

SINDH ACT NO. XVI OF 1974

THE WEST PAKISTAN LAND REVENUE (SIND AMENDMENT) ACT, 1974

[9 November, 1974]

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

WHEREAS it is expedient to further amend the West Pakistan Land Revenue Act, 1967, in its application to the Province of Sind, in the manner hereinafter appearing;

It is hereby enacted as follows :-

1. (1) This Act may be called the West Pakistan Land Revenue (Sind Amendment) Act, 1974.

(2) It shall come into force at once.

2. In the West Pakistan Land Revenue Act, 1967, in its application to the Province of Sind, hereinafter called as the said Act, in section 5, for the word "District", the word "Divisions" shall be substituted.

3. In the said Act, in section 6—

(a) In sub-section (1), for the words "each District", the words and comma "Each Division shall be divided into such Districts, and each District" shall be substituted; and

(b) in sub-section (2), between the word "of" and the word "District", the word and comma "District", shall be inserted.

4. In the said Act, in sub-section (1) of section 7, after clause (a), the following clause shall be inserted:—

"(b) the Commissioner,"

5. In the said Act, for sections 8 and 9, the following shall be substituted:—

"8. For each Division there shall be a Commissioner, and in each District there shall be a Collector, who shall be appointed by Government, and who shall exercise throughout the Division or District, as the case may be, all the powers and discharge all the duties, of the Commissioner or Collector, as the case may be, under this Act.

Appointment of
Commissioners
and Collectors.

Preamble.

Short title and commencement.

Amendment of section 5 of West Pakistan Act XVII of 1967.

Amendment of section 76 of West Pakistan Act XVII of 1967.

Amendment of section 7 of West Pakistan Act XVII of 1967.

Substituted of sections 8 and 9 of West Pakistan Act XVII of 1967.

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9. Government may appoint in any Division an

Additional Additional Commission or in any District an Additional Commissioners Collector, who shall exercise, throughout the Division Collectors. or District concerned all or any of the Powers and

discharge all or any of the duties conferred or imposed on a Commissioner or Collector, as the case may be, by or under this Act, subject to the general supervision and control of the Commissioner of the Division in the case of Additional Commissioner, and the Collector of the District in the case of Additional Collector.”.

6. In the said Act, in section 13, for sub-section (3), the following sub-sections shall be substituted:—

“(3) Subject to the general control of the Board of Revenue , a Commissioner shall control all other Revenue Officers in his Division.

(4) Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue Officers in his District.”.

7. In the said Act, in section 14—

(a) in sub-section (2)—

(i) between the article “a” and the word “Collector”, the words “Commissioner or” shall be inserted; and

(ii) for the word “his”, the word “their respective” shall be substituted; and

(6) in sub-section (3), for the words, brackets and figure “a Collector under sub-section (2)”, the words, brackets, figure and commas “a Commissioner or Collector under sub-section (2), the Commissioner or Collector, as the case may be,” shall be substituted.

8. In the said Act, in section 146—

(a) In sub-section (1), between the article “a” and the word “Collector”, the words “Commissioner or” shall be inserted; and

Amendment of
section 13 of West
Pakistan Act XVII
of 1967.

Amendment of
section 14 of West
Pakistan Act XVII
of 1967.

Amendment of
section 16 of West
Pakistan Act XVII
of 1967.

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(b) In sub-section (3), between the article "the" and the word "Collector", the word and comma "Commissioner," shall be substituted.

9. In the said Act, in section 63—

(a) In sub-section (2), for the words "Board of Revenue", the words "Commissioner or Board of Revenue" shall be substituted; and

(b) In sub-section (3)—

(i) for the words "the Board of Revenue", occurring for the first time, the words and commas "Commissioner or Board of Revenue, as the case may be," shall be substituted; and

(ii) for the words "the Board of Revenue", occurring for the second time, the Words "the Commissioner or Board of Revenue" shall be substituted.

10. In the said Act, in section 69, between the word "to" and the words "the Board of Revenue", the words and comma "the Commissioner and from the appellate order of the Commissioner, to" shall be inserted.

11. In the said Act, in sections 84, 89, 92, 101, 102 103, 104, 107, 108 and 161, for the words "Board of Revenue", the word "Commissioner" shall be substituted.

12. In the said Act, in sub-section (3) of section 84, for the word "it", the word "he" shall be substituted.

13. In the said Act, in sub-section (1) of section 161—

(i) after clause (b) and before the proviso, the following clause shall be inserted:—

"(c) to the Board of Revenue only on a point of law, when the order is made by a Commissioner;"; and

Amendment of
section 63 of West
Pakistan Act XVII
of 1967.

Amendment of
section 69 of West
Pakistan Act XVII
of 1967.

Amendment of
sections 84, 89, 92,
101, 102, 103, 104,
107, 108 and 161
of West Pakistan
Act XVII of 1967.

Amendment of
section 84 of West
Pakistan Act XVII
of 1967.

Amendment of
section 161 of West
Pakistan Act XVII
of 1967.

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(ii) In clause (ii) of the proviso—

(a) for the words “Board of Revenue”, the word “Commissioner” shall be substituted; and

(b) for the word “it”, the word “him” shall be substituted.

14. In the said Act, in section 162, after clause (a), the following Amendment of

i __ section of West
clause shall be inserted : Pakistan Act XVII

of 1967.

“(b) sixty days, where the appeal lies to the
Commissioner;”.

15. — In the said Act, in section 163— Amendment of
section 163 of West

. . ; Pakistan Act XVII

(a) in sub-section (1), between the article “A” and the of 1967.

word “Collector”, the word and comma
“Commissioner,” shall be inserted;

(b) in sub-section (2)—

(i) between the article “a” and the word
“Collector”, the word and comma
“Commissioner,” shall be inserted;

(ii) between the article “a” and the word
“Collector”, the word and comma
“Commissioner,” shall be inserted; and

(c) in the proviso after sub-section (2), for clause (a), the
following shall be substituted:—

“(a) an order passed by his predecessor in office
shall not be reviewed under sub-section (1) or
sub-section (2) by the—

(i) Commissioner, without first obtaining the
sanction of the Board of Revenue;

(ii) Commissioner, without first obtaining the
sanction of the Commissioner, and no order
shall be reviewed by any other Revenue
Officer, without first obtaining the sanction
of the Revenue Officer to whose control he
is immediately subject;”.

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16. In the said Act, in section 164— Amendment of section 164 of West

. . ; Pakistan Act XVII

(a) in sub-section (2), between the article “A” and the of 1967.

word “Collector”, the words “Commissioner or” shall be inserted;

(b) in sub-section (3), for the words “Board of Revenue”, the word “Commissioner” shall be substituted; and

(c) for sub-section (4), the following shall be substituted

“(4) The Board of Revenue may, in any case called for under sub-section (1) and a Commissioner may, in any case called for under sub-section (2) or reported to him under sub-section (3), pass such orders as it or he think fit:”

17. The West Pakistan Land Revenue (Sind Amendment) Repeal of Sind

Ordinance, 1974 is hereby repealed. oenance IX of