

Miani Sahib Graveyard Ordinance, 1962

44 of 1962

[07 June 1962]

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Miani Sahib Graveyard Ordinance, 1962

44 of 1962

[07 June 1962]

An Ordinance to continue the provisions of Martial Law Order No.131 issued by the Martial Law Administrator, Zone 'B' and to promote the functions of the Lahore Graveyard Committee constituted under the [2][Punjab] Graveyards (Preservation and Maintenance) Act, 1958 Preamble.- WHEREAS the Lahore Graveyard Committee constituted under the West Pakistan[3] Graveyards (Preservation and Maintenance) Act, 1958 (West Pakistan Act No.XXV of 1958) was charged with the functions of preservation and maintenance of the Miani Sahib Graveyard; AND, WHEREAS, the Administrator, Martial Law Zone 'B' issued Martial Law Order No. 131 whereby the Miani Sahib Graveyard Committee was required to remove encroachments and unauthorised structures from the Miani Sahib Graveyard; AND, WHEREAS, the said Martial Law Order shall stand repealed with effect from the commencing day of the Constitution; AND, WHEREAS, it is expedient to continue the provisions of the said Martial Law Order and to promote the functions of the Lahore Graveyard Committee in the manner hereinafter appearing: NOW, THEREFORE, in pursuance of the

Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:-

1. Short Title And Commencement :-

(1) This Ordinance may be called the Miani Sahib Graveyard Ordinance, 1962.

(2) It shall come into force on the expiry of Martial Law Order No. 131 issued by the Martial Law Administrator, Zone B (hereinafter referred to as the said Martial Law Order).

2. Definitions :-

In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

(a) "Act" means the [4]West Pakistan Graveyard (Preservation and Maintenance) Act, 1958 (West Pakistan Act XXV of 1958);

(b) "Government" means [5][the Provincial Government of the Punjab];

(c) "Lahore Graveyard Committee" means the Committee constituted under the West Pakistan Government Social Welfare and Local Government Departments Notification No.W/34-3/58, dated the 25th of March, 1959, as modified from time to time;

(d) "Miani Sahib Graveyard" means the area specified in the Schedule subject to any subsequent modification made by the Miani Sahib Graveyard Committee under the orders of the Assistant Sub-Administrator, Martial Law, Lahore;

(e) "Miani Sahib Graveyard Committee" means the Committee set up under the orders of the Sub-Administrator, Martial Law, No.3 Sector, for the purpose of defining limits of the Miani Sahib Graveyard and for removing encroachments thereon.

3. Continuance Of The Martial Law Order No. 131 :-

The said Martial Law Order shall subject to the provisions of this Ordinance, be continued and be deemed to have been enacted in this Ordinance.

4. Final Notifications :-

(1) The Miani Sahib Graveyard Committee shall act in pursuance of

the provisions of the said Martial Law Order.

(2) When action under sub-section (1) has been completed, Government shall issue a final notification defining the limits of the Miani Sahib Graveyard.

(3) The notification issued under sub-section (2) shall be deemed to be a notification issued under section 12 of the Act as if it has been issued under that section after the provisions of sections 4 to 11 of the Act have been complied with.

5. Vesting Of Graveyard And Property :-

On the publication of the notification under sub-section (2) of section 4, the possession of Miani Sahib Graveyard as described in that notification, together with any property held by the Miani Sahib Graveyard Committee shall vest in the Lahore Graveyard Committee and shall be dealt with by the Lahore Graveyard Committee in accordance with the provisions of the Act.

6. Penalty :-

Any person who contravenes or attempts to contravene or abets the contravention of the said Martial Law Order or this Ordinance, or any direction or directions issued by the Miani Sahib Graveyard Committee or the Lahore Graveyard Committee in pursuance of the said Martial Law Order or the said Ordinance or the rules framed thereunder, as the case may be, shall, without prejudice to any other punishment to which he may be liable under any law for the time being in force be punishable with imprisonment which may be extended to three years or with fine which may extend to five thousand rupees or with both.

7. Indemnity :-

No suit or legal proceedings shall lie against any person or authority for anything which is in good faith done or intended to be done in pursuance of the said Martial Law Order or this Ordinance.

SCHEDULE 1

SCHEDULE I

The following Khasras situated in Moza Mozang, Tehsil and District Lahore, namely:-

Block A

6614, 6615, 6616, 6620, 6621, 6622, 6623, 6624, 6625, 6626, 6627, 6628, 6629, 6630, 6631, 6632, 6633, 6634, 6635, 6643, 6644, 6645, 6646, 6647, 6648, 6649, 6651, 6652, 6653, 6656, 6657, 6658, 6659, 12653/6660, 12666/6660, 12657/6660,

6667, 6710, 6716, 6718, 6719, 6729, 6721, 6722, 6723, 6724, 6725, 6726, 6727, 6728, 6729, 6730, 6731, 6732, 6733, 6734, 6735, 6736, 6737, 6738, 6739, 6740, 6741, 6742, 6743, 6744, 6745, 6746, 6751(Min), 6754, 6755, 6758, 6759, 6760, 6761, 6762, 6763, 9946/6764, 9947/6764, 9948/6764, 9949/6764, 9950/6764, 9951/6765, 9952/6765, 9956/6768, 9957/6768, 6767, 6768(Min), 6766, 6769, 6770, 6771, 6772, 6773, 6774, 6775, 6776, 6777, 6778, 6779, 6780, 6781, 6782, 6783, 6784, 6785, 6786, 6787, 6788, 6789, 6791, 6793, 6794, 6752 (Min), 6662, 6663, 6664, 6672.

BLOCK B

6733.

BLOCK C

6816, 6817, 6818, 6878, 6879, 6906, 6907, 6909, 6917, 6918.

BLOCK D

7388, 7389, 7390.

BLOCK E

5981, 5984, 5985, 5986, 6046, 6047, 6049, 6050, 6051, 6239, 6309 (Min), 6310, 6311, 6312, 6313, 6314, 7421, 7422, 7443, 7444, 7445.

BLOCK F

4703, 4706, 4707, 4708, 4719, 4725, 4726, 4727, 4728, 9892/4743, 9893/4743, 9894/4744, 9895/4714, 4746, 4747, 4832, 12533/4844, 4834, 4835, 4836, 4837, 9005/4848, 9906/4848, 5072, 5075, 5877, 5078, 5079, 5087, 5088, 5090, 5091, 5092, 5093, 5094, 5095, 5785, 5786, 5795, 5796, 5797, 5798, 5799, 5800, 5802, 5805, 5827, 5829, 5830, 5831, 5832 M, 5860, 5859 M, 5861, 5862, 5863, 5864, 5865(M), 5866, 5867, 5868, 5869, 5869/1, 5869/2, 5869/3, 5869/4, 5869/5, 5869/6, 5869/7, 5869/8, 5869/9, 5869/10, 5869/11, 5869/12, 5870, 6315, 6361, 6317, 6318, 6319, 6320, 6321, 6350, 6472, 6473, 6478, 10673/6552, 10680/6552/4, 10680/6552/5, 10680/6552/35/1, 10680/6552/35/2/, 10680/6552/35/3, 10680/6552/35/4, 10680/6552/35/5, 10680/6552/35/6, 10680/6552/35/7, 10680/6552/35/8, 10680/6552/35/9, 10680/6552/35/10, 10680/6552/35/11, 10680/6552/35/12, 10680/6552/35/13, 6553, 6554, 6555, 10686/6558, 10687/6558, 10688/6558, 10689/6558, 6558, 6569, 6561, 6562, 6561/1, 6563, 6564, 6565, 6566, 6567, 6568, 6569, 6570, 6571, 6572, 6573, 6574, 6575, 6576, 6577, 6578, 6579, 6580, 6581, 6582, 6583, 6586, 6587, 6588, 6589, 6590, 6591, 6592 M, 6593 M, 9945/6596, 6367/1, 6577/1.

BLOCK G

5775, 5776, 5774, 5778, 5792.