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THE BALOCHISTAN GAZETTE  
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NG 146 QUETT« FUESDAY JUNE Tg. 2018  
BALOCHISTAN \_ PROVINCIAL ASSEMBLY SECRETARIAT.  
NOTIFICATION.  
(ated Quetta, the 13" June, 2018  
No PAB Leas. V:281/2018/1354 The Balochistan Protection of

Camomunal Property Minonties Bil. 2078 (Bill No.28 of 2018),having been  
ssed by the Provincial Assembly of Balochistan on 31°! May, 2018 and  
med te py the Govemer, Balochistan on 13" dune. 2018 is hereby

~ Balochisian Proviicial Assembly

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THE BALOCHIS7AiN PROTECTION OF COMMUNAL PROPERTY OF  
MINORITIES ACT NO. Xt OF 2018.

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ACT

iFirst published after having received the assent of the Governor of Balochistan in  
the Balochisten Gazette(Extra-ordinary) dated 13" June, 2018

to orotect the Property of Minority Community of the Province of Balochistan meant  
for their communal use

Sintel by the Chie Oontoller. Goverment Printing and Stationery Department. Balochistan Quetta  
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Preamble.

Short title,  
Commencement,  
and application.

Definition.

Ban on sale or  
transfer of  
Minority  
Communities  
Property.

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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:-

41. (1) This Act may be called the Balochistan Protection of Communal Property of Minorities Act, 2018.

2. It extends to the whole of Balochistan, except the Tribal Areas.

3 It shall come into force at once. .

4. It apply to properties belonging to the minority communities of Balochistan meant for their communal use.

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

(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.

Act not apply to  
evacuee trust  
property.

Punishment.

Explanation.

Eviction of  
Unauthorized  
Occupant.

Mode of recovery  
of Possession.

Requisition of  
Assistance from  
Police or  
Services.

4.

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

Be

Provincial Government.

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.

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.

(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 Auqaf 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 stuctures, if any, erected/built by that person (s).

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 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

Jurisdiction of  
Civil Court  
Barred.

Removal of  
Difficulties.

Power to make  
Rules.

10.

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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.

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

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

The Government may, by notification in the

official Gazette, make rules for carrying out the purposes of this Act.

SHAMS-UD-DIN,  
Secretary.