

THE PUNJAB VEGETABLE MARKET (LAHORE) ORDINANCE, 1963
(W.P. Ord. XXI of 1963)

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^{1[1]}**THE** ^{2[2]}**[PUNJAB] VEGETABLE MARKET (LAHORE) ORDINANCE, 1963**
(W.P. Ordinance XXI of 1963)

[6 June 1963]

An Ordinance to provide for the establishment of a whole-sale vegetable market at Lahore and to validate actions taken under the Martial Law Order No. 121 issued by the Martial Law Administrator, Zone B, and the West Pakistan Ordinance No. XXI of 1962

WHEREAS the Martial Law Order No. 121 was issued by the Martial Law Administrator, Zone ‘B’, on the 27th April, 1962 and on its repeal by President’s Order No. 29 of 1962, it was continued by the Governor of West Pakistan by promulgating the West Pakistan Martial Law Orders (Continuance in Force) Ordinance, 1962 (West Pakistan Ordinance No. XXI of 1962);

AND WHEREAS the validity of the said Martial Law Order and the said West Pakistan Ordinance and the actions taken thereunder has been questioned;

AND WHEREAS it is expedient to provide for the establishment of a vegetable market at Lahore and to validate the actions taken in pursuance of the said Martial Law Order No. 121 and the said West Pakistan Ordinance No. XXI of 1962;

AND WHEREAS the Provincial Assembly of West Pakistan is not in session and the Governor of West Pakistan is satisfied that circumstances exist which render immediate legislation necessary;

Now, THEREFORE, in exercise of the powers conferred on him by clause (1) of Article 79 of the Constitution, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:-

1. Short title and commencement.— (1) This Ordinance may be called the ^{3[3]}[Punjab] Vegetable Market (Lahore) Ordinance, 1963.

(2) It shall come into force at once and shall be deemed to have taken effect on and from the 27th April, 1962.

^{1[1]}This Ordinance was promulgated by the Governor of West Pakistan on 6th June, 1963; approved by the Provincial Assembly of West Pakistan, with amendments, on 15th July, 1963, under clause (3) of Article 79 of the Constitution of the Islamic Republic of Pakistan (1962); and, published in the West Pakistan Gazette (Extraordinary), dated 15th July, 1963.

^{2[2]}Substituted by the Punjab Laws (Adaptation) Order, 1974 (Pb. A.O. 1 of 1974), for “West Pakistan”.

^{3[3]}*Ibid.*

2. Definitions.— In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

- (a) “land” means the land required for the establishment of the vegetable market;
- (b) “Martial Law Order No. 121” means the Martial Law Order No. 121 issued by the Martial Law Administrator, Zone ‘B’, on the 27th April, 1962.

3. Acquisition of land for vegetable market.— Notwithstanding anything to the contrary contained in the Land Acquisition Act, 1894 (Act I of 1894), the Town Improvement Act, 1922 (Punjab Act IV of 1922), as amended by the Punjab Town Improvement (West Pakistan Amendment) Ordinance 1962 (XVIII of 1962), the Municipal Administration Ordinance 1960 (X of 1960), or any other law for the time being in force, or in any decree, judgement or order of any Court or Authority—

- (a) the Commissioner, Lahore, shall forthwith take possession of the land, summarily ejecting if necessary, any person in occupation of any part thereof;
- (b) the compensation for the land and crops, if any, standing thereon shall be assessed by the Collector, Lahore, on the principles laid down in the Land Acquisition Act, 1894, and the assessment, subject to confirmation by the Commissioner, Lahore, shall be final;
- (c) the compensation awarded shall be paid by the Lahore Improvement Trust;
- (d) the said land shall be transferred to, and put in the possession of, the Lahore Improvement Trust and thereupon shall be deemed to have been duly acquired by the Lahore Improvement Trust free from all encumbrances.

4. Establishment of vegetable market.— The Chairman, Lahore Improvement Trust shall—

- (a) forthwith lay out the vegetable market on the land;
- (b) allot sites to vegetable dealers and commission agents dealing in whole-sale vegetable trade;
- (c) determine the price of the site allotted to each dealer or commission agent, the terms and conditions of payment and the method of recovery in case of default;
- (d) require the allottee to erect on the allotted site such structure and within such period as the Chairman may determine; and
- (e) do all things necessary for the establishment of the vegetable market on the land.

5. Direction by Commissioner.— Any person who has been allotted a site in the vegetable market shall, when so required by the Commissioner, Lahore, occupy the said site and carry on the vegetable business there.

6. Prohibition to carry on business.— No person shall carry on the business of vegetable dealer or commission agent dealing in whole-sale vegetable trade within the municipal limits of the Lahore Corporation, except at the vegetable market established under this Ordinance.

7. Penalty.— Any person who contravenes or attempts to contravene or abets the contravention of the provisions of sections 5 and 6 or any direction issued by the Commissioner, Lahore, in that behalf shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to five thousand rupees, or with both.

8. Exemption.— The Commissioner may, for such period and subject to such conditions as he may determine, exempt any person from the operation of all or any of the provisions of this Ordinance.

9. Validation.— Notwithstanding anything to the contrary contained in the Land Acquisition Act, 1894 (Act I of 1894), the Town Improvement Act, 1922 (Punjab Act IV of 1922) as amended by the Punjab Town Improvement (West Pakistan Amendment) Ordinance 1962 (XVIII of 1962), the Municipal Administration Ordinance, 1960 (X of 1960), or any other law for the time being in force, or in any decree, judgment or order of any Court or Authority, anything done, possession taken or delivered, ejectment made, compensation assessed or paid, allotment made, terms and conditions settled, direction given, or order issued, by the Commissioner, Lahore, the Collector, Lahore, the Chairman, Improvement Trust, Lahore, or any other authority in pursuance of the said Martial Law Order No. 121 or the said West Pakistan Ordinance No. XXI of 1962 shall be deemed to have been validly done, taken or delivered, made, assessed or paid, made, settled, given or issued, respectively, under this Ordinance and shall be continued.

