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GOVERNMENT OF BALUCHISTAN
LAW DEPARTMENT.

NOTIFICATION.

x . Dated Quetta, the 3rd May, 1977.

No. Legis: 1-47/Law/71.~ The following Ordinance made by the Governor of Baluchistan on the 3rd May, 1977, is hereby published for general information:—

BALUCHISTAN ORDINANCE NO. VI OF 1977,

THE WEST PAKISTAN LAND REVENUE (BALUCHISTAN
AMENDMENT) ORDINANCE, 1977.

AN
ORDINANCE

to further amend the (Baluchistan Land Revenue Act, 1967, inits application to the Province of Baluchistan.

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Short title, extent, .
and commencement.

Amendment of
tion 4 of W-P.
t. No. XVII
of 1967.

WHEREAS it is expedient to further amend the Baluchistan
Land Revenue Act, 1967 (W.P. Act XVII of 1967), in its application to the
Province of Baluchistan. ‘

AND WHEREAS the Provincial Assembly of Baluchistan is not
in session and the Governor of Baluchistan is satisfied that circumstances
exist which render immediate legislation necessary; 4

Now, THEREFORE, in exercise of powers conferred by
. Clause (1) of Article 128 of the Constitution of the Islamic Republic of

Pakistan, the Governor of Baluchistan is pleased to make and promul-
gate the following Ordinance:-

1. (1) This Ordinance may be called the West Pakistan Land 'Revenue
(Baluchistan Amendment) Ordinance, 1977.

(2) It extends to the whole of the Province of Baluchistan except Tribal
Areas, ; ; ,

&

Q) It shall come into force at once and shall be deemed to have taken
effect on and from the tenth day of 'November, 1975,

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In the West Pakistan Land Revenue Act, 1967 (Act XMIE of 1967)
hereinafter referred to as the said Act, in Section 4,—

Gi) after clause (10) the following new clause shall be inserted namely:-

"(10-A)" Irrigated Land" means land irrigated by a canal tube-well,

Jhalar, Karez, spring or by any other artificial means of irrigation; and
where

(ii) after clause (27) the following new clause shall be inserted' namely:-
"(27-A)" Unirrigated land means "land: other than irrigated land, and
include land fed by rain, flood, hill-torrents, uncultivable and waste land",

Insertion of Section 54-A, in Act XVII of 1967:—In the principal

" Act after section 54, the following new section shall be inserted namely:— ~

“ 54-A Power to call for information(1) The Board of Revenue may by a notification, require a land owner or a class of land owners to furnish such information as to the extent of his or their ownership of land, whether such land is situated wholly within the province or partly within the province and partly outside the province, in such form and manner, within

such time and to such person or authority as may be specified in the © notification.

(2) Whoever fails, without reasonable cause, to furnish the information required under sub-section (1) or furnish information which he knows, or has reason to believe to be false or omits to give any information material for the purpose for which it is required, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both, ~

G)

No court shall take cognizance of any offence' punishable under this section, except on a complaint in writing by a Revenue Officer especially or generally empowered in this behalf by the Board of Revenue

Amendment of section 56 of (W.P. Act No. XVII of 1967):— Section '55 (f) inserted vide Baluchistan Finance Act, 1972 (Act V of 1972) shall be deleted.

Insertion of section 56. A, Act No. XVII of 1967:—In the said Act, after section 56, the following new section shall be inserted namely:—

"36-A. Exemption of Land Revenue:— Notwithstanding anything to the contrary contained in this Act, from Rabi 1975-76, no land owner shall be liable to pay land revenue, or any rate or cess chargeable

. under the provisions of this Act, if he owns:—

- (a) irrigated land not exceeding twelve acres;
- (b) unirrigated land not exceeding twenty-five acres; or
- (c) irrigated and unirrigated land the aggregate area of which does not exceed twelve acres of irrigated land. ©

Insertion of new section 70-A, 70-B, 70-E, in W.P. Act No. XVII of 1967:—In the principal Act, after section 70, the following new section shall be inserted namely :—

—“70-A. Increase in Land Revenue.- (1) Notwithstanding any thing

to the contrary contained in this Act, from Rabi 1975-76, every land-owner of the categories mentioned below shall in addition to the land-revenue assessed under the provisions of section 57 and section 70 be liable to pay land-revenue at the enhanced rate mentioned against each category :—

(a) a land owner owning:—

- (i) irrigated land exceeding twenty-five 50 per cent. increase acres but not exceeding fifty acres; or onland-revenue
- (ii) unirrigated land exceeding fifty acres but not exceeding one hundred acres; or { provisions of section 357 and section 70
- (iii) irrigated and unirrigated land the aggregate area of which does not exceed fifty acres of irrigated land

(b) a land-owner owning:—

- (i) irrigated land exceeding fifty acres; or { 100 percent increase

on land revenue deter-~

(ii) unirrigated land exceeding one hundred mined under the pro-

acres; or vison of section 57 and
{ section 70

ii) irrigated and unirrigated land the agg-

'ragate area of which exceeds

fifty acres of irrigated land.

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A land owner owning irrigated land exceeding twelve acres but

not exceeding twenty-five acres of unirrigated land exceeding twenty-five acres but not exceeding fifty acres or irrigated and unirrigated land the aggregate area of which does not exceed twenty-five acres of irrigated land, shall continue to pay the land-revenue in accordance with the assessment for the time being in force",

"70-B. Determination of land ownership:— For the purpose of 56-A and 70A :-

(a)

One acre of irrigated land shall be reckoned as equivalent to

acres of unirrigated land, provided that in calculating the aggregate

(b)

area of a land-owner the conversion is made from unirrigated to irrigated land.

land owned by a land-owner shall include all land owned by him,

whether such land is situated wholly within the province or partly within and partly outside the provinces, except the following:—

(i)
Gi)

land described in clauses (b) (c) and (d) of section 56; and

share in shamilat of a village where the 'total area of such shamilat does not exceed 25 acres; and

(c) "Land-owner" shall include a person:—

@)

(ii)

who is an allottee or a grantee of any land under any scheme of the Government, under which such allotment or grant is to mature into ownership;

who has mortgaged his land, or any portion thereof with possession; or ;

(iii) who has permanent rights and interest in land.

"70-C. Information about increase in the extent of ownership —

(09)

(2)

"70-D"" (1)

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A person who after the tenth day of November, 1975, acquires land or increase the extent of his ownership of land, and by such acquisition owns land in more than one patwar Circle whether such land is situated within the province or partly _

. within and partly outside the province, shall inform such

authority within such time, in such manner and form as the Board of Revenue may by a notification specify in this behalf.

A land-owner who fails without reasonable cause to comply with the provision of sub-section (1) or the rules or order made thereunder or wilfully furnishes incomplete or false information shall be deemed to have committed an offence under the provisions of sub-section (2) of Section 54 A"

Any land-owner entitled to exemption under section 56 or section 56 A from the payment of land revenue or reduction in land revenue chargeable under section 70A who has not been granted such exemption or reduction, or any land owner aggrieved by the categorization of his land under section 70 A' may at any time make an application in such form and manner as may be specified by the Board of Revenue, to the Assistant Collector of the area in which his land or any part thereof is situated.

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(2) On receipt of such application, the Assistant Collector shall cause a notice of the application to be served 'on the person : on whom the liability to pay the land revenue may devolve ' as a result of the transfer or of land and after holding such inquiry as he considers necessary, shall pass orders setting his reasons therefore. :

+B) Without prejudice to the provisions of sub-section (1) and (2) the Assistant Collector shall have the power to hold an inquiry and pass appropriate orders if on receipt of any information or otherwise he is of the

'opinion that any land owner who is liable to pay land revenue, is not paying such land revenue or paying less than the amount of the land revenue which he is liable to pay; '

Provided that before passing final order he shall afford the person likely to be affected by such order an opportunity of being heard.

(4) - In exercising his powers under sub-section (2) or sub-section (3) the Assistant Collector shall:— , : fa

(a) not question the correctness or validity of a registered deed or any mutation sanctioned in accordance with Law, relating to transfer of land.

(b) follow, subject to the other provisions of this Section the procedure as may be laid down by the Board. of Revenue by notified instructions in this behalf. .

(5) Any person aggrieved by an order passed under sub-section (2) or

(6) May prefer an appeal as provided in Chapter XIH of West Pakistan Land Revenue Act, 1976. zs

'Exemption or assessment of land revenue:— Notwithstanding anything to the contrary contained in this Act, Government, may, at any time, by notification prescribed the principle or the method or the procedure by which, and the manner in which exemption under Section 56 A or assessment under Section 70 A shall be determined or announced".

Any action taken, thing done or order passed by a Deputy Commissioner/ Assistant Collector or Political Agent at any time after the commencement of ©

the West Pakistan Land Revenue (Baluchistan Amendment) Ordinance, 1976

shall be deemed to have been validly taken, done or passed under this ;

Ordinance. ss

Dated Quetta ; AuMapD YAR KHAN BALUCH

the 3rd May, 1977. Governor of Baluchistan

