

WEST PAKISTAN LAND REFORMS (PAYMENT OF COMPENSATION) RULES, 1961

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WEST PAKISTAN LAND REFORMS (PAYMENT OF COMPENSATION) RULES, 1961

In exercise of the powers conferred upon it by paragraph 6 of the West Pakistan Land Reforms Regulation (Martial Law Regulation No. 64) and notwithstanding anything to the contrary contained in the Public Debt (Central Government) Act, 1944, or the rules made thereunder, the West Pakistan Land Commission is pleased to make, with the previous sanction of the West Pakistan Government, the following rules for carrying out the purposes of the provisions of paragraphs 17 and 18 of the Regulation:-

CHAPTER I - PRELIMINARY

1. Short title, extent and commencement.- (1) These rules may be called the West Pakistan Land Reforms (Payment of Compensation) Rules, 1961.

(2) They extend to all areas to which the West Pakistan Land Reforms Regulation applies or may hereafter be applied.

(3) They shall come into force at once.

2. Definitions.- In these rules, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them, that is to say:-

- (a) 'Bank' means the State Bank of Pakistan;
- (b) 'Bond' means a bond issued under the provisions of these rules in respect of compensation for land resumed under paragraph 16 or permanent installations and structures under paragraph 18, or both;
- (c) 'Chief Land Commissioner' means the Chief Land Commissioner nominated by the Commission under clause (3) of paragraph 4 of the Regulation and shall include any person for the time being functioning as such;
- (d) 'Compensation' means the amount of money which a person is entitled to receive under paragraph 17 for land resumed from him, or under paragraph 18 for permanent installations and structures, or under both;
- (e) 'Defaced bond' means a bond which has been made illegible or rendered undecipherable in any of its material parts, and the material parts of a bond are those where-
 - (i) the number, name of the bond and the face value of the bond or payments of interests are recorded; or
 - (ii) the endorsement or the name of the payee is written; or
 - (iii) the renewal receipt is supplied;
- (f) 'Deputy Land Commissioner' means an officer appointed as such under the Regulation and includes an officer for the time being functioning as such;
- (g) 'District Magistrate' means every person exercising all or any of the powers of a District Magistrate, as defined under the Code of Criminal Procedure for the time being in force;
- (h) 'Form' means a form appended to these rules;
- (i) 'Government' means the Government of West Pakistan;
- (j) 'Holder' means the holder of a bond;
- (k) 'Interest' means the amount of money which a person is entitled to receive under paragraph 17 (3) of the Regulation;
- (l) 'Lost Bond' means a bond which has actually been lost and shall not mean a bond which is in the possession of some person adversely to the claimant;
- (m) 'Land Commissioner' means an officer appointed as such under the Regulation and shall include any person for the time being functioning as such;

- (n) 'Mutilated bond' means a bond which has been destroyed, torn or damaged in material parts thereof;
- (o) 'Officer of the Bank' means the officer appointed by the State Bank of Pakistan to perform the duties under the rules;
- (p) 'Public Debt Office' means the office of the State Bank of Pakistan on the books of which a bond is registered or may be registered;
- (q) 'Recipient' means a person who is entitled to receive compensation under paragraphs 17 and 18 of the Regulation and includes his successors in interest;
- (r) 'Regulation' means the West Pakistan Land Reforms Regulation (Martial Law Regulation No. 64); and
- (s) 'Treasury' means any treasury located in the Province of West Pakistan and includes a sub-treasury.

CHAPIER II - ISSUE OF BONDS

3. Requisition for the issue of bond.- (1) The Chief Land Commissioner or any officer authorised by him in this behalf in writing, shall as soon as possible, send a requisition in Form I, to the Bank at Lahore for issuing to the recipient a bond or bonds of the denominations to be slated therein for such amounts of compensation as have been calculated in accordance with his orders.

(2) A copy of the requisition sent to the Bank shall be forwarded to the Deputy Land Commissioner of the district who had worked out compensation.

(3) On receipt of a copy of the requisition, the Deputy Land Commissioner shall inform, in writing, each recipient of the amount of compensation and interest to which he is entitled and obtain from him a written acknowledgment thereof.

(4) Specimen signatures of the Chief Land Commissioner and other officers authorised by him to sign the requisition forms will be supplied to the Public Debt Office, Lahore, for record. Any change in the incumbents of these offices shall immediately be notified to the Bank and the specimen signatures of the incoming officer supplied to the Bank under authentication of the outgoing officer or a Magistrate of the First Class.

4. Form and denomination of bonds.- (1) The bonds shall be issued in the form of promissory notes as in Form II.

(2) The bonds shall be issued in denominations of Rs.10,000, Rs.1,000 and Rs.100.

(3) Fractions below Rs.100 shall be inserted in the bonds in hand.

5. Issue of bonds.- (1) The bank, on receipt of the requisition under rule 3 (1), shall issue a bond or bonds as the case may be, for and on behalf of the Government in favour of each recipient and for the amounts specified in the requisition received by it.

(2) The bond or bonds shall be enfaced for payment of interest and principal at the Lahore or Karachi Office of the Bank or such Treasury as may be mentioned in the requisition; provided that the Bank shall re-enface the bonds for payment of interest and principal at Lahore or Karachi Office of the Bank or at such Treasury as may be subsequently chosen by the holder, if he makes an application in this behalf, in the manner laid down by the Bank, to the Officer authorised in this behalf by the Bank.

6. Despatch of bonds to Chief Land Commissioner.- (1) The Bank shall forward bond or bonds to the Chief Land Commissioner or any other officer appointed by him in that behalf and obtain an acknowledgment from him.

(2) On receipt of the bond or bonds the Chief Land Commissioner shall cause them to be sent to the Deputy Land Commissioner of the district who had worked out compensation.

7. Delivery of bonds to recipients.- (1) On receipt of bonds from the Chief Land Commissioner, the Deputy Land Commissioner shall call each recipient and deliver the bond or bond, to him after obtaining from him receipt, which should be attested by the Deputy Land Commissioner personally, and forward the same to the officer authorised by the Chief Land Commissioner in this behalf.

(2) The recipient may lake delivery of the bond or bonds either personally or through his representative or agent duly authorised by him in writing in that behalf.

8. Bonds subsequently found to be defective.- If any bond is subsequently found to be defective or in excess of the amount which is due to the recipient, the Chief Land Commissioner shall call upon the recipient to produce the bond before him and to show cause why the bond should not be cancelled and a fresh bond issued on the basis of the calculation made by the Chief Land Commissioner.

(2) The recipient shall be given a reasonable opportunity to inspect the record and to produce such evidence as he may consider appropriate.

(3) After hearing the recipient and examining such evidence as is produced by him, the Chief Land Commissioner or any officer authorised by him in this behalf shall immediately inform the Bank of the amount calculated, by him and shall request it to cancel the bond and issue a fresh bond in accordance with the requisition to be sent to the Bank.

(4) The amount paid excess whether on account of interest or principal shall be adjusted towards subsequent payment of principal or interest in respect of such bond or bonds. If such adjustment is not possible then the overpayment shall be recovered as if it were an arrear of Land Revenue.

CHAPTER III – CERTAIN PROVISIONS RELATING TO BONDS

9. Characteristics of bonds.- (1) The bonds shall be heritable and transferable but shall not be negotiable through any bank.

(2) The bonds or the price thereof shall not be quoted at the stock exchange.

10. Persons whose title to a bond of a deceased sole holder may be recognized by the Bank.- For the purpose of determining the title to a bond of a deceased sole holder, the Bank shall recognise only the following persons, namely:-

- (a) the executors or administrators of the deceased holders;
- (b) the holder of a succession certificate granted under sub rule (1) of rule 12; and
- (c) the holder of a succession certificate granted under the Succession Act, 1925, or any other law for the time being in force.

11. Right of survivor of joint holders or several payees.- Notwithstanding anything contained in section 45 of the Contract Act, 1872 (IX of 1872)–

- (a) When a bond is held by two or more persons jointly and either or any of them dies, the title to the bond shall, vest in the survivor or survivors of those persons; and
- (b) When a bond is payable to two or more persons severally and either or any of them dies, the bond shall be payable to the survivor or survivors of those persons or to be representative of the deceased or to any of them;

Provided that nothing contained in this rule shall affect any claim which any representative of a deceased person may have against the survivor or survivors under or in respect of any bond to which this rule applies.

Explanation.- For the purposes of this rule a body incorporated under the Companies Act, 1913 (VII of 1913), or the Co-operative Societies Act, 1912 (II of 1912) or any other enactment for the time being in force, whether within or without Pakistan relating to the incorporation of associations of individuals, shall be deemed to die when it is dissolved.

12. Summary procedure on death of holder of bond not exceeding five thousand rupees face value.- (1) (a) Notwithstanding anything to the contrary contained in any other law, rule or order for the time being in force, the Deputy Land Commissioner of the district or any other officer specially authorised in this behalf by the Land Commission, may, on the death of a holder of a bond, grant a succession certificate to any person claiming to be entitled to the effects to the deceased holder;

(b) For the purposes of clause (a), the provisions of sections 372, 373 and 374 of the Succession Act, 1925, shall *mutatis mutandis* apply;

(c) The succession certificate shall, as far as possible, show the respective shares to which the legal representatives or heirs of the deceased holder are entitled;

(d) The succession certificate shall specify if any such legal representative or heir is a minor;

(e) The provisions of Article 12 of Schedule I of the Court Fees Act, 1870, shall not apply to the grant of a certificate under this sub-rule;

(f) The certificate granted under this sub-rule shall have effect as a succession certificate granted under the Succession Act, 1925, or any other law for the time being in force.

¹[(2) Where an application made for the grant of a succession certificate under sub-rule (1) is contested by any person claiming to be entitled to the effects of the deceased holder, no certificate under sub-rule (1) shall be granted, but the applicant shall be directed to institute, within 30 days of such direction, an application for the succession certificate under the Succession Act, 1925, or any other law for the time being in force in a competent Civil Court, failing which the Deputy Land Commissioner shall continue with the proceedings and decide the issue of succession certificate on merits.]

²**13. Bond belonging to a minor or insane person.-** (1) When a bond or bonds belong stand in name of a minor or a person who is insane and incapable of managing his affairs and face value of the bond or bonds does not in the aggregate exceed five thousand rupees, the principal amount and interest thereon shall be paid to the father or if he be dead, to the mother of such person on the officer making the payment being satisfied as to the identity of the father or mother, as the case may be.

(2) When an applicant for payment is neither the father nor the mother of the minor or insane person and when the face value of the bond or bonds standing in the name of the minor or the insane person does not in the aggregate exceed five thousand rupees, payment may be made on production of a certificate by the District Magistrate, to the effect that the applicant is the actual guardian of such person or in the absence of any such certificate the Bank may make such order as it thinks fit for the vesting of such bond or bonds such person as it considers represents the minor or insane person.

(3) If the face value of the bond or bonds standing in the name of a minor or insane person in the aggregate exceeds five thousand rupees, payment shall not be made unless and until the applicant for payment of principal / interest or both shall have produced evidence to the satisfaction of the officer making payment that he is the legal guardian of such person.]

14. Transfer of bonds.- The bonds shall be transferable only in the manner hereunder:-

- (1) The bonds shall be transferable by endorsement and delivery like a promissory note payable to order.
- (2) No endorsement on a bond shall be valid unless made by the signature of the holder or his duly constituted attorney or representative inscribed on the back of the bond itself.
- (3) No writing on a bond is valid for the purpose of negotiation if such writing purports to transfer only a part of the amount denominated by the bond.
- (4) The treasury or sub-treasury or any office of the Bank or the Public Debt Office may decline to accept the bond endorsed in blank for any purpose unless the endorsement in blank is converted into that in full before presentation.
- (5) The transferor of the bond shall, within a week of the date of the transfer, intimate by registered post / acknowledgment due to the Chief Land Commissioner or any officer authorised by him in this behalf of the transfer made by him along with the information in respect of the name, parentage and address of the transferee and the amount for which it has been transferred.

15. When a bond is required to be renewed.- (1) A holder of a bond may be required by the Public Debt Office to receipt the same for renewal in any of the following cases, namely:-

- (i) if only sufficient room remains on the back of the bond for one further endorsement or if any word is written upon the bond across any existing endorsement or endorsements;
- (ii) if the bond is torn or in any way damaged or crowded with writing or unfit, in the opinion of the Public Debt Office;

¹ Substituted by Punjab Land Commission Notification No. OS-814/69/2893-LC, dated 5th May, 1969.

² Substituted by Punjab Land Commission Notification No. OS-814/69/2896-LC, dated 5th May, 1969.

- (iii) if any endorsement is not clear and distinct or does not indicate the payee or payees, as the case may be, by name, or is made, otherwise than in one of the endorsement cages on the back of the bond;
- (iv) if the interest on the bond has remained undrawn for ten years or more;
- (v) if the interest cages on the reverse of the bond have been completely filled or if the vacant printed cages on the reverse of the bond do not correspond with the years for which interest has become due on the date when the bond is presented for drawal of interest;
- (vi) if the bond having been enfaced three times for payment of interest is presented for re-enfacement; and
- (vii) if, in the opinion of the Public Debt Office, the title of the person presenting the bond for payment of interest is irregular or not fully proved.

(2) When requisition for renewal of a bond has been made under sub-rule (1) payment of any further interest thereon may be refused, until it is receipted for renewal and is actually renewed.

16. Receipt for renewal, etc.- Subject to any general or special instructions of the Bank, the Public Debt Office may, by its order, on the application of the holder:-

Renew, sub-divide or consolidate a bond or bonds, provided that the bond or bonds has or have been receipted in forms V, VI and VII.

17. Issue of duplicate and new bonds on consolidation, sub-division or renewal.-

(1) If a person entitled to a bond applies to the Bank alleging that the bond has been lost, stolen or destroyed or has been defaced or mutilated, the Bank may, on proof to its satisfaction of the loss, theft, destruction, defacement or mutation of the bond subject to such conditions and on payment of such fees as prescribed hereafter, order the issue of duplicate bond payable to the applicant.

(2) If the person entitled to a bond, applies to the Bank to have it consolidated with other bonds or to have it sub-divided or to have it renewed, the Bank may, subject to such conditions and on payment of such fees as prescribed hereafter, cancel the bond and order the issue of a new bond or bonds.

(3) The person to whom a duplicate bond or a new bond is issued under this rule shall be deemed, for the purposes of rule 34, to have been recognized by the Bank as the holder of the bond and a duplicate bond or new bonds so issued to any person shall be deemed to constitute a new contract between the government and such person and all persons deriving tide thereafter through him.

18. Procedure when a bond is lost, etc.- (1) When a bond is lost, stolen, destroyed, mutilated, or defaced, the person entitled thereto shall apply for the issue of duplicate bond in the manner laid down below to the Public Debt Office, Lahore, with a statement showing particulars such as number, amount and name of the bonds.

(2) The Bank may by its order suspend payment of interest on or the maturity value of the bond or postpone the making of any order under rule 17 above until the vesting order has been made.

(3) The application for the issue of a duplicate bond in place of a bond which is alleged to have been lost, stolen, destroyed, mutilated or defaced, either wholly or in part, shall be accompanied by-

- (a) a statement of the following particulars, namely:-
 - (i) the last year for which interest has been paid;
 - (ii) the person to whom such interest was paid;
 - (iii) the person in whose name the bond was issued (if known);
 - (iv) the place for payment of interest at which the bond was for the time being enfaced;
 - (v) the circumstances attending the loss, theft, destruction mutilation or defacement; and
 - (vi) whether the loss or theft was reported to the police.

- (b) the Post Office registration receipt for the letter containing the bond, if the same was lost in transmission by registered post;
- (c) a copy of the police report, if the loss or theft was reported to the police;
- (d) where the fast payment of interest was not made by a warrant issued by the Public Debt Office, a letter signed by the officer of the treasury where interest was fast paid, certifying the last payment of interest on the bond and stating the name of the party to whom such payment was made;
- (e) if the applicant is not holder in whose name the bond was originally issued, an affidavit sworn before a Magistrate testifying that the applicant was the last legal holder of the bond and all documentary evidence necessary to trace back the title to the original holder; and
- (f) any portion or fragments which may remain of the lost, stolen, destroyed, mutilated or defaced bond.

(4) A duplicate of the letter to the Public Debt Office, but not of its enclosures, shall also be sent to the treasury where interest is payable.

(5) The lost, theft, destruction, mutilation or defacement of a bond or portion of a bond shall be further notified by the applicant in three successive issues of the Gazette of Government of West Pakistan, Such notification shall be in the form following, or as nearly in such form as circumstance permit:-

"Lost", ("stolen", "destroyed", "mutilated", or "defaced" as the case may be).

"The bond No- _____ of the 4 per cent Government of West Pakistan Compensation Bonds for Rs. _____ originally _____ standing in the name of _____ and last endorsed to _____ proprietor, by whom it was never endorsed to any other person having been lost (stolen, destroyed, mutilated or defaced) notice is hereby given that payment of the above bond and the interest thereupon has been stopped at the Public Debt Office and that application is about to be made for the issue of a duplicate in favour of the proprietor. The public are cautioned against purchasing or otherwise dealing with the above mentioned bond.

Name of the person notifying.

Residence".

(6) After the publication of the last notification prescribed in sub-rule (5) of this rule, the Bank shall, if it is satisfied of the loss, theft, destruction, mutilation or defacement of the bond and of the justice of the claim of the applicant, cause the particulars of the bond to be included in the list such as is referred to in rule 24 hereunder and shall order the Public Debt Office—

- (a) if only a portion of the bond has been lost, stolen, destroyed, mutilated or defaced, and if a portion of the bond sufficient for its identification has been produced, to pay interest and to issue to the applicant on the execution of an indemnity bond such as is hereinafter mentioned, a duplicate bond in place of that of which a portion has been lost, stolen, destroyed mutilated or defaced, and on the expiry of such period as the Bank may consider necessary from or immediately after the date of the publication of the said list.
- (b) if no portion of the bond so lost, stolen, destroyed, mutilated, or defaced, sufficient for its identification has been produced—
 - (I) to pay to the applicant, two years after the publication of the said list, and on the execution of an indemnity bond, in the manner hereinafter prescribed, the interest in respect of the bond so lost, stolen, destroyed, mutilated or defaced till the expiry of the period of six years as hereunder; and
 - (II) to issue to the applicant a duplicate bond in place of the bond w lost, stolen, destroyed, mutilated or defaced six years after the date of publication of the said list;

provided that—

- (i) if the date on which the bond is due for repayment falls earlier than the date on which the said period of six years expires, the Bank shall, within six weeks of the former date, invest the principal amount due on the bond in the Post Office Savings Bank unless before the expiry of such period, the applicant has made a specific request for the investment of the amount in securities of any of the current rupee loans of the Government, maturing not earlier than the date on which the duplicate is due for issue, and in that case, shall invest the amount in such securities, and deposit the balance if any, left after such investment in the Post Office Savings Bank. It shall repay the amount invested in the Post Office Savings Bank, together with any interest which may have accrued thereon and, if any investment has been made in Government securities, shall deliver such securities, together with the interest accrued thereon to the applicant at the time when a duplicate bond would otherwise have been issued; and
- (ii) if at any time before the issue of a duplicate bond the original bond is discovered or it appears to the Public Debt Office for other reasons that the order should be rescinded, the matter shall be referred to the Bank for further consideration and in the meantime all action on the order shall be suspended. An order passed under this sub-rule shall on expiry of the six years referred to therein, become final unless it is in the meantime rescinded or otherwise modified.
- (c) If the bond has been lost by enemy action, to pay interest and to issue to the applicant, on the execution of any indemnity bond as is hereinafter mentioned, a duplicate bond immediately after the date of the publication of the said list.

(7) *Alternation of order, etc.*- The Bank may, at any time prior to the issue of a duplicate bond, if it finds sufficient reason, alter or cancel any order made by the Bank under this rule and may also direct that the interval before the issue of a duplicate bond shall be extended by such period not exceeding six years as it may think fit.

(8) (1) *Indemnity bonds.*- (a) When executed under sub-rule (6)(b)(i) and not under rule 21 (8) shall be for twice the amount of the interest involved, that is to say, twice the amount of all back interest accrued due on the bond plus twice the amount of all interest to accrue due thereon during the period which will have to elapse before the issue of a duplicate bond can be made, and

(b) in all other cases shall be for twice the face value of the bond, plus twice the amount of the interest calculated in accordance with clause (a).

(2) The Bank may direct that such indemnity bond shall be executed by the applicant alone or by the applicant and one or two sureties, as it may think fit, or that in lieu of furnishing personal sureties, the applicant shall furnish collateral security in the shape of Government securities to be deposited with it for such amount and period as it may think fit.

CHAPTER IV - GENERAL

19. Determination of title by vesting order.- Notwithstanding anything contained in rule 18, the title to a lost, stolen, destroyed, mutilated or defaced bond may be determined by the Bank by its order vesting title to the bond or to the payment of interest only or to both.

20. Determination of a mutilated bond as a bond requiring renewal.- It shall be at the option of the Bank to treat a bond which has been mutilated or defaced as a bond requiring issue of a duplicate under rule 18.

21. Procedure for making vesting order.- (1) In cases where rules 12, 13 and 31 of the rules apply the Bank may determine the persons in the manner hereunder as being entitled in its opinion-

- (a) to the bond, or
- (b) only to payment of all accrued interest and accruing interest, or
- (c) to the bond, and payment of all accrued and accruing interest, and may by its order vest title in such person accordingly.

(2) The person claiming to be entitled to a bond or to payment of accrued and accruing interest thereon shall apply to the Bank and adduce documentary evidence in support of his claim.

(3) On receipt of the application by the Bank, the Bank if it contemplates making a vesting order under the rules—

- (a) may suspend payment of interest on or the maturity value of the bond, or postpone the making of any order under rule 17 until the vesting order has been made;
- (b) may, if it considers proper, request a District Magistrate to record or to have recorded the whole or any part of such evidence as any person whose evidence the Bank requires may produce or direct one of its officers to record such evidence or may receive evidence upon affidavit. Nothing herein shall preclude the Bank from determining title without enquiry in the manner laid down in this sub-rule except in cases coming under rule 33 of the rules.

(4) The Bank shall thereafter give notice in writing to each claimant of whom it has knowledge, stating the names of all other claimants and the time when and the officer of the Bank by whom the determination of title will be made.

(5) On the date and at the time fixed in the notice, the officer shall—

- (a) examine the evidence adduced by the parties;
- (b) hear the parties affected and record such evidence as they adduce. No further evidence shall be recorded or entertained in cases where—
 - (i) the District Magistrate has been requested to record or to have the evidence recorded, or
 - (ii) the Bank has directed one of its officers to record the evidence; and
- (c) determine the issues as to who is entitled to the bond or to payment of interest or to both.

(6) After determination of the issue by the officer, the Bank shall give notice in writing to each claimant of the determination so made.

(7) The notices prescribed in sub-rules (4) and (6) above shall be published in three successive issues of the Gazette of West Pakistan as soon as possible after the dates on which they are respectively issued.

(8) The Bank may require the person considered by the Bank as being entitled to the bond or to payment of interest or to both to execute a bond in Form VIII, with one or more sureties or to furnish security not exceeding twice the value of the subject matter of the order, to be held at the disposal of the Bank, to pay to the Bank or to any person to whom the Bank may assign the bond or security in furtherance of sub-rule (9), the amount thereof.

(9) A court before which a claim in respect of the subject matter of any such order is established may order the bond or bonds to be assigned to the successful claimant who shall thereupon be entitled to enforce the bond or realize the bond to the effect of such claim.

(10) On the expiry of six months from the issue of the notices referred to in sub-rule (7), the Bank may make an order vesting in the person found by the Bank to be entitled thereto—

- (a) the bond, or
- (b) the payment of accrued and accruing interest on the bond, or
- (c) both the bond and the payment of accrued and accruing interest on the bond.

(11) When title to the accrued and accruing interest is vested in a person under sub-rule 10(b) such person shall be deemed as having been granted powers to realise accrued interest and to draw interest that may from time to time become due on the bond pending a further order vesting full title.

(12) In the case of a bond maturing for payment of principal, the Bank may vest title limited to drawal of interest and simultaneously full title to take effect on the maturity of the bond.

(13) The person in whom title to the accrued and accruing interest has been vested by the Bank may apply to the Bank for issue of an order vesting full title in him when the bond becomes due for payment of the discharged value and the Bank may vest full title in him in the manner laid down in the sub-rule of this rule.

(14) Notwithstanding anything contained in the sub-rules of this rule, the Bank may vest—

- (a) title limited to drawal of interest in the guardian of a minor or a manager of the property of an insane person; and

- (b) full rule in the minor or the insane person to take effect on the minor attaining the age of majority or on the insane person becoming sane.

(15) When full title to a bond is vested under sub-rule 10(a), 10(c), 12 or 13 of the rules in a person, such person shall be regarded as having been granted full and unqualified powers so far as Government and the Bank are concerned, in relation to that bond.

22. Postponement of payments pending the making of a vesting order.- Where the Bank contemplates making an order under these rules to vest a bond in any person, the Bank may suspend payment of interest on or the maturity value of the bond or postpone the making of any order under rule 17 until the vesting order has been made.

23. Cancellation by the Bank of vesting proceedings.- Where the Bank contemplates making an order under these rules vesting a bond in any person the Bank may, at any time before the order is made, cancel any proceeding already taken for that purpose and may, on such cancellation, proceed a new to the making of such order.

24. Publication of half yearly list.- (1) The list referred to in rule 18 shall be published half-yearly in the Gazette of West Pakistan in the months of January and July or as soon afterwards as may be convenient.

(2) All bonds and in respect of which an order has been passed under rule 18, as the case may be, shall be included in the first list published next after the passing of such order and thereafter such bonds shall continue to be included in every succeeding list until the expiration of six years from the date of first publication.

(3) The list shall contain, as far as possible, the following particulars regarding each bond, namely the name of the bond, the number of the bond, its value, the name of the person to whom it was issued, the date from which it bears interest, the number and date of the order passed by the Bank for payment of interest or issue of a duplicate, and the date of publication of the list in which the bond was first included.

CHAPTER V - PAYMENT OF INTEREST

25. Payment of interest.- (1) All bonds shall bear taxable simple interest at the rate of 4 per cent per annum payable annually. The income-tax will be deducted at source as in the case of other Government securities.

(2) Interest shall commence in respect of each bond from the date which is communicated to the Bank by the Chief Land Commissioner in the requisition sent under rule 3(1) of the rule.

(3) Interest shall become payable on the first day of July every year.

(4) Interest on a bond may be made payable at any treasury or sub-treasury in West Pakistan subject to compliance by the holder with such formalities as the Public Debt Office may require and interest shall accordingly be paid at such treasury or sub-treasury on presentation of the bond itself. The payee shall give a receipt in Form III. Where, however, interest on a bond is payable at a place where a Public Debt Office is located, the bond shall be presented at the Public Debt Office, which shall issue an interest warrant in favour of the holder payable at the local office of the Bank, Notwithstanding anything contained herein, the Public Debt Office may pay interest on a bond, the interest on which is payable at a treasury or sub-treasury, by an interest warrant payable at such treasury or sub-treasury.

26. Discharge in respected of interest on bonds.- Save as otherwise expressly provided in the terms of a bond, no person shall be entitled to claim interest on such bond in respect of any period which has elapsed after the earliest date on which demand could have been made for the payment of the amount time on such bond.

27. Period of limitation of Governments liability in respect of interest.- Where no shorter period of limitation is fixed by any law for the time being in force, the liability of the Government in respect of any interest payment due on a bond shall terminate on the expiry of six years from the date on which the amount due by way of interest became payable.

CHAPTER VI - PAYMENT OF PRINCIPAL

28. Payment of principal.- (1) The aggregate amount of principal due on a bond shall be payable within a period of 25 years commencing from the date of issue of the bond, provided the Governor of West Pakistan, may direct liquidation, partially or completely, of certain bonds or certain categories of bonds or bonds of certain areas or persons on such earlier date or dates as he may decide.

(2) On receipt of instructions from the Chief Land Commissioner, the Bank shall call upon the holder by notification in the official Gazette or in any such manner as is considered necessary, to receive the whole amount or a portion thereof, as the case may be, on the prescribed date from the Bank or treasury at which the bond stands enfaced.

(3) If the payment is not received by the prescribed date, no interest on the amount involved for any subsequent period shall accrue and be payable to the holder from the prescribed date.

(4) In cases in which it has not been possible to finally determine the amount of compensation because of appeals or revisions against the orders of Deputy Land Commissioners and Land Commissioners or for other reasons, the necessary bonds shall issue as and when the amount of compensation is finally determined.

29. Receipt required on discharge of a bond.- (1) When a bond is to be fully discharged, a receipt shall be taken on the bond itself.

(2) In case of complete discharge, the bond shall be surrendered to the Bank.

(3) The Bank shall in case of partial or complete discharge of a bond, duly intimate the position to the Chief Land Commissioner in the manner required by him.

CHAPTER VII - MISCELLANEOUS

30. Publication of notices in official Gazette.- Any notice required to be given by the Bank under these rules may be served by post, but every such notice shall also be published by the Bank in the official Gazette, and on such publication it shall be deemed to have been delivered to all persons for whom it is intended.

31. Summary determination by Bank of title to bond in case of dispute,- If the Bank is of the opinion that a doubt exists as to the title to a bond, it may proceed to determine the person who shall for the purposes of the Bank be deemed to be the person entitled thereto,

32. Recording of evidence.- (1) For the purposes of making any order which it is empowered to make under these rules, the Bank may request a District Magistrate to record or to have, recorded the whole or any part of such evidence as any person whose evidence the Bank requires, may produce. A District Magistrate so requested may himself record or may direct any Magistrate of the first class subordinate to him and empowered in this behalf by general or special order of the Provincial Government to record the evidence, and shall forward a copy thereof to the Bank.

(2) For the purpose of making a vesting order under these rules the Bank may direct one of its officers to record the evidence of any person whose evidence the Bank requires or may receive evidence upon affidavit.

(3) A Magistrate or an officer of the Bank acting in pursuance of this rule may administer an oath to any witness examined by him.

33. When executant of a document or maker of an endorsement is unable to write.- (1) If any person by whom any document relating to a bond is to be executed or by whom an endorsement is to be made on a bond, satisfies a Magistrate that he is for any reason unable to write, and that the effect of the document or endorsement, is fully understood by him, and that he is the person whom he represents himself to be, such Magistrate, may, at the request of that person and subject to the provisions of this rule, execute the document or sign the endorsement on his behalf.

(2) Where any such document is to be executed or an endorsement signed by a Magistrate under this rule on behalf of any person, the Magistrate shall execute the document or sign the endorsement in the presence of that person, and shall enter below his own signature a certificate in the effect that the document was executed, or the endorsement signed, as the case may be, at the request of that person, after having been previously read over to the latter, and that he is satisfied that the effect of the document or the endorsement fully understood by such person.

(3) Nothing in the above sub-rule shall preclude the Bank from acting upon the execution of a document relating to a bond or on an endorsement thereon in a manner otherwise than referred to above, provided the Bank is satisfied as to the genuineness and validity of the execution of the document or endorsement on the bond.

34. Legal effect of orders made by the Bank.- No reorganization by the Bank of a person as the holder of a bond and no order made by the Bank under these rules shall be called

in question by any Court so far as such recognition or order affects the relations of the Government or the Bank with the person recognised by the Bank as the holder of a bond or with any person claiming an interest in such bond and any such recognition by the Bank of any person or an order by the Bank vesting a bond in any person shall operate to confer on that person a title to the bond subject only to a personal liability to the rightful owner of the bond for money had and received on his account.

35. Stay of proceedings on order of Court.- Where the Bank contemplates making with reference to any bond any order which it is empowered to make under these rules, and before the order is made the Bank recedes from a Court in Pakistan an order to stay the making of such order the Bank shall either—

- (a) hold the bond together with any interest unpaid or accruing thereon until the further orders of the court are received, or
- (b) apply to the Court to have the bond transferred to the official Trustees appointed for the Province in which such court is situated, pending the disposal of the proceedings before the Court.

36. Fees.- The following fees shall be paid in respect of applications under rule 17 of these rules; namely:-

(1) For each renewed, consolidated, sub-divided or duplicate bond, twenty-five paise per Rs.100/00 if the new bond does not exceed in amount of Rs.300/00 and one rupee if the new bond exceeds that sum.

(2) Every applicant shall pay a fee of one rupee for each bond in respect of which any information is supplied and shall execute a bond of indemnity as nearly as may be in Form IV for twice the value of the bond or bonds involved and the interest paid thereon since the date of issue.

(3) A fee of one rupee shall be paid for each certified copy granted.

37. Information and Inspection.- (1) No person shall be entitled to inspect, or receive information of any bond in the possession or custody of the Bank or Public Debt Office or from any book, register or other documents kept or maintained by or on behalf of the Government in relation to bonds or any bond save in such circumstances and manner and subject to such conditions as may be prescribed by the Bank.

(2) Any person requiring information regarding a bond in the custody of the Public Debt Office may apply to that office in writing stating the form in which the information is required.

(3) Every such application shall state with precision the particulars (namely, the number and the face value) of the bond and shall contain a statement of the purpose for which the information is required and of the interest of the applicant in the bond.

(4) If the applicant asks for any information in respect of a bond which has been renewed, consolidated, or sub-divided otherwise than in the name of the person who has renewed, consolidated or sub-divided the bond or asks for inspection of such bond, or any register or book kept or maintained in the Public Debt Office in respect thereof or of any entry of such bond in such register or book, the application shall be refused. The register or the book shall mean the register or the book in which the bond is entered, registered or referred to.

(5) If the applicant asks for inspection or information in respect of a bond which has been cancelled on payment of the amount due in respect thereof, it shall be referred to as disposed of under the orders of the Bank.

(6) In any other case, the Public Debt Office, may, subject to the provisions hereinafter contained, grant a certified copy of any entry in any register or book maintained or kept by that office relating to any bond, on being satisfied that the bond in question has stood in the name of the applicant or of a person in whom the applicant has a representative interest in the bond in respect of which the application is made.

(7) The Public Debt Office may, under a special order of the bank, supply any information regarding a bond referred to in sub-rules (2) and (4) which is directed to be supplied by such an order.

(8) If any applicant asks for—

- (a) any information from the record of the Public Debt Office or the Bank in connection with a bond;

- (b) a copy of any document from the record; and
- (c) inspection of any record generally or any document specifically, the application shall be referred to and disposed of subject to the provisions of sub-rule (1) under the orders of the Bank.

(9) Every applicant shall before any information is supplied or permission for inspection granted to him execute a bond of indemnity as nearly as may be in Form IV for the amount as hereinafter mentioned:-

- (a) the bond of indemnity for grant of information or inspection under any of the sub-rules (4) to (7) shall be for twice the value of the bond or unpaid portion of compensation due on the bond or bonds involved;
- (b) the bond of indemnity for grant of information or permission for inspection under sub-rule (8) shall be for such amount as may be determined by the Bank;
- (c) every applicant shall, before any information is supplied to him under this rule, pay a fee of five rupee for each bond in respect of which any information is supplied and a fee of one rupee shall be paid for each certified copy granted; and
- (d) the Bank may waive the execution of the bond of indemnity or may forego the fees either wholly or partly payable to the Bank under sub-rule (c) above or may do both.

38. The Bank and its officers to be deemed Public Officers.- For the purposes of section 124 of the Evidence Act, 1872 (I of 1872), the provisions of Part IV of the Code of Civil Procedure, 1908 (V of 1908) relating to suits by or against public officers in their official capacity and the provisions of rule 27 of Order V and rule 52 of Order XXI of the said Code; the Bank and any officer of the Bank acting in his capacity as such shall be deemed to be a public officer.

39. Penalty.- (1) If any person for the purpose of obtaining for himself or for any other person any title to a bond makes to any authority under these rules in any application made under these rules or in the course of any inquiry undertaken in pursuance of these rules any statement which is false and which he either knows to be false or does not believe to be true, he shall be punishable with imprisonment of a term which may extend to six months, or with fine or with both.

(2) No court shall take cognizance of any offence under sub-rule (1) except on the complaint of the Bank.

40. Power of the Chief Land Commissioner to issue instructions,- The Chief Land Commissioner may, at any time, pass such orders, not inconsistent with the provisions of the Regulation or these rules and issue such instructions, as he may deem necessary, for the implementation of these rules.

FORM I
[Under rule 3(1)]

REQUISITION FOR THE ISSUE OF BONDS UNDER RULE 3(1) OF THE WEST PAKISTAN LAND REFORMS (PAYMENT OF COMPENSATION) RULES, 1961

No. _____

Dated _____

To

The Manager,
State Bank of Pakistan,
Lahore.

Dear Sir,

Please issue the bond(s) as detailed in the Schedule below:-

THE SCHEDULE

S. No.	The name, father's name and full address of the person in whom name the bond(s) are to be issued	Total amount (both in figures and in words) for which the bonds are to be issued. (Please state here the amount of the assessment in multiples of 100 only)	The denomination or denominations in which the bond or bonds are to be issued	The Branch Office of the State Bank of Pakistan or Treasury at which payment of the interest is to be made	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

FORM II
GOVERNMENT OF WEST PAKISTAN

Compensation Bond

At 4 per cent
Rupees _____

Public Debt Office
State Bank of Pakistan, Lahore.

No. LR _____
COMPENSATION BOND CARRYING INTEREST AT FOUR PER CENT PER ANNUM ISSUED
UNDER PARAGRAPH 17 OF THE MARTIAL LAW REGULATION NO. 64 OF 1959

THE GOVERNOR OF WEST PAKISTAN HEREBY PROMISES TO PAY TO

Rupees _____

WEST PAKISTAN

at State Bank of Pakistan, Lahore or Karachi, or at any Treasury or Sub-Treasury in West Pakistan on the first day of July 1985, or such earlier date as may be notified by the Government of West Pakistan in the Gazette of West Pakistan, and interest on the aforesaid sum from the _____ at the rate of four per cent per annum to be paid on the first day of July every year at the State Bank of Pakistan or the Treasury or Sub-Treasury above mentioned.

Date the

No. LR

Manager

For and behalf of
the Governor of West Pakistan.

Governor, State Bank of Pakistan.

FORM III
(Under Rule 25)

THE WEST PAKISTAN LAND REFORMS PAYMENT OF COMPENSATION RULES, 1961

Received from the office of the State Bank of Pakistan / Treasury at _____ interest under the Bond as follows:-

No. and date of the bond	Amount for which the Bond was issued	Amount of yearly interest	The year(s) for which interest was due	Total amount due	Name of the holder of the Bond
(1)	(2)	(3)	(4)	(5)	(6)

Total _____

Deduct income tax at _____

Net amount payable _____

Total received (in words) _____ Signature _____

State whether holder or holder's attorney or administrator _____ (Address and dated)

FORM IV
(Under Rule 36)

INDEMNITY BOND

Whereas I / we _____
son of _____
and _____ son of _____
resident of _____
claim to be entitled (_____)
(hereby state in what capacity claim to the bonds is made) to the Bond(s) specified in the
schedule hereunder written and have represented to the State Bank of Pakistan, Public Debt
Office that the said Bond(s) has / have been _____ and have applied to the Sate
Bank of Pakistan, Public Debt Office _____ for an inspection of
the said Bond(s) and also for all other information and particulars respecting the said Bond(s) and
whereas the State Bank of Pakistan, Public Debt Office, _____ has agreed to
give inspection and to afford to me / us information and particulars effecting the said Bond(s) I /
we oblige myself / ourselves my / our / heirs and assigns whatsoever (to be omitted if bond taken
from on person only jointly and severally) to guarantee and defend and relieve the State Bank of
Pakistan, Public Debt Office and the Governor of West Pakistan to extent of Rs. _____
from all and any claim, question and expenses which may be raised, against or incurred by the
State Bank of Pakistan, Public Debt Office, _____ or the Governor of
West Pakistan in reference to the said Bond(s).

In witness hereof I / we have subscribed my / our name (s) this day of _____

Singed by the within mentioned in the
presence of _____

Applicant's signature

The Schedule referred to in the foregoing Bond.

FORM V
(See Rule 16)

(FORM OF ENDORSEMENT FOR RENEWAL OF A BOND)

Received in here of a renewed Bond payable (name of holder), with interest payable
at _____

Signature of the holder / duly authorized representative of
(Name of holder) _____

FORM VI
(See Rule 16)

(FORM ENDORSEMENT FOR SUB-DIVISION OF A BOND)

Received in lieu hereof _____ bonds for
Rs. _____ respectively, payable to (name of holder) with instalment payable
at Treasury.

Signature of the holder / duly authorized
representative of (name of holder) _____

FORM VII
(See Rule 16)

(FORM OF ENDORSEMENT FOR CONSOLIDATION OF BONDS)

Received in lieu hereof a new Bond payable to (name of holder) for Rs. _____
by consolidation with Bond or Bonds Nos. _____ (mentioning the
numbers and amounts of the other Bonds desired to be consolidated with it and specifying the
loan) with installments payable at _____

Signature of the holder / duly authorized representative
of (name of holder) _____

**FORM VIII
(See Rule 21)**

SECURITY BOND

This Agreement is made on the _____ day of _____ between _____ son of _____ resident of _____ of the one part and the State Bank of Pakistan of the other part.

Whereas I / we / am / are the true and lawful owner(s) of the Bond in the Schedule "A" hereto / represent annexed.

AND whereas I / we have applied to the State Bank of Pakistan, Public Debt Office, _____ for _____ of the said Bonds and the said Bank have consented to do upon my / our giving security of Rs. _____ to meet a claim by a rightful owner to the said bonds in case there shall be such a claim.

Now these presents that in pursuance of the aforesaid agreement I / we hereby oblige myself / ourselves to make good the claim of the rightful owner in respect of the said bonds and I / we hereby further agree that this bond may be held by the said Bank and the said Bank may assign the Bond to the rightful owner of the said Bonds.

In witness whereof I / we have subscribed my / our name / names this day of _____

Signed by the within mentioned in the presence of _____ principal.

I / We
between
son of
resident of

hereby undertake to make good any claim to the rightful owner of the bonds mentioned in the schedule hereto in the case principal / principals makes / make default in payment of the claim by virtue of the above agreement.

Singed by the within mentioned
In the presence of
_____ surety.

SCHEDULE 'A' REFERRED TO IN THE BOND

Nature of description of the Bond	Number	Date of issue	Amount
(1)	(2)	(3)	(4)