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BALOCHISTAN _ PROVINCIAL ASSEMBLY SECRETARIAT.
NOTIFICATION.
(Quetta, the 13th June, 2018)
No PAB Leas. V:281/2018/1354 The Balochistan Protection of

Communal Property Minorities Bill, 2018 (Bill No.28 of 2018), having been
passed by the Provincial Assembly of Balochistan on 31st May, 2018 and
approved by the Governor, Balochistan on 13th June, 2018 is hereby

~ Balochistan Provincial Assembly

an act to

provide

THE BALOCHISTAN PROTECTION OF COMMUNAL PROPERTY OF
MINORITIES ACT NO. 28 OF 2018.
AN
ACT

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

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

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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 structures, 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.

the

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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 governimen: may make such order not inconsistent with provisions of this Act as may appear ic 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.