

THE FOREST (WEST PAKISTAN AMENDMENT)
ACT, 1964

(W.P. Act VII of 1964)

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'THE FOREST (WEST PAKISTAN AMENDMENT)

Preamble.

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ACT, 1964

(W.P. Act VII of 1964)

[17th March, 1964]

An Act to amend the Forest Act, 1927.

WHEREAS it is expedient further to amend the Forest Act, 1927, in its application to the Province of *[Balochistan'] in the manner hereinafter appearing;

It is hereby enacted as follows:—

1. qd) This Act may be called the Forest (West Pakistan Amendment) Act, 1964.

(2) It extends to the whole of the Province of *[Balochistan*] except the District Hazara and the Tribal Areas.

(3) It shall come into force at once.

2. After section 26 of the Forest Act, 1927, hereinafter in this Act called the principal Act, the following new section shall be inserted, namely: —

"26-A. Removal of encroachments, etc., from Reserved Forests- (1) A Court convicting an accused person of an offence under clause (h) of sub-section (1) of section 26 shall direct the accused, if he or any other person on his behalf be in possession of the land in respect of which he is convicted, to deliver possession of the same within such period not exceeding thirty days, as the Court may fix in this behalf, to the prescribed Forest Officer, and to remove within the said period any encroachments which the accused may have put up or erected on such land.

(2) Any accused person directed by a Court under the last preceding sub-section to deliver possession of land in a Reserved Forest to the prescribed Forest Officer or to remove therefrom any encroachment made by him, who fails so to

+ This Act was passed by the w. P. Assembly on 4th March, 1964; assented to by the Governor of w. P. on 16th March, 1964;

published in the W. P. Gazette (Extraordinary), dated 17th March, 1964, pages 833-834.

2 Subs. by Balochistan Laws (Adaptation) Order, 1975; published in the Balochistan Gazette (Extraordinary) No. 17, dated 9**

for the words "West Pakistan".

3 Spelling of the word "Baluchistan", wherever it appears in this Act, is corrected by insertion of letter "o" instead of "u"; as per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18" June, 1989.

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deliver the land or to remove the encroachment within the period specified by the court under the said sub-section—

(a) may, by order of the Court be ejected from such land and any encroachment made by him on such land may be removed or demolished with such force as may be necessary and in such manner as may be prescribed; and

(b) shall also be liable to a fine which may extend to one hundred rupees for every day, after the period fixed by the Court under the provisions of sub-section (1) has expired, that he remains in possession or occupation of the land in respect of which he has been convicted or fails to demolish or remove the encroachment on

such land."

Addition of Section 3. After section 33 of the principal Act, the following new 33-A to Act section shall be inserted, namely:—

XVI of 1927.

"33-A. Power of court to evict trespassers— (1) A

Court convicting an accused person of an offence under clause (c) of sub-section (1) of section 33, shall direct the accused, if he or any other person on his behalf be in possession of the land in respect of which he is convicted to deliver possession of the same within such period not exceeding thirty days as the Court may fix in this behalf, to the prescribed Forest Officer, and to remove within the said period any encroachment which the accused may have put up or erected on such land.

(2) Any accused person directed by a Court under the last preceding sub-section to deliver possession of land in a Protected Forest to the prescribed Forest Officer or to remove therefrom any encroachment made by him, who fails to deliver the land or to remove the encroachment within the period specified by the Court under the said sub-section—

(a) may, by order of the Court, be ejected from such land and any encroachment made by him on such land may be removed or demolished with such force as may be necessary and in such manner as may be prescribed; and

(b)

shall also be liable to a fine which may extend to one hundred rupees for every day, after the period fixed by the Court under the provisions of sub-section (1) has expired, that he remains in possession or occupation of the land in respect of which he has been convicted or fails to demolish or remove the encroachment on such land."