

**THE ¹[KHYBER PAKHTUNKHWA] TENANCY (VALIDATION AND
EXTENSION OF PERIOD FOR PAYMENT OF COMPENSATION)
ORDINANCE, 1969.**

²[KHYBER PAKHTUNKHWA] ORDINANCE, No. XXX OF 1969.

[5th November, 1969.]

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¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

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**AN
ORDINANCE**

to validate the ³[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to the Land lord) Rules, 1950, the orders extending the period for payment of compensation by occupancy tenants and to further extend such period.

WHEREAS the ⁴[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to the Land lord) Rules, 1950, framed under section 4 of the ⁵[Khyber Pakhtunkhwa] Tenancy Act, 1950, prescribed a period of eighteen months from the date of issue of the said rules within which occupancy tenants were entitled to pay compensation for acquiring proprietary rights in their tenancies;

Preamble.

AND WHEREAS the said period of eighteen months was extended from time to time, by executive orders, upto 30th September 1956;

AND WHEREAS doubts have arisen as to the validity of the said rules and the orders extending the period within which the occupancy tenants were entitled to pay compensation for acquiring proprietary rights in their tenancies;

AND WHEREAS it is expedient to validate the said rules, and the extension in the period for the payment of compensation thereunder upto 30th September, 1956;

AND WHEREAS it is expedient to further extend the period for payment of compensation by occupancy tenants who failed to do so;

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

NOW THEREFORE in pursuance of the Martial Law proclamation of 25th March, 1969, read with the provisional Constitution, order and in pursuance of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance :—

1. (1) This Ordinance may be called the ¹[Khyber Pakhtunkhwa] Tenancy (Validation and Extension of Period for payment of Compensation) Ordinance, 1969. Short title and commencement.
- (2) It shall come into force at once.
2. Notwithstanding anything contained in sections 4 and 79 of the ²[Khyber Pakhtunkhwa] Tenancy Act, 1950, ³[Khyber Pakhtunkhwa] Act, No. XXV of 1950. Validation of ⁴[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to Landlord) Rules, 1950, etc.
- (a) the ⁵[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to the landlord) Rules, 1950 shall be deemed to have been validly made;
- (b) the period for the payment of compensation by occupancy tenants for acquiring proprietary rights in their tenancies prescribed under the said rules shall be deemed to have been validly extended upto 30th September, 1956;
- (c) any compensation paid, rights acquired or liabilities incurred on or before the said date under or in accordance with the said rules shall be deemed to have been validly paid, acquired or incurred as the case may be.
3. Notwithstanding anything contained in section 4 of the ⁶[Khyber Pakhtunkhwa] Tenancy Act, 1950 (⁷[Khyber Pakhtunkhwa] Act, No. XXV of 1950), and the ⁸[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to the Landlord) Rules, 1950, or any judgment, decree or order of any Court or other authority, it shall be lawful for any person who occupied land as Extension of period for payment of compensation.

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁷ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

⁸ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

occupancy tenant at the time of the coming into force of the said Act, but who failed to pay compensation to the Landlord) in accordance with the provisions of the ¹[Khyber Pakhtunkhwa] Tenancy (Fixation of Compensation to the Landlord) Rules 1950, to acquire proprietary rights in the land comprised in his tenancy, on payment of such compensation within a period of one year from the date of publication of this Ordinance in the official Gazette.

¹ Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.