

EXTRAORDINARY

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THE BALOCHISTAN GAZETTE

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NO.78 QUETTA TUESDAY OCTOBER 15, 1996.

BALOCHISTAN PROVINCIAL ASSEMBLY SECRETARIAT.

NOTIFICATION.

Dated Quetta, the 15th October, 1996.

NO.PAB/LEGIS:V(1)/93. The Balochistan Cancellation of Illegal Allotments of State Land Bill, 1994 having been passed by the Provincial Assembly on 2nd October, 1996 and assented to by the Governor of Balochistan, is hereby published as an Act of the Provincial Assembly.

THE BALOCHISTAN CANCELLATION OF ILLEGAL ALLOTMENTS OF STATE LAND ACT, 1996. (BALOCHISTAN ACT NO. V OF 1996).

(First published after having received the assent of the Governor of Balochistan in the Balochistan Gazette (Extra Ordinary) dated the 15th October, 1996).

AN
ACT

to provide for the cancellation of illegal allotments of state lands in the province of Balochistan.

Preamble.

WHEREAS it has been found that large scale allotments of state lands have been made in the Province of Balochistan, in contravention of the Land Lease Policy;

AND WHEREAS such illegal allotments are required to be cancelled in the public interest;

AND WHEREAS it is expedient to provide for the cancellation of such illegal allotments of state land and for resumption thereof;

It is hereby enacted as follows:-

Short title
extend and
commencement.

1. (1) This Act may be called the Balochistan Cancellation of Illegal Allotments of State Land Act, 1996.

(2) It shall extend to the whole of Balochistan except the Tribal Areas.

(3) It shall come into force at once and shall be deemed to have taken effect on the 13th day of January, 1994.

Definitions.

2. In this Act, unless there is any thing repugnant in the subject or context:-

- (a) "Authority" means the Member Board of Revenue, Balochistan;
- (b) "Board of Revenue" means the Board of Revenue constituted under the Board of Revenue Act, 1957;
- (c) "Government" means the Government of Balochistan;
- (d) "Illegal Allotments" means allotments declared as illegal allotments by and under this Act;
- (e) "Land Lease Policy" means the policy notified under Notification No. 940-8/86-Rev. dated 15th March, 1988, issued by the Government; and
- (f) "Revenue Officer" means and includes the Revenue Officer as classified and defined in the Balochistan Land Revenue Act, 1967.

Illegal
Allotments.

3. Notwithstanding anything contained in any other law, rules or instructions for the time being in force, all allotments of state land made during the period between 15th March, 1988 and 18th August, 1993, both days inclusive in contravention of the Land Lease Policy by whatever authority of the Government, including a Revenue Officer are hereby declared to be illegal allotments;

Provided that the provision of this section shall not apply to any allotments made in favour of a Federal or Provincial Government Department, for a public purpose.

Cancellation of
illegal Allotments.

4. (1) All illegal allotments shall stand cancelled forthwith.

(2) In consequence of cancellation of illegal allotments the Revenue Officer concerned shall correct the Revenue record accordingly through its revenue staff in the district or in whose custody the revenue record is kept and maintained.

Resumption
of land.

5. (1) All state land, whose illegal allotments stands cancelled under this Act, shall stand resumed in favour of the state, and the Revenue Officer of the District concerned shall take possession thereof forthwith.

(2) The Board of Revenue shall refund the sale proceeds or lease money to the allottees as and when, claimed by them.

Eligibility.

6. An allottee, whose allotment stands cancelled under this Act, may apply to the Board of Revenue for fresh allotment in accordance with the Land Lease Policy:

Provided that he fulfils all the conditions as laid down in the Land Lease Policy, and is eligible thereunder.

Bar of
Jurisdiction.

7. (1) Any order passed or proceeding taken by the Board of Revenue, or any Revenue Officer, under this Act, shall not be called in question in any Court.

(2) Any proceeding pending in any court against Government or the Board of Revenue for claim on account of illegal allotment of state land, shall abate on under this Act and the rules made thereunder.

Rules.

8. The Government may make rules for the implementation of this Act.

Ordinance to
override
other laws.

9. This Act shall have effect notwithstanding any thing contained in any other law for the time being in force.

Repeal.

10. The Balochistan Cancellation of Illegal Allotments of State Land Ordinance, 1993 (VI of 1993), is hereby repealed.

AKHTAR HUSSAIN KHAN
Secretary,
Provincial Assembly of Balochistan.