

THE FOREST (BALOCHISTAN AMENDMENT) ACT, 1974

(Baln Act XVI of 1974)

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THE FOREST (BALOCHISTAN² AMENDMENT) ACT, 1974

(Balochistan Act XVI of 1974)

[2nd August, 1974]

An Act to amend the Forest Act XVI of 1927, in its application to the Province of Balochistan.

Preamble.

WHEREAS it is expedient to amend the Forest Act, 1927 (Act XVI of 1927), in its application to the Province of Balochistan, in the manner hereinafter appearing;

It is hereby enacted as follows: —

Short title and commencement.

1. (1) This Act maybe called the Forest (Balochistan Amendment) Act, 1974.

(2) It shall come into force at once.

Insertion of section 30-A in the Forest Act, 1927.

2. After section 30 of the Forest Act, 1927, the following new section shall be inserted, namely: —

"30-A. Cutting, removal and sale of Juniper wood.

(1) It shall be unlawful: —

- (i) to fell or girdle a Juniper tree;
- (ii) to lop, tap, burn, strip off the bark from, or in any other way damage, a Juniper tree whether standing, fallen or felled;
- (iii) to remove any felled or fallen Juniper tree, or its firewood, or any part thereof, for sale;
- (iv) to possess and stock Juniper firewood or timber for the purpose of sale:

Provided that nothing shall be deemed to be an offence under this section when done with the permission in writing of the prescribed authority or in accordance with rules framed or in force under this Act.

(2) Any Forest Officer, Police Officer, Risaldar of

¹ This Act, which amended the Forest Act, 1927 (XVI of 1927), was passed by the Balochistan Assembly on 16th July, 1974; assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 53, dated 2nd August, 1974.

² 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.

the Levies, or an Incharge of a Levies Post may search any means of transport used for the offence; he may also search firewood stalls, or any other place where he has reason to believe that Juniper wood is placed in contravention of the provisions of this section, and may seize any such wood.

Search under this sub-section shall be made in accordance with the provisions of section 102 and 103 of the Code of Criminal Procedure, 1898³.

(3) Any person who commits a breach of the provisions of this section shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both.

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1898¹, an offence punishable under this section shall be cognizable and non-bailable within the meaning of the said Code."

³ That is Act V of 1898.