

## SCHEDULE

Provincial Act	Modifications
1	2
The Sind Sales Tax Act, 1947 (Sind Act XXVIII of 1947).	<p>(a) In subsection (1) of section 5—</p> <p>(i) Before the existing proviso the following proviso shall be inserted, namely :—</p> <p>“ Provided that any dealer, not being otherwise liable under this Act, who has applied for registration shall be liable to pay tax under this Act with effect from the date on which he applied for registration or paid the prescribed fee, whichever is earlier”.</p> <p>(ii) In the existing proviso after the word ‘ provided ’ the word ‘ further ’ shall be inserted.</p> <p>(b) Section 9 shall be omitted.</p> <p>(c) In the proviso to sub-section (6) of section 11, for the words and hyphen “ twenty-four months ” the words and hyphen “ twenty-eight months ” shall be substituted.</p> <p>(d) In section 21, for the full-stop appearing at the end of the proviso to subsection (1) a colon shall be substituted and the following further proviso shall be added, namely :—</p> <p>“ Provided further that if the said authority for reasons to be recorded in writing considers that the full payment of the tax with penalty, if any, will operate unduly harshly it may entertain the appeal on payment of such lesser sum as it may direct.”</p> <p>(e) In entries 22 and 43 of the Schedule, for the words “ Instructions ” and “ Pans ” the words “ Instruction ” and “ Pan ” respectively shall be substituted.</p>

**Ordinance No. XII of 1949****MINISTRY OF REFUGEES AND REHABILITATION***Karachi, the 23rd August, 1949*

*An Ordinance to provide for the registration of land claims of the persons who have taken refuge in the Capital of the Federation.*

Whereas an emergency has arisen which renders it necessary to make provision for the registration of land claims of persons who have taken refuge in the Capital of the Federation ;

Now, therefore, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance :—

1. *Short title.*—This Ordinance may be called the Refugees (Registration of Land Claims) (Capital of the Federation) Ordinance, 1949.

(2) It shall come into force at once.

(3) It extends to the Capital of the Federation.

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

(a) "claims" means a statement of loss or damage suffered by a refugee since the first day of March, 1947, in respect of his land within the territory now comprised in the Provinces of East Punjab, Himachal Pradesh and Delhi, the Patiala and East Punjab States Union, or the States of Alwar, Bharatpur and Bikaner ;

(b) "land" means land which is not occupied as the site of any building in a town or village and is occupied or let for agriculture purposes or for purposes subservient to agriculture or for pasture, and includes --

(i) the sites of buildings and other structures on such lands ;

(ii) a share in the profits of an estate or holding ;

(iii) any dues or any fixed percentage of land revenue payable by an inferior landowner to a superior landowner ;

(iv) a right to receive rent ; and

(v) any right of occupancy ;

(c) "landholder" means an owner of land or a tenant as defined in section 3 of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879) and such other holder or grantee of land as may be specified by the Central Government ;

(d) "refugee" means a landholder who being previously domiciled in the territory now comprised in the Provinces of East Punjab, Himachal Pradesh and Delhi, Patiala and East Punjab States Union, or the States of Alwar, Bharatpur and Bikaner, has since the first day of March, 1947, abandoned or been made to abandon his land in the said territories by reason of the disturbances arising out of the setting up of the Dominions of Pakistan and India ;

(e) "Registering Officer" means a Settlement Officer or an Assistant Settlement Officer appointed under this Ordinance and includes every Revenue Officer appointed under Chap. II of the Bombay Land Revenue Code, 1879 (Bombay Act of 1879) within the area of his jurisdiction ; and

(f) "prescribed" means prescribed by rules made under this Ordinance.

3. *Power to appoint settlement Officers.*—For the purpose of registering claims under this Ordinance the Central Government may, by notification in the Official Gazette, appoint one or more Settlement Officers and Assistant Settlement Officers and may specify the local limits of their jurisdiction.

4. *Registration of land claims.*—(1) A refugee may submit to the Registering Officer an application in the prescribed form, supported by an affidavit, for the registration of his claim in respect of the land abandoned by him, or which he has been made to abandon :

Provided that a refugee who has previously submitted a claim to a Registering Officer in any part of Pakistan shall not submit another claim in respect of the same land to any other Registering Officer.

2. On presentation of an application under subsection (1) of this section the Registering Officer shall register the claim.



5. *Protection of action taken under this Ordinance.*—The Registering Officer shall have all the powers of a Civil Court for the purpose of attesting affidavits under this Ordinance.

6. No suit, prosecution or other legal proceedings shall lie against the Central Government or the Registering Officer or any person acting under his directions in respect of anything done or intended to be done under this Ordinance.

7. *Offences and Penalties.*—Any person who—

(a) submits with regard to his claim under this Ordinance any information which he knows to be false or does not believe to be true ; or

(b) submits a claim in respect of the same land to more than one registering Officer ; or

(c) being a public servant as defined in section 21 of the Pakistan Penal Code, XLV of 1860, abets the commission of an offence under clauses (a) & (b) of this section ;

shall be punishable with rigorous imprisonment which may extend to five years or with fine which may extend to rupees five thousand or with both.

8. *Procedure.*—No prosecution for any offence punishable under this Ordinance shall be instituted except on a complaint in writing made by the Settlement Officer of the area in which that offence has been committed.

9. *Rules.*—The Central Government may by notification in the official Gazette make rules for carrying into effect the provisions of this Ordinance.

### Ordinance No. XIII of 1949.

#### MINISTRY OF FOOD, AGRICULTURE & HEALTH

*Karachi, the 1st September, 1949*

Whereas by an Order, dated the 23rd day of July, 1948, the Governor-General of Pakistan was pleased to demarcate for the purposes of the Capital of the Federation an area forming part of the Province of Sind which area upon being so demarcated ceased to form part of the Province ;

And whereas under the Karachi Joint Water Board Act, 1943 (Sind Act IV of 1943), as amended by the Karachi Joint Water Board (Amendment) Act, 1945, (Sind Act III of 1945), the Karachi Joint Water Board was constituted to undertake the execution of a scheme to increase permanently the water supply of the City of Karachi, now part of the Capital of the Federation, and powers of the said Board were enlarged under the Karachi Joint Water Board (Miscellaneous Provisions) Act, 1947 ;

And whereas it is necessary to provide that the powers of the said Board shall be further enlarged to enable it to maintain, extend and improve the works established to supply water for the city and suburbs of Karachi and that the administration of the said Board shall vest in the Governor-General of Pakistan, and the Government of the Province of Sind has agreed that it shall so vest.