

THE BALOCHISTAN INDUSTRIES (CONTROL ON  
ESTABLISHMENT AND ENLARGEMENT)  
ORDINANCE, 1963

(W.P. Ordinance IV of 1963)

CONTENTS

SECTIONS

Preamble.

1. Short title extent and commencement.
2. Definitions.
3. Restrictions on establishment of industrial undertakings.
  
4. Check on unauthorized establishment or enlargement of industrial undertaking.
  
5. Power of obtaining information and of entry.
6. Delegation of powers.
7. Revision and appeal.
8. Penalty for contravention.
9. Cognizance of offence by court.
10. Indemnity.
11. Exemption.
12. Ordinance to over-ride other laws.
  
13. Power to make rules.

'THE ?[ BALOCHISTAN?] INDUSTRIES (CONROL ON  
ESTABLISHMENT AND ENLARGEMENT)  
ORDINANCE, 1963

(W.P. Ordinance IV of 1963)

[26" January, 1963]

An Ordinance to provide for the organized and planned  
growth of industries in 7[Balochistan].

Preamble. WHEREAS it is expedient to provide the organized and  
planned growth of industries in 7[Balochistan].

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

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

Short title extent 1. (1) This Ordinance may be called the \*[Balochistan]  
and Industries (Control on Establishment and Enlargement)  
a Ordinance, 1963.

(2) It extends to the Province of \*[Balochistan]  
except the Tribal Areas.

(3) This section and section 2 shall come into force  
at once and the remaining provisions of the Ordinance shall  
come into force in such local area and on such dates as the  
Government may, by notification in the official Gazette specify.

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

(a) "Director" means the Director of Industries,  
\*[Balochistan], and includes any officer

1 This Ordinance was promulgated by the Governor of W. P. on 25" January, 1963; approved by the Provincial Assembly of W.

amendments, on 27" March, 1963, under clause (3) of Article 79 of the Constitution of the Islamic Republic of Pakistan (1962)

to by the Governor; and published in the W. P. Gazette (Extraordinary), dated 27" March, 1963, pages 1269-1272.

Sub. by Baln. Laws (Adaptation) Order 1975, for the words "West Pakistan".

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



appointed by Government to exercise all or any of the powers and perform all or any of the functions and duties of the Director under this

Ordinance;

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

(c) "industrial undertaking" means an undertaking

pertaining to an industry (including any industry ancillary thereto) carried on or to be carried on, in any local area, at a place or premises, including precincts thereof, wherein twenty or more workers without the aid of power, or ten or more workers with the aid of power, were working on any day during the twelve months preceding the date of coming into operation of sections 3 to 12 in the local area concerned or are working and shall work for the manufacture or processing of goods or commodities;

(d) "local area" means any area to which the provisions of sections 3 to 12 have been applied in pursuance of sub-section (3) of section 1;

(e) "rules" mean rules made under this Ordinance.

Restrictions on 3. No person shall establish or cause to be established any establishment industrial undertaking or enlarge or cause to be enlarged any of industrial existing industrial undertaking except with the previous undertakings. or.

permission in writing of Government 7[:]

3[Provided that the application of any person for the grant of such permission shall not be rejected—

(a) without giving such person an opportunity of showing cause against it; or

(b) unless the Government is satisfied, on the basis of information available to it and after making such inquiry as it may deem fit, that the grant of permission to such person will be prejudicial to the national interest, or injurious to the health of, or a source of nuisance for, the residents of the local area in which the industrial undertaking is

1 Sub. by Baln. Laws (Adaptation) Order 1975, for the words "West Pakistan".

Subs., by Fed. Act XXXVIII of 1976, for the full stop.

Added by Federal Act XX XVIII of 1976.

2

3

[www.ezqanoon.com](http://www.ezqanoon.com)

Check on  
unauthorized  
establishment  
or enlargement  
of industrial  
undertaking.

Power of obtaining  
information  
and of entry.

Delegation of  
powers.

Revision and  
appeal.

proposed to be set up or, as the case may be, the  
industrial undertaking which is proposed to be  
enlarged is situated. ]

4. Where the establishment of an existing industrial  
undertaking is likely to be commenced or has been commenced  
or has been completed in contravention of the provisions of  
this Ordinance, Government or the Director, after giving the  
person responsible therefor an opportunity of being heard, may  
by order require him—

(i) to refrain from such establishment or  
enlargement; or

(ii) to stop further construction and to remove the  
unauthorized undertaking or part thereof and the  
person concerned shall comply with the order  
within such period as may be specified.

5. For the purpose of giving effect to the provisions of this  
Ordinance, Government or the Director may—

(a) by order in writing require any person to furnish  
such information in his possession relating to  
any industrial undertaking as may be specified in  
the order;

(b) enter or, authorize any person to enter an  
industrial undertaking and take such action as  
may be necessary.

6. Government may by general or special order and subject  
to such conditions as may be specified in the order authorize  
any officer or authority subordinate to it to exercise any of its

powers and to perform any of its functions and duties under this Ordinance and the rules.

7. (1) Any person feeling aggrieved by an order passed by Government or by any officer or authority under section 3 or section 4, may, within thirty days of the date of the order, apply to Government for a revision of the order.

(2) Any person feeling aggrieved by an order passed by the Director under section 4 may, within thirty days of the date of the order, prefer an appeal to Government.

(3) If in any case it shall appear to Government that any order passed by Government or the Director, as the case may be, be set aside or modified, Government may pass such

Penalty for  
contravention.

Cognizance of  
offence by  
court.

Indemnity.

Exemption.

Ordinance to over-

ride other laws.

Power to make  
rules.

order thereon as may be deemed fit:

Provided that no such order shall be passed  
unless, in the case of an appeal, the appellant and in any other  
case the party to be affected adversely, has been reasonable  
notice to appear and be heard.

(4) Subject to any order passed by Government  
under the last preceding sub-section the order passed by  
Government or the Director under section 3 or section 4, as the  
case may be, shall be final.

8. Whoever contravenes any of the provisions of this  
Ordinance or the rules, or fails to comply with any order made  
thereunder, or willfully furnishes incomplete or false  
information required thereunder, or obstructs any person in the  
discharge of his duties or functions thereunder, shall be  
punished with imprisonment for a term which may extend to  
one year, or with fine, or with both.

9. No court shall take cognizance of any offence  
punishable under this Ordinance except on a complaint in  
writing made by the Director.

10. No suit or other legal proceedings shall lie against  
Government, the Director or any person in respect of anything  
which is in good faith done or intended to be done under this  
Ordinance and the rules.

11. Government may, by notification in the official Gazette,  
exempt any industrial undertaking or class of industrial  
undertakings from all or any of the provisions of this Ordinance  
or the rules.

12. The provisions of this Ordinance and the rules and orders made thereunder shall have effect notwithstanding anything to the contrary contained in any other law, contract, instrument or document for the time being in force.

13. Government may make rules for carrying into effect the provisions of this Ordinance.