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THE BALOCHISTAN GAZETTE
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GOVERNMENT OF BALOCHISTAN,
LAW DEPARTMENT,

NOTIFICATION

Dated Quetta, the 17th November, 2000

No. Legis:-54/Law/80. The following Ordinance made by the Governor of Balochistan on 13th November, 2000, is hereby published for general information-

BALOCHISTAN ORDINANCE NO. VIII OF 2000

THE BALOCHISTAN CANAL AND DRAINAGE (AMENDMENT)
ORDINANCE, 2000

AN
ORDINANCE

further to amend the Balochistan Canal and Drainage
Ordinance, 1980 (XX of 1980).

Preamble WHEREAS it is expedient further to amend the Balochistan Canal

and Drainage Ordinance , 1980, in the manner hereinafter appearing;

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short title and
Commencement

Amendment of
section 31 of
Ordinance XX of
1980.

insertion of new
sections 43 A, 43 B,
43 C, and 43 D in
Ordinance XX of
1980.

to
,

AND WHEREAS the Provincial Assembly of Balochistan stands
suspended in pursuance of the Proclamation of Emergency of the
fourteenth days of October, 1999, and the Governor of Balochistan is
satisfied that circumstances exist which render it necessary to take
immediate action;

NOW, THEREFORE, in pursuance of Article 4 of the Provisional
Constitution (Amendment) Order, 1999(Chief Executive's Order No.9
of 1999) , and in exercise of all powers enabling him in that behalf, the
Governor of Balochistan on the instructions of the Chief Executive of
Pakistan is pleased to make and promulgate the following Ordinance:-

1. (1) This Ordinance may be called the Balochistan Canal and
Drainage (Amendment) Ordinance, 2000.

(2) It shall come into force at once.

2. In the Balochistan Canal and Drainage Ordinance, 1980
hereinafter referred to as the said Ordinance after sub-clause (iii) of clause
(a) of section 31, the following shall be added, namely:-

(iv) | Whenever the tenant, occupier owner of land exceeds the
area, permitted for cultivation with specified crop, in
accordance with the cropping pattern, under section 43 A
to 43 D of this Ordinance,

KF In the said Ordinance after section 43, the following new sections -
43-A to 43-D , shall be added, namely:- :

“43-A. Cropping pattern. (1)Whenever it is found expedient, for the
purposes of checking water logging or salinity, or for complying with the
designed parameters of the concerned canal system, or for any other good
cause, the Government may, by notification lay-down a cropping pattern,
for cultivation of crops.

(2) Such cropping pattern may lay-down percentage of total

command area, or percentage of cropping intensity, to be followed for cultivation of specified crops, by each tenant, occupier or land owner,

Dated Quetta,
the 13th November
2000.

(3) The Government may lay-down such cropping pattern for periods exceeding one cropping season.

43-B. Ban of cultivation. The Government may, by notification impose ban on cultivation of certain crops in lands situated out-side the canal command area.

43-C. Use of canal water. Any canal water used for cultivation in Violation of the conditions laid-down under section 43-A, shall be deemed to be a use in an un-authorized manner, in terms of section 32 of this Ordinance.

43-D. Penalty. Whoever cultivates specified crop in violation of the conditions laid down in the notifications issued under section 43-A, shall be punished with imprisonment of either description for a term which may not exceed three months or with fine amounting to twenty thousand rupees per acre, or with both. The crop sown in the area, in excess of permissible limit, notified under this part, shall also be liable to forfeiture.” .

Mr. Justice (Retd.) Amir-ul-Mulk Mengal
Governor Balochistan.

IMTIAZ HUSSAIN,
Secretary Law.