

Act No. LVIII - LXII
REGISTERED No. S. 1033
L-7646

The Gazette of Pakistan

The coat of arms of Pakistan is centered between the words 'Gazette' and 'of Pakistan'. It features a shield with four quadrants: top-left shows a crescent and star, top-right shows a cotton plant, bottom-left shows a sheaf of wheat, and bottom-right shows a gear. The shield is flanked by a wreath of cotton and wheat, topped with a crescent and star, and a banner at the bottom.

EXTRAORDINARY
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ISLAMABAD, MONDAY, AUGUST 13, 1973

PART I

Acts, Ordinances, President's Orders and Regulations

NATIONAL ASSEMBLY OF PAKISTAN

Islamabad, the 13th August, 1973

The following Act of the National Assembly received the assent of the President on the 13th August, 1973, and is hereby published for general information :—

ACT NO. LXII OF 1973
An Act further amend certain Regulations

WHEREAS it is expedient further to amend certain Regulations for the purposes hereinafter appearing :

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the Land Reforms (Amendment) Act, 1973.

(2) It shall come into force at once and shall be deemed to have taken effect,—

- (a) in the case of sections 2, 3, 7 and 11, on the 11th day of March, 1972 ;
- (b) in the case of section 8, on the 18th day of March, 1972 ; and
- (c) in the case of sections 9 and 10, on the 12th day of April, 1972.

2. Amendment of paragraph 4, Land Reforms Regulation, 1972.—In the Land Reforms Regulation, 1972, hereinafter referred to as the said Regulation, in paragraph 4,—

- (a) in sub-paragraph (7), for the word "President" the words "Federal Government" shall be substituted ; and
- (b) in sub-paragraph (8), for the word "President" the words "Federal Government" shall be substituted.

3. Insertion of new paragraph 4A, Land Reforms Regulation, 1972.—In the said Regulation, after paragraph 4, the following new paragraph shall be inserted, namely :—

" 4A. *Constitution of Federal Land Commission, etc.*—(1) For the purposes of this Regulation, there shall be constituted a Commission to be known as the Federal Land Commission, consisting of a Federal Minister nominated by the Federal Government, who shall be its Chairman, and not more than three members to be appointed by the Federal Government.

(2) The Federal Land Commission shall exercise and perform all such powers and functions as may be necessary for the implementation of this Regulation throughout the areas to which it extends and shall, in particular,—

- (i) assist the Federal Government in deciding any dispute or difference referred to in sub-paragraph (7) of paragraph 4 and in giving any approval or direction under sub-paragraph (8) of that paragraph ;
- (ii) assist the Federal Government in the exercise of its revisional powers under paragraph 29 ;
- (iii) coordinate the work of the different Commissions to ensure that a uniform policy is followed in all the Provinces in implementing the provisions of this Regulation ; and
- (iv) lay down general guidelines to be observed by the Commissions in carrying out their duties and functions under this Regulation and issue from time to time such instructions as may be considered necessary.

- (3) The Federal Land Commission may make rules to regulate its procedure and appoint its own officers and servants and confer powers upon, and assign duties, to them.
- (4) The Federal Land Commission may direct that the powers exercisable by it under this paragraph may, subject to such conditions, if any, as may be specified by it, be exercised also by any of its members or officers empowered by it in this behalf."

4. **Amendment of paragraph 11, Land Reforms Regulation, 1972.**—In the said Regulation, in paragraph 11, in sub-paragraph (2), for the Explanation the following shall be substituted, namely :—

'Explanation.—For the purpose of this sub-paragraph, 'family' shall mean husband, wife, parents, children, brothers and sisters.'

5. **Amendment of paragraph 19, Land Reforms Regulation, 1972.**—In the said Regulation, in paragraph 19, in the proviso, after the word 'lease' at the end, the words 'of the land resumed from him or of such portion thereof as the Government may determine' shall be added.

6. **Amendment of paragraph 21, Land Reforms Regulation, 1972.**—In the said Regulation, in paragraph 21, in the proviso, after the word 'lease' at the end, the words 'of the land resumed from him or of such portion thereof as the Government may determine' shall be added.

7. **Substitution of paragraph 29, Land Reforms Regulation, 1972.**—In the said Regulation, for paragraph 29 the following shall be substituted, namely :—

" 29. *Revisional powers of the Federal Government.*—The Federal Government, or any person authorised by it in that behalf, may at any time, of its or his own motion or otherwise, call for the record of any case or proceedings under this Regulation which is pending or in which a Commission or any other authority appointed under this Regulation, other than the Federal Land Commission constituted under paragraph 4A, has passed an order, for the purpose of satisfying itself or himself about the correctness, legality or propriety of such an order, and may pass such order in relation thereto as the Federal Government or, as the case may be, such person thinks fit :

Provided that the Federal Government may, from time to time, specify the cases or class of cases in which it desires to pass final orders :

Provided further that no order shall be passed under this paragraph revising or modifying an order affecting any person unless such person has been afforded an opportunity of being heard :

Provided further that the record of any case or proceedings in which a Commission or other authority has passed an order shall not be called for under this paragraph by the Federal Government or the person authorised by it—

- (a) of its or his own motion, after the 14th day of August, 1974, or
- (b) on the application of any aggrieved person made after the expiration of sixty days from the date of such order or from

the enactment of the Land Reforms (Amendment) Act, 1973, whichever is later, excluding the time requisite for obtaining a copy of such order.”

8 Substitution of paragraph 17, Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972.—In the Land Reforms (Baluchistan Pat Feeder Canal) Regulation, 1972, for paragraph 17 the following shall be substituted, namely :—

“ 17. *Revisional powers of the Federal Government.*—The Federal Government, or any person authorised by it in that behalf, may at any time, of its or his own motion or otherwise, call for the record of any case or proceedings under this Regulation which is pending or in which the Board of Revenue or any other authority has passed an order, for the purpose of satisfying itself or himself about the correctness, legality or propriety of such an order, and may pass such order in relation thereto as the Federal Government or, as the case may be, such person thinks fit :

Provided that the Federal Government may, from time to time, specify the cases or class of cases in which it desires to pass final orders :

Provided further that no order shall be passed under this paragraph revising or modifying an order affecting any person unless such person has been afforded an opportunity of being heard :

Provided further that the record of any case or proceedings in which a Commission or other authority has passed an order shall not be called for under this paragraph by the Federal Government or the person authorised by it—

- (a) of its or his own motion, after the 14th day of August, 1974, or
- (b) on the application of any aggrieved person made after the expiration of sixty days from the date of such order or from the enactment of the Land Reforms (Amendment) Act, 1973, whichever is later, excluding the time requisite for obtaining a copy of such order.”

9. Amendment of the Dir and Swat (Devolution and Distribution of Property) Regulation, 1972.—In the Dir and Swat (Devolution and Distribution of property) Regulation, 1972,—

- (a) in paragraph 3, for the word “President” the words “Federal Government” shall be substituted; and
- (b) for paragraph 6 the following shall be substituted, namely :—

“ 6. The Federal Government, or any person authorised by it in that behalf, may at any time, of its or his own motion or otherwise, call for the record of any case or proceedings under this Regulation which is pending or in which the Provincial Government has passed an order, for the purpose of satisfying itself or himself about the correctness, legality or propriety of such an order, and may pass such order in relation thereto as the Federal Government or, as the case may be, such person thinks fit :

Provided that the Federal Government may, from time to time, specify the cases or class of cases in which it desires to pass final orders :

Provided further that no order shall be passed under this paragraph revising or modifying an order affecting any person unless such person has been afforded an opportunity of being heard :

Provided further that the record of any case or proceedings in which a Commission or other authority has passed an order shall not be called for under this paragraph by the Federal Government or the person authorised by it—

- (a) of its or his own motion, after the 14th day of August, 1974, or
- (b) on the application of any aggrieved person made after the expiration of sixty days from the date of such order or from the enactment of the Land Reforms (Amendment) Act, 1973, whichever is later, excluding the time requisite for obtaining a copy of such order.”.

10. Amendment of the Dir and Swat (Settlement of Dispute of Immovable Property) Regulation, 1972.—In the Dir and Swat (Settlement of Disputes of Immovable Property) Regulation, 1972,—

- (a) in paragraph 3, in sub-paragraph (2), for the word “President” the words “Federal Government” shall be substituted; and
- (b) in paragraph 5, for the proviso the following shall be substituted, namely :—

“Provided that the Federal Government, or any person authorised by it in that behalf, may at any time, of its or his own motion or otherwise, call for the record of any case or proceedings under this Regulation which is pending or in which the Provincial Government or the officer authorised by it has taken a decision, for the purpose of satisfying itself or himself about the correctness, legality or propriety of such decision, and may pass such order in relation thereto as the Federal Government or, as the case may be, such person thinks fit :

Provided further that the Federal Government may from time to time specify the cases or class of cases in which it desires to pass final orders :

Provided further that no order shall be passed under the first or second proviso revising or modifying an order affecting any person unless such person has been afforded an opportunity of being heard :

Provided further that the record of any case or proceedings in which a Commission or other authority has passed an order shall not be called for under this paragraph by the Federal Government or the person authorised by it—

- (a) of its or his own motion, after the 14th day of August, 1974, or
- (b) on the application of any aggrieved person made after the expiration of sixty days from the date of such order or from the enactment of the Land Reforms (Amendment) Act, 1973, whichever is later, excluding the time requisite for obtaining a copy of such order.”.

11. **Validation.**—The Federal Land Commission in existence at the commencement of this Act shall be deemed to have been constituted under the Land Reforms Regulation, 1972, and every thing done, action taken or order passed by the Federal Land Commission shall be deemed to have been validly done, taken or passed, as if this Act were in force on the day on which the Federal Land Commission was constituted or such thing, action or order was done, taken or passed.

ASLAM ABDULLAH KHAN,
Secretary.

CORRIGENDUM

[to the Gazette of Pakistan, Extraordinary, Part I, dated the 30th July, 1973 containing President's Order No. 17 of 1973.]

Page 561 : In line 11, for "Priviledges" read "Privileges".