

THE PUNJAB ACQUISITION OF LAND (HOUSING)
(REPEAL) ACT, 1985

(XII of 1985)

CONTENTS

Short title, extent and commencement

Repeal of Act VIII of 1973

Continuation of acquisition proceedings and assessment, etc. of
compensation

Government may drop acquisition, etc

TEXT

'THE PUNJAB ACQUISITION OF LAND (HOUSING) (REPEAL) ACT, 1985
(XII of 1985)
[13 November, 1985]

An
Act

to repeal the Punjab Acquisition of Land (Housing) Act, 1973 (VIII of 1973).

Preamble.— Whereas it is expedient to repeal the Punjab Acquisition of Land (Housing) Act, 1973 (VIII of 1973);

It is hereby enacted as follows:—

1. Short title, extent and commencement.— (1) This Act may be called the Punjab Acquisition of Land (Housing) (Repeal) Act, 1985.

(2) It shall extend to the whole of the Punjab.

(3) It shall come into force at once.

2. Repeal of Act VIII of 1973.— The Punjab Acquisition of Land (Housing) Act, 1973 (VIII of 1973) is hereby repealed.

3. Continuation of acquisition proceedings and assessment etc. of compensation.— Where in a case proceedings have commenced under the Punjab Acquisition of Land (Housing) Act 1973 or under its provisions as incorporated or referred to in any other law, rule or instrument, for the time being in force, the same shall continue and shall be completed under the provisions of the said Act and the rules made thereunder:

Provided that where in a case an award has not been made under section 7 of the said Act at the time of commencement of this Act, the compensation in such a case shall be assessed, awarded and paid under the provisions of the Land Acquisition Act, 1894 (I of 1894):

Provided further that in a case in which an award has been made before the commencement of this Act under the Punjab Acquisition of Land (Housing) Act, 1973 but the payment of compensation or a part thereof is to be made through bonds, debentures or annuities, the said compensation shall become due for immediate payment in cash on the commencement of this Act unless the owner whose land has been acquired chooses to adjust the same towards the cost of any developed site which may have been given to him as part of compensation '[:]

'This Act was passed by the Punjab Assembly on 10th November, 1985; assented to by the Governor of the Punjab on 13th November, 1985; and, was published in the Punjab Gazette (Extraordinary), dated 13th November, 1985, Pages 5381-A to 5381-C.

?Substituted for the "full-stop" by the Punjab Acquisition of Land (Housing) (Repeal) (Amendment) Ordinance, 2002 (XII of 2002), w.e.f. 14.8.2001, s.2; and published in the Punjab Gazette (Extraordinary), dated 28.2.2002 which was protected and con force under the Provisional Constitutional Order, 1999 (Chief Executive's Order No.1 of 1999) as amended by the Provisional Constitution (Amendment) Order, 1999 (Chief Executive's Order No. 9 of 1999) and Article 270AA of the Constitution of the Islamic Republic of Pakistan, as substituted by the Constitution (Eighteenth Amendment) Act, 2010.

'[Provided further that for the purpose of operation of this section the following provisions of the Punjab Acquisition of Land (Housing) Act, 1973 shall be read as mentioned hereunder:—

1. In the Preamble the words “urban and rural areas of’ shall be deemed to have been deleted.

2. In section 2, sub-section (1)—

(i) clause (a) shall be read as:—

“Collector” means Collector appointed under the Punjab Land Revenue Act, 1967 (XVII of 1967) and includes any other officer specially empowered by the Board of Revenue to perform the functions of a Collector;”

'[(ii) clause (b) shall be read as:—

“Commissioner” means a Commissioner of a Division appointed under the Punjab Land Revenue Act, 1967 (XVII of 1967) and includes an Additional Commissioner;

(iii) | clause (c) shall be read as:—

“Collector” means the Collector of a District appointed under the Punjab Land Revenue Act 1967 (XVII of 1967) and includes an officer authorized by the Government to exercise the powers of the Collector;]

(iv) | sub-clause (ii) of clause (f), shall be read as:—

“Local Councils constituted under the Punjab Local Government Ordinance, 2001;”

(v) clauses (h) and (i) shall be deemed to have been omitted.

3. In section 6, sub-section (1) the words “Government intends” shall be read as:-

“Government or the official Department Agency, as the case may be, intends”

‘14. * * * * *

'[5. In sections 4, 13, 17 and 19, the words “Deputy Commissioner’,

wherever occur, shall be read as “Collector of the District”.]

Added by the Punjab Acquisition of Land (Housing) (Repeal) (Amendment) Ordinance, 2002 (XII of 2002), w.e.f. 14.8.2001, s.2; published in the Punjab Gazette (Extraordinary), dated 28.2.2002 which was protected and continued in force under the Provisional Constitutional Order, 1999 (Chief Executive's Order No.1 of 1999) as amended by the Provisional Constitution (Amendment) Order, 1999 (Chief Executive's Order No. 9 of 1999) and Article 270AA of the Constitution of the Islamic Republic of Pakistan, as substituted by the Constitution (Eighteenth Amendment) Act, 2010.

“Substituted by the Punjab Laws (Amendment) Act 2011 (VI of 2011), w.e.f. 20.4.2011 (notification published in the Punjab Gazette (Extraordinary), dated 16.4.2011, page 4081), s.13; and published in the Punjab Gazette (Extraordinary), dated 14.4.2011, pages 4043-4047.

5Omitted by the Punjab Laws (Amendment) Act 2011 (VI of 2011), w.e.f. 20.4.2011(notification published in the Punjab Gazette (Extraordinary), dated 16.4.2011, page 4081), s.13 ; and published in the Punjab Gazette (Extraordinary),dated 14.4.2011,pages 4043-4047.

Substituted by the Punjab Laws (Amendment) Act 2011 (VI of 2011),w.e.f. 20.4.2011 (notification published in the Punjab Gazette (Extraordinary),dated 16.4.2011, page 4081), s.13 ; and published in the Punjab Gazette (Extraordinary),dated 14.4.2011,pages 4043-4047.

4. Government may drop acquisition etc.- The Government may, at any time, by notification, drop any scheme or land from acquisition in a case in which acquisition proceedings have commenced under the provisions of the Punjab Acquisition of Land (Housing) Act, 1973 or under any law wherein the provisions of the said Act have been incorporated by reference.

5. All references to the Punjab Acquisition of Land (Housing) Act, 1973 in any law, rule or any other instrument, for the time being in force, shall, *mutatis mutandis*, be deemed to be references to the Land Acquisition Act, 1894.

Explanation.— “law”, in this section, includes the Punjab Housing Facilities for Non-Proprietors in Rural Areas Act, 1975 (V of 1975), the Lahore Development Authority Act, 1975 (XXX of 1975) and the Punjab Development of Cities Act, 1976 (XIX of 1976).