

THE BALOCHISTAN LAND LAWS (AMENDMENT)
ORDINANCE, 2001

(Baln. Ordinance XXXIII of 2001)

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'THE BALOCHISTAN LAND LAWS (AMENDMENT)

Preamble.

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Amendment of

S. No.

certain land

ORDINANCE, 2001

(Balochistan Ordinance XXXIII of 2001)

[20" October, 2001]

An Ordinance further to amend certain Land Laws.

WHEREAS it is expedient further to amend certain land laws in the manner hereinafter appearing;

AND WHEREAS, the Governor of Balochistan is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of Article 4 of the Provisional Constitution (Amendment) Order, 1999 (Chief Executive's Order No. 9 of 1999), and in exercise of all powers enabling him in that behalf, the Governor of Balochistan is pleased to make and promulgate the following Ordinance: —

1. (1) This Ordinance may be called the Balochistan Land Laws (Amendment) Ordinance, 2001.

(2) It shall come into force at once.

2. The land laws specified in column 3 of the following Schedule to the Ordinance are hereby amended to the extent

laws. specified against each in column 4 of the said Schedule. Schedule.

Name and year of the Short title. Amendments. enactment.

2. 3 4.

This Ordinance was made by the Governor of Balochistan on 10th October, 2001; and published in the Balochistan Gazette (Extraordinary) No. 161, dated 20th October, 2001.

Being an Ordinance made under the Provisional Constitution (Amendment) Order, 1999 (Chief Executive Order No. 9 of 1999); protected first under Article 270-AA [as amended vide Constitution (Seventh Amendment) Act, 2003 (Act III of 2003)]; and later declared continue in force by clause (2) of Article 270-AA [as amended vide Constitution (Eighteenth Amendment) Act, 2010 (Act X of 2010)], of the Constitution of Islamic Republic of Pakistan, 1974. The same was repealed by Balochistan Act I of 2009; published in the Balochistan Gazette (Extraordinary) No. 44, dated 7th April, 2009.

1. Act No. I of 1894 The Land

Acquisition Act,
1894.

2. Balochistan Ordinance Balochistan
No. XXIV Tenancy

Ordinance, 1978.

3. Balochistan Act No. Balochistan

XIX of 1964. Redemption and
Restitution of
Mortgaged Lands
Act, 1964.

4. Balochistan Act, No. Balochistan Land

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1. Insection 3, —

(a)In clause (c), for the word “Deputy
Commissioner”, the words
“Executive District Officer,
Revenue” shall be substituted;

(b)after clause (g), the following new
clause (h) shall be added, namely:—

“(h) “Revenue Tribunal” means the
Revenue Tribunal established
under the Balochistan Land
Revenue Act, 1967 (XVII of
1967)”.

2. In sections 5, 5A, 6, 7, 17, 35, 36, 38, 39,
40 and 41, for the word “Commissioner”,
wherever occurring, the word “Revenue
Tribunal” shall be substituted.

1. Insections 41, 65, 66, 67, 68, 69, 71, and
92, for words “Commissioner”, wherever
occurring, the words “Revenue Tribunal” shall
be substituted.

1. Insection 2, —

(a)in clause (c), for the word
“Commissioner”, occurring _ thrice,
the words “Revenue Tribunal”, and
for the word “Division, the word
“Local Limits” shall be substituted;
and

(b)in clause (g), the full-stop occurring at
the end shall be replaced by a semi-

colon, and after clause (g), as so amended, the following new clause (h) shall be added, namely:

“(h) ‘Revenue Tribunal’ means _ the Revenue Tribunal established under the Balochistan Land Revenue Act, 1967 (Act No. XVII of 1967).”

2. In sections 14, 15 and 16, for the word “Commissioner”, wherever occurring, the word “Revenue Tribunal” shall be substituted.

1. For Section 5, the following shall be

XVII of 1967.

Revenue Act,
1967.

substituted, namely: —

2.

“5S Province to be divided into

Districts:-

There shall be as many Districts in
the province with such limits and such
areas as Government may, by notification,
direct.”

For section 6, the following shall be

substituted, namely: —

3.

“6 Province to be divided into Tehsils—
and sub-Tehsils:-

(1) Each District may be divided
into such Tehsils or Sub-Tehsils
with such limits and such areas,
as Government may by

notification, specify.

(2) Government may, by
notification, vary the number
and limits of District, Tehsils or
Sub-Tehsils in the Province.

For clause (b) of sub-section (1) of

Section 7, for the words “The Commissioner”
the words “Revenue Tribunal” shall be
substituted.

4.

For sub-section (2) of section 7, the

following shall be substituted, namely: —

5.

“(2) The Executive District Officer,
Revenue of the District or the officer
performing for the time being functions as
such, shall be the Collector thereof.”

For section 8, the following shall be

substituted, namely: —

“8 Appointment of Collector-

For each District there shall be a
Collector who shall be appointed by the
Government, and who shall exercise
throughout the District all the powers, and
discharge all the duties of the Collector
under this Act’,

For section 9, the following shall be

substituted, namely: —

“9 Additional Collector-

Government may appoint in any District an Additional Collector who shall exercise throughout the District concerned all or any of the powers and discharge all or any of the duties conferred or imposed on a Collector, by or under this Act, subject to general supervision and control of the Collector of the District.”

7. After Section 18, the following new section 18 A shall be added, namely: —

“18 A. Establishment of Revenue Tribunal-

Government may establish one or more Revenue Tribunals for exercising powers under this Act within such local limits and for such class or classes as Government may direct and, except as otherwise so directed, any reference under this Act, about procedure, control, subordination etc. to a Revenue office or court, as the case may be, shall be deemed to include, where the subject or context so admits, a reference to Revenue Tribunal for all purposes connected with its powers and functions.”

8. In Sections 13, 14, 16, 60, 63, 69, 84, 89, 92, 101, 102, 103, 104, 107 and 108, for the word “Commissioner, wherever occurring the words “Executive District Officer, Revenue” shall be substituted.

9. In Sections 86, in sub section (4) and (6) after the words and comma “District or Tehsil”, the words and comma “or Sub-Tehsil” shall be inserted.

10. In section 161, 162, 163 and 164, for the words “Commissioner, wherever occurring, the words “Revenue Tribunal” shall be substituted.

11. In section 172, in sub-section (2), in

clause (vii), after the words “District or Tehsil”, the words “or Sub-Tehsil” shall be

inserted.

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