

THE BALOCHISTAN WATER SUPPLY
REGULATION, 1941

(Baln Regulation II of 1941)

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REGULATION, 1941

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A Regulation to provide for the use for public purpose
of certain water supplies in 7[* * *] Balochistan.

WHEREAS it is expedient to provide for the use for
public purpose of certain water supplies in '[* * *] Balochistan.

It is hereby enacted as follows:

1. (1) This Regulation may be called the '[* * *]
Balochistan Water Supply Regulation, 1941.

(2) It extends to the whole of '[* * *] Balochistan.

(3) It shall come into force at once.

2. If it appears expedient to the *[Provincial Government]

that any water flowing in a natural or artificial channel, whether
above or below ground, or any water contained in a lake or
natural collection of water, whether above or below ground,
should be used by the Government for any public purpose, the
2[Provincial Government] may, by notification in the '(Official
Gazette] declare that on and after such date as may be specified
in the notification, the said water will be so used.

3. After the date specified in a notification under section 2
any '[servant of the State], authorised in this behalf by the
2[Provincial Government], may enter on any land and remove
any obstruction and may close any channel and do any other
thing necessary to facilitate the use of water for the public
purpose contemplated.

4. On the issue of a notification under section 2 relating to any water the Deputy Commissioner shall cause public notice to given at convenient places stating that the Government intends to use the water in the manner declared in the notification and that claims for compensation for damage in

Spelling of the word "Baluchistan", wherever it appears in this Regulation, is corrected by insertion of letter "o" instead of "u", a

Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

Subs. for the words "British Balochistan" by the W.P.A.O., 1964. s. 2(1), Sch. Part V.

Subs. ibid, for the words "Chief Commissioner".

Subs. ibid, for the words "Gazette of India".

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Subs. ibid, for the words "officer of Government".

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Award of
compensation.

Damage for which
compensation
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not be awarded.

Limitation of claims
for
compensation.

consequence of such use may be made to him.

5. (1) The Deputy Commissioner shall inquire into any claim for compensation made to him, and shall determine the amount of compensation, if any, which shall be given to the claimant.

(2) Any person aggrieved by a decision of Deputy Commissioner under sub-section (1) may within sixty days of the communication to him of the decision appeal against it to the Commissioner, who shall, after giving such person an opportunity of being heard, decide the appeal. The decision of Commissioner in appeal shall be final.]

6. Compensation may be awarded for any substantial damage caused by the exercise of any of the powers conferred by this Regulation which is capable of being ascertained and estimated at the time of awarding such compensation.

Provided that no compensation shall be awarded for any damage caused by-

(a) deterioration of climate or soil; or

(b) stoppage or diminution of any supply of water if no use has been made of such supply within the five years preceding the date of the issue of the notification under section 2.

7. No claim for compensation for damage under this Regulation shall be entertained unless it is made before the expiration of one year from the date on which the damage was incurred:

Provided that the Deputy Commissioner may admit a claim made after such time if he is satisfied that the claimant had sufficient cause for not making the claim earlier.

1 Subs. for sub-section (2) by Baln. Ord. XXI of 1984.

