

## THE WEST PAKISTAN LAND REFORMS REGULATION (MARTIAL LAW REGULATION NO. 64 OF 1959)

### PART I - PRELIMINARY

**1. Short title, extent and commencement.**- (1) This Regulation may be called the West Pakistan Land Reforms Regulation.

(2) It extends to the whole of West Pakistan, including the Federal Capital, but not the Special Areas.

(3) It shall come into force at once, except in the unsettled areas to be notified in the official Gazette by the West Pakistan Land Commission, where it shall come into force on such date or dates as the Commission may, by notification in the official Gazette, appoint, and different dates may be appointed for different areas and any such notification may be given retrospective effect from any date not earlier than the seventh day of February, 1959:

Provided that in respect of any area declared to be unsettled area the Commission may, by notification in the official Gazette, apply Part-Vi, and such other provisions of this Regulation as it may consider necessary for enforcing the provisions of Part-VI and any such notification may be given retrospective effect from any date not earlier than the seventh day of February, 1959.

**2. Definitions.**- In this Regulation, unless there is anything repugnant in the subject or context-

(1) "Commission" means the West Pakistan Land Commission constituted under paragraph 4;

(2) "economic holding" means an area of sixty-four acres of land in the Federal Capital and in Khairpur and Hyderabad Divisions, and two squares or two rectangles or fifty acres, whichever is more, elsewhere:

Provided that in Quetta and Kalat Divisions an "economic holding," shall mean such area of land, with-in the aforesaid limits, as may be specified by the Commission:

Provided further that for the purposes of paragraphs 23 and 25 an "economic holding," shall mean such holding made up of an area or areas comprised within a particular estate or mauza or deh and not made up of the total area owned by a person and spread over more than the village or district.

(3) "Government" means in relation to the Federal Capital the Central Government and relation to the rest of West Pakistan, the Government of West Pakistan;

(4) "jagir" includes-

(a) any grant of land by way of jagir,

(b) any grant of money made or continued by or on behalf of the State which purports to be or is received out of land revenue.

(c) any assignment or release of land revenue,

- (d) any estate in land created or affirmed by or on behalf of the State which carries with it the right to receive or collect land revenue or any portion thereof, and
- (e) any assignment of dues recoverable, but for such assignment, by Government;
- (5) "land" means land, including evacuee land which is not occupied at the site of a town, village, factory or industrial establishment, and is occupied or has been or can be let for agricultural purposes or for purposes allied or subservient to agriculture, such as forests or pastures, or livestock or poultry farms, and includes also the sites of buildings and other structures on such land;
- (6) "orchard" means land under fruit trees planted to a density of twenty-five trees or more per acre grown and maintained by human effort;
- (7) "owner" includes an occupant as defined in clause (16) of Section 3 of the Bombay Land Revenue Code, 1879 (Bombay Act V of 1879);
- (8) "person" includes a displaced person as defined in clause (2) of sections of the Displaced Persons (Land Settlement) Act, 1958 (XLVII of 1958), but does not include a local authority or a body incorporated by a Central or Provincial Act;
- (9) "prescribed" means prescribed by rules made under this Regulation;
- (10) "produce index unit" means, the measure in terms of which the comparative productivity of an acre of land of a particular kind in a particular assessment circle or area is computed and expressed for the purposes of the schemes relating to the resettlement of displaced persons on land, and in respect of the assessment circle and areas where no such unit exists, such measure as may be determined by the Commission;
- (11) "subsistence holding" means an area of sixteen acres of land in the Federal Capital and in Khairpur and Hyderabad Divisions and half a square or half a rectangle or twelve and half acres of land, whichever is more, elsewhere;

Provided that in Quetta and Kalat Divisions a subsistence holding shall mean such area, within the aforesaid limits, as may be specified by the Commission;

Provided further, that for purposes of paragraphs 23 and 25 a "subsistence holding" shall mean such holding made up of an area or areas comprised within a particular estate or mauza or deh and not made up of the total area owned by a person and spread over more than one village or district.

**3. Regulation to override other laws, etc.-** The provisions of this Regulation, and any rule or order made thereunder, shall have effect notwithstanding anything to the contrary in any other law- or in any order or decree of court or other authority, or in any rule of custom or usage, or in any contract, instrument, deed or other document.

## **PART II - CONSTITUTION AND POWERS OF LAND COMMISSION**

**4. Constitution of Land Commission and its powers.-** (1) For carrying out the purposes of this Regulation, a Commission, to be called the West Pakistan Land Commission,



shall be constituted, consisting of the Governor of West Pakistan, who shall ex-officio be its Chairman, and not more than five Members to be appointed by him.

(2) The Commission shall have all the powers necessary for the implementation of this Regulation.

(3) The Commission may nominate one of its Members to be the Chief Land Commissioner, who, subject to such directions as may from time to time be given by the Commission, shall be responsible for the implementation of this Regulation.

(4) The Commission may set up organizations and appoint officers, authorities and persons, and confer powers on, and assign duties to them.

(5) Where any matter is not provided for in this Regulation or any difficulty arises in giving effect to the purposes of this Regulation, the Commission may, by order notified in the official Gazette, make such provision in respect thereof as it thinks fit, and such order shall be deemed to form part of this Regulation and have effect accordingly.

(6) Where any dispute arises in carrying into effect the provisions of this Regulation, such dispute shall be referred to the Commission whose decision thereon shall be final.

**5. Delegation of powers.-** The Commission may, by notification in the official Gazette, direct that the powers exercisable by it under the Regulation may, subject to such conditions if any, as may be specified in the notification, be exercised also by any of its members or officers or authorities subordinate to it:

Provided that the Commission shall not delegate its powers under sub-paragraph (2) of paragraph 7 to an officer below the rank of a Commissioner of Division:

Provided further that any order passed by a Land Commissioner or a Deputy or Assistant or Sub-Assistant Land Commissioner, in exercise of any power delegated to him under this Regulation shall be and be deemed always to have been subject to appeal, review or revision, in the same manner and to the same extent as any other order passed by a Land Commissioner or a Deputy or Assistant or Sub-Assistant Land Commissioner, as the case may be is so subject.

**6. Power to make rules.-** The Commission may, with the previous sanction of Government, make rules for carrying out the purposes of this Regulation, including rules on matters relating to or connected with the presentations, hearing and determination of appeals from, and applications for the revision and review of, orders made under this Regulation.

### **PART III - RESTRICTIONS ON OWNERSHIP AND POSSESSION OF LAND**

**7. Certain transfers void.-** (1) Save as otherwise provided in this Regulation, the transfer of any land, and the creation of any right or interest in or encumbrance on any land, made in any manner whatsoever-

- (i) in respect of any area declared under sub-paragraph (3) of paragraph 1 to be an unsettled area, on or after the date on which the provisions of this Regulation are applied to that area; and
- (ii) in respect of any other area, on or after the eighth day of October, 1958, by any person holding immediately before that date an area of more than five hundred acres of irrigated land or an area equivalent to more than thirty-six thousand produce index unit whichever shall be greater, shall and shall be deemed always to have been void, and the land so transferred or encumbered shall be deemed to have been owned



or possessed, as the case may be, by the person by whom it was owned or possessed immediately before that date:

Provided that any transfer of land made after the determination of holding under this Regulation shall be valid if it does not offend against the provisions of paragraph 25 or any order of the Commission made under sub-paragraph (5) of paragraph 4.

(2) If any question arises whether any transfer or other transaction is or is not void under sub-paragraph (1), the decision of the Commission there-on shall be final.

**8. Limits on individual holdings.-** Save as otherwise provided in this Regulation, no person shall, at any time, own in any capacity possess land in excess of five hundred acres of irrigated land or one thousand acres of unirrigated land, or irrigated and unirrigated land the aggregate area of which exceeds five hundred acres irrigated land, one acre of irrigated land being reckoned as equivalent to two acres of unirrigated land, and any reference in this Regulation to an acre of irrigated land shall be construed accordingly.

**9. Exemptions.-** Notwithstanding the provisions of paragraph 8-

- (a) an existing owner may retain, out of this present holding such additional area, if any, which would bring the total area retained by him to the equivalent of thirty-six thousand produce index units;
- (b) a recognized educational institution or a university may own or possess such additional areas as it may need for the purposes of research or demonstration;
- (c) except in cases provided for in paragraph 10 Government may allow charitable or religious institution approved by it to own or possess any additional area;
- (d) Government may, in public interest allow owners or operators of recognized existing stud and livestock farms to retain such additional areas under such farms as it considers necessary for the purpose, for so long as such areas are maintained as stud and livestock farms:

Provided that in the case of stud farms owned or controlled by Government, it shall be presumed that such farms are being maintained in public interest and the area under them are necessary for the purpose;

- (e) an existing owner may retain, out of his present holding, such additional areas, not exceeding hundred and fifty acres, as may be under orchard, for so long as it is maintained as such:

Provided that:-

- (i) the area under orchard is in compact blocks of not less than ten acres; and
  - (ii) it has been shown as area under orchard in the revenue records at least since Rabi, 1956-57.
- (f) an existing owner whose holding is greater than the area of five hundred acres of irrigated land or the equivalent of thirty-six thousand produce index units may transfer to any or all of his heirs such additional area. If any, as taken together with any area gifted by him to all or any of his heirs on or after the fourteenth day of August, 1947, and any area retained by him under clause (e) above, would bring the



aggregate area so transferred to the equivalent of eighteen thousand produce index units:

Provided that the maximum area permissible to be retained under clause (e) shall, in no case be treated as more than the equivalent of six thousand produce index units.

**Explanation.-** A person who came into ownership or possession by virtue of a gift made on or after the fourteenth day of August 1947, shall not, where the donor is alive, be entitled to claim as existing owner the benefit of the exemption under clause (e) or clause (f).

**10. Waqfs.-** (1) Land included in any waqf of the nature described in section 3 of the Mussalman Waqf Validating Act, 1913 (VI of 1913), shall on the commencement of this Regulation cease to form part of such waqf.

(2) Such land, except the portion if any, already specifically dedicated for a religious, pious or charitable purpose, shall be appropriated as follows:-

- (a) If the donor is alive and is the sole beneficiary of the waqf, the land shall revert to him.
- (b) If the donor is alive and is not the sole beneficiary and there are other beneficiaries besides him, then such portion of the land as is reserved under the waqf for the benefit of the donor shall revert to him, and the remaining portion of the land shall be divided among the other beneficiaries, non- heirs receiving share in proportion to the benefit reserved for them under the waqf, and heirs according to the law of inheritance, as if succession had opened on the commencement of this Regulation.
- (c) If the donor is dead, the land shall be divided among the beneficiaries, non-heirs receiving share in proportion to the benefit reserved for them under the waqf, and heirs according to the law of inheritance, as if succession had opened on the day the donor died.
- (d) If a benefit derivable from such land not being a dedication of a specified land is reserved under the waqf for a religious, pious, or charitable purpose, the Commission may, in lieu of the benefit allow for such purpose such portion of the land to be retained or such compensation to be paid, as it thinks fit and utilise the land or portion thereof, as the case may be in accordance with the provisions of this Regulation.

(3) Where under any such waqf as aforesaid, any specified land had been dedicated for a religious, pious or charitable purpose, such land may continue to be utilized for that purposes and shall be deemed to be owned or possessed by a religious or charitable institution for the purposes of paragraph 9 (c).

(4) No land shall, on and after the commencement of this Regulation, be included in or subject to any waqf of the nature as is referred to in sub-paragraph (1).

(5) A person who comes into ownership or possession of land by virtue of this paragraph shall be subject to the provisions of this Regulation as an existing owner, except that he shall not be entitled to claim the benefit of exemptions under clauses (e) and (f) of paragraph 9 if, but for his becoming an owner of land under this paragraph he would not have been entitled or could not have claimed the benefit of such exemptions.

**Explanation.-**



A beneficiary in this paragraph does not include a future beneficiary to whom no present advantage accrues under the waqf.

**11. Special provision for female dependents.-** (1) The Commission may, on the application of an existing owner holding ancestral land, allow him to transfer by way of gift, in addition to the area which he can give under paragraph 9 (f), a maximum area equivalent to six thousand produce index units to each of his female dependents:

Provided the Commission is satisfied that the dependent in question is a person who was entitled to inherit her share out of the property in question at the time when succession opened but for reasons of custom or usage became dependent on the applicant instead of inheriting the property in her own name.

(2) Resumption of excess areas as provided in Part IV shall not be delayed or postponed because of the pendency of an application under sub-paragraph (1).

(3) In case the excess area of the applicant has been resumed and utilized before the decision of the application, the dependent for whose benefit the application is made may be given out of other resumed land an area of land equivalent to what she would have received under sub-paragraph (1).

(4) An area of land equivalent to the land given to the dependent under sub-paragraph (3) shall be deducted from the land of the applicant for which compensation is payable to him.

**12. Bodies corporate.-** (1) Where any person had, before the commencement of this Regulation, acquired any share in any company within the meaning of the Companies Act, 1913 (VII of 1913), or in any Co-operative Society registered under the Co-operative Societies Act, 1912 (XII of 1912), or under any other law for the time being in force by transferring to such company or society any land, or if acquisition of shares by him in such company or society is otherwise wholly or partly relatable, to such transfer of land then shares so acquired or relatable together with any unpaid interest or profit accrued thereon, shall on such commencement vest in the company or society, as the case may be, and the land shall revert to that person.

(2) Where any such company or society as aforesaid owns or possesses land which has not reverted under sub-paragraph (1) such land shall, for the purposes of this Regulation, be deemed to be owned or possessed not by the company or society but separately and individually by its share-holders the share of each share-holder in the land being in the same proportion as the paid up value of his shares bears to the total paid up capital of the company or society.

(3) Where any person to whom land reverts under sub-paragraph (1) or whose share in land is determined under sub-paragraph (2) does not own or possess any other land, the land so reverted, or the share so determined, shall by itself be subject to the other provisions of this Regulation as if it were owned or possessed by that person immediately before the commencement of this Regulation, and where any such person as aforesaid owns or possesses any other land, the land so reverted or the share so determined shall be added to that other land for the purpose of applying the other provisions of this Regulation.

(4) If as a result of the application of the provisions of this Regulation any portion of the land to which this paragraph applies vests in Government and such portion is not specifically demarcated already, the Commission may make such order in respect of its demarcation and partition as it may think fit.

**13. Share in Shamlat.-** (1) A person owning or possessing a share in Shamlat shall not be entitled to own or possess any such share if, after the application of the provisions of paragraphs 8, 9, 10, and 11 he is entitled to retain outside the Shamlat area of



five hundred acres of irrigated land or an area equivalent to thirty-six thousand produce index units, whichever is more in addition to the area of any orchard that he may retain under paragraph 9(e).

(2) In case the area retained by such person is less than five hundred acres of irrigated land, or an area equivalent to thirty-six thousand produce index units, excluding the area of orchard retained by him outside the Shamlat he shall be entitled to so much share in the Shamlat as together with the area retained by him would provide him with an area of five hundred acres of irrigated land or the equivalent of thirty-six thousand produce index units, whichever is more.

**14. Choice of area.-** If after retaining any area under orchard, if any, under paragraph 9(e) and after exercising the option to gift under paragraph 9(f), a person is left in ownership or possession of an area greater than five hundred acres of irrigated land or the equivalent of thirty-six thousand produce index units, as the case may be, he shall select out of his holding the area which he is entitled to retain, and in doing so shall as far as possible, select compact blocks of not less than the size of an economic holding.

#### **PART IV - DECLARATION OF AREAS, RESUMPTION AND VESTING OF EXCESS LAND IN GOVERNMENT AND COMPENSATION THEREFOR.**

**15. Power to obtain declarations.-** The Commission may, by order published in the official Gazette, direct, persons who own or possess land in excess of five hundred acres of irrigated land to submit to such authority, in such manner and form, and by such date, as may be specified in the order, declarations in respect of areas owned or possessed by such persons, areas for which they claim exemption under this Regulation, areas gifted or received by gift on or after the fourteenth day of August, 1947, areas transferred or alienated by them on or after the eighth day of October, 1958, areas selected for retention by them, and such other information as the Commission may require.

**16. Resumption and vesting in Government of excess land.-** (1) Land in excess of the area permissible for retention under Part III shall vest in and be resumed by Government free from any encumbrance or charge.

(2) Any encumbrance or charge which existed on any land resumed under subparagraph (1), shall be deemed to have been transferred to the land retained under Part III, and also to the compensation payable under paragraphs 17 to 18 to the extent necessary.

**17. Scale and payment of compensation.-** (1) In addition to any compensation which may be payable under paragraph 18, compensation for land resumed under paragraph 16, shall be paid according to the following scale, that is to say:-

- (a) For the first 18,000 produce index units, at the rate of Rs.5 per unit;
- (b) For the next 24,000 produce index units, at the rate of Rs.4 per unit;
- (c) For the next 36,000 produce index units, at the rate of Rs.3 per unit;
- (d) For the next 72,000 produce index units, at the rate of Rs.2 per unit;  
and
- (e) For the balance, at the rate of Re.1 per produce index unit.

(2) Compensation payable under this paragraph shall be paid through heritable bonds which shall be transferable but shall not be negotiable through or with banks,

(3) All bonds shall bear taxable simple interest at the rate of four per cent per annum payable annually in the prescribed manner.



**18. Permanent installations and structures.-** (1) Permanent installations and structures on land resumed under paragraph 16 shall not be removed, dismantled or demolished, but shall vest in Government alongwith such land.

(2) Compensation on the basis of actual cost incurred, subject to depreciation, shall be payable to the owner for such installations and structures in the same manner as provided in paragraph 17.

#### **PART V - SALE AND UTILIZATION OF RESUMED LAND.**

**19. Sale of resumed land.-** (1) Land resumed under Part IV shall, in the first instance, be offered for sale, on such terms and conditions as may be prescribed, to the tenants who are in cultivating possession of it, and any such land not sold to such tenants, shall be offered for sale to such other persons, and on such terms and conditions, as may be considered suitable by the Commission.

(2) Interest may be charged on the price payable under sub-paragraph (1) at such rate or rates as may be prescribed.

**20. Fund for the redemption of bonds, etc.-** The proceeds realized under paragraph 19 shall form a separate fund to be held and administered by the Commission and shall be utilized for the redemption of bonds referred to in Part IV, payment of interest on such bonds, development of resumed land, liquidation of bad debts, payment of administrative charges and for such other purposes as the Commission may direct.

#### **PART VI - ABOLITION OF CERTAIN INTERETS.**

**21. Jagirs.-** (1) All jagirs. of whatever kind and by whatever name described, subsisting immediately before the commencement of this Regulation, shall on such commencement, stand abolished, and, save as hereafter in this paragraph provided, any right, interest or estate granted, assigned, released, created or affirmed by any such jagir shall revert to Government free from any encumbrance or charge, and no compensation shall be claimed by, or paid to, any person affected thereby.

(2) If a jagir is, wholly or partly, in the form of a grant of land the person in favour of whom the jagir subsisted, shall be entitled to retain, as full owner of such land if the area, together with any other area which he may own or possess in any other capacity, is equal to or less than five hundred acres of irrigated land, or thirty-six thousand produce index units, whichever is more, and if the area exceeds that limit, then such portion not exceeding the limit, as he may select and the excess land shall revert to Government free from any encumbrance or charge, without payment of any compensation, and shall be disposed of by the Commission in the manner provided by or under this Regulation.

(3) Land retained under sub-paragraph (2) shall be subject to the same assessment of land revenue, water rate and other dues as land of similar nature in the vicinity.

(4) If any such relative or dependent of a person in whose favour a jagir, in the form of a grant of land subsisted, as was receiving from such person maintenance in the form of money or otherwise, is as a result of the operation of this Regulation left without any land or other source of income the Commission may, on such terms and conditions as may be prescribed, provide him, without any payment, with an area of land not exceeding the area of subsistence holding.

(5) If Government considers it necessary so to do in public interest, it may subject to such conditions as it may deem fit to impose, grant to a religious, charitable, or educational institution in whose favour a jagir subsisted, a monetary grant for a specified purpose to be used in the prescribed manner.



(6) No jagir shall be created after the commencement of this Regulation.

**22. Intermediately interests.-** Ala-Milkiat, and similar other interests subsisting immediately before the commencement of this Regulation, shall, on such commencement, stand abolished and no compensation shall, be claimed by, or paid to, any person affected by the abolition.

#### **PART VII - IMPARTIBILITY AND RESTRICTIONS ON ALIENATION OF HOLDINGS**

**23. Restrictions on partition of joint holdings.-** (1) A joint holding with an area equal to or less than that of a subsistence holding shall in no circumstance be partitioned.

(2) A joint holding larger than a subsistence holding but smaller than an economic holding shall not be partitioned, if partition has the effect of dividing the holding into such parts that any one part added to the area already owned or possessed by the individual co-sharer to whom that part would go becomes less than the area of a subsistence holding.

(3) A joint holding with an area equal to that of economic holding shall in no circumstance be partitioned.

(4) A joint holding with an area greater than that of an economic holding shall not be partitioned in such a way as to leave no individual holding taken together with the area which the owner may already possess equal to an economic holding, or to leave the individual holding of any one of the joint owners below the area of a subsistence holding.

(5) Partition of land in contravention of the provisions of this paragraph shall be void.

(6) The provisions of this paragraph shall not apply to holdings, jointly owned by evacuees and non-evacuees, required to be partitioned in accordance with the procedure prescribed under the Rehabilitation Settlement Scheme.

**24. Management of impartable joint holdings.-** (1) A joint holding the partition of which is not permissible under paragraph 23 shall continue to be managed as a single unit.

(2) In the event of a dispute regarding the management of any such joint holding as aforesaid:-

(a) the co-sharers may select one of themselves, by drawing of lots or otherwise, who will manage, on their behalf, the holding, and from whom they will receive their shares of the income; or

(b) if the co-sharers cannot be select, they may request the Collector of the District in which such holding is situate to nominate one of the co-sharers to manage as aforesaid.

(3) If in the opinion of the Commission, no arrangement for joint management between the co-sharers is possible, the Commission may acquire the holding on payment of such compensation, as may be determined in the prescribed manner.

**Explanation.-** If a co-sharer is for the time being a minor or lunatic, his guardian shall be treated as a co-sharer for the purposes of this paragraph.

**25. Restrictions on alienation of holdings.-** (1) No person owning more than the area of an economic holding shall be allowed to alienate by sale, mortgage, gift or otherwise any portion of his holding which may reduce the size of his holding to an area below the limit of an economic holding:

Provided that such a person may alienate his entire holding.



(2) No person owning an economic holding shall be allowed to alienate by sale, mortgage, gift or otherwise any portion of his holding:

Provided that such a person may alienate his entire holding.

(3) No person owning more than the area of a subsistence holding but less than an economic holding shall be allowed to alienate by sale, mortgage, gift or otherwise any portion of his holding which may reduce the size of his holding to an area less than the area of subsistence holding:

Provided that such a person may alienate his entire holding.

(4) No person owning an area equal to or less than a subsistence holding shall be allowed to alienate by sale, mortgage, gift or otherwise any part of his holding:

Provided that may alienate his entire holding or, in the case of a holding which is less than a subsistence holding, sell any part of his holding to other owners of the same village, deh or mauza.

(5) Any alienation made in contravention of the provisions of this paragraph shall be void.

(6) Nothing in this paragraph shall apply to land, whether cultivable or other, which is bonafide required for the purpose of building thereon, and any tenant in possession of such land who refuses to quit after notice may be evicted under the orders of the Deputy Commissioner.

#### PART VIII - MISCELLANEOUS

**26. Transitional.-** Until any order is made under this Regulation for the resumption or utilization of land, no tenant shall be ejected unless it is established in a revenue court that he has:-

- (a) failed to pay rent; or
- (b) used the land in a manner which renders it unfit for the purpose for which it was let; or
- (c) failed to cultivate the land without sufficient cause; or
- (d) sublet his tenancy; or
- (e) failed to cultivate the land, where rent is payable in kind in the manner or to the extent customary to the locality.

and in the meantime, subject to the provisions of this Regulation, the landlord and the tenant shall continue to enjoy the rights and discharge the obligations as heretofore.

**Explanation.-** in this paragraph, a tenant means person who cultivated his tenancy in Kharif 1958 or Rabi 1958-1959, whichever is later.

**27. Bar of jurisdiction.-** (1) No provision of this Regulation or of any rules or orders made thereunder shall be called in question in any court, including the High Court and the Supreme Court, or before any authority other than an authority appointed under this Regulation, and no such court or authority shall, have jurisdiction in respect of any matter which the Commission or an officer acting under the authority of the Commission is empowered to determine.

(2) No such court or authority as aforesaid shall be competent to grant any injunction or other order in relation to any proceeding before the Commission or before any officer exercising any power or discharging any function under this Regulation or the rules



orders made thereunder, or in relation to any thing done or intended to be done by or at the instance of the Commission or such officer.

**28. Indemnity.-** No suit or other legal proceedings shall lie against Government or against any person in respect of anything which in good faith done or intended to be done under this Regulation.

**28A. Power to exempt waqf property.-** (1) The Commission may by notification in the official Gazette, exempt any waqf property as defined in the West Pakistan Waqf Properties Ordinance, 1959 (West Pakistan Ordinance No XXI of 1959), from the operation of this Regulation.

(2) Upon the issue of a notification under sub-paragraph (1) the provisions of this Regulation shall be deemed never to have applied to the waqf property specified in such notification.

#### **PART IX - PUNISHMENT**

**29. Offences and penalty.-** Whoever contravenes or fails to comply with any of the provisions of this Regulation or the rules or orders made thereunder, or fails to make any declaration or furnish any information required by such provisions, or willfully furnishes incomplete or false information, or tampers with any records relevant to the purposes of such provisions or obstructs any person in the discharge of his duties or functions under such provisions shall be punished.

Maximum punishment 7 years.

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