

THE BALOCHISTAN PROTECTION OF COMMUNAL PROPERTY
OF MINORITIES ACT, 2018

(Baln. Act XI of 2018)

CONTENTS

SECTIONS

Preamble.

1. Short title Commencement and application.
2. Definition.
3. Ban on sale or transfer of Minority Communities Property.
4. Act not apply to evacuee trust property.
5. Punishment.
6. Eviction of Unauthorized Occupant.
7. Mode of recovery of Possession.
8. Requisition of Assistance from Police or Services.
9. Jurisdiction of Civil Court Barred.
10. Removal of Difficulties.

11. Power to make rules.

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'THE BALOCHISTAN PROTECTION OF COMMUNAL PROPERTY
OF MINORITIES ACT, 2018

(Balochistan Act No. XI of 2018)

[13 June, 2018]

An Act to protect the Property of Minority Community of
the Province of Balochistan meant for their communal use.

Preamble. WHEREAS, in view of prevailing circumstances, it is the
demand of the minority communities to protect their properties
meant for their communal use;

It is hereby enacted as follows: —

Short title, 1. (1) This Act may be called the Balochistan Protection
Commencement of Communal Property of Minorities Act, 2018.
and application. 2. It extends to the whole of Balochistan, except the
Tribal Areas.

3. It shall come into force at once.

4. It applies to properties belonging to the minority

communities of Balochistan meant for their communal use.

Definition. 2. In this Act, unless there is anything repugnant in the
subject or context: —

(a) 'Act'? means the Balochistan Protection of Property
of Minorities Act, 2018.

(b) "Government"? means the Government of
Balochistan;

(c) 'Property'? means places of worship, monasteries,
seminaries, vicarages, dharamshalas, goashalas,
health and recreational institution meant for
communal use of minority communities and
includes adjacent buildings, vacant places, lands
residential places, offices annexed to the said
properties; and

1 This Act was passed by the Provincial Assembly of Balochistan on 31st May, 2018; assented to by the Governor of Balochistan

June, 2018; and first published in the Balochistan Gazette (Extraordinary) No. 145, dated 13th June, 2018.

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Ban on sale or
transfer of
Minority
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(d) "Rules" means rules made under this Act.

3. No Property of a minority community meant for its communal use shall be bought, sold or transferred by any person.

Provided that nothing contained herein shall apply to a property bought, sold or transferred for a Housing Scheme, meant for a minority community, approved by the Government.

4. Nothing in this Act shall apply to the evacuee trust properties forming party of trust and vested in the Provincial Government.

5. Whoever buys sells or transfers any property belonging to a minority community meant for its communal use in violation of section 3, shall be punishable with imprisonment of either description which may extend to seven years and shall also be liable to fine which not be less than one hundred thousand rupees and the sale or transfer transaction shall have no legal effect.

Explanation. Illegal occupant/encroacher means a person who is in illegal occupation of or encroaches upon a communal property of a minority community or a part thereof.

6. (1) If Government is satisfied after making such inquiry as it deems fit that a person is an_ illegal occupant/encroachers of a communal property, it may, by order in writing, direct such person to vacate the property within a week time period.

(2) If any person refuses or fails to vacate any communal property as directed by an order made under sub section (1) the Deputy Manager Augaf or District Administrator

Augaf of the District or any officer not below the rank of B-18, after getting assistance from the civil administration, or police, may, notwithstanding anything contained in any other law for the time being in force, enter upon such property and recover possession of the same by evicting such person and may also demolish and remove the structures, if any, erected/built by that person (s).

7. For the purpose of recovering officer so mentioned in sub section (2) of Section 6, may use or cause to be used such force as

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may be necessary.

8. If any officer mentioned in sub-section (2) of section 6 which shall take action under this Act requires Police or Levies assistance in the exercise of his powers there under, he may send requisition to Assistant Commissioner of the sub Division or officer in-charge of the Police Station who shall on such requisition render the required assistance.

9. No Civil Court shall pass an order in any suit or proceeding granting a temporary or interim injunction restraining government, or an officer so authorized and mentioned in sub section (2) of section 6, from taking possession of communal property under this Act.

10. _—«XIf any difficulty arises in giving effect to any of the provision of this Act, the Provincial government may make such order not inconsistent with the provisions of this Act as may appear to be necessary for removing any difficulty.

11. The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.