

EXTRAORDINARY

REGISTERED NO. PIII

GOVERNMENT

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 26TH MARCH, 2014.

PROVINCIAL ASSEMBLY SECRETARIAT,
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 26th March, 2014.

No. PA/Khyber Pakhtunkhwa/Bills/2014/10021.—The Khyber Pakhtunkhwa Tenancy (Amendment) Bill, 2014 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 18th March, 2014 and assented to by the Governor of the Khyber Pakhtunkhwa on 21st March, 2014 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA TENANCY (AMENDMENT) ACT, 2014

(KHYBER PAKHTUNKHWA ACT NO. IX OF 2014)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 26th March, 2014).

AN

ACT

*further to amend the Khyber Pakhtunkhwa
Tenancy Act, 1950.*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Tenancy Act, 1950 (Khyber Pakhtunkhwa Act No. XXV of 1950), for the purposes hereinafter appearing;

It is hereby be enacted as follows:

- 1. Short title and commencement.**—(1) This Act may be called the Khyber Pakhtunkhwa Tenancy (Amendment) Act, 2014.

(2) It shall come into force at once.

2. **Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XXV of 1950.**---In the Khyber Pakhtunkhwa Tenancy Act, 1950 (Khyber Pakhtunkhwa Act No. XXV of 1950), hereinafter referred to as the said Act, in section 2,-

(i) in clause (v), the existing clause (a), shall be renumbered as clause (aa) and before clause (aa) as so renumbered, the following new clause shall be inserted, namely:

“(a) the predecessors and successors in interest of a tenant; or”;

(ii) in clause (vi), after the word “person”, the words “including his predecessors and successors in interest” shall be added; and

(iii) clause (vii) shall be deleted.

3. **Insertion of section 3A of the Khyber Pakhtunkhwa Act No. XXV of 1950.**---In the said Act, after section 3, the following new section shall be inserted, namely:

“3A. Prohibition of succession to non-occupancy tenancies.---(1) Notwithstanding anything contained in this Act or in any other law for the time being in force, on commencement of the Khyber Pakhtunkhwa Tenancy (Amendment) Act, 2014, right to succession of tenancy to the predecessor or successor in interest of a tenant shall cease.

(2) The existing tenants, enjoying tenancy rights before the commencement of the Khyber Pakhtunkhwa Tenancy (Amendment) Act, 2014, shall continue their right of tenancy till their eviction through due process of law:

Provided that any improvement made by an existing tenant on the tenancy, in accordance with the provisions of this Act, shall be entitled to compensation by the landlord.

Explanation.---The words “existing tenant” for the purpose of this section means the tenant, his predecessor and successor in interest.”

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa