

2. *Amendment of section 3, Act LXX of 1950.*—In the Pakistan Inscribed Notes and India Coin Withdrawal Act, 1950, section 3 shall be renumbered as subsection (1) of that section, and thereafter the following new subsection (2) shall be added at the end, namely :—

“(2) Any of the powers conferred by subsection (1) may be exercised by the Central Government from time to time as occasion requires.”

3. *Repeal.*—The Pakistan Inscribed Notes and India Coin Withdrawal (Amendment) Ordinance, 1956, is hereby repealed.

### PRESIDENT'S ORDER XVII OF 1956 KARACHI RENT RESTRICTION ACT (AMENDMENT) ORDER, 1956

(28th November 1956, Gazette, Extraordinary, 1st December 1956).

Whereas it is expedient to amend the Karachi Rent Restriction Act, 1953 (VIII of 1953), in the manner hereinafter appearing ;

Now, therefore, in exercise of the powers conferred by Article 211 of the Constitution, and of all other powers enabling him in that behalf, the President is pleased to make the following Order :—

1. *Short title and commencement.*—(1) This Order may be called the Karachi Rent Restriction Act (Amendment) Order, 1956 :—

(2) It shall come into force at once.

2. *Amendment of section 15, Act VIII of 1953.*—In the Karachi Rent Restriction Act, 1953, in subsection (5) of section 15 for the word, figure and brackets “subsection (1)” the words, figures and brackets “subsection (1) and (2)” shall be substituted.

### PRESIDENT'S ORDER XVIII OF 1956 REQUISITIONED LAND (CONTINUANCE OF POWERS) ORDER, 1956

(7th December 1956, Gazette, Extraordinary, 13th December 1956).

Whereas it is expedient to provide for the continuance of certain emergency powers in relation to requisitioned land in the Federal Capital ;

Now, therefore, in exercise of the powers conferred by Article 211 of the Constitution, and of all other powers enabling him in that behalf, the President is pleased to make the following Order :—

1. *Short title, extent and commencement.*—(1) This Order may be called the Requisitioned Land (Continuance of Powers) Order, 1956.

(2) It extends to the Federal Capital.

(3) It shall come into force at once and shall be deemed to have taken effect on the twenty-fifth day of April 1956.

2. *Definitions.*—In this Order unless there is anything repugnant in the subject or context :—

(1) “Act” means the Requisitioned Land (Continuance of Powers) Act, 1947 (XVII of 1947) ;

(2) “Ordinances” means the Requisitioned Land (Continuance of Powers) Ordinance, 1946 (XIX of 1946), and the Requisitioned Land (Continuance of Powers) Ordinance, 1955 (XI of 1955).

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(3) "requisitioned land" means immovable property which at the commencement of this Order is subject to any requisition effected under the rules made under the Defence of India Act, 1939 (XXXV of 1939).

3. *Continuance of requisitions.*—Notwithstanding the expiration of the Defence of India Act, 1939 (XXXV of 1939), and the rules made thereunder, and the repeal of the Requisitioned Land (Continuance of Powers) Ordinance, 1946 (XIX of 1946), and the Act, and the expiration of the Requisitioned Land (Continuance of Powers) Ordinance, 1955 (XI of 1955), all requisitioned lands shall continue to be subject to requisition, and the Central Government may use or deal with any requisition, land in such manner as may appear to it to be expedient :

Provided that the Central Government may at any time release from requisition and requisitioned land.

4. *Release from requisition.*—(1) Where any requisitioned land is to be released from requisition, the Central Government may, after making such inquiry, if any, as it considers necessary, specify by order in writing the person to whom possession of the land shall be given.

(2) The delivery of possession of the requisitioned land to the person specified in an order made under Clause (1) shall be a full discharge of the Government from all liability in respect of such delivery, but shall not prejudice any rights in respect of the land which any other person may be entitled in due process of law to enforce against the person to whom possession of the land is so delivered.

(3) Where the person to whom possession of any requisitioned land is to be given cannot be found and has no agent or other person empowered to accept delivery on his behalf, the Central Government shall cause a notice declaring that the land is released from requisition to be affixed on some conspicuous part of the land and publish the notice in the official Gazette.

(4) When a notice referred to in Clause (3) is published in the official Gazette, the land specified in such notice shall cease to be subject to requisition on and from the date of such publication and be deemed to have been delivered to the person entitled to possession thereof: and the Government shall not be liable for any compensation or other claim in respect of the land for any period after the said date.

5. *Power to acquire requisitioned land.*—(1) Subject to the provisions of Clause (3), the Central Government may, at any time when any requisitioned land continues to be subject to requisition under Article 3, acquire such land by publishing in the official Gazette a notice to the effect that the Central Government has decided to acquire such land in pursuance of this Article.

(2) When a notice as aforesaid is published in the official Gazette, the requisitioned land shall on and from the beginning of the day on which the notice is so published, vest absolutely in the Central Government free from all encumbrances and the period of requisition of such land shall end.

(3) No requisitioned land shall be acquired under this Article except in the following circumstances, namely :—

(a) Where any works have during the period of requisition been constructed on, in or over the land wholly or partly at the expense of Government and the Central Government decides that the value of, or

the right to use, such works should be preserved or secured for the purposes of Government; or

(b) where the cost of restoring the land to its condition at the time of its requisition would in the determination of the Central Government be excessive having regard to the value of the land at that time and the owner declines to accept the release from requisition of the land without payment of compensation from Government.

(4) Any decision or determination of the Central Government under Clause (3) shall be final and shall not be called in question in any Court.

(5) For the purpose of sub-clause (a) of Clause (3) "works" includes buildings, structures and improvements of every description.

6. *Payment of compensation.*—(1) In respect of the continued subjection of requisitioned land to requisition under this Order compensation shall be determined and paid in accordance with the provisions of section 19 of the Defence of India Act, 1939 (XXXV of 1939), and of the rules made thereunder:

Provided that all agreements and awards under the said section in respect of the payment of compensation for the period of requisition before the expiry of the said Act shall continue to be in force and shall apply to the payment of compensation for the period of requisition after such expiry.

(2) In respect of any acquisition of requisitioned land under the Act or the Ordinances or this Order the amount of compensation payable shall be such sum as would be sufficient to purchase at the market rate prevailing on the date of notice under Article 5 a piece of land equal in area to, and situated within a distance of three miles from, the acquired land, and suitable for the same use as that to which the acquired land was being put immediately before the date of its requisition, or a sum equivalent to twice the market value of the acquired land on the date of its requisition, whichever is less; and such amount shall be determined and paid in accordance with the procedure set out in the aforesaid section 19 and the rules made thereunder.

(3) For the purposes of Clause (1), all the provisions of the aforesaid section 19 and the rules made thereunder, and for the purpose of Clause (2) such of those provisions as relate to matters of procedure, shall be deemed to be continuing in force.

7. *Power to obtain information.*—(1) The Central Government may, with a view to carrying out the purposes of Articles 3 to 6, by order require any person to furnish to such authority as may be specified in the order such information in his possession relating to any requisitioned land as may be specified.

(2) Every person required to furnish such information as is referred to in Clause (1) shall be deemed to be legally bound to do so within the meaning of sections 176 and 177 of the Pakistan Penal Code (Act XLV of 1860).

8. *Delegation of functions.*—The Central Government may, by order notified in the official Gazette, direct that any power conferred or any duty imposed on it by this Order shall, in such circumstances and under such conditions, if any, as may be specified in the direction, be exercised or discharged by such officers as may be so specified.

9. *Protection of action taken.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in

good faith done or intended to be done in pursuance of this order or any order made thereunder.

(2) No suit or other legal proceeding shall lie against Government for any damage caused or likely to be caused by anything in good faith done or intended to be done in pursuance of this Order or any order made thereunder.

10. *Savings.*—Notwithstanding the expiration of the Requisitioned Land (Continuance of Powers) Ordinance, 1955 (XI of 1955), anything done in exercise of any power conferred by or under the said Ordinance shall be deemed to have been done in exercise of powers conferred by or under this Order as if this Order had commenced on the first day of October 1946.

#### KARACHI RENT RESTRICTION ACT, 1953

##### *Delegation of powers under section 15(5)*

No. 5/4/54 Kar., 1st December 1956 (Gazette, Extraordinary, 1st December 1956).—In exercise of the powers conferred by subsection (5) of section 15 of the Karachi Rent Restriction Act, 1953 (VIII of 1953), and in supersession of this Ministry's Notification No. 5/8/52-Kar., dated the 4th May 1953, the Central Government is pleased to direct that the powers conferred on it by subsections (1) and (2) of section 15 of the said Act shall be exercisable by the Chief Judge, Small Causes Court, Karachi.

#### ESSENTIAL COMMODITIES DISTRIBUTION ORDER, 1953

##### *(Amendment)*

No. PC(1)-1 (42)/56, 8th December 1956 (Gazette, Extraordinary, 8th December 1956).—In exercise of the powers conferred by section 3 of the Essential Supplies Ordinance, 1956 (XXI of 1956), the Central Government is pleased to direct that the following amendment shall be made in the Essential Commodities Distribution Order, 1953, namely :—

In Clause 15 of the said Order, in sub-clause (2) for the words, letter, figure and brackets "to sell to any specified person or persons any such article in such quantities, as may be specified in the order within the limits as to quantity which may be prescribed under sub-clause (b) of clause 8 of this Order" the following shall be substituted, namely :—

"to sell, subject to the other provisions of this Order, any scheduled article to such person or persons and in accordance with such conditions as may be specified, in the order or, by a competent authority to be mentioned in the order or, by an officer authorized in this behalf by such competent authority."

#### EAST PAKISTAN PROVINCIAL ASSEMBLY (FILLING OF CASUAL VACANCIES) RULES, 1956

##### *(Amendment)*

No. F. 12(22)/56-Ref. I, 19th October 1956 (Gazette, Extraordinary, 19th October 1956).—In exercise of the powers conferred by clause (3) of Article 225 of the Constitution, the President is pleased to direct that the following amendments shall be made in the East Pakistan Provincial Assembly (Filling of Casual Vacancies) Rules, 1956, namely :—