

THE WEST PAKISTAN LAND REVENUE  
(BALOCHISTAN AMENDMENT)  
ORDINANCE, 1977

(Baln Ordinance VI of 1977)

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'THE WEST PAKISTAN LAND REVENUE  
(BALOCHISTAN? AMENDMENT)  
ORDINANCE, 1977

(Balochistan Ordinance VI of 1977)  
[34 May, 1977]

An Ordinance to further amend the West Pakistan Land Revenue Act, 1967, in its application to the Province of Balochistan.

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

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

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 Balochistan is pleased to make and promulgate the following Ordinance: —

Short title, extent 1. (1) This Ordinance may be called the West Pakistan and Land Revenue (Balochistan Amendment) Ordinance, 1977.

commencemen

t. (2) It extends to the whole of the Province of

Balochistan except Tribal Areas.

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

Amendment of 2. In the West Pakistan Land Revenue Act, 1967 (Act

Section 4 of XVII of 1967) hereinafter referred to as the said Act, in section W.P. Act No. 4: —  
XVII of 1967.

(i) after clause (10) the following new clause shall

be inserted namely: —

"(10-A) "Irrigated Land" means land irrigated

1 This Ordinance, which amended the West Pakistan Act XVII of 1967, was promulgated by the Governor of Balochistan on 3 May, 1977; published in the Balochistan Gazette (Extraordinary) No. 30, dated 3" May, 1977. Saved and, remain operative by Section 7 (2) of Law (Continuance in Force) Order, 1977 (C.M.L.A. Order NO. 1 of 1977).

Spelling of the word "Baluchistan", wherever it appears in this Ordinance, 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.

That is Constitution of Islamic Republic of Pakistan 1973; published in the Gazette of Pakistan, dated 12<sup>th</sup> April, 1973.

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Insertion of Section

54-A, in Act  
XVII of 1967.

Amendment of  
section 56 of  
W.P. Act No.  
XVII of 1967.

Insertion of section  
56-A, in Act  
No. XVII of  
1967.

by a canal, tube-well, Jhalar, Karez,  
spring or by any other artificial  
means of irrigation"; and

(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".

3. 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 of 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 term which may extend to one year,  
or with fine, or with both.

(3) 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."

4. Section 56 (f) inserted vide Balochistan Finance Act, 1972 (Act V of 1972) shall be deleted.

5. In the said Act, after section 56, the following new section shall be inserted namely: —

"56-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

Insertion of new

sections 70-A,  
70-B, 70-C,  
70-D, 70-E, in  
W.P. Act No.  
XVII of 1967.

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."

6. In the principal Act, after section 70, the following new sections shall be inserted namely: —

"70-A. Increase in Land Revenue: — ()

Notwithstanding anything 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 50 per cent  
twenty five acres but increase on land

not exceeding fifty revenue  
acres; or determined  
under the

(ii) un irrigated land  
exceeding fifty acres  
but not exceeding one  
hundred acres; or

provisions of  
section 57 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 100 per cent  
fifty acres; or increase on land

(ii) unirrigated land revenue  
exceeding one hundred determined  
under the

acres; or a  
provision of

section 57 and

section 70

(iii) irrigated and unirrigated land the aggregate area of which exceeds fifty acres of irrigated land.

(2) 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 of 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 70-A: —

(a) One acre of irrigated land shall be reckoned as equivalent two acres of unirrigated land, provided that in calculating the aggregate area of a land-owner the conversion is made from

unirrigated to irrigated land;

(b) 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)

(ai)

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: —

(i)

(ai)

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 ownership: —

(1) 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.

(2) 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".

"70-D. (1) 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 70-A 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.

(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.

(3) 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: —

(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 XIII of West Pakistan Land Revenue Act, 1967.

"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 (Balochistan Amendment) Ordinance" 1976 shall be deemed to have been validly taken, done or passed under this Ordinance.