

**West Pakistan (Adaptation And Repeal Of Laws) Act, 1957**

**16 of 1957**

**[25 July 1957]**

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**West Pakistan (Adaptation And Repeal Of Laws) Act, 1957**

**16 of 1957**

**[25 July 1957]**

An Act to adapt and repeal certain laws applicable to the Province of West Pakistan Preamble.- WHEREAS it is expedient to adapt and repeal certain laws applicable to the Province of West Pakistan; It is hereby enacted as follows:-

**1. Short Title And Commencement :-**

- (1) This Act may be called the West Pakistan (Adaptation and Repeal of Laws) Act, 1957.
- (2) It shall be deemed to have come into force on and from the 14th day of October, 1955.
- [2][(3) It extends to the whole of the Province of West Pakistan, except the Tribal Areas.

## **2. Definitions :-**

(1) In this Act, unless there is anything repugnant in the subject or context-

(i) "Administration" means any authority, howsoever constituted immediately before the appointed day, to administer a territory or area and includes the Government of any Province, State or other area included in the province of West Pakistan;

(ii) "Appointed day" means the fourteenth day of October, 1955;

(iii) "Board of Revenue" means the Board of Revenue established under the [3]West Pakistan Board of Revenue Act, 1957[4];

(iv) "Existing law" means any Act, Ordinance, Regulation, Rule, Order or Bye-law made or issued by the appropriate Legislature or other competent authority including any public notification issued thereunder and in force in the territories and areas included in the Province of West Pakistan or any part thereof immediately before the appointed day, but shall not include any law with respect to any of the matters enumerated in List I of the Seventh Schedule to the Government of India Act, 1935; and

(v) "Instrument" means any instrument or document in force in the territories and areas included in the Province of West Pakistan or any part thereof immediately before the appointed day.

(2) Any expression not defined in this Act and defined in the Establishment of West Pakistan Act, 1955, or the Government of India Act, 1935, shall be deemed to have the meaning assigned to it by the said Acts.

## **3. Adaptation Of Laws :-**

(1) Wherever in any existing law, or in any instrument, a reference, in whatever form, not being a reference in the title, preamble, description or citation of such law or instrument, is made to any Province or area or State or to the States Union mentioned in column No.1 of Schedule I annexed to this Act, then notwithstanding anything to the contrary contained in such law or instrument, but subject to the other provisions of this Act, with effect from the appointed day, it shall, unless there be anything repugnant in the subject or context, be construed, as, and be deemed to be, a reference to the territories and areas included in the districts, or States, as the case may be, mentioned against it in column No.2 of the said Schedule.

(2) Wherever in any existing law or any instrument in force in the

whole or any part of the territories or areas included in the Baluchistan States union, or in any Province or State or other area included in the Province of West Pakistan and mentioned in column No. 1 of Schedule II annexed to this Act, any term mentioned in column No. 2 of the said Schedule appears, it shall, as from the appointed day, and subject to any reservation made in this behalf and to the other provisions of this Act, be deemed to have been replaced by the term mentioned against it in column No. 3 of the said Schedule.

(3) The laws mentioned in Schedule III annexed to this Act shall be deemed to have been adapted to the extent and in the manner mentioned in column No. 5 of the said Schedule.

(4) As from the appointed day, unless there be a direction to the contrary in this Act, all references in any existing law or in any instrument-

(i) to the Governor-General, the Agent to the Governor-General, the Crown representative, the Central Government, the Chief Commissioner or Resident in relation to Baluchistan, or to the Lieutenant-Governor or Governor of any of the Governors Provinces unless the context indicates otherwise, be deemed to be references to the Governor or the Provincial Government of the Province of West Pakistan, as the case may be, and references to the administration of any of the said Provinces, territories or areas howsoever worded, shall be deemed to be references to the Provincial Government of West Pakistan;

(ii) to any Board, Committee, authority, functionary, officer or office, howsoever worded, or to any tribunal other than a High Court, which Board, Committee, authority, functionary, officer, office or tribunal has ceased to function or exist and has been replaced by another as a result of the establishment of the Province of West Pakistan, shall be deemed to be references to the Board, Committee, authority, functionary, officer, office or tribunal, howsoever named or designated, constituted, appointed or created to exercise all or any of the functions and duties of the aforementioned Board, Committee, authority, functionary, officer, office or tribunal, for the whole or a part of the territories in relation to which the said Board, Committee, authority, functionary, officer, office or tribunal, had been constituted, appointed or created;

(iii) to "Punjab Act", "Sind Act", "Bombay Act", "North-West Frontier Province Act", "Bahawalpur Act", "Khairpur Act", "Baluchistan Regulation", "Baluchistan States Union Act", "Baluchistan States Union Regulation", howsoever worded, shall

mean, respectively, references to the relevant Act or Regulation, in force immediately before the appointed day in the Provinces, States or the States Union, as the case may be, included in the Province of West Pakistan;

(iv) to the official Gazette of any of the territories and areas included in the Province of West Pakistan, howsoever worded, shall, subject to the provisions of section 10 of the Establishment of West Pakistan Act, 1955, be deemed to be references to the official Gazette of the Province of West Pakistan;

(v) to a Subordinate Judge shall include references to the Civil Judge in localities and areas where the latter designation is used;

(vi) to "Punjab Legislative Assembly", "Sind Legislative Assembly", or "North-West Frontier Province Legislative Assembly", shall be deemed to be reference to the Provincial Assembly of West Pakistan.

#### **4. Grammatical Changes :-**

Where this Act requires that in any existing law a plural noun shall be substituted for a singular noun or vice versa or a masculine noun for a neuter noun or vice versa there shall be made also in any verb or pronoun used therefor such consequential amendments as the rules of grammar may require.

#### **5. Exercise Of Powers :-**

As from the appointed day-

(i) the powers exercised and duties performed before the appointed day by any officer of the administration of any Province, State or other territory or area included in the Province of West Pakistan except [5][the Karachi Area] in relation to the whole or any part of the territory under the charge of such administration, shall be exercised and performed by such officer or officers as may be specified in this behalf by the Governor of West Pakistan, for that territory or part thereof, and all references to the first named officer in any existing law or instrument shall be deemed to be references to the officer or officers so specified;

(ii) any reference in any existing law or instrument to any authority for which some other authority has been substituted by virtue of this Act or of any action taken under this Act shall be deemed to be a reference to the authority so substituted;

(iii) the Province of West Pakistan shall be deemed to be substituted as a party in all proceedings pending in any Court or

before any authority for and on behalf of the administration of any territory or area included in the Province of West Pakistan, other than [6][the Karachi Area] except in proceedings with respect to any property used for any of the purposes specified in List I of the Seventh Schedule to the Government of India Act, 1935, or with respect to any rights, liabilities or obligations arising out of any matter specified in List I of the said Schedule.

## **6. Repeal :-**

The laws mentioned in Schedule IV annexed to this Act shall be deemed to have been repealed from the appointed day.

## **7. Savings And Validation :-**

(1) Notwithstanding the repeal of the West Pakistan (Adaptation of Laws) Order, 1955, the expiry of the West Pakistan (Adaptation of Laws) Ordinance, 1956, and the West Pakistan (Adaptation and Repeal of Laws) Ordinance, 1956 or any judgment, decree or order of any Court, Tribunal or other Authority, everything done, action taken, obligation, liability, penalty or punishment incurred, inquiry or proceedings commenced, officer appointed or person authorised, jurisdiction or power conferred, rules made and order issued under any provision of any existing law, in pursuance of the amendments, omissions, modifications or repeals made by or under the said Order or the said Ordinances shall be deemed to have been validly done, taken, incurred, commenced, appointed, authorised, conferred, made or issued and be continued, and if not inconsistent with the provisions of this Act, be deemed to have been respectively done, taken, incurred, commenced, appointed, authorised, conferred, made or issued under any such existing law as adapted or repealed by this Act.

(2) Everything done, action taken, obligation, liability or penalty incurred or proceeding commenced, officer appointed or person authorised, jurisdiction or power conferred, rules made and order issued after the date of expiry of the West Pakistan (Adaptation of Laws) Ordinance, 1956, and before the 18th day of October, 1956, under any provision of an existing law which could have been done, taken, incurred, commenced, appointed, authorised, conferred, made or issued under any such law, in pursuance of the amendments, omissions, modifications or repeals made by or under the said Ordinance if it had been in force during the said period, shall be deemed to have been validly done, taken, incurred,

commenced, appointed, authorised, conferred, made or issued and be continued and, if not inconsistent with the provisions of this Act, be deemed to have been respectively done, taken, incurred, commenced, appointed, authorised, conferred, made or issued under any such existing law as adapted or repealed by this Act.

#### SCHEDULE 1

#### SCHEDULE 1

[See Section 3 (1)]

Column 1 Column 2

Bahawalpur State, or the State of Bahawalpur. Districts of Bahawalnagar, Bahawalpur and Rahimyar Khan.

Baluchistan or Baluchistan Province, or the Province of Baluchistan. 1. The Pishin District comprising the Tehsils of-

- (i) Pishin;
- (ii) Chaman;
- (iii) Shorarud.

2. The Sibi District comprising the Tehsils of-

- (i) Sibi;
- (ii) Shahrig.

3. The Duki District comprising the Tehsil of Duki.

Leased Areas being the areas defined in the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950). 1. The Quetta District;

2. The Nasirabad Sub-Division;

3. The Bolan District (including Kachhi Railway District and Nushki Railway District);

4. The Nushki Tehsil.

The Areas within the borders of Baluchistan as defined in Ministry of States Frontier Regions Notifications No. F-9(170)-F/48-1 and F-9(170)-F-48-II, dated the 27th June 1950. 1. The Kohlu and Marri Bugti District comprising the Tehsils of-

- (i) Kohlu;
- (ii) Kohlu Railway;
- (iii) Marri Bugti.

2. The Loralai District comprising the Tehsils of-

- (i) Musakhel;
- (ii) Bori;
- (iii) Barkhan;
- (iv) Sinjawi.

3. The Zhob District comprising the Tehsils of-

- (i) Fort Sandeman
- (ii) Hindubagh;
- (iii) Killa Saifullah.

4. The Dalbandin District, including Western Sinjrani country comprising the Tehsil of Dalbandin.

Baluchistan States Union Districts of Kalat, Kharan, Las Bela and Mekran.

Khairpur State or the State of Khairpur. District of Khairpur. North-West Frontier Province. Districts of Bannu, Dera Ismail Khan, Hazara, Mardan, Kohat and Peshawar.

Amb, Chitral, Dir and Swat States. Amb, Chitral, Dir or Swat State, as the case may be.

Punjab, Punjab Province, or the Province of the Punjab. Districts of Campbellpur,

Dera Ghazi Khan, Gujranwala, Gujrat, Jhelum, Jhang, Lahore, Lyallpur, Mianwali, Montgomery, Multan, Muzaffargarh, Rawalpindi, Shahpur, Sheikhpura and Sialkot.

Sind, Sind Province, or the Province of Sind. Districts of Dadu, Hyderabad, Tharparkar, Upper Sind Frontier, Larkana, Nawab Shah, Sanghar, Sukkur and Thatta.

## SCHEDULE 2

### SCHEDULE II

[See Section 3 (2)]

Territory Existing Term Substituted Term

1 2 3

Punjab Financial Commissioner or Financial Commissioners Board of Revenue.

North-West Frontier Province Revenue Commissioner or Revenue and Divisional Commissioner. Commissioner.

(i) Baluchistan

(ii) Leased Areas being the areas defined in the Leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950),

(iii) The Areas within the borders of Baluchistan as defined in Ministry of States and Frontier Regions Notifications No.F.9 (170)-F/48-1, and F-9 (170) F/48-II, dated the 27th June, 1950. Revenue Commissioner or Revenue Commissioner in Baluchistan. Commissioner.

Bahawalpur State His Highness the Nawab Ruler Bahadur of Bahawalpur, his heirs and successors, or the Ruler of the Bahawalpur State, or Alahazrat, Sar-kar-i-Ali or Alahazrat or Alahazret the Ameer of Bahawalpur State or His Highness, or His Highness the Nawab Ruler Bahadur. Provincial Government except when any of the expressions occurs in an oath or affirmation, where it shall mean the Constitution of Pakistan as by law established.

The Bahawalpur Government or the Government of Bahawalpur or the local Government of the Government of the Bahawalpur Darbar, or the State Government or the Government of Alahazrat the Ameer of Bahawalpur, or the Government of the Bahawalpur State, or His Highnesss Government or the Government of His Highness the Nawab Ruler Bahadur. Provincial Government Indian Penal Code. Pakistan Penal Code.

The State Revenue or the Revenue of the State. Provincial Revenue

A.M. the Wazir-i-Azam, or A.M. the Chief Minister, or A.M. the Prime Minister, or A.M. the Revenue Minister, or the Minister Incharge. Commissioner.

Financial Commissioner. Board of Revenue.

His Highness the Nawab Ruler Bahadurs subjects, or the subjects of the State, or the State subjects. Inhabitants of the area comprising the Districts of Bahawalpur, Bahawalnagar and Rahimyar Khan.

British India. Provinces and Capital of the Federation.

Government of India. Government of Pakistan.

The Ruler in the Judicial Committee or the Judicial Committee. Governor of West Pakistan in relation to all mercy petitions against convictions in murder cases and in respect of other matters it shall mean the appropriate Court.

Forces of Sarkari-i-Ali, or the State Forces, or the Forces of the Bahawalpur State, or the State Troops. Forces of the Government of Pakistan.

Khairpur State H.H. the Mir, his heirs and successors, or H.H. the Mir of Khairpur, his heirs and successors. Provincial Government except when the expression occurs in an oath or affirmation, where it shall mean the Constitution of Pakistan as by

law established.

Darbar, or Khairpur Darbar, or Government, or Khairpur Government, or Kachehry, or Council, or His Highness in Council, or State or State Government, or His Highness the Mir of Khairpur. Provincial Government President, or Council of Administration, or Council, or President of Council. Commissioner.

Judicial Committee. Governor of West Pakistan in relation to all mercy petitions against convictions in murder cases and in respect of other matters it shall mean the appropriate Court.

Chief Minister, or Minister or Minister Law and Order, or Minister Finance and Industries or Wazir, or Revenue Minister, or Education Minister, or Health Minister, or Council of Ministers or Finance and Revenue Minister, or Finance and Revenue Member, or Minister Incharge of Agriculture, or Public Works Minister, or Council Member Incharge, or President Council. Commissioner.

Council of Rulers. Provincial Government.

Baluchistan States Wazir-i-Azam. [7][Provincial Government or any Officers empowered by the Governor of West Pakistan to perform the functions of Wazir-i-Azam in relation to any matters except judicial matters where it shall mean the appropriate Court]

Wazir-i-Muarif District Judge.

### SCHEDULE 3

#### SCHEDULE III

[See Section 3 (3)]

Years of the Act, Regulation or Order No. of the Act, Regulation or Order Short title of the Act, Regulation or Order Provision adapted Adaptation made

1 2 3 4 5

#### CENTRAL ACTS AND REGULATIONS

1850 XII The Public Accountants Default Act. Section 5 For "Government" substitute "the Central or the Provincial Government."

1870 VII The Court Fees Act Schedule I In Article 13, delete "at Lahore" and for "Court of the Financial Commissioner of the Punjab" substitute "Board of Revenue". Schedule II (i) In Article 10, clause (c), Omit "Chief Commissioner"

(ii) In Article 11, clause (b), Omit "or Chief Commissioner".

1879 XVII The Sind Agriculturists Relief Act Section I (i) Omit " of Sind".

(ii) For "Province" substitute "Province of Sind as it existed before the appointed day".

1883 XIX The Land Improvements Loans Act. Section 4(2)(f) For "Provincial Government" substitute "Board of Revenue".

[9][Section 3(c)

For "Provincial Government" substitute "Board of Revenue or Commissioner".]

1894 I The Land Acquisition Act Section 4(1) For "Provincial Government" substitute "Commissioner or Board of Revenue".

Section 4(2) For "Such Government" substitute "the Commissioner or the Board of Revenue".

Sections 5-A(2), 6(1), 6(3), 7, 17(1), 17(2), 17(4), 31(3), 35(1), proviso to 36(2), 38(1), 39, 40(1), 40(2), [10][48(1), 48(2)] 49(2) and 49(3)

For "Provincial Government" substitute "Commissioner".

Section 6(1) (i) For "Secretary to such Government" substitute "the Commissioner".

(ii) For "its" occurring before "orders" substitute "such".

Section 17(4) For "it" substitute "he".



Section 41 (i) For "Provincial Government" where it occurs for the first time substitute "Commissioner".

(ii) For "it" occurring before "shall" substitute "he".

Section 49 (2) For "it" substitute "he".

1896 XX The Sind Incumbered Estates Act. Sections

24 and 32 For "Provincial Government" substitute "Board of Revenue".

1899 II The Stamp Act Section 57 (i) in subsection (1),

(a) For clause (a), substitute the following:-

"(a) if the case arises in West Pakistan, to the High Court of West Pakistan;"

(b) Omit clause (b).

(ii) In sub-section (2), Omit "or Chief Court".

Sections 58, 59 and 60 Omit "or Chief Court".

CENTRAL ACTS AS APPLICABLE TO PUNJAB

[11][1870]

VII The Court Fees Act Proviso to

Section 30 For "the Punjab" substitute "Pakistan".

1900 XIII The Punjab Alienation of Land Act. Sections 2(8), 4(1), 6(1)(d) & 8(1)(c), 23 and 24. For "Provincial Government" wherever it occurs substitute "Board of Revenue."

Section 3-A For "Provincial Government" where it occurs first substitute "Board of Revenue".

Section 13-B(b) For "Financial Commissioner" substitute "Board of Revenue" and thereafter insert "only on a point of law".

Section 13-C For "Financial commissioner" substitute "Board of Revenue" and for "he" substitute "it".

Section 3-C Proviso For "he" substitute "it".

Section 13-D (b) For "Financial Commissioner" substitute "Board of Revenue".

THE PUNJAB ACTS

1883 XX [12] The Punjab District Boards Act. Section 15 For the proviso to sub-section (1) substitute the following:-

"Provided that the by-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a by-election be held within a period of six months of the date on which the term of officer or members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the by-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires, it shall be referred to the Provincial Government whose decision in the matter shall be final".

Section 56 For "Provincial Government" wherever it occurs substitute "Commissioner", and make necessary substitution for the pronouns used for it.

1887 XVI The Punjab Tenancy Act. Throughout

the Act For "Financial Commissioner" substitute "Board of Revenue" and make all necessary substitutions for the pronouns used for it.

Section 4 After clause (1) insert the following as Clause (1-A):- "(1-A) Government shall, unless the context otherwise provides, mean the Provincial Government".

Section 4(12) Explanation. For "Provincial Government" substitute "Board of Revenue".

Section 4(18) After "Provincial Government" insert "or Board of Revenue".

Section 78(1) Omit "other".

Section 80(c) For "Financial Commissioner" substitute "Board of Revenue only on a

point of law".

Section 82(1) In the Proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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."

Section 84(3) Omit "Commissioner or" and for "Financial Commissioner" substitute "Commissioner".

Section 84(4) For sub-section (4) of section 84 substitute the following:-

"(4) If after examining a record called for under sub-section (1), or sub-section (2), or submitted under sub-section (3) the Board of Revenue or the Commissioner, as the case may be, is of the opinion that it is expedient to interfere with the proceedings or the order shall pass an order accordingly".

1887 XVII [13] The Punjab Land Revenue Act. Sections 3(1)(c), 6(3), 10, 18(2), 28(1), 29(1), 32(1), 38(1), 50(2), 51(1), 53(1), 53-A(1), 53-A(2), proviso (i), 101-A(1), 107, 120(3), 136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Provincial Government" wherever it occurs substitute "Board of Revenue".

Section 3 (10) Explanation. For "Provincial Government" substitute "Board of Revenue".

Section 3(15) After "Provincial Government" insert "or Board of Revenue".

Section 3 Insert the following as new [14] [clause] namely:-

"(20) "Board of Revenue" means the Board of Revenue established under the West Pakistan Board of Revenue Act, 1957."

Sections 3(19), 6(5), 11(1), (2), (3), 12(1), (2), 14(c), 16(1), 24(1), 27, 29(3), 30(2), 31(2), 33(1), (2), (3), 35(a), 46, 47(1), 53(2), (3), 55(3), 58, 59(2), (3), 60-C, 61(1) (b), 63(1), (2), 64(1), (2), 97, 100(1), 102, 110(1), [15] [124], 141, 148, (1), 155(1), (3) and 157 For "Financial Commissioner" substitute "Board of Revenue" and make all necessary changes of the pronouns used therefor.

Section 6(1) Omit clause (a).

Section 7 Omit.

Section 13(c) For "Financial Commissioner" substitute "Board of Revenue only on a point of law".

Section 15(1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(3) Omit "Commissioner or" and substitute "Commissioner" for "Financial Commissioner".

Section 16(4) For sub-section (4) of section 16 substitute the following:-

"(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 under sub-section (3) pass such order as it or he thinks fit:

Provided that no order shall be passed under this section reversing or modifying any proceedings or order of a subordinate Revenue Officer and affecting any question of right between private persons without giving those persons an opportunity of being heard".

Section 48-B After "Provincial Government" insert "or Board of Revenue, as the case may be".

Section 50(2) For "Financial Commissioner" substitute "Commissioner".

Section 60-A Substitute the following:-

"60-A Procedure to be followed in making rules- Before making any rule under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure laid down in section 22 of the [16]West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby".

Sections 71(3), 73, 75, 76, 77(1), 79(1), 95(2), 101-A(4) and 147(3). For "Financial Commissioner" substitute "Commissioner".

Section 137(1) Omit "except the Financial Commissioner" and the commas preceding and following these words.

Section 158(1) Insert "Board of Revenue" after "Provincial Government".

1903 II The Punjab Court of Wards Act. Section 4(1) (i) For "Financial Commissioner" substitute "Commissioner", and  
(ii) Omit "for the Punjab".

Section 4(2) Omit "the Commissioner of the Division or".

Sections 4(3), 4(4), 16(1), 17(2), 34 and 45(1) For "Provincial Government" substitute "Board of Revenue".

Section 4(3) Omit "Commissioner or".

Sections 5 and 7(1) For "Provincial Government" substitute "Court of Wards."

Section 11(1) For the portion beginning with the word "For the purpose" and ending with the words "Order under section 6" substitute the following-

"For the purpose of satisfying himself as to whether in respect of any land-holder the Court of Wards should be moved to make an order under section 5(2) or section 6".

Section 44 Omit the first proviso and "further" from the second proviso.

1905 III The Punjab Minor Canals Act. Section 55 For "Financial Commissioner, Revenue" substitute "Board of Revenue".

Sections 61(1) and 61(3) For "Financial Commissioner" substitute "Board of Revenue".

1911 III [17]The Punjab Municipal Act. Section 1 In sub-section (2) after "Punjab" insert "before the creation of the Province of West Pakistan".

Section 17 For the provisos to sub-section (1) substitute the following:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or, when the term of office of members expires it shall be referred to the provincial Government whose decision in the matter shall be final".

[18][1912

V The Colonization of Government Land (Punjab) Act Sections 3 and 33 For "Provincial Government" substitute "Board of Revenue".

Sections 10(1) and 29 For "Provincial Government" substitute "Board of Revenue subject to the general approval of the Government".

Section 36 Insert "Board of Revenue" in between "Provincial Government" and "or Collector".]

1913 I The Punjab Pre-emption Act. Sections 3(3) and 8(2). For "Provincial Government" wherever it occurs substitute "Board of Revenue".

1916 II [19]The Punjab MedicalRegistration Act. Section 5 In sub-section (1) for clauses (b) and (c) substitute the following:

"(b) six members nominated by the Provincial Government, four of whom shall be from the districts constituting the Punjab and two from the districts constituting the North-West Frontier Province before the creation of the Province of West Pakistan".

1932 I The Punjab Nurses Registration Act. Section 2 Delete "Punjab" from clause (a) and also from clause (d) where it occursfor the first time.

Section 3 Delete "Punjab" from sub-section (1) and clauses (a) and (b) of sub-section (2).

Section 8 Delete "Punjab".

1934 VII The Punjab Relief of Indeb-tedness Act. Sections 1(2), 8, 9, 13 (4) and 15-A(2). After "Provincial Government" wherever it occurs insert "or the Board of Revenue".

1935 V The Punjab State Aid to Industries Act. Section 2 In Clause (4) delete "Punjab".

Section 3 In sub-section (1)-

(i) In clauses (a) and (b) delete"Punjab",

(ii) For clause(d)substitute the following, namely-

"(d) Five members to be appointed by the Provincial Government from among the residents of the Punjab as it existed before the coming into being of the Province of West Pakistan".

Section 4 Delete the section.

Section 9 Delete the first proviso and the word "further" from the second proviso.

1936 II The Punjab Debtors Protection Act. Sections 3(2),(3) and 4(2). For "Provincial Government"substitute "Board of Revenue".

Section 6-A For "Financial Commissioner"substitute "Board of Revenue".

1936 III [20]The Punjab Entertainment Duty Act. Section 3 In sub-section(1) for "the Punjab"substitute "West Pakistan".

1936 IV [21]The Punjab Consolidation of Holdings Act. Sections 1(2),2(1)(c), 2(1) (f),

3(2-A) and 4(3). For "Provincial Government" wherever it occurs substitute "Board of Revenue".

Section 24 For "Financial Commissioner"substitute "Board of Revenue" andfor "himself" substitute "itself" andfor "he" wherever it occurssubstitute "it".

1938 IV [22]The Punjab Restitution of Mortgaged Lands Act. Section 3(2)

and 3(2a). For "Provincial Government"substitute "Board of Revenue".

Section 10 (b) For "Financial Commissioner"substitute "Board of Revenue" and thereafter insert "only on a point of law".

Section 10-A For "Financial Commissioner"substitute "Board of Revenue" for"his" substitute "its" and for "he" wherever it occurs substitute "it".

Section 11(1) (b) For "Financial Commissioner"substitute "Board of Revenue".

1939 XI [23]The Punjab Village Panchayat Act. Section 6 (5) For"Government" where it occursfor the second time substitute"Deputy Commissioner".

1940 VI [24]The Punjab Thal Increase inValue Act. Sections 3(1), 3(2), 7(1), 8 and 9. For "Government" substitute "the Board of Revenue".

1940 XVIII [25]The Punjab Primary

Education Act. Section 2 (i) In clause (b) Omit "Punjab".

(ii) After clause (h) insert the following new clause namely:

"(i) "Government" means the Provincial Government".

1941 XII [26]The Punjab Weights and Measures Act. Section 3 (i) In clause(3) for "His Majestys Mint at Bombay"substitute "Pakistan Mint at Lahore".

(ii) In clause (4) for "Bombay"substitute "Lahore".

First Schedule (i) Under the heading "Explanation of dry and wet measure" in paragraph 1 for"Bombay" substitute "Lahore".

(ii) Under the heading "Standard measures of length" for"Bombay" substitute "Lahore" and Omit "Officer Incharge, Mathematical Instrument Office Calcutta".

1941 XV [27]The City of Lahore Corporation Act.Section 11 (i) For "two" substitute "six".

(ii) For the full-stop at the end of the existing proviso substitute a colon and add the following provisos thereafter:-

"Provided that the bye-election for filling the vacancy of a councillor shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of Councillor expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of Councillor expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

Section 12(b) For "Corporation" where it occursfor the second time substitute"Provincial Government".

Section 91 In sub-section (1), for "Punjab"substitute "West Pakistan".

Section 94(2) For "Punjab" substitute "West Pakistan".

1948 I [28]The West Punjab Border Police Act. Section 2 Omit "Punjab".

1948 VI The West Punjab Highways Act. Section 13 In clause (vi) Omit "Lahore".

1950 XVI The Punjab[29]Crown Lands (Resumptionof Grants and Extinguishment of Rights) Act. Section 2(iii) Omit "of the Punjab".

1950 XXII [30]The Punjab Orphanages, Widows Homesand Marriage Bureaux Act. Section 2 In this Act for "Bureaux" whereverit occurs substitute "Bureau".In subsection (II) Omit "of the Punjab".

1951 X [31]The Agriculturists Loans (Punjab Amendment) Act, 1951. Section 2For "Financial Commissioner"substitute "Board of Revenue".

1951 XVI [32]The Punjab Agricultural Income-tax Act. Section 2 For "Punjab Legislative Assembly"substitute "Provincial Assembly of West Pakistan".

Section 2(3), proviso and 3(2). For "Government" substitute"Board of Revenue".

Section 3(1) For "the Punjab" substitute "West Pakistan".

Section 3(3) For "Financial Commissioner"substitute "Board of Revenue".

Section 11(4) For "Government of the Punjab"substitute "Provincial Government".

1952 VI [33]The Punjab Muslim Auqaf Act. Section 17 After "appointed"insert "by the Government" and Omit "in the manner provided in section 5".

1952 XXI The Punjab Soil Reclamation Act. Section 4 Insub-section (1) Omit "Punjab".

Section 48 In sub-section (1), in clause (vii)Omit "Punjab".

1953 XIV The PunjabYouthful Offenders Act. Section 14 In sub-section (1) for the words "Sessions Judge" where they occurfor the second time, substitute the words "Court of Sessions".

1954 IX [34]The PunjabEducation (Control of Unrecognized Private Institutions) Act. Section 2 For "Education Department of the Punjab" substitute "Education Department of West Pakistan".

1955 VIII [35]The PunjabSecondary Education Act. Section 4 (i) For clause (iv) of sub-section (1)substitute the following:-

"(iv) Two persons from the districts of Bahawalpur, Bahawalnagar and Rahimyarkhan to be nominated by Government".

(ii) For clause (v) of sub-section (1), substitute the following:-

"(v) One person from the Quetta Division to be nominated by Government".

Section 10 In clause (iii) of sub-section (2), for "Punjab Education Department" substitute "West Pakistan Education Department".

Section 11 Omit "Punjab".

1955 X The Co-operative Societies (Punjab Amendment) Act. Section 3 In clause (b), insert "Provincial" before "Government".

1955 XIII [36] The Punjab Wild Birds and Wild Animals Protection Act Section 7 After "Government" insert "or the Commissioner" and for "it may grant to any person" substitute "any person may be granted" and for "it may impose" substitute "may be imposed".

Section 8(1) After "Government" where it occurs first insert "or the Commissioner".

Section 8(2) After "Government" where it occurs first insert "or the Commissioner".

1955 XIV [37] The Punjab Land Utilization Act. Section 2(i) For "Government of the Punjab" substitute "Provincial Government".

Sections 4, 6, 7 and 12 For "Government" substitute "the Board of Revenue".

Section 8 For "Government, or some officer authorised by the Government in this behalf" substitute "Commissioner".

Sections 11 and 28 For "Government" where it occurs for the second time substitute "Board of Revenue".

1955 XVI [38] The Punjab University Act. Section 16(1) (a) Omit "Punjab" from clause (iv) of Head A.

(b) (i) For clause (iii) of Part B substitute the following:-

"(iii) Two persons from the districts of Bahawalpur, Bahawalnagar and Rahimyarkhan to be nominated by the Government".

(ii) For clause (v) of Part B substitute the following:-

"(v) One person from the Quetta Division to be nominated by Government".

#### SIND ACTS

1874 II The Civil Jails Act Section 16-A Omit sub-section (5).

1879 V The Sind Land Revenue Code [39] [and the Bombay Land Revenue Code, as in force in the District of Karachi.]

Section 3 Insert the following as new sub-section, namely:-

"(30) "Board of Revenue" means the Board of Revenue established under the West Pakistan [40] [Board of Revenue] Act, 1957". Section 4 (i) For "Revenue Commissioner" where it occurs for the first time substitute "Board of Revenue".

(ii) Replace the semi-colon after "Division" in the last sentence by a full-stop.

Section 8 (i) Insert "Board of Revenue and the" before "Revenue Commissioner" where it occurs for the first time.

(ii) Insert "or the Board of Revenue" after the words "Provincial Government" where they occur for the last time.

Sections 10, 38, 41, 44, 53, 55, 95, 98, 108, 117-A (3), 118, 126, 146, 148, 152, 154, 183, 198, 204, 206, 209, 211, 212, and 213. For the words "Provincial Government" wherever they occur substitute "Board of Revenue".

Section 12 For "Provincial Government" where it occurs for the first time substitute "Commissioner" and where it occurs for the second time substitute "Board of Revenue".

Section 17 After the words "Provincial Government" insert a comma and the words "Board of Revenue".

Section 18 After the words "Provincial Government" occurring for the last time

insert "or the Board of Revenue or the Commissioner".

Section 37(1) After "Revenue Commissioner" insert "and Board of Revenue".

Section 135-H In sub-section (3) Omit "or the Chief Court of Sind".

Section 158 For "Provincial Government" occurring for the first time substitute "Board of Revenue".

Sections 216 (IA)

and 216 (IB). For "Revenue Commissioner for Sind" substitute "Board of Revenue".

1879 VII The Sind Irrigation Act[41][and the Bombay Irrigation Act, as in force in the District of Karachi.] Section 90 Omit the first proviso, and in the second proviso Omit "further".

1881 IV The Sind Village Officers Act. Section 3 For "Provincial Government" substitute "Board of Revenue".

1882 VII The Sind Landing and Wharfage Fees Act, [42][and the Bombay Landing and Wharfage Fees Act, as in force in the District of Karachi.] Section 4 Omit "in relation to a major port means the Central Government, and save as aforesaid".

1901 III The Sind District Municipal Act. Section 18 For the full-stop appearing at the end substitute a colon and add the following proviso thereafter:-

"Provided that if the vacancy be of an elected Councillor the bye-election for filling the vacancy shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of twelve months of the date on which the term of office of Councillors expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of Councillors expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

Section 37 For "in accordance with the rules to be made by the Municipality in this behalf" substitute "with the previous sanction of the Commissioner".

Section 46

proviso (a) For proviso (a) substitute the following:-

"(a) No rule made, or alteration or rescission of a rule made under this section shall have effect unless and until it has been approved by the Commissioner".

1906 II The Mukhtiarkars Courts Act,[43][and the Mamlatdars Court Act, as in force in the District of Karachi.] Section 3(a) For "Provincial Government" substitute "Board of Revenue".

Section 4(1) For "Provincial Government" substitute "Board of Revenue".

Section 4 (3) For "Provincial Government" substitute [44] [Board of Revenue]

1923 VI The Sind Local Boards Act. Section 33 For the existing provisos substitute the following:-

"Provided that if the vacancy be of an elected member the bye-election for filling the vacancy shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of twelve months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

Section 125(1) Insert "Commissioner or" before "Collector".

Section 127 (i) For "Provincial Government" wherever it occurs substitute "Commissioner".

(ii) Add as sub-section (4) after sub-section (3):-

"(4) When a Commissioner makes any order under this section he shall forthwith forward to the Provincial Government a copy of the order with a statement of the reasons for making it and with such explanation, if any, as the board or committee concerned may wish to offer. The Provincial Government may thereupon confirm, modify or rescind the order".

1924 XIII The Sind Children Act, [45] [and the Bombay Children Act, as in force in the District of Karachi] Section 52 In sub-section (4) Omit all words after the words "further condition".

1925 VII The Sind Co-operative Societies Act, [46] [and the Bombay Co-operative Societies Act, as in force in the District of Karachi.] Section 71 Omit sub-section (5).

1925 XVIII The Sind Municipal Boroughs Act. Section 29 (a) Omit the proviso to the first paragraph and insert the following as provisos at the end:-

"Provided that the bye-election for filling the vacancy of a Councillor shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of twelve months of the date on which the term of office of Councillors expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of Councillors expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

1929 VII [47] The Sind Maternity Benefit Act Section 14 Omit sub-section (4).

Years of the Act, Regulation or Order No. of the Act, Regulation or Order Short title of the Act, Regulation or Order Provision adapted Adaptation made

1 2 3 4 5

1929 XVII The Sind Borstal Schools Act, [48] [and the Bombay Borstal Schools Act, as in force in the District of Karachi] Section 19 Omit sub-section (3)

1930 XXV The Sind Local Funds Act. Section 15 Omit sub-section (3)

1932 II The Sind Finance Act, [49] [and the Bombay Finance Act as in force in the District of Karachi.] Section 4 After clause (b) insert the following new clause:-

"(bb) "Government" means the Provincial Government"

Section 11 Omit the last two sentences in sub-section (3).

1932 XV The Sind Weights and Measures Act, [50] [and the Bombay Weights and Measures Act, as in force in the District of Karachi.] Section 41 Omit clause (b) of sub-section (3).

1933 VI [51] [The Sind Village Panchayats Act.]

Section 108 Omit sub-section (3).

1933 XII The Sind Livestock Improvement Act, [52] [and the Bombay Livestock Improvement Act, as in force in the District of Karachi.] Section 23 Omit sub-section (4).

1934 X The Sind Devadasis Protection Act, [53] [and the Bombay Devadasis Protection Act, as in force in the District of Karachi.] Section 7 Omit sub-section (3).

1935 XVIII The Mussalman Wakf (Sind Amendment) Act. Section 14 Omit sub-section (2).

1935 XV The Sind Public Trusts Registration Act, [54] [and the Bombay Public Trusts Registration Act as in force in the District of Karachi.]



Section 27 Omit sub-section (4).

1937 IV The Sind Famine Relief Fund Act. Section 8 Omit the proviso.

1939 XIII The Sind Nurses, Midwives and Health Visitors Registration Act. Section 3 Omit clause (b) of sub-section (2).

Section 29 Omit sub-section (3).

1939 XV [55] The Sind Motor Vehicles Tax Act. Section 17 Omit the second sentence.

Section 19 Omit sub-section (4).

1939 XXI The Sind Deti Leti Act Section 23 Omit sub-section (4).

1940 II The Public Inquiries Act Section 11 (i) In sub-section (1) Omit "of this Province".

(ii) Omit sub-section (4).

1940 IV The Sind Consumption of Intoxicants Restriction Act. Section 33 Omit.

1940 VII The Sind Zamindars Children Education Act. Section 14 Omit sub-section (4).

1940 VIII The Sind Agriculturists Relief Act. Section 16 Omit sub-section (4).

1940 XI The Sind Agricultural Produce Markets Act. Section 28 In sub-section (4) Omit clause (b).

1940 XVIII The Sind Shops and Establishments Act.

Section 35 Omit sub-section (5).

1940 XX The Sind Opium Smoking Act. Section 31 Omit sub-section (4).

1941 IX The Sind Debt Conciliation Act. Sections 3(1), 3(3) and 3(4). For "Provincial Government" substitute "Board of Revenue".

Sections 15(1) and 20(6). For "Revenue Commissioner for Sind" substitute "Commissioner".

Section 36(5) For "Sind" substitute "Provincial".

1944 XIV The Sind Money Lenders Act. Sections 6 and 44 For "Provincial Government" substitute "Board of Revenue".

1944 XV The Hakims and Vaidyas Act. Section 36 Omit sub-section (3).

1947 VI The Sind Road Fund Act. Section 2 For sub-section (3) substitute the following:-

"(3) Provincial Roads means roads which have been constructed, repaired, improved or maintained from the Provincial revenues in the territories included in the Province of Sind as it existed before the appointed day and shall hereinafter be constructed, repaired, improved or maintained from Provincial revenues".

1947 XVII The Sind University Act Section 7 For "The Premier of the Province for the time being" substitute "A Minister of the Provincial Government, from the territories in the Province of Sind as it existed before the appointed day, nominated by the Governor".

Section 10 (i) In sub-section (2) under the head "I -Ex-officio B" in clause (i) Omit "Sind" and for clauses (ii) to (x) substitute:-

"(ii) Nine persons nominated by the Governor from the residents of Hyderabad and Khairpur Divisions to give representation to Education, Judicial, Agriculture, Health, Engineering and Industries Departments".

(ii) In clause (xiii) Omit "Sind".

Section 18 In sub-section (1) under the heading "I-Ex-officio Members" in clause (ii) Omit "Sind".

Section 39 Omit the proviso.

1947 XVIII [56] The Sind Vagrancy Act Section 30 Omit sub-section (3).

1947 XXVII The Primary Education Act. Section 4 In sub-sections (1) and (4) Omit "in the Province".

1947 XLII The Sind Foods Act. Section 36 Omit sub-section (3).

1947 XLIV The Sind Local Authorities Service Act. Section 5 For the existing section 5 substitute the following:-

"5. All the officers of the Local Authorities Service shall be the servants of the Provincial Government. Out of these officers, the Chief officers of the Local Authorities will be appointed by the Government. All the remaining Officers, of the Local Authorities Service will be appointed by the Commissioner. The jurisdiction in respect to matters specified in sub-section (2) of section 7 shall, however, vest in and be exercised by the Provincial Government in respect of the officers of the Local Authorities Service".

Section 7(3) For "Sind" substitute "Provincial".

1947 XLIX The Sind Rural Credit and Land Transfer Act. Section 8(3)(c)

and (d). For "Provincial Government" substitute "Board of Revenue".

Section 11(1)(c) For "Provincial Government" substitute "Board of Revenue".

Section 26(1)

and (2) For "Revenue Commissioner" substitute "Commissioner".

Section 27(1)

and (2) For "Provincial Government" substitute "Board of Revenue".

Section 28 For "Provincial Government" substitute "Board of Revenue" and for "Revenue Commissioner" substitute "Commissioner".

Section 29 Omit sub-section (3).

1948 I The Sind Provisional Collection of Taxes Act. Sections 3 and 4 For "Sind" substitute "Provincial".

1948 VIII The Sind Cattle (Contagious Diseases) Act. Section 23 Omit sub-section (3).

1948 IX [57] The Sind Urban Immovable Property Tax Act. Section 13 Omit sub-section (3).

1950 XX The Sind Tenancy Act. Section 35 Omit sub-section (3).

1951 II The Contempt of Courts (Sind Amendment) Act. Section 2 Omit clause (b). Section 3 Omit.

#### N.W.F. PROVINCE ACTS

1883 XX The Punjab District Boards Act as applicable to N.W.F.P. Section 3 For clause (10) substitute the following:-

"(10) "Commissioner" means the Commissioner of a Division or any person or persons appointed by the Provincial Government to perform the functions of a Commissioner".

Section 15 For the proviso to sub-section (1) substitute the following:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

1887 XVII The Punjab Land Revenue Act as applicable to the N.W.F.P. Sections 3(1)(c), 6(3), 10, 18(2), 29(1), 32, 38(1), 50(2), 51(1), 53(1), 53-A(1), 53-A(2)(i), 101-A(1), 107(1), 120(3), 136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx) For "Provincial Government" wherever it occurs substitute "Board of Revenue".

Section 3(13) For "having authority from the Judicial Commissioner to appear and

practise as such" substitute "within the meaning of the Legal Practitioners Act, 1879, except a mukhtar".

Section 3(15) Insert "or the Board of Revenue" after "Provincial Government".

Section 3 Insert the following as a new sub-section, namely:-

"(20) Board of Revenue means the Board of Revenue established under the West Pakistan Board of Revenue Act, 1957."

Sections 3(19), 11(1), 11(2), 16(1), 16(4), 24(1), 28(1), 29(3), 30(2), 31(2)(d), 33(1), 33(2), 33(3), 35(a), 46, 47(1), 53(2), 55(3), 59(2), 59(3), 60-C, 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100, 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Revenue Commissioner" or "Revenue and Divisional Commissioner" substitute "Board of Revenue" and make all necessary substitutions for the pronouns used for it.

Section 6 Omit clause (a).

(c) After sub-section(4) add the following as sub-section (5), namely:-

"(5) Subject to the provisions of this Act, the jurisdiction of the Board of Revenue extends to all the Districts of Bannu, Dera Ismail Khan, Hazara, Mardan, Kohat and Peshawar and of the Commissioners, Collectors and Assistant Collectors to the Divisions and districts, respectively in which they are employed".

Sections 6(1)(b), 13(b), 13 Proviso (ii), 14(b), 16(3), 50(2), 71(3), 73, 75, 76(2) (c), 77, 79(1), 89, 90, 91, 92, 95(2), 101-A(4) and 147(3) For "Revenue Commissioner" or "Revenue and Divisional Commissioner" substitute "Commissioner".

Section 8 Insert "Commissioners," before "Deputy Commissioners".

Section 11 (i) Insert the following as sub-section (3), namely:-

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

(ii) In sub-section (4) for the words "to the control of the Revenue" substitute the words "as aforesaid and to the control of the".

Section 12 For "Revenue Commissioner", substitute "Board of Revenue or Commissioner".

Section 13 Insert the following as clause (c):

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

Section 14 Insert the following as clause (c):

"(c) When the appeal lies to the Board of Revenue-ninety days".

Section 15 (1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(2) Insert "Commissioner or" before "Collector".

Section 16(4) For "or" substitute "and the Commissioner may, in any case called for under subsection (2) or" and after "as" insert "it or".

Section 16(4) proviso For "he shall not under this section pass an order" substitute "no order shall be passed under this section".

Section 27 For "Revenue Commissioner" substitute "the Board of Revenue, Commissioner".

Section 48-B After "Provincial Government" insert "or the Board of Revenue, as the case may be".

Section 58 Substitute the following:-

"58. An appeal from an order under the last foregoing section or section 52 shall lie to the Commissioner, and from the appellate order of the Commissioner, to the Board of Revenue".

Section 60-A Substitute the following:-

"60-A. Procedure to be followed in making rules-

Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure laid down in section 22 of the [58] West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby".

Sections 117(2)(d) and (e) For "Judicial Commissioner" substitute "High Court".

Section 137(1) Omit "except the Revenue Commissioner" and the commas preceding and following these words.

Section 141 For "Judicial Commissioner" substitute "High Court".

Section 158(1) Insert "Board of Revenue" after "Provincial Government".

1935 VII The North-West Frontier Province Village Council Act. Section 2 In clause (6), for "Revenue Commissioner" substitute "Commissioner of a Division".

1938 XI The North-West Frontier Province Prohibition Act. Section 3 (i) In sub-section (6) in clause (a) Omit "in the North-West Frontier Province".

(ii) in sub-section (7) in clause (a) Omit "in the North-West Frontier Province".

1939 X The North-West Frontier Province Midwives Act. Section 10 Below section 10 add the following explanation, namely:

"Explanation- For the purpose of this section "Province" means the districts of Peshawar, Mardan, Hazara, Dera Ismail Khan, Bannu and Kohat".

1939 XII The North-West Frontier Province Artificial Ghee Colourization Act. Section 15 For "Local Government" substitute "Provincial Government".

1947 XXIII The North-West Frontier Province Weights and Measures Act. Section 3 (i) In sub-section (3) for "His Majestys Mint [59][,] Bombay" substitute "Pakistan Mint at Lahore".

(ii) In sub-section (4) for "Bombay" substitute "Lahore".

First Schedule (i) Under the heading "Explanation of dry and wet measures" in paragraph (1) for "Bombay" substitute "Lahore".

(ii) Under the heading "Standard Measures of Length" for "Bombay" substitute "Lahore", and Omit "Officer Incharge Mathematical Instruments Office, Calcutta".

[60][Section 3(1)

For "Provincial Government" substitute "Board of Revenue".]

1948 VI The Kabul River Project (Control and Prevention of Speculation in Land) Act. Section 4 For "Provincial Government" substitute "Commissioner".

Section 4 Proviso For "Provincial Government" where it occurs for the first and third time substitute "Commissioner".

1948 XVII The N.W.F.P. Agricultural Income-tax Act. [61][Section 2(1)

For "with the approval of the North-West Frontier Province Legislative Assembly accorded by a resolution" substitute "by the Provincial Government".

Section 3 (i) In sub-section (1), for "the North-West Frontier Provincial" substitute "West Pakistan".

(ii) In sub-section (2), for "Provincial Government" substitute "Board of Revenue"

(iii) In sub-section (3) for "Revenue and Divisional Commissioner" substitute "Board of Revenue".

Section 10 In clauses (1) and (5), for "Government of the North-West Frontier Province" substitute "Provincial Government".]

Section 3(3) Omit "Revenue and Divisional".

1950 XIV The N.W.F.P. Pre-emption Act. Section 7(2) For "Provincial Government" Substitute "Board of Revenue".

1950 XV The Peshawar University Act. Section 9 In sub-section (3) for "admitted" substitute "submitted".

Section 11-A(1) For "Chief Minister of the Province" substitute "Chief Minister of West Pakistan".

[62][Section 3 (1)

For "Provincial Government" substitute "Board of Revenue".]

1950 XIX The N.W.F.P. New Irrigation Projects (Control and Prevention of Speculation in Land) Act. Section 4 Proviso For "Provincial Government" where it occurs for the first and third time substitute "Commissioner".

Section 12 For "Provincial Government" substitute "Board of Revenue".

1950 XXV The N.W.F.P. Tenancy Act. Section 2(ix) (c) For "Provincial Government" substitute "Board of Revenue".

Section 2 (xviii) After "Provincial Government" insert "or the Board of Revenue".

Section 2(xxi) Omit.

Sections 4(1) (b), 4(1) (c), Proviso to 4(1), 47(3), 58(2) and 77(3). For "Provincial Government" substitute "Board of Revenue".

Sections 29, 47(5), 48(2), 60(2) (b), 74(1) and 78. For "Revenue and Divisional Commissioner" substitute "Board of Revenue" and make all necessary substitutions for the pronouns used for it.

Section 36 (i) For "Provincial Government" substitute "Board of Revenue or Commissioner".

(ii) For "fixed" substitute "fix".

Section 47 In sub-section (5)-

(i) Omit "the territories for the time being administered by the Governor of".

(ii) For "Collectors and Assistant Collectors to the districts" substitute "Commissioners, Collectors and Assistant Collectors to the Divisions and districts, respectively."

Sections 47 (1) (a), 52(b), 53(b), 56(3) and 56(4). For "Revenue and Divisional Commissioner" substitute "Commissioner".

Sections 49(4), 51(1), 51(2), 56(1), 56(5), 56(6) and 80. For "Revenue and Divisional Commissioner" substitute "Board of Revenue or the Commissioner" and make all necessary substitutions for the pronouns used for it.

Section 50 Substitute the following:-

"50. (1) The general superintendence and control over all Revenue Officers and Revenue Courts shall be vested in, and all such officers and Courts shall be subordinate to the Board of Revenue.

(2) Subject to the general superintendence and control of the Board of Revenue a Commissioner shall control all other Revenue Officers and Revenue Courts in his division.

(3) Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue Officers and Revenue Courts in his district".

Section 56(5) For "Judicial Commissioner, North-West Frontier Province" substitute "High Court".

Sections 71(1), 71(2), 71(3), 72(1), 72(2), 72(3), 72(4) and 72(5). For "Judicial Commissioner", substitute "High Court", and make all necessary substitutions for the pronouns used for it.

74(1) Omit "local".

Section 76 After "Provincial Government" insert "or the Board of Revenue".

Sections 77(1) (a) and 77(2). For "Revenue and Divisional Commissioner" substitute "Board of Revenue, Commissioner".

1950 XXXII The N.W.F.P. Restitution of Mortgaged Lands Act. Section 10 For "Revenue and Divisional Commissioner, North-West Frontier Province" substitute "Commissioner".

1950 XXXIII The North-West Frontier Province Municipal Act. Section 17 (i) Insert the following proviso before the existing proviso:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy shall be filled by the Provincial Government by nomination".

(ii) In the existing proviso insert "further" after "provided".

Sections 22, 24(2), 38, 39, 40, 49(2) (1), 182, 189, 193(1) and (2), 232, 233, 235 and 236. For "Provincial Government", except where it occurs for the first time in sections 39 and 40, substitute "Commissioner" and make all necessary substitutions for the pronouns used for it.

Section 3(7) For "Secretary to Government, North West Frontier Province, Local-Self Government" substitute "Commissioner of a Division".

Section 24(1) Omit "in the case of a municipality of the first class, by the Provincial Government and, in the case of a municipality of the second class".

Section 24(3) proviso For the proviso substitute the following:-

"Provided that the Commissioner may refuse to notify the election as member of any person who could be removed from office under section 16 or of any person whom the Commissioner, for any reason which he may deem to affect the public interest, may consider to be unfit to be a member of the Committee and upon such refusal the election of such person shall be void".

Section 33(1) Omit "Provincial Government in the case of committees of the first class, and of the" and "in the case of those of the second-class".

Section 37 After "Secretary", insert " and the Commissioner may appoint any person to be the".

Section 229 In sub-section (1) between the word "Government" and the word "may" insert "in the case of a Committee of the first class, and the Commissioner in other cases".

1952 VII The N.W.F.P. Abolition of Jagirs Act. Section 4 For "Provincial Government" substitute "Commissioner or Board of Revenue".

1952 XI The N.W.F.P. Tenancy (Rural Housing) Protection Act. Section 7 For "Revenue and Divisional Commissioner" substitute "Commissioner".

#### BALUCHISTAN ACTS

1887 XVII The Punjab Land Revenue Act as applicable to Baluchistan. Sections 3(1) (c), 6(3), 10, 18(2), 28(1), 29(1), 32, 38(1), 48(2), 50(2), 51(1), 53(1), 53-A(1), 53-A(2)(i) 59(1)(b), 101-A(1), 107(1), 120(3), 136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Chief Commissioner" or "Chief Commissioner in Baluchistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 3(15) For "Chief Commissioner in Baluchistan" substitute "Provincial Government or the Board of Revenue".

Section 3 Insert the following as clauses (19) and (20):-

(19) "Assessment circle" means a group of estates which, in the opinion of the Board of Revenue to be recorded in an order in writing, are sufficiently homogeneous to admit of a common set of rates being used as a general guide in calculating the land revenue to be assessed upon them".

(20) "Board of Revenue" means " the Board of Revenue" established under the [63]West Pakistan Board of Revenue Act, 1957".

Sections 3(14), 5, 8, 9, 11(1), 17, 24(1), 25, 26, 27(1), 27(2), 27(3) 28(2), 31(2) (d),[64][\*] 39(3), 41, 43(1), 47-A, 49(2),[65][60], 61(1)(a), 101-F, 102 proviso, 141, 147(1), 147(2), 154(1)(d), 155(3),[66][158(1)] and 158(2)(vii). For "Chief Commissioner" or "Chief Commissioner in Baluchistan" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefor.

Section 6(1) Omit clause (a).

Sections 6(1) (b), 11(4), 13, 14 (d),[67][\*] 16(3), 50(2), 58, 59(1)(b), 71(3), 73, 75, 76 (2)(c), 77(1), 79(1), 89, 90, 91, 92(1), 95(2), 101-A(4) and 147(3). For "Revenue Commissioner" or "Revenue Commissioner in Baluchistan" substitute "Commissioner".

Section 6 Insert the following as sub-section(5):-

"(5) Subject to the provisions of this Act, the jurisdiction of the Board of Revenue extends to Baluchistan as it existed before the establishment of the Province of West Pakistan and of Commissioners and of Collectors and Assistant Collectors to the Divisions and districts, respectively, in which they are employed".

Section 8 Before "Extra Assistant Commissioner" insert "Commissioners, Deputy Commissioners, Assistant Commissioners and".

Sections 11(1), 11(2), 16(1), 16(4), 24(1), 29(3), 30(2), 31(2)(d), 33, 35(a), 46, 47(1), 47-A, 48-A(2), 55(3), 59(2), 59(3), 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100(1), 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Revenue Commissioner" or "Revenue Commissioner in Baluchistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 11 Insert the following as sub-section (3):-

"(3) Subject to the general superintendence and control of the Board of Revenue, a Commissioner shall control all other Revenue Officers in his division".

Section 12(1) and 12(2). For "Revenue Commissioner" or "Revenue Commissioner in Baluchistan" substitute "Board of Revenue or Commissioner".

Section 13 Insert the following as clause (c):

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

Section 14 Insert the following as clause (c):

"(c) When the appeal lies to the Board of Revenue, ninety days".

Section 15(1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(2) Before "Collector" insert "Commissioner or".

Section 16(4) (i) For "himself" substitute "itself".

(ii) For "or" substitute "and the Commissioner may, in any case called for under sub-section (2) or".

(iii) After "as" insert "it or".

(iv) For "he" in the provisosubstitute "the Board of Revenue or the Commissioner".

Section 27(1)(a) Before "a Collector" insert "the Board of Revenue, Commissioner or".

Section 27(2) Before "a Collector" insert "the Board of Revenue, Commissioner".

Years of the Act, Regulation or Order No. of the Act, Regulation or OrderShort title of the Act, Regulation or Order Provision adapted Adaptation made

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Section 51 Insert the following as sub-section (3):-

"(3) Subject to the provisions of sub-section (4) the average rate of incidence on the cultivated area of the land revenue imposed under the provisions of sub-section (1) on any assessment circle forming part of any area in respect of which a notification has been issued under sub-section (2) of section 49 shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-fourth provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on the estate by more than two-thirds".

[68][For sub-section(4)substitute the following sub-section]:-

"(4) The provisions of sub-section (3) shall not be applicable in the case of land which has not been previously assessed to land revenue or in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section (1) at the last previous assessment, or in the case of land of which the last previous assessment was made under the provisions of clause (b) of subsection (1) of section 59 or in the case of an area which has been declared by notification to be an urban assessment circle and for the purpose of calculating the increase in the incidence of the land revenue for the purpose of sub-section (3), all such land shall be excluded from calculation".

Sections 53(2)

and 53(3). For "Revenue Commissioner in Baluchistan" substitute"Commissioner or the Board of Revenue".

Section 58 After "Commissioner" insert "and from the appellate order of the Commissioner to the Board of Revenue".

Section 60 Insert the following as clauses (a) and (e):-

"(a) the method by which the estimate of the money value of the net assets of an estate or group of estates shall be made;

(e) the manner in which the rate of incidence of the land revenue is to be calculated for the purpose of sub-section (3) of section 51."

[69][For section 60-C, substitutethe following]:- "60-A Procedure to be followed in making rules.- Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the [70]West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby.

60-B. Rules and instructions already in force.-Notwithstanding anything contained in section 60-A, the rules and executive instructions relating to the matters mentioned in clauses (a), (b), (c) and (d) of section 60 which were in force immediately before the 14th October 1955, shall remain in force.

60-C. Power to issue instruction.-The Provincial Government or the Board of Revenue with the approval of the Provincial Government may, from time to time, issue executive instructions not inconsistent with the provisions of this Act and the rules made thereunder for the guidance of Revenue Officers relating to all matters to which the provisions of this Chapter apply".

Section 70 For sub-section (2) substitute the following:-

"(2) The distress and sale shall be conducted, as nearly as may be, in accordance with the law for the time being in force for the attachment and sale of movable property under the decree of a Revenue Court constituted under the Punjab Tenancy Act, 1887:

Provided that, in addition to the particulars exempted by that law from liability to sale, so much of the produce of the land of the defaulter as the Collector thinks



necessary for seed-grain and for the subsistence, until the harvest next following, of the defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under this section".

Section 137 Insert the following as sub-section (1):-

"(1) The Provincial Government may by notification direct that the Provisions of this Act with respect to the superintendence and control over Revenue Officers shall subject to any modification of those provisions which the Provincial Government thinks fit, apply to any Revenue Officer who has been invested with the powers of a Civil Court of any of the clauses specified in section 18 of the Punjab Courts Act, 1918, and that appeals shall lie from his decrees and orders to, and his decrees and orders be subject to revision, by a Revenue Officer invested under the last foregoing section with the powers of a Court which would be competent under the Punjab Courts Act, 1918, to hear appeals from, or revise such decrees and orders if they had been made by a Court with the powers of which the Revenue Officer who made them has been invested".

Section 158 (1) Insert "Board of Revenue" after "Provincial Government".

1887 XVII The Punjab Land Revenue Act as modified and applied to the Nasirabad Sub-Division in Baluchistan. Sections 3(1)(c), 6(3), 10, 18(2), 28(1), 29(1), 32, 38(1), 48(2), 50(2), 51(1), 53(1), 53-A(1), 53-A(2)(i), 101-A(1), 102, 107(1), 120(3), 136(1) 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Resident in Baluchistan" or "resident" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 3(15) For "Resident in Baluchistan" substitute "Provincial Government or the Board of Revenue".

Section 3 Insert the following as clauses (19) and (20):-

"(19) Assessment Circle means a group of estates which, in the opinion of the Board of Revenue, to be recorded in an order in writing, are sufficiently homogenous to admit of a common set of rates being used as a general guide in calculating the land revenue to be assessed upon them.

(20) Board of Revenue means the Board of Revenue established under the [71]West Pakistan Board of Revenue Act, 1957."

Sections 3(14), 5, 8, 9, 11(1), 17, 24(1), 25, 26, 27(1), 27(2), 27(3), 28(2), 31(2) (d), [72][\*], 41, 43(1), 49(2), 49(3), 60, 61(1)(a), 101-F, 102 proviso, 141, 147 (1), 147(2), 154(1)(b), 155(3), [73][158(1)] and 158(2)(vii) For "Resident in Baluchistan" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefor.

Sections 6(1)(b), 11(4), 13(b), 13 second proviso, 14(b), 16(3), 50(2), 71(3), 73, 75, 76(2)(c), 77(1), 79(1), 89, 90, 91, 92(1), 95(2), 101-A(4) and 147(3) For "Revenue Commissioner in Baluchistan" substitute "Commissioner".

Section 8 Insert "Commissioners, Deputy Commissioners, Assistant Commissioners and" before "Extra".

Sections 11(1), 11(2), 16(1), 24(1), 29(3), 30(2), 31(2)(d), 33, 35(a), 46, 47(1), 48-A(2), 55(3), 59(2), 59(3), 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100(1), 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Revenue Commissioner in Baluchistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 11 Add the following as clause (3):-

"(3) Subject to the general superintendence and control of the Board of Revenue,

the Commissioner shall control all other Revenue Officers".

Sections 12(1), 12(2), 53(2) and 53(3). For "Revenue Commissioner in Baluchistan" substitute "Board of Revenue or Commissioner".

Section 13 Add the following as clause (c):

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

Section 14 Add the following as clause (c):-

"(c) When the appeal lies to the Board of Revenue - ninety days".

Section 15(1), proviso (a) Substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the:-

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

(ii) Collector 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".

Section 16(2) Insert "Commissioner" before "Collector".

Section 16(4) (excluding the proviso). For sub-section (4) substitute:

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

Section 16(4), proviso For "he shall not under this section pass an order" substitute "no order shall be passed under this Section".

Section 27(1)(a) Insert "the Board of Revenue, Commissioner or" before "a Collector".

Section 27(2) Insert "the Board of Revenue, Commissioner" before "a Collector".

Section 47 After section 47, the following new section shall be, added, namely:-

"47-A. (1) Nothing in this Chapter shall be deemed to preclude the Provincial Government from ordering the preparation for any specified estate or for estates in any specified area, quadrennially or at such other intervals as the Board of Revenue may prescribe, of an edition of the record-of-rights to be prepared in such manner as the Board of Revenue may, with the previous sanction of the Provincial Government, prescribe.

(2) This edition of the record-of-rights shall be called the quadrennial record of the estate, and shall comprise the statements mentioned in clause(a) of sub-section (2) of section 31".

Section 48-B For "Resident in Baluchistan" substitute "Provincial Government or Board of Revenue as the case may be".

Section 51 Insert the following as clauses (3) and (4):-

"(3) Subject to the provisions of sub-section (4), the average rate of incidence on the cultivated area of the land revenue imposed under the provisions of sub-section (1) on any assessment circle forming part of any area in respect of which a notification has been issued under sub-section (2) of section 49, shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-fourth:

Provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on the estate by more than two-thirds.

(4) The provisions of sub-section (3) shall not be applicable in the case of land which has not been previously assessed to land revenue in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section(1) at the last previous assessment or in the case of land of which the last previous assessment was made under the provisions of clause(b) of sub-section (1) of section 59 or in the case of an area which has been declared by

notification to be an urban assessment circle and for the purpose of calculating the increase in the incidence of the land revenue for the purpose of sub-section(3), all such land shall be excluded from calculation".

Section 58 For "Revenue Commissioner in Baluchistan" substitute "Commissioner and from the appellate order of the Commissioner to the Board of Revenue".

Section 60 Add the following as clauses (a) and (e):-

"(a) the method by which the estimate of the money value of the net assets of an estate or group of estates shall be made;"

"(e) the manner in which the rate of incidence of the land revenue is to be calculated for the purpose of sub-section (3) of section 51".

[74][For section 60-C, substitute the following] sections namely;

"60-A. Procedure to be followed in making Rules- Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the [75]West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby.

60-B. Rules and instructions already in force- Notwithstanding anything contained in section 60-A the rules and executive instructions relating to the matters mentioned in clauses (a), (b), (c) and (d) of section 60 which were in force immediately before the 14th October, 1955, shall remain in force.

60-C. Power to issue instructions-The Provincial Government or the Board of Revenue with the approval of the Provincial Government may, from time to time, issue executive instructions not inconsistent with the provisions of this Act and the rules made thereunder for the guidance of Revenue Officers relating to all matters to which the provisions of this Chapter apply".

Section 70 For sub-section (2) substitute the following:-

"(2) The distress and sale shall be conducted, as nearly as may be, in accordance with the law for the time being in force for the attachment and sale of movable property under the decree of a Revenue Court constituted under the Punjab Tenancy Act, 1887:

Provided that in addition to the particulars exempted by that law from liability to sale, so much of the produce of the land of the defaulter as the Collector thinks necessary for seed grain and for the subsistence, until the harvest next following, of the defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under this section".

Section 73(2) Insert as clause (b):-

"(b) While under the charge of the Court of wards".

Section 75 Insert the following as clause (a):

"(a) any arrear which has accrued while the land was under the charge of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the provisions of Chapter II of the Punjab Court of Wards Act, 1903".

Section 137 Insert the following as sub-section (1):-

"(1) The Provincial Government may by notification direct that the provisions of this Act with respect to the superintendence and control over the Revenue Officers shall subject to any modification of those provisions which the Provincial Government thinks fit, apply to any Revenue Officer who has been invested with the powers of a Civil Court of any of the classes specified in section 18 of the [76]Punjab Courts Act, 1918, and that appeals shall lie from his decree and orders to, and his decrees and orders be subject to revision, by a Revenue Officer invested under the last foregoing section with the powers of a Court which would be competent under the Punjab Courts Act, 1918, to hear appeals from or revise,

such decrees and orders if they had been made by a Court with the powers of which the Revenue Officer who made them has been invested".

Section 158(1) For "Resident in Baluchistan" substitute "Provincial Government, Board of Revenue".

1903 II The Punjab Court of Wards Act as applicable to Baluchistan. Section 4(1) (i) For "Revenue Commissioner in Baluchistan" substitute "Commissioner".

(ii) Omit "for British Baluchistan."

Sections 4(3), 4(4), 16(1), 17(2), 34 and 45(1) For "Chief Commissioner of British Baluchistan" substitute "Board of Revenue".

Sections 5 and 7(1) For "Chief Commissioner of British Baluchistan" substitute "Court of Wards".

Section 5(1) For "he" occurring before "considers" substitute "it" and Omit "it" occurring before "expedient".

Section 11(1) (i) Omit clauses (a) and (b).

(ii) After "land-holder" insert "the Court of Wards should be moved to make an order under section 5(2) or section 6".

Section 44 Omit the first proviso and "further" from the second proviso.

Section 54 For "Chief Commissioner of Baluchistan" substitute "Provincial Government".

1946 The Quetta Municipal Law. Section 2 (i) insert the following as clauses

(1-A) and (17-A), respectively:-

"(1-A) Baluchistan Leased Area in sub-clause (i) of clause (b) of section 168 and in proviso to sub-section (2) of section 189, shall mean the Leased areas as defined in the leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950);".

"(17-A) Municipal Officer means an employee of the Municipal Committee, Quetta;".

(ii) For clause (5) substitute the following:-

"(5) "Commissioner means the Commissioner of Quetta Division;".

(iii) in clause (18) for "Resident" substitute "Provincial Government or Commissioner".

(iv) Omit clause (26).

(v) In clause (29)-

(a) For "British India" substitute "Pakistan".

(b) Omit "British" from "British Baluchistan".

Section 4(2)(a) For "British subject" and "Indian State" substitute "Citizen of Pakistan" and "Acceding State", respectively.

Sections 4(2)(e), 22(1), 26, 55, 114(2), 131, 155 and 158 (3) For "Indian Penal Code" substitute "Pakistan Penal Code".

Section 4(2)(e), proviso (i). For "be" substitute "by".

Sections 2(12), 2(16), 2(21), 2(22), 2(23), 3(2), 4, 5(3) and proviso, 7, 25(7), 27, 31(2)(a), 44, 46 (2), 47(1), 47(2), 58, 59(1)(a), 59(2)(i), 69(2)(b), 69(4)(c)(ii), 69(5)(a), 102(2), 155, 158, 162, 163, 164, 166, 167, 169, 172, 175, 188 and 191. For "Resident" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefor.

Section 7 For the proviso to sub-section (7) substitute the following:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of

members expires, it shall be referred to the Provincial Government whose decision in the matter shall be final."

Sections 9, 13, 42, 43, 61(1), 114, 127, 165 and 168. For "Resident" substitute "Commissioner".

Section 14(d) For "Commissioner" substitute "Provincial Government".

Section 20 Omit "the Secretary to the Resident in the Public Works Department" and "by the Resident".

Section 21(2) For "Commissioner" substitute "Deputy Commissioner".

Sections 25(1)

and (4) For "the Resident" substitute "him".

Section 29 Omit "and shall if so required by the Resident" and "or, where the Resident required delegation, as the Resident may direct".

Sections 31(1) and 61(1). For "Crown Representative" substitute "Provincial Government".

Section 31(1) Omit "with the previous sanction of the Resident".

Sections 40 and 59(1)(a) For "Crown Representative" substitute "Central Government".

Section 40 For "be" occurring before "bye-laws" substitute "by".

Section 51(1) For "Commissioner" substitute "Deputy Commissioner or to such other officer as may be empowered by the Provincial Government in this behalf".

Section 51(2) For sub-section(2) substitute "(2) Subject to revision by the Commissioner the order passed under sub-section(1) shall be final".

Section 62 Omit "with the Residents permission".

Section 68(1) For "The Resident may make rules" substitute "The Committee may and if so required by the Commissioner shall make bye-laws".

Section 69(2)(c) (i) Omit "the Resident" occurring for the first time, "shall forward with his opinion any such objection or suggestion to the Resident who" and "as he may think fit".

(ii) After "Commissioner" occurring for the first time insert "the Commissioner".

(iii) For "Resident" occurring for the last time substitute "Commissioner".

Section 69(2)(d) Replace the existing clause (d) by the following:-

"(d) When sanctioning a scheme the Commissioner may impose conditions for submission of periodical reports on the progress of the scheme to him and for his inspection and supervision of the scheme".

Section 163 For sub-section 2 substitute the following:-

"(2) The Provincial Government or the Commissioner may exercise all powers necessary for the performance of this duty and may among other things by order in writing, annul or modify any proceeding which it or he may consider not to be in conformity with such law and rules as aforesaid, or for reasons which in its or his opinion justify an order by the Commissioner or as the case may be, by the Political Agent under section 159".

Section 170 For "Resident" substitute "Provincial Government, in the case of rules and the Commissioner in the case of bye-laws". For "directs" substitute "direct".

ACTS APPLICABLE TO BAHAWALPUR

1860 XLV The Indian Penal Code Section 55(a) For "the Ruler" substitute "President".

Section 121 (a) For the Ruler of the sovereignty of the Bahawalpur State" substitute "State".

Section 124(a) For "Ruler" substitute "State".

Sections 141, 161, 162 and 163. For "the Bahawalpur Government" substitute "the Central Government or the Provincial Government".

1861 V The Police Act Section 15-A(4) For "Deputy Commissioner" substitute

"Commissioner of the Division".

1872 IV The Punjab Laws Act Section 48 For "BahawalpurGovernment"substitute "the Government for whose purposes the land is vested in the State".

1873 VIII The Canal and Drainage Act. Section 3(7) For "Superintending Engineer"substitute "the officer exercising control over a division of a canal".

Section 35 For "Superintending Engineer"substitute "Divisional Canal Officer" and for the words "Revenue Minister" substitute "the Head Revenue Officer of the District".

Section 65 For "A.M. Chief Minister"substitute "the Superintending Canal Officer".

For "the officer" substitute "a Divisional Canal Officer".

1877 I The Specific Relief Act. Sections 5, 9 and 56 For "Bahawalpur Government"substitute "Central Government or Provincial Government".

1880 XIII [77]The Vaccination Act. Section 18 In the last paragraph for "State subjects" substitute "the Citizens of Pakistan" and for "Bahawalpur Government" substitute "Pakistan".

Section 19 For "Bahawalpur Government"substitute "Commissioner".

1882 II The Trusts Act. Section 20 In clause (a) for "BahawalpurGovernment" substitute "any Provincial Government or of the Central Government or of the United Kingdom of Great Britain and Ireland"

In the proviso to clause (a) for "Bahawalpur Government" where they occur for the first timesubstitute "by any such Government" and where they appear for the second timesubstitute "such Government".

Section 29 For "to Bahawalpur Government" appearing after "adjudication"substitute "to the State".

1886 VI The Births, Deaths and Marriages Registration Act. Section 1 For "Bahawalpur Government"substitute "Central Government".

1887 XVI The Punjab Tenancy Act as applicable to the Bahawalpur State. Throughout the Act For "Bahawalpur Government"substitute "Provincial Government".

Section 4(18) For "Bahawalpur Government"substitute "Provincial Government or Board of Revenue".

Sections 46, 75(2), 76(2), 77(4), 78, 79, 81(c), 84(1), 88(2)(b), 102, 105, 106 and 108. For "Financial Commissioner"substitute "Board of Revenue".

Section 78(1) Omit "other".

Section 80(c) For "Financial Commissioner"substitute "Board of Revenue only on a point of law".

Section 82(1) In the proviso, for clause (a)substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 84(3) Omit "Commissioner or" and for "Financial Commissioner" substitute "Commissioner who will take such action which could be taken by the Board of Revenue under sub-sections (4) and (5) after observing the procedure prescribed in sub-sections (5) and (6)".

Section 84(4) Omit "by himself" and "or submitted to him under sub-section(3)" and for "Financial Commissioner" substitute "Board of Revenue" and for "he"substitute "it".

Section 84(5) For "Financial Commissioner"substitute "Board of Revenue" and for "him" and "he" substitute "it".

Section 84(6) For "Financial Commissioner" substitute "Board of Revenue" and for "his" substitute "its".

1887 XVII [78] The Punjab Land Revenue Act as applicable to the Bahawalpur State. Sections 1(3), 5, 8, 9, 17, 25, 26, 27(1), 27(2), 27(3), 28(2), 31(2)(d), 33(2), 38(1), 41, 43(1), 48-B, 49, 60, 60-C, 61(1)(a), 137(1), 147(1), 147(2), 158(1), and 158(2)(vii). For "Bahawalpur Government" substitute "Provincial Government".

Sections 3(1)(c), [79][3(10)], explanation, 6(3), 10, 18(2), 28(1), 29(1), 32(1), 38(1), 50(2), 51(1), 53(1), 53-A(1), 53-A(2), proviso (i), 101-A(1), 107(1), 120(3), 136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Bahawalpur Government" substitute "Board of Revenue".

Section 3(15) For "Bahawalpur Government" substitute "Provincial Government or Board of Revenue".

Section 3 Insert the following as new sub-section, namely:-

"20. Board of Revenue means the Board of Revenue established under the [80] West Pakistan Board of Revenue Act, 1957".

Sections 3(19), 6(5), 11(1), 11(2), 11(3), 12(1), 12(2), 14(c), 24(1), 27, 29(3), 30(2), 31(2)(d), 33(1), 33(2), 33(3), 35(a), 46, 47(1), 53(2), 53(3), 55(3), 58, 59(2), 59(3), 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100(1), 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Financial Commissioner" substitute "Board of Revenue".

Section 6(1) Omit clause (a).

Section 7 Omit.

Section 13(c) For "Financial Commissioner" substitute "Board of Revenue only on point of law".

Section 15(1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(1) For "Financial Commissioner" substitute "Board of Revenue" and for "him" substitute "it".

Section 16(3) Omit "Commissioner or" and substitute "Commissioner" for "Financial Commissioner".

Section 16(4) For the existing sub-section (4) excluding the proviso substitute the following:-

"(4) The Board of Revenue may in any case called for under

sub-section (1) and the Commissioner may in any case called for under sub-section (2) or reported to him under sub-section (3), pass such order as it or he thinks fit".

Section 16 proviso For "he shall not under this section pass an order" substitute "no order shall be passed under this section".

Section 27(1)(a) For "a Financial Commissioner" substitute "Board of Revenue".

Section 48-B After "Provincial Government" insert "or Board of Revenue".

Sections 50(2), 71(3), 73, 75, 76(2)(c), 77(1), 79(1), 95(2), 101-A(4) and 147(3) For "Financial Commissioner" substitute "Commissioner".

Section 60-A Substitute the following:-

"60-A. Procedure to be followed in making rules-Before making any rules under the provision of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the [81] West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby".

Section 137(1) Omit "Except Financial Commissioner" and the commas preceding and following these words

1894 I The Land Acquisition Act Section 16 For "Bahawalpur Government" substitute "State".

Section 17 In subsection (1) and (2) for "Bahawalpur Government" substitute "State".

1894 IX The Prisons Act Section 3(7) For "Director of Prisons" substitute "Inspector-General of Prisons".

1898 V The Code of Criminal Procedure. Section 4 In Clause (t) for "the Crown" substitute "the State".

Sections 45(1) and 329 For "Bahawalpur Government" substitute "the State".

Section 45(2) For "the Ruler" substitute "the Central Government."

[82] Section 132(d) proviso For "Bahawalpur Government" substitute "Central Government".

Section 197(1) For "Bahawalpur Government" substitute "Central Government or a Provincial Government".

Section 197(2) For "Bahawalpur Government" substitute "the President or the Governor as the case may be".

Section 333 For "Bahawalpur Government" substitute "the State".

Section 401(5) For "of the Ruler" substitute "of the President or of the Central Government".

Section 401(5-A) For "the Ruler" substitute "the President or in virtue of any powers delegated to it by the Central Government".

[83][1900

XIII The Punjab Alienation of Land Act as applicable to the Bahawalpur State. Sections 2(8), 4(1), 6(1)(d), 8(1)(c), 23 and 24. For "Bahawalpur Government" substitute "Board of Revenue".

Section 3-A For "Bahawalpur Government" where it first occurs, substitute "Board of Revenue".

Section 13-B (d) For "Financial Commissioner" substitute "Board of Revenue only on a point of law".]

1908 V The Civil Procedure Code Sections 2(17)(f) and (g), 54, 60, 73(3), 82(1) and Orders 21, 26 and 27 For "Bahawalpur Government" substitute "Government".

Section 2(17)(b) For "State Civil Service" substitute "Provincial Civil Services".

Section 83, and Order XII Rule 48. For "Bahawalpur Government" substitute "Central Government".

Sections 10, 109 and 111, and Order XXI, Rule 48 and Order XLV For "Ruler" substitute "President".

1908 IX The Limitation Act. Section 26(2) For "Bahawalpur Government" substitute "State".

1908 XVI The Registration Act. Sections 3(2) and 17(2)(vii). For "Bahawalpur Government" substitute "State".

Section 33(1)(c) Omit "of the Ruler or" and for "Bahawalpur Government" substitute "Central Government".

1912 IV The Lunacy Act. Sections 11-B and 12 For "Bahawalpur Government" substitute "Central Government".

1918 II The Cinematograph Act. Section 6(2) For "Ruler" substitute "State".

1923 XLII [84] The Mussalman Wakf Act. Sections 6(a), 11(1) and 13. For "Bahawalpur Government" substitute "Central Government".

1925 IV The Soldiers (Litigation) Act. Section 3(b)(iv), proviso to section 11 and sections 13, 14(2) and 14-A For "Bahawalpur Government" substitute "Central Government".



Section 14(1) "For Bahawalpur Public Services" substitute "Provincial Public Services".

Sections 14(1) and [85][14(2)].

For "Ruler" substitute "Pakistan".

1925 XXXIX The Succession Act. Section 14 For "Ruler" substitute "Pakistan".

Sections 34 and 370 For "Bahawalpur Government" substitute "Central Government".

1927 XVI The Forest Act. Sections 5, 39(1)(a), 41(2)(a), 43, 44, 49 and 79(1) For "Bahawalpur Government" substitute "State".

Section 39(1) and (2) For "Bahawalpur Government" substitute "Central Government".

Section 83(3) For "Ruler" substitute "State".

1942 [86] The Bahawalpur State District Board Act. Sections 4 and 57(2)(e) For "Government" substitute "Commissioner".

Section 18 Omit "On recommendation of, or after consultation with, the Revenue Minister".

Section 22(1) For the existing proviso substitute the following:-

"Provided that if the vacancy be of an elected member, the bye-election for filling the vacancy shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy shall be filled by the Government by appointment:

Provided further that the Government may direct that any such vacancy shall be left unfilled".

Section 104(3) For "Bahawalpur Government" substitute "Commissioner".

1942 The Bahawalpur State Court of Wards Act. Section 4(1) For "Revenue Minister or in special areas such officer as may be appointed by Government" substitute "Commissioner".

Sections 5, 44 and 48 For "Bahawalpur Government" substitute "Commissioner".

1943 [87] The Bahawalpur State Municipal Act. Sections 27 [except where "Government" occurs for the second time in sub-section (2)], 31, 32, 200, 213, 216, 257, 258, 260 and 261. For "Government" substitute "Commissioner" and make all necessary substitutions of pronouns used therefor.

Section 10(1) For the proviso substitute the following:-

"Provided that if the vacancy be of an elected member, the bye-election for filling the vacancy shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy may either be filled by the Government by nomination or the Government may direct that the vacancy shall remain unfilled."

Throughout the Act For "Minister-in-Charge" substitute "Commissioner".

Section 36 Replace the full-stop at the end by a comma and add the following thereafter:-

"subject to the modification that a reference, in whatever form, to the Government of Bahawalpur in the said Regulation or the relevant rules shall be deemed to be reference to the Commissioner."

For "appeal to the Government who shall appoint a Judge of the High Court to hear the appeal" substitute "appeal to the highest authority having control over local bodies in the area comprising the districts of Bahawalpur, Bahawalnagar and Rahimyar Khan, or to such other officer as the Provincial Government may appoint in this behalf".

Section 254 In sub-section (1) between the word "Government" and the word

"may"insert "in the case of a Committee of the Ist Class and the Commissioner in other cases".

1943 [88]The Bahawalpur Panchayat Act. Section 69 For "Government" substitute"Deputy Commissioner".

1944 The Bahawalpur State Arms Act. Section 12(1) For "the Malkhana to urban office"substitute "the District Malkhana".

1944 XXI The Public Health (Emergency Provisions) Ordinance. Section 2(a) For "Bahawalpur Government"substitute "Central Government or Provincial Government".

1951 V [89]The Bahawalpur State MunicipalExecutive Officers Act. Section 3(1) For "Government on recommen-dation of the Minister-in-Charge"substitute "Commissioner".

Section 3(3) For "Minister-in-Charge" and "Government on recommendation of Minister-in-Charge" substitute"Commissioner".

Section 10 For "Government and Minister-in-Charge" substitute "Commissioner".

#### ACTS APPLICABLE TO KHAIRPUR STATE

1878 VI The Indian Treasure Trove Act. Sections 3, 5, 19, 20 and 21. Omit amendment made by notification No.4 of 1938.

1892 [90]The Bombay District Vaccination Act (Adapted on 21st July 1943). Clauses (a),

(e) and (i) Omit.

[91][1906

II The Mamlatdars Courts Act. Throughout the Act Delete Bombay.

Sections 3 and 4 For Governor-in-Councilsubstitute "Commissioner".

Section 24 For the existing section 24substitute the following:-

"24.A Mamlatdar or a Collector functioning as a Court under this Act shall be a Court Subordinate to the High Court of West Pakistan for the purposes of section 115 of the Code of Civil Procedure, 1908".]

1924 I The Cocaine Act Section 4 For "Wazir" substitute "Chief Excise Authority".

1939 II [92]The Irrigation Act Section 10 For"Finance and Revenue Member" substitute "Collector".

Section 11 For "Finance and Revenue Member" substitute "Collector".

Section 25 For "P. W. Member" substitute"Chief Engineer, P.W.D. Irrigation".

For "Finance and Revenue Member" substitute "Collector".

Section 26 For "Finance and Revenue Member" substitute "Collector".

Section 29 For "P.W. Member" substitute"Executive Engineer".

Section 32 For "His Highness in Council"substitute "Chief Engineer, P.W.D. Irrigation".

Section 34 For "His Highness in Council"substitute "Chief Engineer, P.W.D. Irrigation".

Sections 35 and 36 For "Indian Penal Code" substitute"Pakistan Penal Code".

Section 37 For "Finance and Revenue Member" substitute "Collector".

1934 I The Protection of Muhammadan Agriculturists Act .. In this Act for"Minister" wherever it occurs substitute "Collector".

1945 I The Primary Education Act. Section 3(a) For "Director of PublicInstructions" substitute "Divisional Inspector of Education".

1953 V The Co-operative Societies Act. Section 2(2) Omit clauses (i), (iii) and (iv).

#### SCHEDULE 4

#### SCHEDULE IV

(See Section 6)

Serial No. Year of Act No. of Act Short title

1 2 3 4

#### PUNJAB ACTS

1 1937 I The Punjab Ministers Salaries Act, 1937.

2 1937 III The Punjab Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937.

3 1939 VII The Punjab Legislative Assembly (Offices) Act, 1939.

4 1942 IV The Punjab Legislative Assembly (Allowances of Members) Act, 1942.

5 1942 VIII The Punjab Legislative Assembly (Allowances of Members) (Amendment) Act, 1942.

6 1944 IX The Punjab Legislative Assembly (Allowances of Members) (Amendment) Act, 1942.

7 1948 X The West Punjab Legislative Assembly Speakers and Deputy Speakers Salaries (Amendment) Act, 1948.

#### N.W.F.P. ACTS

1 1937 VII The N.W.F.P. Ministers Salaries Act, 1937.

2 1937 IX The N.W.F.P. Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937.

3 1938 IX The N.W.F.P. Legislative Assembly (Members Allowances) Act, 1938.

4 1939 VII The N.W.F.P. Legislative Assembly Speakers and Deputy Speakers Salaries (Amendment) Act, 1939.

5 1943 I The N.W.F.P. Ministers Salaries (Amendment) Act, 1943.

6 1943 II The N.W.F.P. Legislative Assembly (Speakers and Deputy Speakers Salaries) (Amendment) Act, 1943.

7 1943 VII The N.W.F.P. Legislative Assembly (Members Allowances) (Amendment) Act, 1943.

8 1944 I The N.W.F.P. Legislative Assembly (Members Allowances) (Amendment) Act, 1944.

9 1946 V The N.W.F.P. Legislative Assembly (Members Allowances) (Amendment) Act, 1946.

10 1946 VI The N.W.F.P. Legislative Assembly Speakers and Deputy Speakers Salaries (Amendment) Act, 1946.

11 1946 IX The N.W.F.P. Ministers Salaries (Amendment) Act, 1946.

12 1950 VIII The N.W.F.P. Ministers Salaries (Amendment) Act, 1950.

13 1950 XXVII The N.W.F.P. Legislative Assembly (Members Allowance) (Amendment) Act, 1950.

#### SIND ACTS

1 1937 II The Sind Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937.

2 1938 V The Sind Legislative Assembly Members Salaries and Allowances Act, 1938.

3 1941 III The Sind Ministers Salaries Act, 1941.

4 1946 VIII The Sind Legislative Assembly (Power and Privilege) Act, 1945.

5 1955 III The Sind Ministers Salaries (Amendment) Act, 1955.

#### BAHAWALPUR ACTS

1 1953 I The Bahawalpur Ministers Salaries Act, 1953.

2 1953 II The Bahawalpur Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1953.

3 1953 III The Bahawalpur Legislative Assembly Members Allowances Act, 1953.

4 1953 V The Bahawalpur Legislative Assembly (Maintenance of Order) Act, 1953.

#### KHAIRPUR ACTS

1 1951 II The Khairpur State Legislative Assembly (Speakers Salary) Act, 1951.  
2 1953 III The Khairpur State Legislative Assembly(Allowances of Members) Act, 1953.  
3 1954 II The Salaries and Allowances of Ministers Act, 1954.  
4 1954 III The Khairpur State Legislative Assembly Speakers Salary and Allowances Act, 1954.  
5 1954 IV The Khairpur State Legislative Assembly Deputy Speakers Salary Act, 1954.  
6 1955 II The Salaries and Allowances of Ministers (Amendment) Act, 1955.  
7 1955 VI The Khairpur State Legislative Assembly Speakers Salary and Allowances (Amendment) Act, 1955.  
8 1955 VII The Khairpur State Legislative Assembly Deputy Speakers Salary (Amendment) Act, 1955.  
9 1955 VIII The Khairpur State Legislative Assembly (Allowances of Members) (Amendment) Act, 1955.

Years of the Act, Regulation or Order No. of the Act, Regulation or Order Short title of the Act, Regulation or Order Provision adapted Adaptation made

1 2 3 4 5

1929 XVII The Sind Borstal Schools Act,[93][and the Bombay Borstal Schools Act, as in force in the District of Karachi] Section 19 Omit sub-section (3)  
1930 XXV The Sind Local Funds Act. Section 15 Omit sub-section (3)  
1932 II The Sind Finance Act, [94][and the Bombay Finance Act as in force in the District of Karachi.] Section 4 After clause (b) insert the following new clause:-  
"(bb) "Government" means the Provincial Government"  
Section 11 Omit the last two sentences in sub-section (3).  
1932 XV The Sind Weights and Measures Act,[95][and the Bombay Weights and Measures Act, as in force in the District of Karachi.] Section 41 Omit clause (b) of sub-section (3).  
1933 VI [96][The Sind Village Panchayats Act.]  
Section 108 Omit sub-section (3).  
1933 XII The Sind Livestock Improvement Act,[97][and the Bombay Livestock Improvement Act, as in force in the District of Karachi.] Section 23 Omit sub-section (4).  
1934 X The Sind Devadasis Protection Act,[98][and the Bombay Devadasis Protection Act, as in force in the District of Karachi.] Section 7 Omit sub-section (3).  
1935 XVIII The Mussalman Wakf (Sind Amendment) Act. Section 14 Omit sub-section (2).  
1935 XV The Sind Public Trusts Registration Act, [99][and the Bombay Public Trusts Registration Act as in force in the District of Karachi.]  
Section 27 Omit sub-section (4).  
1937 IV The Sind Famine Relief Fund Act. Section 8 Omit the proviso.  
1939 XIII The Sind Nurses, Midwives and Health Visitors Registration Act. Section 3 Omit clause (b) of sub-section (2).  
Section 29 Omit sub-section (3).  
1939 XV [100]The Sind Motor Vehicles Tax Act. Section 17 Omit the second sentence.  
Section 19 Omit sub-section (4).  
1939 XXI The Sind Deti Leti Act Section 23 Omit sub-section (4).  
1940 II The Public Inquiries Act Section 11 (i) In sub-section (1) Omit "of this Province".

(ii) Omit sub-section (4).

1940 IV The Sind Consumption of Intoxicants Restriction Act. Section 33 Omit.

1940 VII The Sind Zamindars Children Education Act. Section 14 Omit sub-section (4).

1940 VIII The Sind Agriculturists Relief Act. Section 16 Omit sub-section (4).

1940 XI The Sind Agricultural Produce Markets Act. Section 28 In sub-section (4) Omit clause (b).

1940 XVIII The Sind Shops and Establishments Act.

Section 35 Omit sub-section (5).

1940 XX The Sind Opium Smoking Act. Section 31 Omit sub-section (4).

1941 IX The Sind Debt Conciliation Act. Sections 3(1),

3(3) and 3(4). For "Provincial Government" substitute "Board of Revenue".

Sections 15(1) and 20(6). For "Revenue Commissioner for Sind" substitute "Commissioner".

Section 36(5) For "Sind" substitute "Provincial".

1944 XIV The Sind Money Lenders Act. Sections 6 and 44 For "Provincial Government" substitute "Board of Revenue".

1944 XV The Hakims and Vaidyas Act. Section 36 Omit sub-section (3).

1947 VI The Sind Road Fund Act. Section 2 For sub-section (3) substitute the following:-

"(3) Provincial Roads means roads which have been constructed, repaired, improved or maintained from the Provincial revenues in the territories included in the Province of Sind as it existed before the appointed day and shall hereinafter be constructed, repaired, improved or maintained from Provincial revenues".

1947 XVII The Sind University Act Section 7 For "The Premier of the Province for the time being" substitute "A Minister of the Provincial Government, from the territories in the Province of Sind as it existed before the appointed day, nominated by the Governor".

Section 10 (i) In sub-section (2) under the head "I -Ex-officio B" in clause (i) Omit "Sind" and for clauses (ii) to (x) substitute:-

"(ii) Nine persons nominated by the Governor from the residents of Hyderabad and Khairpur Divisions to give representation to Education, Judicial, Agriculture, Health, Engineering and Industries Departments".

(ii) In clause (xiii) Omit "Sind".

Section 18 In sub-section (1) under the heading "I-Ex-officio Members" in clause (ii) Omit "Sind".

Section 39 Omit the proviso.

1947 XVIII [101] The Sind Vagrancy Act Section 30 Omit sub-section (3).

1947 XXVII The Primary Education Act. Section 4 In sub-sections (1) and (4) Omit "in the Province".

1947 XLII The Sind Foods Act. Section 36 Omit sub-section (3).

1947 XLIV The Sind Local Authorities Service Act. Section 5 For the existing section 5 substitute the following:-

"5. All the officers of the Local Authorities Service shall be the servants of the Provincial Government. Out of these officers, the Chief officers of the Local Authorities will be appointed by the Government. All the remaining Officers, of the Local Authorities Service will be appointed by the Commissioner. The jurisdiction in respect to matters specified in sub-section (2) of section 7 shall, however, vest in and be exercised by the Provincial Government in respect of the officers of the Local Authorities Service".

Section 7(3) For "Sind" substitute "Provincial".

1947 XLIX The Sind Rural Credit and Land Transfer Act. Section 8(3)(c) and (d). For "Provincial Government" substitute "Board of Revenue".  
Section 11(1)(c) For "Provincial Government" substitute "Board of Revenue".  
Section 26(1)  
and (2) For "Revenue Commissioner" substitute "Commissioner".  
Section 27(1)  
and (2) For "Provincial Government" substitute "Board of Revenue".  
Section 28 For "Provincial Government" substitute "Board of Revenue" and for "Revenue Commissioner" substitute "Commissioner".  
Section 29 Omit sub-section (3).  
1948 I The Sind Provisional Collection of Taxes Act. Sections 3 and 4 For "Sind" substitute "Provincial".  
1948 VIII The Sind Cattle (Contagious Diseases) Act. Section 23 Omit sub-section (3).  
1948 IX [102] The Sind Urban Immovable Property Tax Act. Section 13 Omit sub-section (3).  
1950 XX The Sind Tenancy Act. Section 35 Omit sub-section (3).  
1951 II The Contempt of Courts (Sind Amendment) Act. Section 2 Omit clause (b).  
Section 3 Omit.

#### N.W.F. PROVINCE ACTS

1883 XX The Punjab District Boards Act as applicable to N.W.F.P. Section 3 For clause (10) substitute the following:-

"(10) "Commissioner" means the Commissioner of a Division or any person or persons appointed by the Provincial Government to perform the functions of a Commissioner".

Section 15 For the proviso to sub-section (1) substitute the following:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires it shall be referred to the Provincial Government whose decision in the matter shall be final".

1887 XVII The Punjab Land Revenue Act as applicable to the N.W.F.P. Sections 3(1)(c), 6(3), 10, 18(2), 29(1), 32, 38(1), 50(2), 51(1), 53(1), 53-A(1), 53-A(2)(i), 101-A(1), 107(1), 120(3), 136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx) For "Provincial Government" wherever it occurs substitute "Board of Revenue".

Section 3(13) For "having authority from the Judicial Commissioner to appear and practise as such" substitute "within the meaning of the Legal Practitioners Act, 1879, except a mukhtar".

Section 3(15) Insert "or the Board of Revenue" after "Provincial Government".

Section 3 Insert the following as a new sub-section, namely:-

"(20) Board of Revenue means the Board of Revenue established under the West Pakistan Board of Revenue Act, 1957."

Sections 3(19), 11(1), 11(2), 16(1), 16(4), 24(1), 28(1), 29(3), 30(2), 31(2)(d), 33(1), 33(2), 33(3), 35(a), 46, 47(1), 53(2), 55(3), 59(2), 59(3), 60-C, 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100, 102, 110(1), 124, 141, 148(1), 155(1), 155(3)

and 157. For "Revenue Commissioner" or "Revenue and Divisional Commissioner" substitute "Board of Revenue" and make all necessary substitutions for the pronouns used for it.

Section 6 Omit clause (a).

(c) After sub-section(4) add the following as sub-section (5), namely:-

"(5) Subject to the provisions of this Act, the jurisdiction of the Board of Revenue extends to all the Districts of Bannu, Dera Ismail Khan, Hazara, Mardan, Kohat and Peshawar and of the Commissioners, Collectors and Assistant Collectors to the Divisions and districts, respectively in which they are employed".

Sections 6(1)(b), 13(b), 13 Proviso (ii), 14(b), 16(3), 50(2), 71(3), 73, 75, 76(2) (c), 77, 79(1), 89, 90, 91, 92, 95(2), 101-A(4) and 147(3) For "Revenue Commissioner" or "Revenue and Divisional Commissioner" substitute "Commissioner".

Section 8 Insert "Commissioners," before "Deputy Commissioners".

Section 11 (i) Insert the following as sub-section (3), namely:-

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

(ii) In sub-section (4) for the words "to the control of the Revenue" substitute the words "as aforesaid and to the control of the".

Section 12 For "Revenue Commissioner", substitute "Board of Revenue or Commissioner".

Section 13 Insert the following as clause (c):

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

Section 14 Insert the following as clause (c):

"(c) When the appeal lies to the Board of Revenue-ninety days".

Section 15 (1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(2) Insert "Commissioner or" before "Collector".

Section 16(4) For "or" substitute "and the Commissioner may, in any case called for under subsection (2) or" and after "as" insert "it or".

Section 16(4) proviso For "he shall not under this section pass an order" substitute "no order shall be passed under this section".

Section 27 For "Revenue Commissioner" substitute "the Board of Revenue, Commissioner".

Section 48-B After "Provincial Government" insert "or the Board of Revenue, as the case may be".

Section 58 Substitute the following:-

"58. An appeal from an order under the last foregoing section or section 52 shall lie to the Commissioner, and from the appellate order of the Commissioner, to the Board of Revenue".

Section 60-A Substitute the following:-

"60-A. Procedure to be followed in making rules-

Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure laid down in section 22 of the [103] West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby".

Sections 117(2)(d) and (e) For "Judicial Commissioner" substitute "High Court".

Section 137(1) Omit "except the Revenue Commissioner" and the commas preceding and following these words.

Section 141 For "Judicial Commissioner" substitute "High Court".

Section 158(1) Insert "Board of Revenue" after "Provincial Government".

1935 VII The North-West Frontier Province Village Council Act. Section 2 In clause (6), for "Revenue Commissioner" substitute "Commissioner of a Division".

1938 XI The North-West Frontier Province Prohibition Act. Section 3 (i) In sub-section (6) in clause (a) Omit "in the North-West Frontier Province".

(ii) in sub-section (7) in clause (a) Omit "in the North-West Frontier Province".

1939 X The North-West Frontier Province Midwives Act. Section 10 Below section 10 add the following explanation, namely:

"Explanation- For the purpose of this section "Province" means the districts of Peshawar, Mardan, Hazara, Dera Ismail Khan, Bannu and Kohat".

1939 XII The North-West Frontier Province Artificial Ghee Colourization Act. Section 15 For "Local Government" substitute "Provincial Government".

1947 XXIII The North-West Frontier Province Weights and Measures Act Section 3 (i) In sub-section (3) for "His Majestys Mint [104][,] Bombay" substitute "Pakistan Mint at Lahore".

(ii) In sub-section (4) for "Bombay" substitute "Lahore".

First Schedule (i) Under the heading "Explanation of dry and wet measures" in paragraph (1) for "Bombay" substitute "Lahore".

(ii) Under the heading "Standard Measures of Length" for "Bombay" substitute "Lahore", and Omit "Officer Incharge Mathematical Instruments Office, Calcutta".

[105][Section 3(1)

For "Provincial Government" substitute "Board of Revenue".]

1948 VI The Kabul River Project (Control and Prevention of Speculation in Land) Act. Section 4 For "Provincial Government" substitute "Commissioner".

Section 4 Proviso For "Provincial Government" where it occurs for the first and third times substitute "Commissioner".

1948 XVII The N.W.F.P. Agricultural Income-tax Act. [106][Section 2(1)

For "with the approval of the North-West Frontier Province Legislative Assembly accorded by a resolution" substitute "by the Provincial Government".

Section 3 (i) In sub-section (1), for "the North-West Frontier Provincial" substitute "West Pakistan".

(ii) In sub-section (2), for "Provincial Government" substitute "Board of Revenue"

(iii) In sub-section (3) for "Revenue and Divisional Commissioner" substitute "Board of Revenue".

Section 10 In clauses (1) and (5), for "Government of the North-West Frontier Province" substitute "Provincial Government".]

Section 3(3) Omit "Revenue and Divisional".

1950 XIV The N.W.F.P. Pre-emption Act. Section 7(2) For "Provincial Government" Substitute "Board of Revenue".

1950 XV The Peshawar University Act. Section 9 In sub-section (3) for "admitted" substitute "submitted".

Section 11-A(1) For "Chief Minister of the Province" substitute "Chief Minister of West Pakistan".

[107][Section 3 (1)

For "Provincial Government" substitute "Board of Revenue".]

1950 XIX The N.W.F.P. New Irrigation Projects (Control and Prevention of Speculation in Land) Act. Section 4 Proviso For "Provincial Government" where it



occurs for the first and third timesubstitute "Commissioner".  
Section 12 For "Provincial Government"substitute "Board of Revenue".

1950 XXV The N.W.F.P. Tenancy Act. Section 2(ix) (c) For "Provincial Government"substitute "Board of Revenue".

Section 2 (xviii) After "Provincial Government" insert"or the Board of Revenue".

Section 2(xxi) Omit.

Sections 4(1) (b), 4(1) (c), Proviso to 4(1), 47(3), 58(2) and 77(3). For "Provincial Government"substitute "Board of Revenue".

Sections 29,47(5), 48(2), 60(2) (b), 74(1) and 78. For "Revenue and Divisional Commissioner" substitute "Board of Revenue" and make all necessary substitutions for the pronouns used for it.

Section 36 (i) For "Provincial Government"substitute "Board of Revenue or Commissioner".

(ii) For "fixed" substitute "fix".

Section 47 In sub-section (5)-

(i) Omit "the territories for the time being administered by the Governor of".

(ii) For "Collectors and Assistant Collectors to the districts"substitute "Commissioners, Collectors and Assistant Collectors to the Divisions and districts, respectively."

Sections 47 (1) (a), 52(b), 53(b), 56(3) and 56(4). For "Revenue and Divisional Commissioner" substitute"Commissioner".

Sections 49(4), 51(1), 51(2), 56(1), 56(5), 56(6) and 80. For "Revenue and Divisional Commissioner" substitute "Board of Revenue or the Commissioner" and make all necessary substitutions for the pronouns used for it.

Section 50 Substitute the following:-

"50. (1) The general superintendence and control over all Revenue Officers and Revenue Courts shall be vested in, and all such officers and Courts shall be subordinate to the Board of Revenue.

(2) Subject to the general superintendence and control of the Board of Revenue a Commissioner shall control all other Revenue Officers and Revenue Courts in his division.

(3) Subject as aforesaid and to the control of the Commissioner, a Collector shall control all other Revenue Officers and Revenue Courts in his district".

Section 56(5) For "Judicial Commissioner, North-West Frontier Province" substitute"High Court".

Sections 71(1), 71(2), 71(3), 72(1), 72(2), 72(3), 72(4) and 72(5). For "Judicial Commissioner",substitute "High Court", and make all necessary substitutions for the pronouns used for it.

74(1) Omit "local".

Section 76 After "Provincial Government" insert"or the Board of Revenue".

Sections 77(1) (a) and 77(2). For "Revenue and Divisional Commissioner" substitute "Board of Revenue, Commissioner".

1950 XXXIIThe N.W.F.P. Restitution of Mortgaged Lands Act. Section 10 For "Revenue and Divisional Commissioner, North-West Frontier Province" substitute "Commissioner".

1950 XXXIII The North-WestFrontier Province Municipal Act. Section 17 (i) Insert the following proviso before the existing proviso:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy shall be filled by the Provincial

Government by nomination".

(ii) In the existing proviso insert "further" after "provided".

Sections 22, 24(2), 38, 39, 40, 49(2) (1), 182, 189, 193(1) and (2), 232, 233, 235 and 236. For "Provincial Government", except where it occurs for the first time in sections 39 and 40, substitute "Commissioner" and make all necessary substitutions for the pronouns used for it.

Section 3(7) For "Secretary to Government, North West Frontier Province, Local-Self Government" substitute "Commissioner of a Division".

Section 24(1) Omit "in the case of a municipality of the first class, by the Provincial Government and, in the case of a municipality of the second class".

Section 24(3) proviso For the proviso substitute the following:-

"Provided that the Commissioner may refuse to notify the election as member of any person who could be removed from office under section 16 or of any person whom the Commissioner, for any reason which he may deem to affect the public interest, may consider to be unfit to be a member of the Committee and upon such refusal the election of such person shall be void".

Section 33(1) Omit "Provincial Government in the case of committees of the first class, and of the" and "in the case of those of the second-class".

Section 37 After "Secretary", insert " and the Commissioner may appoint any person to be the".

Section 229 In sub-section (1) between the word "Government" and the word "may" insert "in the case of a Committee of the first class, and the Commissioner in other cases".

1952 VII The N.W.F.P. Abolition of Jagirs Act. Section 4 For "Provincial Government" substitute "Commissioner or Board of Revenue".

1952 XI The N.W.F.P. Tenancy (Rural Housing) Protection Act. Section 7 For "Revenue and Divisional Commissioner" substitute "Commissioner".

#### BALUCHISTAN ACTS

1887 XVII The Punjab Land Revenue Act as applicable to Baluchistan. Sections 3(1) (c), 6(3), 10, 18(2), 28(1), 29(1), 32, 38(1), 48(2), 50(2), 51(1), 53(1), 53-A(1), 53-A(2)(i) 59(1)(b), 101-A(1), 107(1), 120(3), 136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Chief Commissioner" or "Chief Commissioner in Baluchistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 3(15) For "Chief Commissioner in Baluchistan" substitute "Provincial Government or the Board of Revenue".

Section 3 Insert the following as clauses (19) and (20):-

(19) "Assessment circle" means a group of estates which, in the opinion of the Board of Revenue to be recorded in an order in writing, are sufficiently homogeneous to admit of a common set of rates being used as a general guide in calculating the land revenue to be assessed upon them".

(20) "Board of Revenue" means " the Board of Revenue" established under the [108] West Pakistan Board of Revenue Act, 1957".

Sections 3(14), 5, 8, 9, 11(1), 17, 24(1), 25, 26, 27(1), 27(2), 27(3) 28(2), 31(2) (d), [109][\*] 39(3), 41, 43(1), 47-A, 49(2), [110][60], 61(1)(a), 101-F, 102 proviso, 141, 147(1), 147(2), 154(1)(d), 155(3), [111][158(1)] and 158(2)(vii). For "Chief Commissioner" or "Chief Commissioner in Baluchistan" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefor.

Section 6(1) Omit clause (a).

Sections 6(1) (b), 11(4), 13, 14 (d), [112][\*] 16(3), 50(2), 58, 59(1)(b), 71(3), 73, 75, 76 (2)(c), 77(1), 79(1), 89, 90, 91, 92(1), 95(2), 101-A(4) and 147(3). For "Revenue Commissioner" or "Revenue Commissioner in

Baluchistan" substitute "Commissioner".

Section 6 Insert the following as sub-section(5):-

"(5) Subject to the provisions of this Act, the jurisdiction of the Board of Revenue extends to Baluchistan as it existed before the establishment of the Province of West Pakistan and of Commissioners and of Collectors and Assistant Collectors to the Divisions and districts, respectively, in which they are employed".

Section 8 Before "Extra Assistant Commissioner" insert "Commissioners, Deputy Commissioners, Assistant Commissioners and".

Sections 11(1), 11(2), 16(1), 16(4), 24(1), 29(3), 30(2), 31(2)(d), 33, 35(a), 46, 47(1), 47-A, 48-A(2), 55(3), 59(2), 59(3), 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100(1), 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Revenue Commissioner" or "Revenue Commissioner in Baluchistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 11 Insert the following as sub-section (3):-

"(3) Subject to the general superintendence and control of the Board of Revenue, a Commissioner shall control all other Revenue Officers in his division".

Section 12(1) and 12(2). For "Revenue Commissioner" or "Revenue Commissioner in Baluchistan" substitute "Board of Revenue or Commissioner".

Section 13 Insert the following as clause (c):

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

Section 14 Insert the following as clause (c):

"(c) When the appeal lies to the Board of Revenue, ninety days".

Section 15(1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(2) Before "Collector" insert "Commissioner or".

Section 16(4) (i) For "himself" substitute "itself".

(ii) For "or" substitute "and the Commissioner may, in any case called for under sub-section (2) or".

(iii) After "as" insert "it or".

(iv) For "he" in the proviso substitute "the Board of Revenue or the Commissioner".

Section 27(1)(a) Before "a Collector" insert "the Board of Revenue, Commissioner or".

Section 27(2) Before "a Collector" insert "the Board of Revenue, Commissioner".

Years of the Act, Regulation or Order No. of the Act, Regulation or Order Short title of the Act, Regulation or Order Provision adapted Adaptation made

1 2 3 4 5

Section 51 Insert the following as sub-section (3):-

"(3) Subject to the provisions of sub-section (4) the average rate of incidence on the cultivated area of the land revenue imposed under the provisions of sub-section (1) on any assessment circle forming part of any area in respect of which a notification has been issued under sub-section (2) of section 49 shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-fourth provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous

assessment on the estate by more than two-thirds".

[113][For sub-section(4) substitute the following sub-section]:-

"(4) The provisions of sub-section (3) shall not be applicable in the case of land which has not been previously assessed to land revenue or in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section (1) at the last previous assessment, or in the case of land of which the last previous assessment was made under the provisions of clause (b) of subsection (1) of section 59 or in the case of an area which has been declared by notification to be an urban assessment circle and for the purpose of calculating the increase in the incidence of the land revenue for the purpose of sub-section (3), all such land shall be excluded from calculation".

Sections 53(2)

and 53(3). For "Revenue Commissioner in Baluchistan" substitute "Commissioner or the Board of Revenue".

Section 58 After "Commissioner" insert "and from the appellate order of the Commissioner to the Board of Revenue".

Section 60 Insert the following as clauses (a) and (e):-

"(a) the method by which the estimate of the money value of the net assets of an estate or group of estates shall be made;

(e) the manner in which the rate of incidence of the land revenue is to be calculated for the purpose of sub-section (3) of section 51."

[114][For section 60-C, substitute the following]:-

"60-A Procedure to be followed in making rules.- Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the [115]West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby.

60-B. Rules and instructions already in force.-Notwithstanding anything contained in section 60-A, the rules and executive instructions relating to the matters mentioned in clauses (a), (b), (c) and (d) of section 60 which were in force immediately before the 14th October 1955, shall remain in force.

60-C. Power to issue instruction.-The Provincial Government or the Board of Revenue with the approval of the Provincial Government may, from time to time, issue executive instructions not inconsistent with the provisions of this Act and the rules made thereunder for the guidance of Revenue Officers relating to all matters to which the provisions of this Chapter apply".

Section 70 For sub-section (2) substitute the following:-

"(2) The distress and sale shall be conducted, as nearly as may be, in accordance with the law for the time being in force for the attachment and sale of movable property under the decree of a Revenue Court constituted under the Punjab Tenancy Act, 1887:

Provided that, in addition to the particulars exempted by that law from liability to sale, so much of the produce of the land of the defaulter as the Collector thinks necessary for seed-grain and for the subsistence, until the harvest next following, of the defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under this section".

Section 137 Insert the following as sub-section (1):-

"(1) The Provincial Government may by notification direct that the Provisions of this Act with respect to the superintendence and control over Revenue Officers shall subject to any modification of those provisions which the Provincial Government thinks fit, apply to any Revenue Officer who has been invested with the powers of a

Civil Court of any of the clauses specified in section 18 of the Punjab Courts Act, 1918, and that appeals shall lie from his decrees and orders to, and his decrees and orders be subject to revision, by a Revenue Officer invested under the last foregoing section with the powers of a Court which would be competent under the Punjab Courts Act, 1918, to hear appeals from, or revise such decrees and orders if they had been made by a Court with the powers of which the Revenue Officer who made them has been invested".

Section 158 (1) Insert "Board of Revenue" after "Provincial Government".

1887 XVII The Punjab Land Revenue Act as modified and applied to the Nasirabad Sub-Division in Baluchistan. Sections 3(1)(c), 6(3), 10, 18(2), 28(1), 29(1), 32, 38(1), 48(2), 50(2), 51(1), 53(1), 53-A(1), 53-A(2)(i), 101-A(1), 102, 107(1), 120(3), 136(1) 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Resident in Baluchistan" or "resident" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 3(15) For "Resident in Baluchistan" substitute "Provincial Government or the Board of Revenue".

Section 3 Insert the following as clauses (19) and (20):-

"(19) Assessment Circle means a group of estates which, in the opinion of the Board of Revenue, to be recorded in an order in writing, are sufficiently homogenous to admit of a common set of rates being used as a general guide in calculating the land revenue to be assessed upon them.

(20) Board of Revenue means the Board of Revenue established under the [116] West Pakistan Board of Revenue Act, 1957."

Sections 3(14), 5, 8, 9, 11(1), 17, 24(1), 25, 26, 27(1), 27(2), 27(3), 28(2), 31(2) (d), [117][\*], 41, 43(1), 49(2), 49(3), 60, 61(1)(a), 101-F, 102 proviso, 141, 147 (1), 147(2), 154(1)(b), 155(3), [118][158(1)] and 158(2)(vii) For "Resident in Baluchistan" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefor.

Sections 6(1)(b), 11(4), 13(b), 13 second proviso, 14(b), 16(3), 50(2), 71(3), 73, 75, 76(2)(c), 77(1), 79(1), 89, 90, 91, 92(1), 95(2), 101-A(4) and 147(3) For "Revenue Commissioner in Baluchistan" substitute "Commissioner".

Section 8 Insert "Commissioners, Deputy Commissioners, Assistant Commissioners and" before "Extra".

Sections 11(1), 11(2), 16(1), 24(1), 29(3), 30(2), 31(2)(d), 33, 35(a), 46, 47(1), 48-A(2), 55(3), 59(2), 59(3), 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100(1), 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Revenue Commissioner in Baluchistan" substitute "Board of Revenue" and make all necessary substitutions of pronouns used therefor.

Section 11 Add the following as clause (3):-

"(3) Subject to the general superintendence and control of the Board of Revenue, the Commissioner shall control all other Revenue Officers".

Sections 12(1), 12(2), 53(2) and 53(3). For "Revenue Commissioner in Baluchistan" substitute "Board of Revenue or Commissioner".

Section 13 Add the following as clause (c):

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

Section 14 Add the following as clause (c):-

"(c) When the appeal lies to the Board of Revenue - ninety days".

Section 15(1), proviso (a) Substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the:-

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

(ii) Collector 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".

Section 16(2) Insert "Commissioner" before "Collector".

Section 16(4) (excluding the proviso). For sub-section (4) substitute:

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

Section 16(4), proviso For "he shall not under this section pass an order" substitute "no order shall be passed under this Section".

Section 27(1)(a) Insert "the Board of Revenue, Commissioner or" before "a Collector".

Section 27(2) Insert "the Board of Revenue, Commissioner" before "a Collector".

Section 47 After section 47, the following new section shall be, added, namely:-

"47-A. (1) Nothing in this Chapter shall be deemed to preclude the Provincial Government from ordering the preparation for any specified estate or for estates in any specified area, quadrennially or at such other intervals as the Board of Revenue may prescribe, of an edition of the record-of-rights to be prepared in such manner as the Board of Revenue may, with the previous sanction of the Provincial Government, prescribe.

(2) This edition of the record-of-rights shall be called the quadrennial record of the estate, and shall comprise the statements mentioned in clause(a) of sub-section (2) of section 31".

Section 48-B For "Resident in Baluchistan" substitute "Provincial Government or Board of Revenue as the case may be".

Section 51 Insert the following as clauses (3) and (4):-

"(3) Subject to the provisions of sub-section (4), the average rate of incidence on the cultivated area of the land revenue imposed under the provisions of sub-section (1) on any assessment circle forming part of any area in respect of which a notification has been issued under sub-section (2) of section 49, shall not exceed the rate of incidence of the land revenue imposed at the last previous assessment by more than one-fourth:

Provided that the rate of incidence of the assessment imposed on any estate shall not exceed the rate of incidence of the last previous assessment on the estate by more than two-thirds.

(4) The provisions of sub-section (3) shall not be applicable in the case of land which has not been previously assessed to land revenue in which canal irrigation has been introduced after the date of the orders passed under the provisions of sub-section(1) at the last previous assessment or in the case of land of which the last previous assessment was made under the provisions of clause(b) of sub-section (1) of section 59 or in the case of an area which has been declared by notification to be an urban assessment circle and for the purpose of calculating the increase in the incidence of the land revenue for the purpose of sub-section(3), all such land shall be excluded from calculation".

Section 58 For "Revenue Commissioner in Baluchistan" substitute "Commissioner and from the appellate order of the Commissioner to the Board of Revenue".

Section 60 Add the following as clauses(a) and (e):-

"(a) the method by which the estimate of the money value of the net assets of an estate or group of estates shall be made;"

"(e) the manner in which the rate of incidence of the land revenue is to be

calculated for the purpose of sub-section (3) of section 51".

[119][For section 60-C, substitute the following] sections namely;

"60-A. Procedure to be followed in making Rules- Before making any rules under the provisions of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the [120]West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rules for the information of persons likely to be affected thereby.

60-B. Rules and instructions already in force- Notwithstanding anything contained in section 60-A the rules and executive instructions relating to the matters mentioned in clauses (a), (b), (c) and (d) of section 60 which were in force immediately before the 14th October, 1955, shall remain in force.

60-C. Power to issue instructions-The Provincial Government or the Board of Revenue with the approval of the Provincial Government may, from time to time, issue executive instructions not inconsistent with the provisions of this Act and the rules made thereunder for the guidance of Revenue Officers relating to all matters to which the provisions of this Chapter apply".

Section 70 For sub-section (2) substitute the following:-

"(2) The distress and sale shall be conducted, as nearly as may be, in accordance with the law for the time being in force for the attachment and sale of movable property under the decree of a Revenue Court constituted under the Punjab Tenancy Act, 1887:

Provided that in addition to the particulars exempted by that law from liability to sale, so much of the produce of the land of the defaulter as the Collector thinks necessary for seedgrain and for the subsistence, until the harvest next following, of the defaulter and his family, and of any cattle exempted by that law, shall be exempted from sale under this section".

Section 73(2) Insert as clause (b):-

"(b) While under the charge of the Court of wards".

Section 75 Insert the following as clause (a):

"(a) any arrear which has accrued while the land was under the charge of the Court of Wards, or was so circumstanced that the Court of Wards might have exercised jurisdiction over it under the provisions of Chapter II of the Punjab Court of Wards Act, 1903".

Section 137 Insert the following as sub-section (1):-

"(1) The Provincial Government may by notification direct that the provisions of this Act with respect to the superintendence and control over the Revenue Officers shall subject to any modification of those provisions which the Provincial Government thinks fit, apply to any Revenue Officer who has been invested with the powers of a Civil Court of any of the classes specified in section 18 of the [121]Punjab Courts Act, 1918, and that appeals shall lie from his decree and orders to, and his decrees and orders be subject to revision, by a Revenue Officer invested under the last foregoing section with the powers of a Court which would be competent under the Punjab Courts Act, 1918, to hear appeals from or revise, such decrees and orders if they had been made by a Court with the powers of which the Revenue Officer who made them has been invested".

Section 158(1) For "Resident in Baluchistan" substitute "Provincial Government, Board of Revenue".

1903 II The Punjab Court of Wards Act as applicable to Baluchistan. Section 4(1) (i) For "Revenue Commissioner in Baluchistan" substitute "Commissioner".

(ii) Omit "for British Baluchistan."

Sections 4(3), 4(4), 16(1), 17(2), 34 and 45(1) For "Chief Commissioner of British Baluchistan" substitute "Board of Revenue".

Sections 5 and 7(1) For "Chief Commissioner of British Baluchistan" substitute "Court of Wards".

Section 5(1) For "he" occurring before "considers" substitute "it" and Omit "it" occurring before "expedient".

Section 11(1) (i) Omit clauses (a) and (b).

(ii) After "land-holder" insert "the Court of Wards should be moved to make an order under section 5(2) or section 6".

Section 44 Omit the first proviso and "further" from the second proviso.

Section 54 For "Chief Commissioner of Baluchistan" substitute "Provincial Government".

1946 The Quetta Municipal Law. Section 2 (i) insert the following as clauses (1-A) and (17-A), respectively:-

"(1-A) Baluchistan Leased Area in sub-clause (i) of clause (b) of section 168 and in proviso to sub-section (2) of section 189, shall mean the Leased areas as defined in the leased Areas (Laws) Order, 1950 (G.G.O. 3 of 1950);".

"(17-A) Municipal Officer means an employee of the Municipal Committee, Quetta;".

(ii) For clause (5) substitute the following:-

"(5) "Commissioner means the Commissioner of Quetta Division;".

(iii) in clause (18) for "Resident" substitute "Provincial Government or Commissioner".

(iv) Omit clause (26).

(v) In clause (29)-

(a) For "British India" substitute "Pakistan".

(b) Omit "British" from "British Baluchistan".

Section 4(2)(a) For "British subject" and "Indian State" substitute "Citizen of Pakistan" and "Acceding State", respectively.

Sections 4(2)(e), 22(1), 26, 55, 114(2), 131, 155 and 158 (3) For "Indian Penal Code" substitute "Pakistan Penal Code".

Section 4(2)(e), proviso (i). For "be" substitute "by".

Sections 2(12), 2(16), 2(21), 2(22), 2(23), 3(2), 4, 5(3) and proviso, 7, 25(7), 27, 31(2)(a), 44, 46 (2), 47(1), 47(2), 58, 59(1)(a), 59(2)(i), 69(2)(b), 69(4)(c)(ii), 69(5)(a), 102(2), 155, 158, 162, 163, 164, 166, 167, 169, 172, 175, 188 and 191. For "Resident" substitute "Provincial Government" and make all necessary substitutions of pronouns used therefor.

Section 7 For the proviso to sub-section (7) substitute the following:-

"Provided that the bye-election for filling the place shall be held within a period of six months from the date of occurrence of the vacancy:

Provided further that in no case shall a bye-election be held within a period of six months of the date on which the term of office of members expires and such vacancy shall be left unfilled:

Provided also that if a question arises whether the bye-election was held within six months from the date of occurrence of the vacancy or when the term of office of members expires, it shall be referred to the Provincial Government whose decision in the matter shall be final."

Sections 9, 13, 42, 43, 61(1), 114, 127, 165 and 168. For "Resident" substitute "Commissioner".

Section 14(d) For "Commissioner" substitute "Provincial Government".

Section 20 Omit "the Secretary to the Resident in the Public Works Department" and "by the Resident".

Section 21(2) For "Commissioner" substitute "Deputy Commissioner".

Sections 25(1)



and (4) For "the Resident" substitute "him".

Section 29 Omit "and shall if so required by the Resident" and "or, where the Resident required delegation, as the Resident may direct".

Sections 31(1) and 61(1). For "Crown Representative" substitute "Provincial Government".

Section 31(1) Omit "with the previous sanction of the Resident".

Sections 40 and 59(1)(a) For "Crown Representative" substitute "Central Government".

Section 40 For "be" occurring before "bye-laws" substitute "by".

Section 51(1) For "Commissioner" substitute "Deputy Commissioner or to such other officer as may be empowered by the Provincial Government in this behalf".

Section 51(2) For sub-section (2) substitute "(2) Subject to revision by the Commissioner the order passed under sub-section (1) shall be final".

Section 62 Omit "with the Residents permission".

Section 68(1) For "The Resident may make rules" substitute "The Committee may and if so required by the Commissioner shall make bye-laws".

Section 69(2)(c) (i) Omit "the Resident" occurring for the first time, "shall forward with his opinion any such objection or suggestion to the Resident who" and "as he may think fit".

(ii) After "Commissioner" occurring for the first time insert "the Commissioner".

(iii) For "Resident" occurring for the last time substitute "Commissioner".

Section 69(2)(d) Replace the existing clause (d) by the following:-

"(d) When sanctioning a scheme the Commissioner may impose conditions for submission of periodical reports on the progress of the scheme to him and for his inspection and supervision of the scheme".

Section 163 For sub-section 2 substitute the following:-

"(2) The Provincial Government or the Commissioner may exercise all powers necessary for the performance of this duty and may among other things by order in writing, annul or modify any proceeding which it or he may consider not to be in conformity with such law and rules as aforesaid, or for reasons which in its or his opinion justify an order by the Commissioner or as the case may be, by the Political Agent under section 159".

Section 170 For "Resident" substitute "Provincial Government, in the case of rules and the Commissioner in the case of bye-laws". For "directs" substitute "direct".

ACTS APPLICABLE TO BAHAWALPUR

1860 XLV The Indian Penal Code Section 55(a) For "the Ruler" substitute "President".

Section 121 (a) For the Ruler of the sovereignty of the Bahawalpur State" substitute "State".

Section 124(a) For "Ruler" substitute "State".

Sections 141, 161, 162 and 163. For "the Bahawalpur Government" substitute "the Central Government or the Provincial Government".

1861 V The Police Act Section 15-A(4) For "Deputy Commissioner" substitute "Commissioner of the Division".

1872 IV The Punjab Laws Act Section 48 For "Bahawalpur Government" substitute "the Government for whose purposes the land is vested in the State".

1873 VIII The Canal and Drainage Act. Section 3(7) For "Superintending Engineer" substitute "the officer exercising control over a division of a canal".

Section 35 For "Superintending Engineer" substitute "Divisional Canal Officer" and for the words "Revenue Minister" substitute "the Head Revenue Officer of the District".

Section 65 For "A.M. Chief Minister" substitute "the Superintending Canal Officer".

For "the officer" substitute "a Divisional Canal Officer".

1877 I The Specific Relief Act. Sections 5, 9 and 56 For "Bahawalpur Government" substitute "Central Government or Provincial Government".

1880 XIII [122] The Vaccination Act. Section 18 In the last paragraph for "State subjects" substitute "the Citizens of Pakistan" and for "Bahawalpur Government" substitute "Pakistan".

Section 19 For "Bahawalpur Government" substitute "Commissioner".

1882 II The Trusts Act. Section 20 In clause (a) for "Bahawalpur Government" substitute "any Provincial Government or of the Central Government or of the United Kingdom of Great Britain and Ireland"

In the proviso to clause (a) for "Bahawalpur Government" where they occur for the first time substitute "by any such Government" and where they appear for the second time substitute "such Government".

Section 29 For "to Bahawalpur Government" appearing after "adjudication" substitute "to the State".

1886 VI The Births, Deaths and Marriages Registration Act. Section 1 For "Bahawalpur Government" substitute "Central Government".

1887 XVI The Punjab Tenancy Act as applicable to the Bahawalpur State. Throughout the Act For "Bahawalpur Government" substitute "Provincial Government".

Section 4(18) For "Bahawalpur Government" substitute "Provincial Government or Board of Revenue".

Sections 46, 75(2), 76(2), 77(4), 78, 79, 81(c), 84(1), 88(2)(b), 102, 105, 106 and 108. For "Financial Commissioner" substitute "Board of Revenue".

Section 78(1) Omit "other".

Section 80(c) For "Financial Commissioner" substitute "Board of Revenue only on a point of law".

Section 82(1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 84(3) Omit "Commissioner or" and for "Financial Commissioner" substitute "Commissioner who will take such action which could be taken by the Board of Revenue under sub-sections (4) and (5) after observing the procedure prescribed in sub-sections (5) and (6)".

Section 84(4) Omit "by himself" and "or submitted to him under sub-section(3)" and for "Financial Commissioner" substitute "Board of Revenue" and for "he" substitute "it".

Section 84(5) For "Financial Commissioner" substitute "Board of Revenue" and for "him" and "he" substitute "it".

Section 84(6) For "Financial Commissioner" substitute "Board of Revenue" and for "his" substitute "its".

1887 XVII [123] The Punjab Land Revenue Act as applicable to the Bahawalpur State. Sections 1(3), 5, 8, 9, 17, 25, 26, 27(1), 27(2), 27 (3), 28(2), 31(2)(d), 33(2), 38(1), 41, 43(1), 48-B, 49, 60, 60-C, 61(1)(a), 137(1), 147(1), 147(2), 158(1), and 158(2)(vii). For "Bahawalpur Government" substitute "Provincial Government".

Sections 3(1)(c), [124][3(10)], explanation, 6(3), 10, 18(2), 28(1), 29(1), 32(1), 38(1), 50(2), 51(1), 53(1), 53-A(1), 53-A(2), proviso (i), 101-A(1), 107(1), 120(3),

136(1), 136(2), 136(4), 145, 146(b) and 158(2)(xx). For "Bahawalpur Government" substitute "Board of Revenue".

Section 3(15) For "Bahawalpur Government" substitute "Provincial Government or Board of Revenue".

Section 3 Insert the following as new sub-section, namely:-

"20. Board of Revenue means the Board of Revenue established under the [125] West Pakistan Board of Revenue Act, 1957".

Sections 3(19), 6(5), 11(1), 11(2), 11(3), 12(1), 12(2), 14(c), 24(1), 27, 29(3), 30(2), 31(2)(d), 33(1), 33(2), 33(3), 35(a), 46, 47(1), 53(2), 53(3), 55(3), 58, 59(2), 59(3), 61(1)(b), 63(1), 63(2), 64(1), 64(2), 97, 100(1), 102, 110(1), 124, 141, 148(1), 155(1), 155(3) and 157. For "Financial Commissioner" substitute "Board of Revenue".

Section 6(1) Omit clause (a).

Section 7 Omit.

Section 13(c) For "Financial Commissioner" substitute "Board of Revenue only on point of law".

Section 15(1) In the proviso, for clause (a) substitute the following:-

"(a) an order passed by his predecessor in office shall not be reviewed by the-

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

(ii) Collector 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".

Section 16(1) For "Financial Commissioner" substitute "Board of Revenue" and for "him" substitute "it".

Section 16(3) Omit "Commissioner or" and substitute "Commissioner" for "Financial Commissioner".

Section 16(4) For the existing sub-section (4) excluding the proviso substitute the following:-

"(4) The Board of Revenue may in any case called for under

sub-section (1) and the Commissioner may in any case called for under sub-section (2) or reported to him under sub-section (3), pass such order as it or he thinks fit".

Section 16 proviso For "he shall not under this section pass an order" substitute "no order shall be passed under this section".

Section 27(1)(a) For "a Financial Commissioner" substitute "Board of Revenue".

Section 48-B After "Provincial Government" insert "or Board of Revenue".

Sections 50(2), 71(3), 73, 75, 76(2)(c), 77(1), 79(1), 95(2), 101-A(4) and 147(3) For "Financial Commissioner" substitute "Commissioner".

Section 60-A Substitute the following:-

"60-A. Procedure to be followed in making rules-Before making any rules under the provision of section 60, the Provincial Government shall, in addition to observing the procedure, laid down in section 22 of the [126] West Pakistan General Clauses Act, 1956, publish by notification a draft of the proposed rule for the information of persons likely to be affected thereby".

Section 137(1) Omit "Except Financial Commissioner" and the commas preceding and following these words

1894 I The Land Acquisition Act Section 16 For "Bahawalpur Government" substitute "State".

Section 17 In subsection (1) and (2) for "Bahawalpur Government" substitute "State".

1894 IX The Prisons Act Section 3(7) For "Director of Prisons" substitute "Inspector-General of Prisons".

1898 V The Code of Criminal Procedure. Section 4 In Clause (t) for "the Crown" substitute "the State".

Sections 45(1)

and 329 For "Bahawalpur Government" substitute "the State".

Section 45(2) For "the Ruler" substitute "the Central Government."

[127]Section 132(d) proviso For "Bahawalpur Government" substitute "Central Government".

Section 197(1) For "Bahawalpur Government" substitute "Central Government or a Provincial Government".

Section 197(2) For "Bahawalpur Government" substitute "the President or the Governor as the case may be".

Section 333 For "Bahawalpur Government" substitute "the State".

Section 401(5) For "of the Ruler" substitute "of the President or of the Central Government".

Section 401(5-A) For "the Ruler" substitute "the President or in virtue of any powers delegated to it by the Central Government".

[128][1900

XIII The Punjab Alienation of Land Act as applicable to the Bahawalpur State.

Sections 2(8), 4(1), 6(1)(d), 8(1)(c),

23 and 24. For "Bahawalpur Government" substitute "Board of Revenue".

Section 3-A For "Bahawalpur Government" where it first occurs, substitute "Board of Revenue".

Section 13-B (d) For "Financial Commissioner" substitute "Board of Revenue only on a point of law".]

1908 V The Civil Procedure Code Sections 2(17)(f) and (g), 54, 60, 73(3), 82(1) and Orders 21, 26 and 27 For "Bahawalpur Government" substitute "Government".

Section 2(17)(b) For "State Civil Service" substitute "Provincial Civil Services".

Section 83, and Order XII Rule 48. For "Bahawalpur Government" substitute "Central Government".

Sections 10, 109 and 111, and Order XXI, Rule 48 and Order XLV For "Ruler" substitute "President".

1908 IX The Limitation Act. Section 26(2) For "Bahawalpur Government" substitute "State".

1908 XVI The Registration Act. Sections 3(2) and 17(2)(vii). For "Bahawalpur Government" substitute "State".

Section 33(1)(c) Omit "of the Ruler or" and for "Bahawalpur Government" substitute "Central Government".

1912 IV The Lunacy Act. Sections 11-B and 12 For "Bahawalpur Government" substitute "Central Government".

1918 II The Cinematograph Act. Section 6(2) For "Ruler" substitute "State".

1923 XLII [129] The Mussalman Wakf Act. Sections 6(a), 11(1) and 13. For "Bahawalpur Government" substitute "Central Government".

1925 IV The Soldiers (Litigation) Act. Section 3(b)(iv), proviso to section 11 and sections 13, 14(2) and 14-A For "Bahawalpur Government" substitute "Central Government".

Section 14(1) For "Bahawalpur Public Services" substitute "Provincial Public Services".

Sections 14(1) and [130][14(2)].

For "Ruler" substitute "Pakistan".

1925 XXXIX The Succession Act. Section 14 For "Ruler" substitute "Pakistan".

Sections 34 and 370 For "Bahawalpur Government" substitute "Central Government".

1927 XVI The Forest Act. Sections 5, 39(1)(a), 41(2)(a), 43, 44, 49 and 79(1) For "Bahawalpur Government" substitute "State".

Section 39(1) and (2) For "Bahawalpur Government" substitute "Central Government".

Section 83(3) For "Ruler" substitute "State".

1942 [131] The Bahawalpur State District Board Act. Sections 4 and 57(2)(e) For "Government" substitute "Commissioner".

Section 18 Omit "On recommendation of, or after consultation with, the Revenue Minister".

Section 22(1) For the existing proviso substitute the following:-

"Provided that if the vacancy be of an elected member, the bye-election for filling the vacancy shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy shall be filled by the Government by appointment:

Provided further that the Government may direct that any such vacancy shall be left unfilled".

Section 104(3) For "Bahawalpur Government" substitute "Commissioner".

1942 The Bahawalpur State Court of Wards Act. Section 4(1) For "Revenue Minister or in special areas such officer as may be appointed by Government" substitute "Commissioner".

Sections 5, 44 and 48 For "Bahawalpur Government" substitute "Commissioner".

1943 [132] The Bahawalpur State Municipal Act. Sections 27 [except where "Government" occurs for the second time in sub-section (2)], 31, 32, 200, 213, 216, 257, 258, 260 and 261. For "Government" substitute "Commissioner" and make all necessary substitutions of pronouns used therefor.

Section 10(1) For the proviso substitute the following:-

"Provided that if the vacancy be of an elected member, the bye-election for filling the vacancy shall be held within a period of six months from the date of occurrence of the vacancy and if the bye-election is not held within the said period, the vacancy may either be filled by the Government by nomination or the Government may direct that the vacancy shall remain unfilled."

Throughout the Act For "Minister-in-Charge" substitute "Commissioner".

Section 36 Replace the full-stop at the end by a comma and add the following thereafter:-

"subject to the modification that a reference, in whatever form, to the Government of Bahawalpur in the said Regulation or the relevant rules shall be deemed to be reference to the Commissioner."

For "appeal to the Government who shall appoint a Judge of the High Court to hear the appeal" substitute "appeal to the highest authority having control over local bodies in the area comprising the districts of Bahawalpur, Bahawalnagar and Rahimyar Khan, or to such other officer as the Provincial Government may appoint in this behalf".

Section 254 In sub-section (1) between the word "Government" and the word "may" insert "in the case of a Committee of the Ist Class and the Commissioner in other cases".

1943 [133] The Bahawalpur Panchayat Act. Section 69 For "Government" substitute "Deputy Commissioner".

1944 The Bahawalpur State Arms Act. Section 12(1) For "the Malkhana to urban office" substitute "the District Malkhana".

1944 XXI The Public Health (Emergency Provisions) Ordinance. Section 2(a) For "Bahawalpur Government" substitute "Central Government or Provincial Government".

1951 V [134]The Bahawalpur State MunicipalExecutive Officers Act. Section 3(1) For "Government on recommen-dation of the Minister-in-Charge"substitute "Commissioner".

Section 3(3) For "Minister-in-Charge" and "Government on recommendation of Minister-in-Charge" substitute"Commissioner".

Section 10 For "Government and Minister-in-Charge" substitute "Commissioner".

ACTS APPLICABLE TO KHAIRPUR STATE

1878 VI The Indian Treasure Trove Act. Sections 3, 5, 19, 20 and 21. Omit amendment made by notification No.4 of 1938.

1892 [135]The Bombay District Vaccination Act (Adapted on21st July 1943). Clauses (a),

(e) and (i) Omit.

[136][1906

II The Mamlatdars Courts Act. Throughout the Act Delete Bombay.

Sections 3 and 4 For Governor-in-Councilsubstitute "Commissioner".

Section 24 For the existing section 24substitute the following:-

"24.A Mamlatdar or a Collector functioning as a Court under this Act shall be a Court Subordinate to the High Court of West Pakistan for the purposes of section 115 of the Code of Civil Procedure, 1908".]

1924 I The Cocaine Act Section 4 For "Wazir" substitute "Chief Excise Authority".

1939 II [137]The Irrigation Act Section 10 For"Finance and Revenue Member" substitute "Collector".

Section 11 For "Finance and Revenue Member" substitute "Collector".

Section 25 For "P. W. Member" substitute"Chief Engineer, P.W.D. Irrigation".

For "Finance and Revenue Member" substitute "Collector".

Section 26 For "Finance and Revenue Member" substitute "Collector".

Section 29 For "P.W. Member" substitute"Executive Engineer".

Section 32 For "His Highness in Council"substitute "Chief Engineer, P.W.D. Irrigation".

Section 34 For "His Highness in Council"substitute "Chief Engineer, P.W.D. Irrigation".

Sections 35 and 36 For "Indian Penal Code" substitute"Pakistan Penal Code".

Section 37 For "Finance and Revenue Member" substitute "Collector".

1934 I The Protection of Muhammadan Agriculturists Act .. In this Act for"Minister" wherever it occurs substitute "Collector".

1945 I The Primary Education Act. Section 3(a) For "Director of PublicInstructions" substitute "Divisional Inspector of Education".

1953 V The Co-operative Societies Act. Section 2(2) Omit clauses (i), (iii) and (iv).

#### SCHEDULE 4

##### SCHEDULE IV

(See Section 6)

Serial No. Year of Act No. of Act Short title

1 2 3 4

##### PUNJAB ACTS

1 1937 I The Punjab Ministers Salaries Act, 1937.

2 1937 III The Punjab Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937.

3 1939 VII The Punjab Legislative Assembly (Offices) Act, 1939.

4 1942 IV The Punjab Legislative Assembly (Allowances of Members) Act, 1942.

5 1942 VIII The PunjabLegislative Assembly (Allowances of Members)

(Amendment) Act, 1942.

6 1944 IX The Punjab Legislative Assembly (Allowances of Members)(Amendment) Act, 1942.

7 1948 X The West Punjab Legislative Assembly Speakers and Deputy Speakers Salaries (Amendment) Act, 1948.

#### N.W.F.P. ACTS

1 1937 VII The N.W.F.P. Ministers Salaries Act, 1937.

2 1937 IX The N.W.F.P. Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937.

3 1938 IX The N.W.F.P. Legislative Assembly (Members Allowances) Act, 1938.

4 1939 VII The N.W.F.P. Legislative Assembly Speakers and Deputy Speakers Salaries (Amendment) Act, 1939.

5 1943 I The N.W.F.P. Ministers Salaries (Amendment) Act, 1943.

6 1943 II The N.W.F.P. Legislative Assembly (Speakers and Deputy Speakers Salaries) (Amendment) Act, 1943.

7 1943 VII The N.W.F.P. Legislative Assembly (Members Allowances) (Amendment) Act, 1943.

8 1944 I The N.W.F.P. Legislative Assembly (Members Allowances) (Amendment) Act, 1944.

9 1946 V The N.W.F.P. Legislative Assembly (Members Allowances) (Amendment) Act, 1946.

10 1946 VI The N.W.F.P. Legislative Assembly Speakers and Deputy Speakers Salaries (Amendment) Act, 1946.

11 1946 IX The N.W.F.P. Ministers Salaries (Amendment) Act, 1946.

12 1950 VIII The N.W.F.P. Ministers Salaries (Amendment) Act, 1950.

13 1950 XXVII The N.W.F.P. Legislative Assembly (Members Allowance) (Amendment) Act, 1950.

#### SIND ACTS

1 1937 II The Sind Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1937.

2 1938 V The Sind Legislative Assembly Members Salaries and Allowances Act, 1938.

3 1941 III The Sind Ministers Salaries Act, 1941.

4 1946 VIII The Sind Legislative Assembly (Power and Privilege) Act, 1945.

5 1955 III The Sind Ministers Salaries (Amendment) Act, 1955.

#### BAHAWALPUR ACTS

1 1953 I The Bahawalpur Ministers Salaries Act, 1953.

2 1953 II The Bahawalpur Legislative Assembly Speakers and Deputy Speakers Salaries Act, 1953.

3 1953 III The Bahawalpur Legislative Assembly Members Allowances Act, 1953.

4 1953 V The Bahawalpur Legislative Assembly (Maintenance of Order) Act, 1953.

#### KHAIRPUR ACTS

1 1951 II The Khairpur State Legislative Assembly (Speakers Salary) Act, 1951.

2 1953 III The Khairpur State Legislative Assembly (Allowances of Members) Act, 1953.

3 1954 II The Salaries and Allowances of Ministers Act, 1954.

4 1954 III The Khairpur State Legislative Assembly Speakers Salary and Allowances Act, 1954.

5 1954 IV The Khairpur State Legislative Assembly Deputy Speakers Salary Act, 1954.

6 1955 II The Salaries and Allowances of Ministers (Amendment) Act, 1955.

- 7 1955 VI The Khairpur State Legislative Assembly Speakers Salary and Allowances (Amendment) Act, 1955.
- 8 1955 VII The Khairpur State Legislative Assembly Deputy Speakers Salary (Amendment) Act, 1955.
- 9 1955 VIII The Khairpur State Legislative Assembly (Allowances of Members) (Amendment) Act, 1955.