Government"

substitute Board of Revenue.

For "Financial" Commissioner"

substitute "Board of Revenue".

In sub-section (1) for "the Punjab"

substitute "West Pakistan".

For "Provincial Government"

wherever it occurs substitute "Board
of Revenue".

For "Financial Commissioner"

substitute "Board of Revenue" and

for "himself substitute "itself and

for "he" wherever it occurs

substitute "it".

For "Provincial Government"

substitute "Board of Revenue".

For "Financial Commissioner"

substitute "Board of Revenue" and thereafter insert "only on a point of law".

For "Financial Commissioner" substitute "Board of Revenue," for "his" substitute "its" and for "he" wherever it occurs substitute "it".

For "Financial Commissioner" substitute "Board of Revenue".

For "Government" where it occurs for the second time substitute "Deputy Commissioner"

For "Government" substitute "the Board of Revenue".

Year of the Number of the Short title of the Act,
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order
Act.

1940 XVII °The Punjab

Primary Education

Act.

194] XII 'The Punjab

Weights and

Measures Act.

194] XV >The City of Lahore

Corporation Act.

5 Rep. by W.P. Ord. XXIX of 1962.

1 Rep. by W.P. Ord. XXXII of 1965.

? Rep. By Ord. X of 1960.

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Provision adapted

9.

Section 2

Section 3

First Schedule

Section 11

(i)

(ii)

(i)

(ii)

(i)

(ii)

(i)

(ii)

Adaptation made

In clause (b) omit "Punjab".

After clause (h) insert the following new clause, namely:-

"(i) "Government" means the Provincial Government".

In clause (3) for "His Majesty's Mint at Bombay" substitute "Pakistan Mint at Lahore".

In clause (4) for "Bombay" substitute "Lahore".

Under the heading "Explanation of dry and wet measure" in paragraph | for "Bombay" substitute "Lahore".

Under the heading "standard measures of length" for "Bombay" substitute "Lahore" and omit "Officer Incharge, Mathematical Instrument Office Calcutta".

For "two" substitute "six".

For the full-stop at the end of the existing proviso substitute a colon and add the following provisos thereafter:-

"Provided that the bye-election for filling the vacancy of a councillor shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of Councillor expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

Section 12(b)

Section 91

Section 94(2)

1948 I 'The West Punjab Section 2

Boarder Police Act.

1948 VI The West Punjab Section 13

Highways Act.

1950 XVI The Punjab ?Crown — Section 2 (iii)

Lands (Resumption

of Grants And

Extinguishment of

Rights) Act.

1950 XXII >The Punjab Section 2

Orphanages,

Widows' Homes

and Marriage

Bureaux Act.

1951 x 'The Agriculturists' Section 2

Loans (Punjab

Amendment) Act,

1951

1951 XVI >The Punjab Section 2

Agricultural

Income-Tax Act.

1 Rep. by W.P. Act XLVIII of 1958.

2 Now "Government", see W.P.A. Order. 1964.

3 Rep. by W.P. Act XXVIII of 1958

4 Rep. by W.P. Act XXVII of 1958.

5

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Rep. by Pb. Act II of 1977.

Adaptation made

held within six months from the date
of occurrence of the vacancy or
when the term of office of
Councillor expires it shall be
referred to the Provincial
Government whose decision, in the
matter shall be final."

For "Corporation" where it occurs
for the second time substitute
"Provincial Government".

In sub-section (1), for "Punjab" substitute 'West Pakistan".

For "Punjab" substitute "West Pakistan".

Omit "Punjab".

In clause (vi) Omit "Lahore".

Omit "of the Punjab".

In this Act for "Bureaux" wherever it occurs substitute "Bureau".

In sub-section (2) omit "of the Punjab".

For "Financial Commissioner" substitute "Board of Revenue".

"

For "Punjab Legislative Assembly" substitute "Provincial Assembly of West Pakistan".

Year of the

Regulation

Act,

Number of the

Act, Regulation

or Order

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted = ~~ Adaptation made — C — S

Regulation or Order

Provision adapted

Adaptation made

or Order

1 Rep. by W.P. Ord. XXI of 1959.

2 Rep. by W.P. Ord. XI of 1962.

1952

1952

1953

1954

1955

VI

XXI

XIV

IX

VIII

'The Punjab

Muslim Augaf Act.

The Punjab Soil

Reclamation Act.

The Punjab
Youthful
(Offenders) Act.

?The Punjab

Education (Control

of Unrecognized

Private Institutions)

Act.

3The Punjab
Secondary
Education Act

3 Rep. by W.P. Ord. XVIII of 1961.

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Section 2 (3),

proviso and 3(2).

Section 3 (1)

Section 3 (3)

Section 11 (4)

Section 17

Section 4

Section 48

Section 14

Section 2

Section 4

For "Government" substitute
"Board of Revenue".

For "the Punjab" substitute "West
Pakistan".

For "Financial Commissioner"
substitute "Board of Revenue".

For "Government of the Punjab"

substitute "Provincial Government".

After "appointed" insert "by the Government" and omit "in the manner provided in section 5".

In sub-section (1) omit "Punjab".

In sub-section (1), in clause (vii) omit "Punjab".

In sub-section (1) for the words "Sessions Judge" where they occur for the second time, substitute the word "Court of Sessions".

For "Education Department of the Punjab" substitute "Education Department of West Pakistan".

(i) For clause (iv) of sub-section (1) substitute the following:-

"(iv) Two persons from the districts of Bahawalpur, Bahawalnagar and Rahimyar Khan to be nominated by Government".

(ii) For clause (v) of sub-section (1) substitute the following:-

"(v) One person from the Quetta Division to be nominated by

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted = ~~ Adaptation made—C—S

Regulation or Order

Provision adapted

Adaptation made

or Order

Year of the | Number of the

Act, Act, Regulation

Regulation or Order

1955 xX

1955 XIII

1955 XIV

1955

1 Rep. by W.P. Ord. LVI of 1959.

The Co-operative
Societies (Punjab
Amendment) Act.

'The Punjab Wild
Birds and Wild
Animals Protection
Act.

?The Punjab Land
Utilization Act.

3The Punjab
University Act.

2 Rep. by W.P. Ord. XLVIII of 1959.

3 Rep. by W.P. Ord. XXII of 1961.

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Section 10

Section 11

Section 3

Section 7

Section 8 (1)

Section 8 (2)

Section 2 (1)

Sections 4, 6, 7

and 12

Section 8

Sections 11 and
28

Section 16(1)

Government".

In clause [iii] of sub-section (2), for "Punjab Education Department" substitute "West Pakistan Education Department".

Omit "Punjab".

In clause (b), insert "Provincial" before "Government".

After "Government" insert "or the Commissioner" and for "it may grant to any person" substitute "any person may be granted" and for "it may impose" substitute "may be imposed".

After "Government" where it occurs first insert "or the Commissioner".

After "Government" where it occurs first insert "or the Commissioner".

For "Government of the Punjab" substitute "Provincial Government".

For "Government" substitute "the Board of Revenue".

For "Government, or some officer authorized by the Government in this behalf" substitute "Commissioner".

For "Government" where it occurs for the second time substitute "Board of Revenue".

(a) Omit "Punjab" from clause (iv) of Head 'A'.

(b) (i) For clause (11) of Part B substitute the following:-

"(11) Two persons from the

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

SIND ACTS

1874 II The Civil Jails Act. Section 16-A

18794 Vv The Sind Land Section 3

Revenue Code

[and the Bombay

Land Revenue

Code, as in force in

the District of

Karachi.]

Section 4

Section 8

Repealed by W.P. Act XVII of 1967, s.184, part two of the Schedule.

5 Added by W.P. Ord. VII of 1964.

5 Ins. by W.P. Ord. XXXI of 1961.

7 ie. W.P. Act XI of 1957.

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Adaptation made

districts of
Bahawalpur,
Bahawalnagar and
Rahimyar Khan to be
nominated by the
Government".

(ii) For clause (v) of Part B
substitute the following:-

"(v) One person from the
Quetta Division to be
nominated by
Government".

Omit sub-section (5).

Insert the following as new sub-
section, namely:-

"(30) "Board of Revenue" means the

(i)

Board of Revenue
established under the West
Pakistan ' [Board of
Revenue] Act, ' 1957".

For "Revenue
Commissioner" where it occurs
for the first time substitute
"Board of Revenue".

(11) Replace the semi-colon after

(i)

"Division" in the last sentence
by a full-stop.

Insert "Board of Revenue and
the" before "Revenue
Commissioner" where it occurs
for the first time.

(ii) Insert "or the Board of

Revenue" after the words
"Provincial Government"
where they occur for the last
time.

Year of the Number of the

Act, Act, Regulation
Regulation or Order
or Order
1879 VII

1881? IV

1 Ins. by W.P. Ord VII of 1964.

2

SCHEDULE III
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

The Sind Irrigation
Act '[and the
Bombay Irrigation
Act, as in force in
the District of
Karachi.]

The Sind Village
Officers Act.

Provision adapted

Sections 10, 38,
41, 44, 53, 55,
95, 98, 108, 117-
A (3), 118, 126,
146, 148, 152,
154, 183, 198,
204, 206, 209,
211, 212 and 213.

Section 12

Section 17

Section 18

Section 37 (1)

Section 135-H

Section 158

Sections 216 (IA)

and 216 (IB).

Section 90

Section 3

Repealed by W.P. Act XVII of 1967, s.184, part two of the Schedule.

Adaptation made

For the words "Provincial Government" wherever they occur substitute "Board of Revenue".

For "Provincial Government" where it occurs for the first time substitute "Commissioner" and where it occurs for the second time substitute "Board of Revenue".

After the words "Provincial Government" insert a comma and the words "Board of Revenue".

After the words "Provincial Government" occurring for the last time insert "or the Board of Revenue or the Commissioner".

After "Revenue Commissioner" insert "and Board of Revenue".

In sub-section (3) omit "or the Chief Court of Sind".

For "Provincial Government" occurring for the first time substitute "Board of Revenue".

For "Revenue Commissioner for Sind" substitute "Board of Revenue".

Omit the first proviso, and in the second proviso omit "further".

For "Provincial Government" substitute "Board of Revenue".

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order
1882 VII
1901 III
1 Ins. ibid.

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

The Sind Landing Section 4
and Wharfage Fees
Act, [and the
Bombay Landing
and Wharfage Fees
Act, as in force in
the District of
Karachi.]

The Sind District Section 18
Municipal Act.

Section 37

Section 46,
proviso (a)

Adaptation made

Omit "in relation to a major port
means the Central Government, and
save as aforesaid".

For the full-stop appearing at the
end substitute a colon and add the
following proviso thereafter:

"Provided that if the vacancy
be of an elected Councillor the bye-
election for filling the vacancy shall
be held within a period of six
months from the date of occurrence
of the vacancy:

Provided further that in no

case shall a bye-election be held within a period of twelve months of the date on which the term of office of Councillors expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of Councillors expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

For "in accordance with the rules to be made by the Municipality in this

behalf" substitute "with the previous sanction of the Commissioner".

For proviso (a) substitute the following:-

"(a) Norule made. or alteration

or rescission of a rule' made under this section shall have effect unless and until it has

been approved by the

SCHEDULE II

Year of the Number of the

Adaptation made

or Order

Act, Act, Regulation

Regulation or Order

1906 II

1923 VI

2 Add. by W.P. Ord. VII of 1964.

[See SECTION 3(3)]

Short title of the Act, Provision adapted

Regulation or Order

The Muktiarkars' Section 3 (a)

Courts Act, 7[and

the Mamlatdars

Court Act, as in

force in the District

of Karachi.]

The Sind Local

Boards Acct.

Section 4 (1)

Section 4 (3)

Section 33

Section 125 (1)

Section 127

7 Subs. by W.P. Ord. XXXI of 1961, for the word "Commissioner".

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Commissioner."

For "Provincial Government"

substitute "Board of Revenue",

For "Provincial Government"

substitute "Board of Revenue",

For "Provincial Government"

substitute '[Board of Revenue.]

For the existing provisos substitute
the following:—

"Provided that if the vacancy
be of an elected member the bye-
election for filling the vacancy shall
be held within a period of six
months from the date of occurrence
of the vacancy:

Provided further that in no
case shall a bye-election be held
within a period of twelve months' of
the date on which the term of office
of members expires and such
vacancy shall be left unfilled:

Provided also that if a
question arises whether the bye-
election was held within six months
from the date of occurrence of the
vacancy or when the term of office
of members expires it shall be
referred to the Provincial
Government whose decision in the
matter shall be final".

Insert "Commissioner or" before
"Collector".

(i) For "Provincial Government"
wherever it occurs substitute
"Commissioner".

(11) Add as sub-section (4) after

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order
1924 XH
1925 VII
1925 XVIII

1 Add. by W.P. Ord. VII of 1964.

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

The Sind Children
Act, [and the
Bombay Children
Act, as in force in
the District
Karachi.]

The Sind Co-
operative Societies
Act, [and the
Bombay Co-
operative Societies
Act, as in force in
the District
Karachi.]

The Sind Municipal
Boroughs Act.

Provision adapted

Section 52

Section 71

Section 29

Adaptation made

sub-section (3):-

"(4) When a Commissioner
makes any order under
this section he shall
forthwith forward to the

Provincial Government a copy of the order with a statement of the reasons for making it and with such explanation, if any, as the board or committee concerned may wish to offer. The Provincial Government may thereupon confirm, modify or rescind the order."

In sub-section (4) omit all words after the words "further condition".

Omit sub-section (5).

(a) Omit the proviso to the first paragraph and insert the following as provisos at the end:-

"Provided that the bye-election for filling the vacancy of a Councillor shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of twelve months of the date

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

on which the term of office of

Councillors expires and such

vacancy shall be left unfilled:

Provided also that if a question
arises whether the bye-election was
held within six months from the date

of occurrence of the vacancy or

when the term of office of

Councillors expires it shall be

referred to the Provincial

Government whose decision in the

matter shall be final."

1929 VII The Sind Section 14 Omit sub-section (4).

Maternity Benefit

Act.

1929 XVII The Sind Section 19 Omit sub-section (3).

Borstal Schools

Act, *[and the

Bombay Borstal

Schools Act, as in

force in the District

of Karachi.]

1930 XXV The Sind Local Section 15 Omit sub-section (3).

Funds Act.

1932 II The Sind Finance Section 4 After clause (b) insert the following

Act, 3*[and the new clause:-

Bombay Finance "(bb) "Government means the

Act as in force in Provincial Government."

the District of ,

Karachi.]

Section 11 Omit the last two sentences in sub-section (3).

1932 XV The Sind Weights Section 41 Omit clause (b) of sub-section (3).

and Measures Act,

*Tand the Bombay

Weights and

Measures Act, as in

force in the District

1 Repealed by W.P. Ord. XXXII of 1958.

2 Add. by W.P. Ord. VII of 1964.

3 Add. ibid.

4 Add. by W.P. Ord. VII of 1964.

Year of the | Number of the
Act, Act, Regulation

Regulation or Order

or Order

1933 VI

1933 XII

1934 xX

1935 XVIII

1935 XV

1937 IV

1939 XIII

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act, Provision adapted

Regulation or Order

of Karachi.]

'The Sind Village Section 108

Panchayats Act.]

The Sind Livestock

Improvement Act,

'Tand the Bombay

Livestock

Improvement Act,

as in force in the

district of Karachi.]

The Sind Devadasis

Protection Act,

[and the Bombay

Devadasis

Protection Act, as

in force in the

District of

Karachi.]

The Mussalman

Wakf (Sind

Amendment) Act.

The Sind Public

Trusts Regulation

Act, 3[and the

Bombay Public

Trusts Regulation

Act as in force in

the District of
Karachi.]

The Sind Famine
Relief Fund Act.

The Sind Nurses,
Midwives and
Health Visitors
Registration Act.

1 Repealed by W.P. Act XLVII of 1958.

2
3

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Add. by W.P. Ord. VII of 1964.
Add. by W.P. Ord. VII of 1964.

Section 23

Section 7

Section 14

Section 27

Section 8

Section 3

Section 29

Adaptation made

Omit sub-section (3).

Omit sub-section (4).

Omit sub-section (3).

Omit sub-section (2).

Omit sub-section (4).

Omit the proviso.

Omit Clause (b) of sub-section (2).

Omit sub-section (3)

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

1939 XV 4 The Sind Motor Section 17 Omit the second sentence.

Vehicles Tax Act.

Section 19 Omit sub-section (4).

1939 XX! The Sind Deti Leti Section 23 Omit sub-section (4).

Act.

1940 II The Public Section 11 (i) In sub-section (1) omit "of this

Inquiries Act. Province".

(ii) Omit sub-section (4).

1940 IV The Sind Section 33 Omit.

Consumption of

Intoxicants

Restriction Act.

1940 VII The Sind Section 14 Omit sub-section (4).

Zamindars

Children Education

Act.

1940 VII The Sind Section 16 Omit sub-section (4).

Agriculturists

Relief Act.

1940 XI The Sind Section 28 In sub-section (4) omit clause (b).

Agricultural

Produce Markets

Act.

1940 XVIII The Sind Shops and_ Section 35 Omit sub-section (5).

Establishments Act.

1940 XX The Sind Opium Section 31 Omit sub-section (4).

Smoking Act.

1941 IX The Sind Debt Sections 3 (1), 3 For "Provincial Government"

Conciliation Act. (3) and 3 (4). substitute "Board of Revenue".

Sections 15 (1) For "Revenue Commissioner for

and 20 (6). Sind" substitute "Commissioner".

Section 36 (5) For "Sind" substitute "Provincial"

1944 XIV The Sind Money Sections 6 and 44 --- For "Provincial Government"

Lenders Act. substitute "Board of Revenue".

1944 XV The Hakims and Section 36 Omit sub-section (3).

4 Repealed by W.P. Act XXXII of 1958.

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

Vaidyas Act.

1947 VI The Sind Road Section 2

Fund Act.

1947 XVII The Sind Section 7

University Act.

Section 10

Section 18

Section 39

1947 XVIII 'The Sind Section 30

1 Repealed by W.P. Ordinance XX of 1958.

SCHEDULE II

Adaptation made

For sub-section (3) substitute the

following:-

"(3) 'Provincial Roads' means roads which have been constructed, repaired, improved or maintained from the Provincial revenues in the territories included in the Province of Sind as it existed before the appointed day and shall hereinafter be constructed, repaired, improved or maintained from Provincial Revenues."

For 'The Premier of the Province for

the time being" substitute "A

Minister of the Provincial

Government, from the territories in

the Province of Sind as it existed

before the appointed day, nominated

by the Governor".

(i) In sub-section (2) under the

head "1-Ex-officio B" in clause

(i) omit "Sind" and for clauses

[ii] to (x) substitute:-

"(ii) Nine persons nominated

by the Governor from the residents of Hyderabad and Khairpur Divisions to give representation to Education, Judicial, Agriculture, Health, Engineering and Industries Departments".

(ii) In clause (xiii) omit "Sind".

In sub-section (1) under the heading "1-Ex-officio Members" in clause

(ii) omit "Sind".

Omit the proviso.

Omit sub-section (3).

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order

1947 XXVII
1947 XLII
1947 XLIV
1947 XLIX

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Vagrancy Act.
The Primary Section 4
Education Act.
The Sind Foods Section 36
Act.
The Sind Local Section 5
Authorities Service
Act.

Section 7 (3)
The Sind Rural Sections 8 (3) (c)
Credit and Land and (d).
Transfer Act.

Section 11 (1) (c)
Sections 26 (1)
and (2).

Sections 27 (1)
and (2).

Section 28

Adaptation made

In sub-sections (1) and (4) omit "in
the Province".

Omit sub-section (3).

For the existing section 5 substitute
the following:—

"5. All the officers of the Local Authorities Service shall be the servants of the Provincial Government, Out of these officers, the Chief officers of the Local Authorities will be appointed by the Government, All the remaining Officers, of the Local Authorities Service will be appointed by the Commissioner. The jurisdiction in respect to matters specified in sub-section (2) of section 7 shall, however, vest in and be exercised by the Provincial Government in respect of the officers of the Local Authorities Service."

For "Sind" substitute "Provincial".

For "Provincial Government"

b

substitute "Board of Revenue".

For "Provincial Government" substitute "Board of Revenue".

For "Revenue Commissioner" substitute "Commissioner".

For "Provincial Government" substitute "Board of Revenue".

For "Provincial Government" substitute "Board of Revenue" and for "Revenue Commissioner" substitute "Commissioner".

Year of the

Regulation
or Order

Act,

1948

1948

1948

1950

1951

1883

Number of the
Act, Regulation
or Order

VIII

IX

II

1 Repealed by W.P. Act V of 1958.

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

The Sind
Provisional
Collection of Taxes
Act.

The Sind Cattle
(Contagious
Diseases) Act.

The Sind Urban
Immovable
Property Tax Act.

The Sind Tenancy

Act.

The Contempt of
Courts (Sind
Amendment) Act.

N.W.F. PROVINCE ACTS

The Punjab District
Boards Act as
applicable to
N.W.F.P.

Provision adapted

Section 29

Sections 3 and 4.

Section 23

Section 13

Section 35

Section 2

Section 3

Section 3

Section 15

Adaptation made

Omit sub-section (3).

For "Sind" substitute "Provincial".

Omit sub-section (3).

Omit sub-section (3).

Omit sub-section (3).

Omit clause (b).

Omit.

For clause (10) substitute the
following:-

"(10) "Commissioner" means the
Commissioner of a Division
or any person or persons

appointed by the Provincial Government to perform the functions of a Commissioner".

For the proviso to sub-section (1) substitute the following: —

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy

Year of the Number of the

Act, Act, Regulation
Regulation or Order
or Order
18877 XVII

The Punjab Land
Revenue Act as
applicable to the

2

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Sections 3(1)(c),
6(3), 10, 18(2),
29(1), 32, 38(1),
50(2), 51(1),
53(1), 53-A(1),
53-A(2)(i),
101A(1), 107 (1),
120(3), 136 (1),
136(2), 136(4),
145, 146(b) and
158 (2)(xx).

Section 3 (13)

Section 3 (15)

Section 3

Sections 3(19),
11(1), 11(2),
16(1), 16(4),
24(1), 28(1),
29(3), 30(2),
31(2)(d), 33(1),
33(2), 33(3),

Repealed by W.P. Act XVII of 1967, s.184, part two of the Schedule.

Adaptation made

shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires it shall be referred to the Provincial Government whose decision in the matter shall be final."

For "Provincial Government" wherever it occurs substitute "Board of Revenue".

For "having authority from the Judicial Commissioner to appear and practice as such" substitute "within the meaning of the Legal Practitioners Act, 1879, except a mukhtar".

Insert "or the Board of Revenue" after "Provincial Government".

Insert the following as new sub-section, namely:-

"(20) 'Board of Revenue' means the

Board of Revenue established under the West Pakistan Board of Revenue Act, 1957."

For "Revenue Commissioner" or "Revenue and Divisional Commissioner" substitute "Board of Revenue" and make all necessary substitutions for the pronouns used for it.

Year of the

Act,
Regulation
or Order

Number of the
Act, Regulation

or Order

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

35(a), 46, 47(1),
53(2), 55(3),
59(2), 59(3), 60-
C, 61(1)(b),
63(1), 63(2),
64(1), 64(2), 97,
100, 102, 110(1),
124, 141, 148(1),
155(1), 155(3)
and 157.

Section 6

Sections 6(1)(b),
13(b), 13 Proviso
(ii), 14(b), 16(3),
50(2), 71(3), 73,
75, 76(2)(c), 77,
79(1), 89, 90, 91,
92, 95(2), 101-
A(4) and 147(3).

Section 8

Section 11

Adaptation made

Omit clause (a).

(c) After sub-section (4) add the
following as sub-section (5),

namely:-

"(5) Subject to the provisions of this Act, the jurisdiction of the Board of Revenue extends to all the Districts of Bannu, Dera Ismail Khan, Hazara, Mardan, Kohat and Peshawar and of the Commissioners, Collectors and Assistant Collectors to the Divisions and districts, respectively in which they are employed."

For "Revenue Commissioner" or "Revenue and Divisional Commissioner" substitute "Commissioner".

Insert "Commissioners," before "Deputy Commissioners".

(i) Insert the following as sub-section (3), namely:-

"(3) Subject to the general superintendence and control of the Board of Revenue, a Commissioner shall control all other Revenue Officers in his Division."

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order

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SCHEDULE III
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 12

Section 13

Section 14

Section 15 (1)

Section 16(2)

Section 16(4)

Adaptation made

(ii) In sub-section (4) for the words
"to the control of the Revenue"
substitute the words "as
aforesaid and to the control of
the".

For "Revenue Commissioner,"
substitute "Board of Revenue or
Commissioner".

Insert the following as clause (c):-

"(c) to the Board of Revenue only
on a point of law when the
order is made by a
Commissioner."

Insert the following as clause (c):-

"(c) When the appeal lies to the
Board of Revenue - ninety
days."

In the proviso, for clause (a)

substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the—

(1) Commissioner without first obtaining the sanction of the Board of Revenue.

(11) Collector without first obtaining the sanction of the Commissioner,

and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject."

Insert "Commissioner or" before "Collector".

For "or" substitute "and the Commissioner may, in any case called for under sub-section (2) or" and after "as" insert "it or".

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order

Regulation or Order
or Order

Section 16(4) For "he shall not under this section

proviso pass an order" substitute "no order
shall be passed under this section",

Section 27 For "Revenue Commissioner"
substitute "the Board of Revenue,
Commissioner".

Section 48-B After "Provincial Government"
insert "or the Board of Revenue, as
the case may be".

Section 58 Substitute the following:-

"58. An appeal from an order
under the last foregoing
section or section 52 shall lie
to the Commissioner, and
from the appellate order of
the Commissioner, to the
Board of Revenue."

Section 60-A Substitute the following:-

"60-A. Procedure to be followed
in making rules— Before
making any rules under the
provisions of section 60,
the Provincial Government
shall, in addition to
observing the procedure
laid down in section 22 of
the 'West Pakistan General
Clauses Act, 1956, publish
by notification a draft of
the proposed rule for the
information of persons
likely to be affected
thereby."

Section 117 (2) For "Judicial Commissioner"

(d) and (e). substitute "High Court".

Section 137(1) Omit "except the Revenue
Commissioner" and the commas

preceding and following these words.

Section 141 For "Judicial Commissioner"

* Now "The Balochistan General Clauses Act, 1956", see Baln. Laws (Adaptation) Order, 1975; published in the Balochistan G

(Extraordinary) No. 17, dated 9% May 1975.

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SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

substitute "High Court".

Section 158(1) Insert "Board of Revenue" after

"Provincial Government".

1935 VII The North-West Section 2 In clause (6), for "Revenue

Frontier Province Commissioner" substitute

Village Council "Commissioner of a Division".

Act.

1938 XI The North-West Section 3 (i) Insub-section (6) in clause (a)

Frontier Province omit "in the North-West

Prohibition Act. Frontier Province"

(11) In sub-section (7) in clause (a)

omit " in the North-West

Frontier Province"

1939 x The North-West Section 10 Below section 10 add the following

Frontier Province explanation namely:-

Midwives Act. "Explanation- for the purpose of
this section "Province" means
the districts of Peshawar,
Mardan, Hazara, Dera Ismail
Khan, Bannu and Khotan".

1939 XII The North-West Section 15 For "Local Government" substitute

Frontier Province "Provincial Government".

Artificial Ghee

Colourization Act.

1947 XXIII The North-West Section 3 (i) Insub-section (3) for "His

Frontier Province Majesty's Mint [,] Bombay"

Weights and substitute "Pakistan Mint at

Measures Act. Lahore".

(11) In sub-section (4) for

"Bombay" substitute "Lahore".

First Schedule (i) Under the heading

1

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Subs. by W.P. Ord. XXXI of 1961, for the word "at".

(ii)

"Explanation of dry and wet

measures" in paragraph (1) for

"Bombay" substitute "Lahore".

Under the heading "Standard

Measures of Length" for

"Bombay" substitute "Lahore",

and omit "Officer Incharge

Mathematical Instruments

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

Office, Calcutta".

'Section 3(1)] 'For "Provincial Government"
substitute "Board of Revenue":|

1948 VI The Kabul River Section 4 For "Provincial Government"
Project (Control substitute "Commissioner"
and Prevention of
Speculation in
Land) Act.

Section 4 Proviso For "Provincial Government" where
it occurs for the first and third time
substitute "Commissioner".

1948 XVII The N.W.F.P. [Section 2(1)] *[For "with the approval of the
Agricultural North- West Frontier Province
Income-Tax Act. Legislative Assembly accorded by a
resolution" substitute "by the
Provincial Government". |

'Section 3] TG) In sub-section (1), for "the
North- West Frontier
Provincial" substitute 'West
Pakistan".

(11) In sub-section (2), for
"Provincial Government"
substitute "Board of Revenue".

(iii) In sub-section (3), for
"Revenue and Divisional
Commissioner" substitute
'Board of Revenue'|

Section 10 'In clauses (1) and (5), for
"Government of the North-West
Frontier Province" substitute
"Provincial Government". }

Section 3(3) Omit "Revenue and Divisional".

1950 XIV The N.W.F.P. Pre- — Section 7(2) For "Provincial Government"
emption Act. substitute "Board of Revenue".

1950 XV The Peshawar Section 9 In sub-section (3) for "admitted"
University Act. substitute "submitted".

Section 11-A(1) = For "Chief Minister of the

1 Ins. by W.P. Ord. XXXI of 1961.

2 Subs. *ibid.*

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[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

[Section 3 (1)]

1950 XIX The N.W.F.P. New — Section 4 Proviso

Irrigation Projects

(Control and

Prevention of

Speculation in

Land) Act.

Section 12

1950 XXV The N.W.F.P. Section 2(ix)(c)

Tenancy Act.

3 Ins. By W.P, Ord. XXXI of 1961.

SCHEDULE II

Section 2(xviii)

Section 2(XXI)

Sections 4(1)(b),

4(1)(c), Proviso

to 4(1), 47(3),

58(2) and 77(3).

Sections 29,

47(5), 48(2),

60(2)(b), 74(1),

and 78.

Section 36

Section 47

Adaptation made

Province" substitute "Chief Minister
of West Pakistan".

'For "Provincial Government"

substitute "Board of Revenue". |

For "Provincial Government" where
it occurs for the first and third time
substitute "Commissioner".

For "Provincial Government"
substitute "Board of Revenue".

For "Provincial Government"
substitute "Board of Revenue".

After "Provincial Government"
insert "or the Board of Revenue".

Omit.

For "Provincial Government"
substitute "Board of Revenue".

For "Revenue and Divisional
Commissioner" substitute "Board of
Revenue" and make all necessary
substitutions for the pronouns used
for it.

(i) For "Provincial Government"
substitute "Board of Revenue
or Commissioner".

For "fixed" substitute "fix".

(ii)
In sub-section (5)—

(i) Omit "the territories for the
time being administered by the
Governor of".

(ii) For "Collectors and Assistant
Collectors to the districts"
substitute "Commissioners,
Collectors and Assistant

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

Collectors to the Divisions and

districts, respectively."

Sections 47(1)(a), | For "Revenue and Divisional

52(b), 53(b), Commissioner" substitute

56(3) and 56(4). "Commissioner".

Sections 49(4), For "Revenue and Divisional

www.ezqanoon.com

51(1), 51(2),

56(1), 56(5),

56(6) and 80,

Section 50

Section 56(5)

Sections 71(1),

71(2), 71(3),

72(1), 72(2),

72(3), 72(4) and

72(5).

Commissioner" substitute "Board of

Revenue or the Commissioner" and

make all necessary substitutions for

the pronouns used for it.

Substitute the following:—

"50. (1) The general

superintendence and

control over all Revenue

Officers and Revenue

Courts shall be vested in,

and all such officers and

Courts shall be subordinate

to the Board of Revenue.

(2

—

Subject to the general

superintendence and

control of the Board of

Revenue a Commissioner

shall control all other

Revenue Officers and
Revenue Courts in his
division.

(3

—

Subject as aforesaid and to
the control of the
Commissioner, a Collector
shall control all other
Revenue Officers and
Revenue Courts in his
district."

For "Judicial Commissioner, North-
West Frontier Province" substitute
"High Court".

For "Judicial Commissioner",
substitute "High Court", and make
all necessary substitutions for the
pronouns used for it.

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order
1950 XXXII
1950 XXXIII

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act, Provision adapted

Regulation or Order

Section 74(1)

Section 76

Sections 77(1)(a)

and 77(2).

The N.W.F.P. Section 10

Restitution of

Mortgaged Lands

Act.

The North-West Section 17

Frontier Province

Municipal Act.

Sections 22,

24(2), 38, 39, 40,

49(2)(1), 182,

189, 193(1) and

(2), 232, 233, 235

and 236.

Section 3(7)

Section 24(1)

Section 24(3)

Proviso

Adaptation made

Omit "local".

After "Provincial Government"
insert "or the Board of Revenue".

For "Revenue and Divisional
Commissioner" substitute "Board of
Revenue, Commissioner".

For "Revenue and Divisional

Commissioner, North-West Frontier Province" substitute "Commissioner".

(i) Insert the following proviso before the existing proviso:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy shall be filled by the Provincial Government by nomination."

(ii) In the existing proviso insert "further" after "provided".

For "Provincial Government", except where it occurs for the first time in sections 39 and 40, substitute "Commissioner" and make all necessary substitutions for the pronouns used for it.

For "Secretary to Government North- West Frontier Province. Local-Self Government" substitute "Commissioner of a Division".

Omit "in the case of a municipality of the first class, by the Provincial Government and, in the case of a municipality of the second class".

For the proviso substitute the following:—

"Provided that the

Year of the

Regulation
or Order

Act,

1952

1952

1887!

Number of the
Act, Regulation
or Order

VII

XI

XVI

1

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act, Provision adapted

Regulation or Order

Section 33(1)

Section 37

Section 229

The N.W.F.P. Section 4

Abolition of Jagirs

Act.

The N.W.F.P. Section 7

Tenancy (Rural

Housing)

Protection Act.

BALOCHISTAN ACT

The Punjab Land

Revenue Act as

applicable to

Balochistan

Sections 3(1)(c),
6(3), 10, 18(2),
28(1), 29(1), 32,
38(1), 48(2),

50(2), 51(1),
53(1), 53-A (1),

53-A(2)(1), 59(1)

(b), 101-A(1),
107(1), 120(3),
136(1), 136(2),

Adaptation made

Commissioner may refuse to notify the election as member of any person who could be removed from office under section 16 or of any person whom the Commissioner, for any reason which he may deem to affect the public interest, may consider to be unfit to be a member of the Committee and upon such refusal the election of such person shall be void."

Omit "Provincial Government in the case of committees of the first class, and of the" and "in the case of those of the second-class".

After "Secretary", insert "and the Commissioner may appoint any person to be the".

In sub-section (1) between the word, "Government" and the word "may" insert "in the case of a Committee of the first class, and the

Commissioner in other cases".

For "Provincial Government" substitute "Commissioner or Board of Revenue".

For "Revenue and Divisional Commissioner" substitute "Commissioner".

For "Chief Commissioner" or "Chief Commissioner in Balochistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

1975; published in the Balochistan Gazette (Extraordinary) No. 17, dated 9th May, 1975.

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

136(4), 145,

146(b) and

158(2)(xx),

Section 3(15)

Section 3(15) For "Chief Commissioner in
Balochistan" substitute "Provincial
Government or the Board of
Revenue".

Section 3 Insert the following as clauses (19)

Sections 3(14), 5,
8, 9, 11(1), 17,

and (20):-

"(19) "Assessment circle" means
a group of estates which, in
the opinion of the Board of
Revenue to be recorded in
an order in writing, are
sufficiently homogeneous
to admit of a common set
of rates being used as a
general guide in
calculating the land
revenue to be assessed
upon them.

(20) "Board of Revenue" means
the Board of Revenue
established under the 'West
Pakistan Board of Revenue
Act, 1957."

For "Chief Commissioner" or
"Chief Commissioner in

24(1), 25, 26, Balochistan" substitute "Provincial
27(1), 27(2), Government" and make all

27(3), 28(2), necessary substitutions of pronouns
31(2) (d), 7[*] used therefor.

39(3), 41, 43(1),

47-A, 49(2),

*[60], 61(1)(a),

101-F, 102

proviso, 141,
147(1), 147(2),
154(1)(d),
155(3), 4[158(1)]

7 Now "the Balochistan Board of Revenue Act, 1957", see Baln. Laws (Adaptation) Order, 1975, made by Governor of Balochistan by virtue of Article 268 of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9th March 1975.

2 The figure "33(2)" deleted by W.P. Ord. XXXI of 1961.

3 Ins. *ibid.*

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Year of the Number of the — Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

and 158(2)(vii).

Section 6(1)

Sections 6(1)(b),
11(4), 13, 14(d),
[*] 16(3), 50(2),
58, 59(1)(b),
71(3), 73, 75,
76(2)(c), 77(1),
79(1), 89, 90, 91,
92(1), 95(2), 101-
A(4) and 147(3).

Section 6

Section 8

Sections 11(1),
11(2), 16(1),
16(4), 24(1),
29(3), 30(2),
31(2)(d), 33,
35(a), 46, 47(1),
47-A, 48-A(2),
55(3), 59(2),
59(3), 61(1)(b),
63(1), 63(2),
64(1), 64(2), 97,
100(1), 102,
110(1), 124, 141,
148(1), 155(1),
155(3) and 157.

4 Ins. ibid.

1 The figure 15(1)(a) del., ibid.

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Adaptation made

Omit clause (a).

For "Revenue Commissioner" or
"Revenue Commissioner in
Balochistan" substitute
"Commissioner".

Insert the following as sub-section

(5):-

"(5) Subject to the provisions of this Act, the jurisdiction of the Board of Revenue extends to Balochistan as it existed before the establishment of the Province of West Pakistan and of Commissioners and of Collectors and Assistant Collectors to the Divisions and districts, respectively, in which they are employed,"

Before "Extra Assistant Commissioner" insert "Commissioners, Deputy Commissioners, Assistant Commissioners and".

For "Revenue Commissioner" or "Revenue Commissioner in Balochistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order

www.ezqanoon.com

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 11

Sections 12(1)
and 12(2),

Section 13

Section 14

Section 15 (1)

Section 16 (2)

Adaptation made

Insert the following as sub-section
(3):—

"(3) Subject to the general
superintendence and control of the
Board of Revenue, a Commissioner
shall control all other Revenue
Officers in his division."

For "Revenue Commissioner" or
"Revenue Commissioner in
Balochistan" substitute "Board of
Revenue or Commissioner"

Insert the following as clause (c):—

"(c) to the Board of Revenue only
on a point of law when the
order is made by a
Commissioner."

Insert the following as clause (c):—

"(c) When the appeal lies to the Board of Revenue, ninety days."

In the proviso, for clause (a) substitute the following:—

"(a) an order passed by his predecessor in office shall not be reviewed by the—

(1) Commissioner without first obtaining the sanction of the Board of Revenue.

(11) Collector without first obtaining the sanction of the Commissioner,

and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject."

Before "Collector" insert "Commissioner or".

Adaptation made

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

Section 16 (4)

Section 27(1)(a)

Section 27(2)

Section 51

7 Subs. by W.P. Ord. XXXI of 1961, for the words "Insert the following as sub-section (4)".

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(i) For "himself" substitute
"itself".

(ii) For "or" substitute "and the
Commissioner may, in any
case called for under sub-
section (2) or".

(ii) After "as" insert "it or".

(iv) For "he" in the proviso
substitute "the Board of

Revenue or the
Commissioner".

Before "a Collector" insert "the
Board of Revenue, Commissioner
or".

Before "a Collector" insert "the
Board of Revenue, Commissioner".

Insert the following as sub-section
(3):—

"(3) | Subject to the provisions of
sub-section (4) the average rate of
incidence on the cultivated area of
the land revenue imposed under the
provisions of sub-section (1) on any
assessment circle forming part of

any area in respect of which a notification has been issued under sub-section (2) of section 49 shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-fourth, provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on the estate by more than two-thirds."

'For sub-section (4) substitute the following sub-section]:-

"(4) | The provisions of sub-section (3) shall not be applicable in the case of land which has not been previously assessed to land revenue or in which canal irrigation has been

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

introduced after the date of the
orders passed under the provisions
of sub-section (1) at the last
previous assessment, or in the case
of land of which the last previous
assessment was made under the
provisions of clause (b) of sub-
section (1) of section 59 or in the
case of an area which has been
declared by notification to be an
urban assessment circle and for the
purpose of calculating the increase
in the incidence of the land revenue
for the purpose of sub-section (3),
all such land shall be excluded from
calculation."

Sections 53(2) For "Revenue Commissioner in

and 53(3) Balochistan" substitute
"Commissioner or the Board of
Revenue".

Section 58 After "Commissioner" insert "and
from the appellate order of the
Commissioner to the Board of
Revenue".

Section 60 Insert the following as clauses (a)
and (e):—

"(a) the method by which the
estimate of the money value
of the net assets of an estate
or group of estates shall be
made;

(e) the manner in which the rate
of incidence of the land
revenue is to be calculated
for the purpose of sub-
section (3) of section 51."

'(For section 60-C, substitute the
following]:—

"60-A. Procedure to be followed in

making rules— Before making any rules, under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure, laid down

7 Subs. by W.P. Ord. XXXI of 1961, for the words "After Section 60, insert the following as new sub-section (4)".

www.ezqanoon.com

Year of the Number of the

Act, Act, Regulation
Regulation or Order
or Order

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Adaptation made

in section 22 of the 'West Pakistan
General Clauses Act, 1956, publish
by notification a draft of the
proposed rule for the information of
persons likely to be affected
thereby.

60-B. Rules and instructions
already in force— Notwithstanding
anything contained in section 60-A,
the rules and executive instructions
relating to the matters mentioned in
clauses (a), (b), (c) and (d) of
section 60 which were in force
immediately before the 14th October
1955, shall remain in force,

60-C. Power to issue instruction—

The Provincial Government
or the Board of Revenue with the
approval of the Provincial
Government may, from time to
time, issue executive instructions
not inconsistent with the provisions
of this Act and the rules made
thereunder for the guidance of
Revenue Officers relating to all
matters to which the provisions of
this Chapter apply."

"(2) | The distress and sale shall be
conducted, as nearly as may be, in
accordance with the law for the time
being in force for the attachment
and sale of movable property under
the decree of a Revenue Court

constituted under the Punjab

Tenancy Act, 1887:

Provided that, in addition to the particulars exempted by that law from liability to sale, so much of the produce of the land of the defaulter as the Collector thinks necessary for seed-grain and for the subsistence, until the harvest next following, of the defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under

7 Now "the Balochistan General Clauses Act, 1956", see Balochistan Laws (Adaptation) Order, 1975, made by Governor of Balochistan under Article 268 of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 1975.

www.ezqanoon.com

Year of the © Number of the
Act, Act, Regulation
Regulation or Order
or Order
1887 XVII

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

?The Punjab Land
Revenue Act as
modified and
applied to the
Nasirabad Sub-
Division in
Balochistan.

Provision adapted

Section 137

Section 158 (1)

Sections 3(1)(c),
6(3), 10, 18(2),
28(1), 29(1), 32,
38(1), 48(2),
50(2), 51(1),
53(1), 53-A(1),
53-A(2)(i), 101-
A(1), 102,
107(1), 120(3),
136(1), 136(2),
136(4), 145,
146(b) and
158(2)(xx).

Adaptation made

this section."

Insert the following as sub-section
(1):—

"(1) The Provincial Government
may by notification direct that the
provisions of this Act with respect
to the superintendence and control
over Revenue Officers shall subject
to any modification of those

provisions which the Provincial Government thinks fit, apply to any Revenue Officer who has been invested with the powers of a Civil Court of any of the clauses specified in section 18 of the Punjab Courts Act, 1918¹, and that appeals shall lie from his decrees and orders to, and his decrees and orders be subject to revision, by a Revenue Officer invested under the last foregoing section with the powers of a Court which would be competent under the Punjab Courts Act, 1918¹, to hear appeals from, or revise such decrees and orders if they had been made by a Court with the powers of which the Revenue Officer who made them has been invested."

Insert "Board of Revenue" after "Provincial Government".

For "Resident in Balochistan" or "resident" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

1 Repealed by W. P. Ordinance II of 1962, now Balochistan Civil Courts Ordinance 1962, see Balochistan Laws (Adaptation) Ordinance 1962.

2 Repealed by W.P. Act XVII of 1967, now the Balochistan Land Revenue Act, 1967, see the Balochistan Laws (Adaptation) Ordinance 1967.

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the — Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

Section 3(15) For "Resident in Balochistan"
substitute "Provincial Government
or the Board of Revenue".

Section 3 Insert the following as clauses (19)

and (20):—

"(19) 'Assessment Circle' means a group of estates which, in the opinion of the Board of Revenue, to be recorded in an order in writing, are sufficiently homogeneous to admit of a common set of rates being used as a general guide in calculating the land revenue to be assessed upon them.

(20) 'Board of Revenue' means the Board of Revenue established under the *West Pakistan Board of Revenue Act, 1957."

Sections 3(14), 5,
8, 9, 11(1), 17,
24(1), 25, 26,
27(1), 27(2),
27(3), 28(2),
31(2)(d), [*], 41,
43(1), 49(2),
49(3), 60, 61(1)
(a), 101-F, 102
proviso 141,
147(1), 147(2),
154(1)(b),
155(3), 7[158(1)]
and 158(2)(vii).

For "Resident in Balochistan"
substitute "Provincial Government"
and make all necessary substitutions
of pronouns used therefor.

Sections 6(1)(b),
11(4), 13(b), 13

second proviso,

For "Revenue Commissioner in
Balochistan" substitute
"Commissioner".

14(b), 16(3),
50(2), 71(3), 73,
75, 76(2)(c),
77(1), 79(1), 89,
90, 91, 92(1),
95(2), 101-A(4)
and 147(3).

3 Now the Baln. Board of Revenue Act, 1957, see Balochistan Laws (Adaptation) Order, 1975, made by Governor of Balochis

Article 268 of the Constitution of Pakistan, 1974; and published in the Balochistan Gazette (Extraordinary) No. 17, dated 9 May

2 The figure "33(2)" del. by W.P. Ord. XXXI of 1967.

3 Ins. *ibid.*

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Year of the

Regulation

www.ezqanoon.com

Act,

or Order

Number of the

Act, Regulation

or Order

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act,

Regulation or Order

Provision adapted

Section 8

Sections 11(1),
11(2), 16(1),
24(1), 29(3),
30(2), 31(2)(d),
33, 35(a), 46,
47(1), 48-A(2),
55(3), 59(2),
59(3), 61(1)(b),
63(1), 63(2),
64(1), 64(2), 97,
100(1), 102,
110(1), 124, 141,
148(1), 155(1),
155(3) and 157.

Section 11

Sections 12(1),
12(2), 53(2), and
53(3).

Section 13

Section 14

Section 15(1),
proviso (a)

Adaptation made

Insert "Commissioners, Deputy
Commissioners, Assistant
Commissioners and" before "Extra".

For "Revenue Commissioner in
Balochistan" substitute "Board of
Revenue" and make all necessary
substitutions of pronouns used
therefor.

Add the following as clause (3):—

"(3) Subject to the general
superintendence and control of the
Board of Revenue, the
Commissioner shall control all other
Revenue Officers."

For "Revenue Commissioner in
Balochistan" substitute "Board of
Revenue or Commissioner".

Add the following as clause (c):—

"(c) to the Board of Revenue only
on point of law when the
order is made by a
Commissioner."

Add the following as clause (c):—

"(c) when the appeal lies to the
Board of Revenue - ninety
days."

Substitute the following:—

"(a) an order passed by his
predecessor in office shall not
be reviewed by the—

(1) Commissioner without first
obtaining the sanction of the

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order

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SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 16 (2)

Section 16 (4)
(excluding the
proviso)

Section 16(4),

proviso

Section 27(1)(a)

Section 27(2)

Section 47

Adaptation made

Board of Revenue.

(11) Collector without first
obtaining the sanction of the
Commissioner,

and no order shall be reviewed by
any other Revenue Officer without
first obtaining the sanction of the
Revenue Officer to whose control
he is immediately subject."

Insert "Commissioner" before
"Collector".

For sub-section (4) substitute:—

"(4) The Board of Revenue may, in
any case, called for under sub-
section (1) and the Commissioner

may, in any case called for under sub-section (2) or reported to him under sub-section (3), pass such order as it or he may think fit:".

For "he shall not under this section pass an order" substitute "no order shall be passed under this section".

Insert "the Board of Revenue, Commissioner or" before "a Collector".

Insert "the Board of Revenue, Commissioner" before "a Collector".

After section 47, the following new section shall be added, namely:—

"47-A. (1) Nothing in this Chapter shall be deemed to preclude the Provincial Government from ordering the preparation for any specified estate or for estates in any specified area, quadrennially or at such other intervals as the Board of Revenue may prescribe, of an edition of the record-of-rights to be prepared in such manner as the Board of Revenue may, with the previous sanction of the Provincial

Year of the Number of the

Act, Act, Regulation
Regulation or Order
or Order

www.ezqanoon.com

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 48-B

Section 51

Adaptation made

Government, prescribe.

(2)

This edition of the record-of-

rights shall be called the quadrennial
record of the estate, and shall
comprise the statements mentioned
in clause (a) of sub-section (2) of
section 31."

For "Resident in Balochistan"
substitute "Provincial Government
or Board of Revenue as the case
may be".

Insert the following as clauses (3)
and (4):—

"(3) Subject to the provisions of

(4)

sub-section (4), the average
rate of incidence on the
cultivated area of the land
revenue imposed under the
provisions of sub-section (1)
on any assessment circle
forming part of any area in

respect of which a notification has been issued under sub-section (2) of section 49, shall not exceed the rate of incidence of the land revenue imposed at" the last previous assessment by more than one-fourth:

Provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on the estate by more than two-thirds.

The provisions of sub-section (3) shall not be applicable in the case of land which has not been previously assessed to land revenue in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section (1) at the last previous

Year of the Number of the

Act, Act, Regulation
Regulation or Order
or Order

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 58

Section 60

1 Subs. by W.P. Ord. XXXI of 1961, for "After Section 60, insert the following new,".

2

Gazette (Extraordinary) No. 17, dated 9th May 1975.

Adaptation made

assessment or in the case of
land of which the last
previous assessment was
made under the provisions of
clause (b) of sub-section (1)
of section 59 or in the case of
an area which has been
declared by notification to be
an urban assessment circle
and for the purpose of
calculating the increase in
the incidence of the land
revenue for the purpose of
sub-section (3), all such land
shall be excluded from
calculation."

For "Revenue Commissioner in
Balochistan" substitute
"Commissioner and from the
appellate order of the Commissioner
to the Board of Revenue".

Add the following as clauses (a) and
(e):—

"(a) the method by which the estimate of the money value of the net assets of an estate or group of estates shall be made;"

"(e) the manner in which the rate of incidence of the land revenue is to be calculated for the purpose of sub-section (3) of section 51."

'(For section 60-C, substitute the following) sections namely:-

"60-A Procedure to be followed in making Rules— Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the West Pakistan General

Now "The Balochistan General Clauses Act, 1956", see Balochistan Laws (Adaptation) Order, 1975, published in the Balochis

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

Clauses Act, 1956, publish by
notification a draft of the
proposed rules for the
information of persons likely to
be affected thereby.

60-B. Rules and instructions
already in force—
Notwithstanding anything
contained in section 60-A the
rules and executive instructions
relating to the matters mentioned
in clauses (a), (b), (c) and (d) of
section 60 which were in force
immediately before the 14th
October, 1955, shall remain in
force.

60-C. Power to issue
instructions— The Provincial
Government or the Board of
Revenue with the approval of the
Provincial Government may,
from time to time, issue
executive instructions not
inconsistent with the provisions
of this Act and the rules made
thereunder for the guidance of
Revenue Officers relating to all
matters to which the provisions
of this Chapter apply."

Section 70 For sub-section (2) substitute the
following:—

"(2) The distress and sale shall be
conducted, as nearly as may be,
in accordance with the law for
the time being in force for the
attachment and sale of movable
property under the decree of a
Revenue Court constituted under
the Punjab Tenancy Act, 1887:

Provided that in addition to
the particulars exempted by that
law from liability to sale, so

much of the produce of the land
of the defaulter as the Collector
thinks necessary for seed-grain
and for the subsistence, until the
harvest next following, of the

www.ezqanoon.com

Year of the Number of the — Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

defaulter and his family, and of
any cattle exempted by that law,
shall be exempted from sale
under this section."

Section 73(2) Insert as clause (b):—

"(b) While under the charge of the
Court of Wards."

Section 75 Insert the following as clause (a):—

"(a) any arrear which has accrued
while the land was under the
charge of the Court of Wards,
or was so circumstanced that
the Court of Wards might
have exercised jurisdiction
over it under the provisions of
Chapter II of the Punjab Court
of Wards Act, 1903."

Section 137 Insert the following as sub-section
(1):—

"(1) The Provincial Government
may by notification direct that
the provisions of this Act with
respect to the superintendence
and control over the Revenue
Officers shall subject to any
modification of those provisions
which the Provincial
Government thinks fit, apply to
any Revenue Officer who has
been invested with the powers of
a Civil Court of any of the
classes specified in section 18 of
the Punjab Courts Act, 1918,
and that appeals shall lie from his
decree and orders to, and his
decrees and orders be subject to
revision, by a Revenue officer
invested under the last foregoing
section with the powers of a
Court which would be competent
under the 'Punjab Courts

Act, 1918, to hear appeals from or
revise, such decrees and orders if

1 Repealed by W.P. Ordinance II of 1962, now Balochistan Civil Court Ordinance II of 1962 see the Balochistan Laws (Adaptation) Act, 1975.

www.ezqanoon.com

Year of the | Number of the

Act, Act, Regulation

Regulation or Order

or Order

1903 II

1946

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act, Provision adapted

Regulation or Order

Section 158(1)

The Punjab Court Section 4(1)

of Wards Act as

applicable to

Balochistan.

Sections 4(3),

4(4), 16(1),

17(2), 34 and

45(1)

Sections 5 and

7(1)

Section 5 (1)

Section 11(1)

Section 44

Section 54

'The Quetta Section 2

Municipal Law.

1 Repealed by Ordinance X of 1960.

Adaptation made

they had been made by a Court

with the powers of which the

Revenue Officer who made them

has been invested."

For "Resident in Balochistan"

substitute "Provincial Government,

Board of Revenue".

(i) For "Revenue Commissioner

in Balochistan" substitute

"Commissioner".

(11) Omit "for British Balochistan".

For "Chief Commissioner of British

Balochistan" substitute "Board of Revenue".

For "Chief Commissioner of British Balochistan" substitute "Court of Wards",

For "he" occurring before "considers" substitute "it" and omit "it" occurring before "expedient".

(i) Omit clauses (a) and (b).

(ii) After "land-holder" insert "the Court of Wards should be moved to make an order under section 5 (2) or section 6".

Omit the first proviso and "further" from the second proviso.

For "Chief Commissioner of Balochistan" substitute "Provincial Government".

(i) Insert the following as clauses (I-A) and (17-A), respectively: —

"W-A) 'Balochistan Leased Area' in sub-clause (i) of clause (b) of section 168 and in proviso to sub-section (2) of section 189, shall mean

Year of the

Regulation

SCHEDULE III
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 4(2)(a)

Sections 4(2)(e),
22(1), 26, 55,
114(2), 131, 155
and 158(3)

Section 4(2)(e),
proviso(i)

Sections 2(12),
2(16), 2(21),
2(22), 2(23),
3(2), 4, 5(3)
proviso, 7, 25(7),
27, 31(2)(a), 44,
46(2), 47(1),
47(2), 58, 59(1)

Adaptation made

the leased areas as
defined in the Leased
Areas (Laws) Order,
1950 (G.G.O. 3 of
1950);".

"(17-A)'Municipal Officer'
means an employee of
the Municipal
Committee, Quetta;".

(ii) For clause (5) substitute the
following:—

"(5) "Commissioner" means
the "Commissioner of
Quetta Division;"

(iii) in clause (18) for "Resident" substitute "Provincial"

Government or
Commissioner".

(iv) Omit clause (26).

(v) In clause (29)—

(a) For "British India"
substitute "Pakistan".

(b) Omit "British" from
"British Balochistan".

For "British subject" and "Indian State" substitute "Citizen of Pakistan" and "Acceding State", respectively.

For "Indian Penal Code" substitute "Pakistan Penal Code".

For "be" substitute "by".

For "Resident" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefore.

Year of the
Act,
Regulation
or Order

Number of the
Act, Regulation
or Order

SCHEDULE III
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

(a), 59(2)(a),
69(2)(b), 69(4)(c)
(ii), 69(5)(a),
102(2), 155, 158,
162, 163, 164,
166, 167, 169,
172, 175, 188 and
191

Section 7

Sections 9, 13,
42, 43, 61(1),
114, 127, 165 and
168

Section 14(d)

Section 20

Section 21(2)

Section 25(1) and
(4)

Adaptation made

For the proviso to sub-section (7)
substitute the following:-

"Provided that the bye-election
for filling the place shall be held
within a period of six months from
the date of occurrence of the

vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires, it shall be referred to the Provincial Government whose decision in the matter shall be final."

For "Resident" substitute "Commissioner".

For "Commissioner" substitute "Provincial Government".

Omit "the Secretary to the Resident in the Public Works Department" and "by the Resident".

For "Commissioner" substitute "Deputy Commissioner".

For "the Resident" substitute "him"

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order

www.ezqanoon.com

SCHEDULE II
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 29

Sections 31(1)
and 61(1)
Section 31(1)
Sections 40 and
59(1)(a)

Section 40

Section 51(1)

Section 51(2)

Section 62

Section 68(1)

Section 69(2)(c)

Adaptation made

Omit "and shall if so required by the
Resident" and "or, where the
Resident required delegation, as the
Resident may direct".

For "Crown Representative"
substitute "Provincial Government".

Omit "with the previous sanction of
the Resident".

For "Crown Representative"
substitute "Central Government".

For "be" occurring before "bye-
laws" substitute 'by'.

For "Commissioner" substitute
"Deputy Commissioner or to such
other officer as may be empowered
by the Provincial Government in
this behalf.

For sub-section (2) substitute "(2)
subject to revision by the
Commissioner the order passed
under sub-section (1) shall be final".

Omit "with the Resident's
permission".

For "The Resident may make rules"
substitute 'The Committee may and
if so required by the Commissioner
shall make bye-laws".

(i) Omit "the Resident," occurring
for the first time, "shall
forward with his opinion any
such objection or suggestion to
the Resident who" and "as he
may think fit".

(ii) After "Commissioner"
occurring for the first time
insert "the Commissioner".

(ii1) For "Resident" occurring for
the last time substitute
"Commissioner".

Adaptation made

Replace the existing clause (d) by the following:—

"(d) When sanctioning a scheme the Commissioner may impose conditions for submission of periodical reports on the progress of the scheme to him and for his inspection and supervision of the scheme".

For sub-section (2) substitute the following:-

"(2) | The Provincial Government or the Commissioner may exercise all powers necessary for the performance of this duty and may among other things by order in writing, annul or modify any proceeding which it or he may consider not to be in conformity with such law and rules as aforesaid, or for reasons which in its or his opinion justify an order by the Commissioner or as the case may be, by the Political Agent under section 159,"

For "Resident" substitute "Provincial Government, in the case of rules and the Commissioner in the case of bye-laws",

For "directs" substitute "direct".

[See SECTION 3(3)]
Year of the Number of the — Short title of the Act, Provision adapted
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order
Section 69(2)(d)
Section 163
Section 170
ACTS APPLICABLE TO BAHAWALPUR
1860 XLV The 'Indian Penal Section 55(a)

Code.

Section 121(a)

Section 124(a)

Sections 141,
161, 162 and 163

1 Now "Pakistan Penal Code".

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For "the Ruler" substitute
"President".

For" the Ruler of the sovereignty of
the Bahawalpur State" substitute
"State".

For "Ruler" substitute "State",

For "the Bahawalpur Government"
substitute "the Central Government

Year of the Number of the Short title of the Act,
Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

1861 Vv The Police Act.

1872 IV The Punjab Laws

Act.

1873 VI The Canal and

Drainage Act.

1877 I The Specific Relief

Act.

1880 XIII 'The Vaccination

Act.

1882 II The Trusts Act.

1 Repealed by W.P. Ord. XXVII of 1958.

www.ezqanoon.com

Provision adapted

Section 15-A(4)

Section 48

Section 3(7)

Section 35

Section 65

Sections 5, 9 and

56

Section 18

Section 19

Section 20

Adaptation made

or the Provincial Government".

For "Deputy Commissioner"
substitute "Commissioner of the
Division".

For "Bahawalpur Government"
substitute "the Government for
whose purposes the land is vested in
the State".

For "Superintending Engineer" substitute "the officer exercising control over a division of a canal".

For "Superintending Engineer" substitute "Divisional Canal Officer" and for the words "Revenue Minister" substitute "the Head Revenue Officer of the District".

For "A.M. Chief Minister" substitute "the Superintending Canal Officer".

For "the officer" substitute "a Divisional Canal Officer".

For "Bahawalpur Government" substitute "Central Government or Provincial Government".

In the last paragraph for "State subjects" substitute "the citizens of Pakistan" and for "Bahawalpur Government" substitute "Pakistan".

For "Bahawalpur Government" substitute "Commissioner".

In clause (a) for "Bahawalpur Government" substitute "any Provincial Government or of the Central Government or of the United Kingdom of Great Britain and Ireland".

In the proviso to clause (a) for "Bahawalpur Government" where

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted Adaptation made

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

they occur for the first time

substitute "by any such

Government" and where they appear

for the second time substitute "such

Government".

Section 29 For "to Bahawalpur Government"

appearing after "adjudication"

substitute "to the State".

1886 VI The Births, Deaths — Section 1 For "Bahawalpur Government" and Marriages substitute "Central Government".

Registration Act.

1887 XVI The Punjab Throughout the For "Bahawalpur Government"

Tenancy Act as Act substitute "Provincial Government".

applicable to the

Bahawalpur State.

Section 4(18) For "Bahawalpur Government"

substitute "Provincial Government"

or Board of Revenue".

Sections 46, For "Financial Commissioner"

75(2), 76(2), substitute "Board of Revenue".

77(4), 78, 79,

81(c), 84(1),

88(2)(b), 102,

105, 106 and 108

Section 78(1) Omit "other".

Section 80(c) For "Financial Commissioner"

substitute "Board of Revenue only

on a point of law".

Section 82(1) In the proviso, for clause (a)

substitute the following:—

"(a) an order passed by his

predecessor in office shall not

be reviewed by the—

(i) Commissioner without

first obtaining the

sanction of the Board of Revenue,

(ii) Collector without first obtaining the sanction of the Commissioner,

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SCHEDULE II

[See SECTION 3(3)]

Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order

Regulation or Order

1887¹ XVII The Punjab Land
Revenue Act as
applicable to the

Bahawalpur State.

Short title of the Act,

Provision adapted

Section 84(3)

Section 84(4)

Section 84(5)

Section 84(6)

Sections 1(3), 5,
8,9, 17, 25, 26,
27(1), 27(2),
27(3), 28(2),
31(2)(d), 33(2),
38(1), 41, 43(1),
48-B, 49, 60, 60-
C, 61(1)(a),
137(1), 147(1),
147(2), 158(1)
and 158(2)(vii)

Sections 3(1)(c),
*[3(10)],
explanation, 6(3),
10, 18(2), 28(1),
29(1), 32(1),
38(1), 50(2),
51(1), 53(1), 53-

1 Repealed by W.P. Act XVII of 1967, s.184, and part two of the Schedule.

2 Inserted by W.P. Ordinance XXXI of 1961.

Adaptation made

and no order shall be reviewed by any other Revenue Officer without first obtaining the sanction of the Revenue Officer to whose control he is immediately subject."

Omit "Commissioner or" and for "Financial Commissioner" substitute "Commissioner who will take such action which could be taken by the Board of Revenue under sub-sections (4) and (5) after observing the procedure prescribed in sub-sections (5) and (6)".

Omit "by himself" and "or submitted to him under sub-section (3)" and for "Financial Commissioner" substitute "Board of Revenue" and for "he" substitute "it".

For "Financial Commissioner" substitute "Board of Revenue" and for "him" and "he" substitute "it".

For "Financial Commissioner" substitute "Board of Revenue" and for "his" substitute "its".

For "Bahawalpur Government" substitute "Provincial Government".

For "Bahawalpur Government" substitute "Board of Revenue".

Year of the

Regulation

Act,

or Order

Number of the
Act, Regulation

or Order

1

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SCHEDULE III

[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

A(1), 53-A(2),
proviso(i), 101-
A(1), 107(1),
120(3), 136(1),
136(2), 136(4),
145, 146(b) and
158(2)(xx)

Section 3(15)

Section 3

Sections 3(19),
6(5), 1101),
11(2), 11(3),
12(1), 12(2),
14(c), 24(1), 27,
29(3), 30(2),
31(2)(d), 33(1),
33(2), 33(3),
35(a), 46, 47(1),
53(2), 53(3),
55(3), 58, 59(2),
59(3), 61(1)(b),
63(1), 63(2),
64(1), 64(2), 97,
100(1), 102,
110(1), 124, 141,

148(1), 155(1),
155(3) and 157

Section 6(1)
Section 7

Section 13(c)

Section 15(1)

Adaptation made

For "Bahawalpur Government"
substitute "Provincial Government
or Board of Revenue".

Insert the following as new sub-
section, namely:-

"20. 'Board of Revenue' means the
Board of Revenue established under
the West Pakistan Board of Revenue
Act, 19571."

For "Financial Commissioner"
substitute "Board of Revenue".

Omit clause (a).

Omit.

For "Financial Commissioner"
substitute "Board of Revenue only

on point of law".

In the proviso, for clause (a)
substitute the following:—

i.e. W.P. Act XI of 1957; published in the W.P. Gazette (Extraordinary), dated 28th February, 1957, pages 363-67.

Year of the Number of the Short title of the Act, Provision adapted Adaptation made
Act, Act, Regulation Regulation or Order
Regulation or Order
or Order

"(a) an order passed by his
predecessor in office shall
not be reviewed by the-

(1) Commissioner without
first obtaining the
sanction of the Board of
Revenue.

(11) Collector without first
obtaining the sanction of
the Commissioner,

and no order shall be reviewed by
any other Revenue Officer without
first obtaining the sanction of the
Revenue Officer to whose control
he is immediately subject."

Section 16(1) For "Financial Commissioner"
substitute "Board of Revenue" and
for "him" substitute "it".

Section 16(3) Omit "Commissioner or" and
substitute "Commissioner" for
"Financial Commissioner".

Section 16(4) For the existing sub-section (4)
excluding the proviso substitute the
following—

"(4) The Board of Revenue may
in any case called for under sub-
section (1) and the Commissioner
may in any case called for under,
sub-section (2) or reported to him
under sub-section (3), pass such
order as it or he thinks fit."

Section 16 For "he shall not under this section
proviso pass an order" substitute "no order
shall be passed under this section".

Section 27(1)(a) For "a Financial Commissioner"
substitute "Board of Revenue".

Section 48-B After "Provincial Government"

insert "or Board of Revenue".

Sections 50(2), For "Financial Commissioner"

71(3), 73, 75, substitute "Commissioner".

76(2)(c), 77(1),

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Year of the | Number of the
Act, Act, Regulation
Regulation or Order
or Order
1894 I
1894 IX
1898 Vv

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

The Land

Acquisition Act.

The Prisons Act.

The Code of
Criminal
Procedure.

Provision adapted

79(1), 95(2), 101-

A(A4) and 147(3)

Section 60-A

Section 137(1)

Section 16

Section 17

Section 3(7)

Section 4

Section 45(1) and

329

Section 45(2)
[Section 132(d)
proviso

Section 197(1)

Adaptation made

Substitute the following:—

"60- A Procedure to be followed in making rules— Before making any rules under the provision of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the 'West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby."

Omit "Except Financial Commissioner" and the commas preceding and following these words.

For "Bahawalpur Government" substitute "State".

In sub-sections (1) and (2) for "Bahawalpur Government" substitute "State".

For "Director of Prisons" substitute "Inspector-General of Prisons".

In clause (t) for "the Crown" substitute "the State".

For "Bahawalpur Government"

substitute "the State".

For "the Ruler" substitute "the Central Government".

For "Bahawalpur Government" substitute "Central Government". |

For "Bahawalpur Government" substitute "Central Government or a

1 ie. WP. Act VI of 1956, published in the W.P. Gazette (Extraordinary), dated 30th June, 1956, pages 553-556.
2 Inserted by W.P. Ord. XXXI of 1961.

Year of the Number of the

Act, Act, Regulation
Regulation or Order
or Order
111900 XII

1908 Vv

Alienation of Land
Act as applicable to
the Bahawalpur

Procedure Code.

1 Inserted by W.P. Ord. XXXI of 1961.

SCHEDULE III
[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

Provision adapted

Section 197(2)

Section 333

Section 401(5)

Section 401 (5-
A)

Sections 2(8),
4(1), 6(1)(d),
8(1)(c), 23 and
24

Section 3-A

Section 13-B(d)

Sections 2(17)(f)
and (g), 54, 60,
73(3), 82(1) and
Orders 21, 26 and
27

Section 2(17)(b)

Section 83, and
Order 12 Rule 48

Sections 10, 109
and 111, and
Order 21, Rule
48 and Order
XLV

Adaptation made

Provincial Government".

For "Bahawalpur Government"
substitute "the President or the
Governor as the case may be".

For "Bahawalpur Government"
substitute "the State".

For "of the Ruler" substitute "of the
President or of the Central
Government".

For "the Ruler" substitute "the
President or in virtue of any powers
delegated to it by the Central
Government".

For "Bahawalpur Government"
substitute "Board of Revenue".

For "Bahawalpur Government"
where it first occurs, substitute
"Board of Revenue".

For "Financial Commissioner"
substitute "Board of Revenue only

on a point of law".]

For "Bahawalpur Government"
substitute "Government".

For "State Civil Service" substitute
"Provincial Civil Services".

For "Bahawalpur Government"
substitute "Central Government".

For "Ruler" substitute "President".

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act, Provision adapted

Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

1908 IX The Limitation Act. Section 26(2)

1908 XVI The Registration Section 3(2) and

Act. 17(2)(vii)

Section 33(1)(c)

1912 IV The Lunacy Act. Sections 11-B

and 12

1918 II The Cinematograph Section 6(2)

Act.

1923 XLII 'The Mussalman Sections 6(a),

Wakf Act. 11(1) and 13

1925 IV The Soldiers Section 3(b)(iv),

(Litigation) Act. proviso to section

11 and sections

13, 14(2) and 14-

A

Section 14(1)

Sections 14(1)

and 7[14(2)]

1925 XXXIX The Succession Section 14

Act.

Sections 34 and

370

1927 XVI The Forest Act. Sections 5, 39(1)

1 Repealed by W.P. Ord. XXI of 1959.

2 Subs. *ibid.*, for the figure "7(2)".

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(a), 41(2)(a), 43,

44, 49 and 79(1)

Section 39(1) and

(2)

Section 83(3)

Adaptation made

For "Bahawalpur Government"

substitute "State".

For "Bahawalpur Government"

substitute "State".

Omit "of the Ruler or" and for

"Bahawalpur Government"

substitute "Central Government".

For "Bahawalpur Government"
substitute "Central Government".

For "Ruler" substitute "State".

For "Bahawalpur Government"
substitute "Central Government".

For "Bahawalpur Government"
substitute "Central Government".

For "Bahawalpur Public Services"
substitute "Provincial Public
Services".

For "Ruler" substitute "Pakistan".

For "Ruler" substitute "Pakistan".

For "Bahawalpur Government"
substitute "Central Government".

For "Bahawalpur Government"
substitute "State".

For "Bahawalpur Government"
substitute "Central Government".

For "Ruler" substitute "State".

SCHEDULE II

[See SECTION 3(3)]

Year of the Number of the Short title of the Act,
Act, Act, Regulation Regulation or Order

Regulation or Order

or Order

1942 >The Bahawalpur

State District Board

Act.

1942 The Bahawalpur

State Court of

Wards Act.

1943 'The Bahawalpur

State Municipal

Act.

3 Repealed by W.P. Ord. IX of 1957.

1 Repealed by W.P. Act VIII of 1957.

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Provision adapted

Sections 4 and

57(2)(e)

Section 18

Section 22(1)

Section 104(3)

Section 4(1)

Section 5, 44 and

48

Sections 27

[except where

"Government"

occurs for the

second time in

sub-section (2)],

31, 32, 200, 213,

216, 257, 258,

260 and 261

Section 10(1)

Adaptation made

For "Government" substitute
"Commissioner".

Omit "On recommendation of, or
after consultation with, the Revenue
Minister".

For the existing proviso substitute
the following:—

"Provided that if the vacancy
be of an elected member, the bye-
election for filling the vacancy shall
be held within a period of six
months from the date of occurrence
of the vacancy and if the bye-
election is not held within the said
period, the vacancy shall be filled
by the Government by appointment:

Provided further that the
Government may direct that any
such vacancy shall be left unfilled."

For "Bahawalpur Government"
substitute "Commissioner".

For "Revenue Minister or in special
areas such officer as may be
appointed by Government"
substitute "Commissioner".

For "Bahawalpur Government"
substitute "Commissioner".

For "Government" substitute
"Commissioner" and make all
necessary substitutions of pronouns
used therefor.

For the proviso substitute the
following:—

Year of the Number of the

Act, Act, Regulation

Regulation or Order

or Order

1943

1944

SCHEDULE II

[See SECTION 3(3)]

Short title of the Act,
Regulation or Order

'The Bahawalpur
Panchayat Act.

The Bahawalpur

1 Repealed by W.P. Act XLVII of 1958.

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Provision adapted

Throughout the
Act

Section 36

Section 254

Section 69

Section 12(1)

Adaptation made

"Provided that if the vacancy
be of an elected member, the bye-
election for filling the vacancy shall
be held within a period of six
months from the date of occurrence
of the vacancy and if the bye-
election is not held within the said
period, the vacancy may either be
filled by the Government by
nomination or the Government may
direct that the vacancy shall remain
unfilled."

For "Minister-in-Charge"
substitute" Commissioner".

Replace the full-stop at the end by a comma and add the following thereafter:—

"subject to the modification that a reference, in whatever form, to the Government of Bahawalpur in the said Regulation or the relevant rules shall be deemed to be reference to the Commissioner."

For "appeal to the Government who shall appoint a Judge of the High Court to hear the appeal" substitute "appeal to the highest authority having control over local bodies in the area comprising the districts of Bahawalpur, Bahawalnagar and Rahimyar Khan, or to such other officer as the Provincial Government may appoint in this behalf."

In sub-section (1) between the word "Government" and the word "may" insert "in the case of a Committee of the 1st Class and the Commissioner in other cases".

For "Government" substitute "Deputy Commissioner".

For "the Makhana to urban office"

Serial No.

1

1944

1951

1878

1892

311906

Year of Act

2

XXI

VI

II

SCHEDULE IV

No. of Act

3

State Arms Act.

(See SECTION 60)

The Public Health = Section 2(a)

(Emergency

Provisions)

Ordinance.

'The Bahawalpur Section 3(1)

State Municipal

Executive Officers

Act.

Section 3(3)

Section 10

Short title

4

substitute "the District Malkhana".

For "Bahawalpur Government"

substitute "Central Government or

Provincial Government".

For "Government on

recommendation of the Minister-in-Charge" substitute "Commissioner".

For "Minister-in-Charge" and "Government on recommendation of Minister-in-Charge" substitute "Commissioner".

For "Government and Minister-in-Charge" substitute "Commissioner".

ACTS APPLICABLE TO KHAIRPUR STATE

The Indian
Treasure Trove
Act.

>The Bombay
District
Vaccination Act
(Adapted on 21*
July 1943).

The Mamlatdars
Courts Act.

1 Repealed by W.P. Ordinance XII of 1958.
2 Repealed by W.P. Ordinance XXVII of 1958.

3

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Ins. by W.P. Ord. XXXI of 1961.

Sections 3, 5, 19,
20 and 21

Clauses (a), (e)

and (i)

Throughout the
Act

Sections 3 and 4

Section 24

Omit amendment made by
notification No. 4 of 1938.

Omit.

Delete "Bombay".

For "Governor-in-Council"
substitute "Commissioner".

For the existing section 24
substitute the following: —

24. A Mamlatdar or a Collector
functioning as a Court under
this Act shall be a Court
Subordinate to the High
Court of West Pakistan for
the purposes of section 115
of the Code of Civil
Procedure, 1908".]

Serial No.

1

Year of Act

SCHEDULE IV
(See SECTION 60)

No. of Act

3

Short title

4

ee

1924

1939

1934

1945

1953

I

II

4 Repealed by W.P.

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The Cocaine Act.

The Irrigation Act.

The Protection of
Muhammadan
Agriculturists Act.

The Primary
Education Act.

The Co-operative
Societies Act.

Ord. IV of 1959.

Section 4

Section 10

Section 11

Section 25

Section 26

Section 29

Section 32

Section 34

Section 35 and 36

Section 37

Section 3(a)

Section 2(2)

For "Wazit" substitute "Chief
Excise Authority".

For "Finance and Revenue
Member" substitute "Collector".

For "Finance and Revenue
Member" substitute "Collector".

For "P.W. Member" substitute
"Chief Engineer, P.W.D. Irrigation".

For "Finance and Revenue
Member" substitute "Collector".

For "Finance and Revenue
Member" substitute "Collector",

For "P.W. Member" substitute
"Executive Engineer".

For "His Highness in Council"
substitute "Chief Engineer, P.W.D.,
Irrigation".

For "His Highness in Council"
substitute "Chief Engineer, P.W.D.,
Irrigation".

For "Indian Penal Code" substitute
"Pakistan Penal Code".

For "Finance and Revenue Member

"Collector",

In this Act for "Minister" wherever

it occurs substitute "Collector".

For "Director of Public
Instructions" substitute "Divisional
Inspector of Education".

Omit clauses (1), (1i1), and (iv).

Serial No.

1

10

11

Year of Act

2

1937

1937

1939

1942

1942

1942

1948

1937

1937

1938

1939

1943

1943

1943

1944

1946

1946

1946

No. of Act

3

VII

IV

VII

IX

VII

IX

IX

VII

II

VII

VI

IX

SCHEDULE IV

(See SECTION 60)

Short title

4

PUNJAB ACTS

The Punjab Ministers' Salaries Act, 1937.

The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937.

The Punjab Legislative Assembly (Offices) Act, 1939.

The Punjab Legislative Assembly (Allowances of Members) Act, 1942.

The Punjab Legislative Assembly (Allowances of Members) (Amendment) Act, 1942.

The Punjab Legislative Assembly (Allowances of Members) (Amendment) Act, 1942.

The West Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Act, 1948.

N.W.F.P ACTS

The N.W.F.P. Ministers' Salaries Act, 1937

The N.W.F.P. Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937.

The N.W.F.P. Legislative Assembly (Members' Allowances) Act, 1938.

The N.W.F.P. Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Act, 1939.

The N.W.F.P. Ministers' Salaries (Amendment) Act, 1943.

The N.W.F.P. Legislative Assembly Speaker's and Deputy Speaker's (Amendment) Act, 1943.

The N.W.F.P. Legislative Assembly (Members' Allowances) (Amendment) Act, 1943.

The N.W.F.P. Legislative Assembly (Members' Allowances) (Amendment) Act, 1944.

The N.W.F.P. Legislative Assembly (Members' Allowances) (Amendment) Act, 1946.

The N.W.F.P. Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Act, 1946.

The N.W.F.P. Ministers' Salaries (Amendment) Act, 1946.

(See SECTION 60)

Serial No. Year of Act No. of Act Short title

1 2 3 4

12 1950 VIII The N.W.F.P. Ministers' Salaries (Amendment) Act, 1950.

13 1950 XXVII The N.W.F.P. Legislative Assembly (Members' Allowances) (Amendment) Act, 1950.

SIND ACTS

1 1937 II The Sind Legislative Assembly Speaker's and Deputy Speaker's Salaries Act, 1937.

2 1938 Vv The Sind Legislative Assembly Members' Salaries and Allowances Act, 1938.

3 1941 III The Sind Ministers' Salaries Act, 1941.

4 1946 VIII The Sind Legislative Assembly (Power and Privilege) Act, 1946.

5 1955 II The Sind Ministers' Salaries (Amendment) Act, 1955.

BAHAWALPUR ACTS

1 1953 I The Bahawalpur Ministers' Salaries Act, 1953.

2 1953 II The Bahawalpur Legislative Assembly Speakers and Deputy Speaker's Salaries Act, 1953.

3 1953 I The Bahawalpur Legislative Assembly Members' Allowances Act, 1953.

4 1953 Vv The Bahawalpur Legislative Assembly (Maintenance of Order) Act, 1953.

KHAIRPUR ACTS

1 1951 II The Khairpur State Legislative Assembly (Speaker's Salary) Act, 1951.

2 1953 I The Khairpur State Legislative Assembly (Allowances of Members) Act, 1953.

3 1954 II The Salaries and Allowances of Ministers Act, 1954.

4 1954 I The Khairpur State Legislative Assembly Speaker's Salary and Allowances Act, 1954.

5 1954 IV The Khairpur State Legislative Assembly Deputy Speaker's Salary Act, 1954.

6 1955 II The Salaries and Allowances of Ministers (Amendment) Act,

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Serial No. Year of Act

1 2
7 1955
8 1955
9 1955

No. of Act

3

VI

VII

VIII

SCHEDULE IV
(See SECTION 60)

Short title

4

1955.

The Khairpur State Legislative Assembly Speaker's Salary and Allowances (Amendment) Act, 1955.

The Khairpur State Legislative Assembly Deputy Speaker's Salary (Amendment) Act, 1955.

The Khairpur State Legislative Assembly (Allowances of Members) (Amendment) Act, 1955.