

**THE PAKISTAN DAY MEMORIAL CESS
(BALOCHISTAN) ACT, 1964**

(W.P. Act XXIX of 1964)

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**¹THE PAKISTAN ²[DAY] MEMORIAL CESS
³[(BALOCHISTAN⁴)] ACT, 1964**

(W.P. Act XXIX of 1964)

[20th April, 1964]

An Act to raise funds for the Pakistan ²[Day] Memorial.

Preamble.

WHEREAS it is expedient to raise funds for the Pakistan ²[Day] Memorial in ³[Balochistan].

Short title, extent and duration.

1. (1) This Act may be called the Pakistan ²[Day] Memorial Cess ³[(Balochistan)] Act, 1964.

(2) It shall extend to whole of the Province of ³[Balochistan], except the Tribal Areas.

(3) It shall come into force at once.

Definitions.

⁵[1-A. In this Act, unless the context otherwise requires, the following expressions shall have the meanings, hereby respectively assigned to them, that is to say—

(a) "cess" means the Pakistan Day Memorial Cess to be levied under section 2;

(b) "Committee" means the Pakistan Day Memorial Committee constituted under section 4-A;

(c) "Fund" means the Pakistan Day Memorial Fund established under section 4-B;

(d) "Government" means the Government of ³[Balochistan].

Levy of cesses.

2. (1) A cess shall be levied and collected, as hereinafter provided, upon all tickets issued for admission to cinema houses and race-courses.

(2) Such cess shall be levied—

(a) in the case of tickets for admission to

¹ This Act was passed by the W. P. Assembly on 8th April, 1964; assented to by the Governor of W. P. on 15th April, 1964; and, published in the W. P. Gazette (Extraordinary), dated 20th April, 1964, pages 1289-1290. For statement of objects and reasons, see West Pakistan Gazette (Extraordinary), dated 12th March, 1964, pages 767-A to 767-B.

² Ins. by W. P. Ord. V of 1966.

³ Subs. by Balochistan Laws (Adaptation) Order, 1975, for the words "West Pakistan".

⁴ Spelling of the word "Baluchistan", wherever it appears in this Act, is corrected by insertion of letter "o" instead of "u"; as per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18th June, 1989.

⁵ Added by W. P. Ord. V of 1966.

cinema houses, at the rate of five paisa per ticket; *and*

- (b) in the case of tickets for admission to race-courses, at the rate of fifty paisa per ticket.

Manner of levying and collecting the cess.

3. The cess described in section 2 shall be levied and collected, so far as may be, and subject to the rules made under this Act in the same manner as the entertainment duty payable under the ¹[Balochistan] Entertainments Duty Act, 1958².

Period for which cess may be levied.

³4. (1) The cess shall be levied upto the thirtieth day of June, 1969.

(2) Notwithstanding anything contained in subsection (2) of section 4-B of the Pakistan Day Memorial Cess ¹[(Balochistan)] Act, 1964, the proceeds of the cess imposed under the said Act, as modified by this Ordinance, payable on or after the 1st day of July, 1968, shall be credited into the Provincial Consolidated Fund of ¹[Balochistan].]

Constitution and composition of the committee and its functions.

⁴4-A. (1) Government shall, as soon as may be, constitute a committee, to be known as the Pakistan Day Memorial ¹[(Balochistan)] Committee, which shall consist of the Commissioner, Lahore Division, as its Chairman, and such other official and non-official members, as may be appointed by Government.

(2) The Committee shall be a body corporate, having perpetual succession and a common seal, with power to enter into contracts and to acquire property, both movable and immovable, and may sue and be sued in its corporate name.

(3) Subject to the general control and superintendence of Government, the Committee shall—

- (a) be responsible for the construction of the Pakistan Day Memorial at Lahore to commemorate the passing of the Pakistan Resolution on the 23rd of March, 1940, and for this purpose to raise loans, enter contracts, execute works and take such other action as may be necessary or

¹ Subs. by Balochistan (Adaptation) Order, 1975, for the words "West Pakistan".

² That is W.P. Act X of 1958, published in the W.P. Gazette (Extraordinary), dated 23rd April, 1958, P.P. 591-598; and adopted by the Balochistan (Adaptation) Order, 1975, with substitution of the word "Balochistan" for the words "West Pakistan".

³ Subs. by W. P. Ord. VII of 1969, effective from 30th June, 1968.

⁴ Added by W. P. Ord. V of 1966.

may be required by Government;

- (b) perform such other functions and duties as may be specified in the rules framed under section 5.

Pakistan Day
Memorial
Fund.

4-B. (1) There shall be a fund to be known as the Pakistan Day Memorial Fund to the credit whereof shall be placed—

- (a) the proceeds of the cess;
- (b) loans and grants made by Government for construction of the Pakistan Day Memorial at Lahore;
- (c) such proceeds from other sources of income as Government may direct to be credited to the Fund; *and*
- (d) all other sums received by the Committee.

(2) The Fund shall be applied for the purposes of the construction of the Pakistan Day Memorial at Lahore and the repayment of loans received in connection therewith, and if any sum remains unspent in the Fund after meeting with such expenditure, the sum so remaining unspent may be used for such public purposes as Government may direct.

Dissolution of the
Committee.

4-C. (1) When the Pakistan Day Memorial at Lahore has been completed to the satisfaction of Government, Government may, by an order to be notified in the official Gazette, dissolve the Committee and entrust the maintenance of the Memorial to such authority as may be specified in such order.

(2) An order made under sub-section (1) may, among other matters, specify the consequences which shall ensue upon the dissolution of the Committee, including the disposal of its assets and liabilities.]

Rules.

5. ¹[(1)] Government may make rules for carrying into effect the provisions of this Act.

¹[(2) In particular and without prejudice to the generality of the power conferred under sub-section (1), such rules may provide for all or any of the following matters, namely:—

¹ Section 5 re-numbered as sub-section (1) of that section and sub-section (2) added by W. P. Ord. V of 1966.

- (a) the functions to be performed by the Committee in addition to those specified in section 4-A (3),
 - (b) the conduct of business by the Committee,
 - (c) the maintenance of accounts of proceeds of the Fund and their audit,
 - (d) the execution of works from out of the proceeds of the Fund, including their administrative approval and technical sanction.]
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