

Punjab Timber Market (Lahore) Ordinance, 1963

023 of 1963

[06 June 1963]

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SCHEDULE 1 :- SCHEDULE I

Punjab Timber Market (Lahore) Ordinance, 1963

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An Ordinance to provide for the establishment of a timber market in the revenue estates of Jia Musa and Chak Jia Musa and to validate actions taken under the Martial Law Order No. 111 issued by the Martial Law Administrator, Zone 'B', and the West Pakistan Ordinance No. XXI of 1962 WHEREAS the Martial Law Order No. 111 was issued by the Martial Law Administrator, Zone 'B', on the 8th February, 1962, and on its repeal by President's Order No. 29 of 1962, it was continued by the Governor of West Pakistan by promulgating the West Pakistan Martial Law Order (Continuance in Force) Ordinance, 1962 (XXI of 1962); AND WHEREAS the validity of the said Martial Law Order and the said West Pakistan Ordinance and the actions taken thereunder has been questioned and the Supreme Court of Pakistan has held the said Martial Law Order and the said West Pakistan Ordinance to be invalid; AND WHEREAS it is expedient to provide for the establishment of a timber market in the revenue estates of Jia Musa and Chak Jia Musa and to validate

the action taken in pursuance of the said Martial Law Order No. 111 and the said West Pakistan Ordinance No. XXI of 1962; AND WHEREAS the Provincial Assembly of West Pakistan is not in session and the Governor of West Pakistan is satisfied that circumstances exist which render immediate legislation necessary; Now, THEREFORE, in exercise of the powers conferred on him by clause (1) of Article 79 of the Constitution, 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 [3][Punjab] Timber Market (Lahore) Ordinance, 1963.
- (2) It shall come into force at once, and shall be deemed to have taken effect on and from the 8th February, 1962.

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) "Government" means the Government of West Pakistan;
- (b) "land" means the land described in the Schedule to this Ordinance, required for the establishment of the timber market;
- (c) "Martial Law Order No. 111" means the Martial Law Order No. 111 issued by the Martial Law Administrator, Zone B, on the 8th February, 1962 [4][;]
- [5][(d) "timber" includes bamboos;
- (e) "to allot", in all its grammatical variations, includes to allot by drawing lots, or by auction or by exchange of allotted sites, and re-allot shall be construed accordingly.

3. Acquisition Of Land For Timber Market :-

Notwithstanding anything to the contrary contained in the Land Acquisition Act, 1894 (I of 1894), the Town Improvement Act, 1922 (IV of 1922), as amended by the Punjab Town Improvement (West Pakistan Amendment) Ordinance 1962 (XVIII of 1962), the Municipal Administration Ordinance, 1960 (X of 1960) or any other law for the time being in force, or in any decree, judgment or order of any Court or Authority-

- (a) Government shall forthwith take possession of the land,

summarily ejecting, if necessary, any person in occupation of any part thereof;

(b) the compensation for the land and crops, if any, standing thereon, shall be assessed by the Collector, Lahore, under the Land Acquisition Act, 1894, as modified by section 69 of the Town Improvement Act, 1922, and the assessment, subject to confirmation by Commissioner, Lahore, shall be final;

(c) the compensation awarded shall be paid by the Lahore Improvement Trust;

(d) Government shall transfer the said land to the Lahore Improvement Trust subject to the provisions of section 41 of the Land Acquisition Act, 1894, so far as applicable, as if the Lahore Improvement Trust were a company, and shall put the Lahore Improvement Trust in possession thereof, and thereupon the said land shall be deemed to have been duly acquired by the Lahore Improvement Trust free from all encumbrances.

4. Establishment Of Timber Market :-

(1) The Lahore Improvement Trust, shall forthwith layout the timber market on the land, frame rules, and do all things necessary for the establishment of the timber market on the land.

(2) [6][The Lahore Improvement Trust, its Chairman, or any other officer authorised by the Trust in that behalf shall have the power to]-

(a) allot sites to timber merchants;

(b) determine the price of the site allotted to each timber merchant, the terms and conditions of payment thereof, and the method of recovery in case of default; and

(c) require the allottee to erect on the allotted site such structure and within such period as the Chairman may determine.

[7][(3) Subject to the approval of Government, the Lahore Improvement Trust shall have power, at any stage, to modify, alter, amend or change the purpose or use for which any site has been earmarked in the original layout and to earmark it for any other purpose or use connected with the establishment of the timber market.

5. Direction By Commissioner :-

Any person who has been allotted a site in the timber market shall, when so required by the Commissioner, Lahore, occupy the said site and carry on the business of timber merchant there.

6. Prohibition To Carry On Business :-

No person shall carry on the business of timber merchant within the municipal limit of the Lahore Corporation, except at the timber market established under this Ordinance.

7. Penalty :-

Any person who contravenes or attempts to contravene or abets the contravention of the provisions of sections 5 and 6 or any direction issued by the Commissioner, Lahore, shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both.

8. Exemption :-

The Commissioner may, for such period and subject to such conditions as he may determine, exempt any person from the operation of all or any of the provisions of this Ordinance.

8A. Indemnity :-

No suit, prosecution or other legal proceeding shall lie against Government, the Commissioner, Lahore Division, the Lahore Improvement Trust or its Chairman or other officer, or any other person to whom a site has been allotted, in the timber market under section 4, in respect of anything in good faith done or purporting to have been done in pursuance of the said Ordinance.

9. Validation :-

Notwithstanding anything to the contrary contained in the Land Acquisition Act, 1894 (I of 1894), the Town Improvement Act, 1922 (IV of 1922), as amended by the Punjab Town Improvement (West Pakistan Amendment) Ordinance 1962 (XVIII of 1962), the Municipal Administration Ordinance, 1960 (X of 1960) or any other law for the time being in force, or in any decree, judgment or order of any Court or Authority, anything done, possession taken or delivered, ejectment made, compensation assessed or paid, allotment made, terms and conditions settled, direction given, or order issued, by Government, the Commissioner, Lahore, the Collector, Lahore, the Chairman, Improvement Trust, Lahore, or any other authority in pursuance of the said Martial Law Order No. 111 or the said West Pakistan Ordinance XXI of 1962, shall be deemed to have been validly done, taken or delivered, made, assessed or paid, made, settled, given or issued respectively under

this Ordinance, and shall be continued.

SCHEDULE 1

SCHEDULE I

LIST OF KHASRA NOS. OF MAUZA CHAK JIA MUSA, TEHSIL AND DISTRICT LAHORE

Khasra No	Area		
	K.	M.	Ft.
1464/947	1	2	172
1466/947	1	0	111
1467/947	1	0	111
1468/947	1	0	111
1469/947	1	1	17
1471/947	0	15	27
1472/947	0	15	27
1474/947	0	15	27
1475/947	0	15	27
1476/947	0	15	27
1477/947	0	15	0
1488/947	0	10	176
1489/947	0	10	182
1490/947	0	10	176
1491/947	0	10	215
1492/947	0	10	12
1493/947	0	10	59
1494/947	0	10	158
1495/947	0	10	18
1496/947	0	10	124
1497/947	0	10	44
1498/947	0	10	44
1499/947	0	10	44
1500/947	0	10	44
1501/947	0	10	44
1502/947	0	10	44
1503/947	0	10	44
Khasra No	Area		
	K.	M.	Ft.
1505/947	0	10	44
1506/947	0	10	150
1507/947	0	10	70
1508/947	0	10	70
1509/947	0	10	70
1511/947	0	10	30

1513/947	0	10	30
1514/947	0	10	30
1515/947	0	10	30
1516/947	0	10	30
1518/947	0	10	30
1519/947	0	10	90
1520/947	0	10	98
1522/947	0	10	30
1523/947	0	9	131
938/1	0	0	28
939/1	0	0	140
940/1	4	2	39
941/1	4	2	24
942/1	4	2	65
943/1	0	1	20
944/1	0	18	13
945/1	0	17	33
948	0	11	195
942/1	0	3	123
922/1	3	2	96
923/1	0	10	150
Khasra No	Area		
	K.	M.	Ft.
925/1	1	2	114
926	6	18	64
927	7	12	117
928	8	3	131
929	0	17	195
930	0	2	150
931	0	1	117
932	0	5	9
933	2	3	29
934	0	1	105
935	2	6	166
936	0	7	210
937	2	12	46
938	4	0	43
939	3	3	127
940	0	6	3
941	0	1	34
942	1	8	20

943	0	9	47
944	0	13	4
945	0	15	6
946	0	0	46
947	2	14	22
948	0	2	215
949	0	4	119
950	0	0	122
951	6	10	193
1074/1	0	11	23
1075	0	6	100
1076	0	15	106
Khasra No	Area		
	K.	M.	Ft.
1077	0	5	180
1079	1	3	164
1080	1	12	119
1081	0	7	126
1082	0	9	77
1083	2	8	158
1084	1	6	182
1085	0	7	189
951	0	2	132
952	0	2	116
953	0	1	52
954	0	9	11
955	0	0	102
956	0	1	212
957	0	1	97
958	0	8	180
959/1	0	11	79
960	0	13	191
961/1	5	5	87
962/1	0	5	55
963/1	0	1	189
966/1	0	5	94
967/1	2	7	172
968/1	0	2	16
969/1	0	12	22
1061/1	0	17	205
1062/1	2	15	151

1062/1	2	10	101
1064/1	0	0	114
1065	0	0	179
1066	0	16	34

Khasra No	Area		
	K.	M.	Ft.
1067	0	1	177
1068	2	10	171
1069	4	15	85
1070	0	10	198
1071	0	4	108
1072	0	7	215
1073	4	18	223
1101	8	0	108
1103	0	2	36
1105	2	6	112
1106	0	2	190
1107	0	3	68
1108	0	0	160
1109	0	1	28
1110	0	0	96
1111	0	7	81
1112	0	2	112
1086	3	12	209
1087	0	1	188
1088	2	10	216
1089	3	12	120
1090	4	9	129
1091	0	3	137
1092	6	18	0
1093	0	3	181
1094	0	11	99
1095	1	13	7
1096	1	7	163
1097	0	0	98
1098	0	4	140
Khasra No	Area		
	K.	M.	Ft.
1099	0	14	22
1100	0	2	15
1101	1	9	139

1102	0	3	9
1113	0	2	110
1114	0	16	155
1115	0	13	39
1116	0	16	174
1117	0	2	215
1118	0	19	87
1120	1	2	94
1121	0	4	25
1122	0	2	24
1123	1	6	220
1124	1	1	175
1133	0	5	32
1134	1	1	31
1135	2	19	13
1136	2	10	200
1138	0	1	98
1139	0	2	17

WAQF PROPERTY

LIST OF KHASRA NOS. OF MAUZA CHAK JIA MUSA, TEHSIL AND DISTRICT LAHORE

Khasra No	Area		
	K.	M.	Ft.
1462/946	0	1	95
1463/946	0	2	86
1465/947	1	0	111
1470/946	0	14	76
1473/947	0	15	27
1496/947	0	11	165
1504/947	0	10	44
1510/947	0	11	99
1512/947	0	10	30
1517/947	0	10	30
1521/947	0	10	30
1524/947	0	3	123
1525/947	0	1	165
1526/947	0	8	26
1527/947	0	8	120
1528/947	0	4	5
1529/947	1	17	165
1530/947	2	18	107
1531/947	0	2	1

1531/947	0	3	4
1532/947	2	10	186
1533/947	4	7	147
1534/947	2	19	93
1535/947	2	2	83
1538/947	2	1	963