

AZAD KASHMIR TIMBER PROTECTION ACT, 1948

Resolution No. 550:- Resolved that the Azad Kashmir Timber Protection Act of the year 1948 forming appendix 'A' to this resolution is hereby passed.

Appendix 'A' to Council Resolution No. 550/48.

Whereas an emergency has arisen which renders it necessary to provide for the proper safeguard and disposal of timber lying in or passing through the liberated area of Azad Kashmir Territory through special Act it is hereby enacted as follows :-

1. This Act shall be called the Azad Kashmir Timber Protection Act of the year 1948.
2. This Act shall come into force forthwith.
3. All timber lying in or passing through the liberated area by land or by river shall be deemed to be the property of the Azad Kashmir Government unless it is proved to the contrary by a claim and through cogent documentary evidence.
4. Any officer of the Forest Department not below the rank of a forester, any police officer not below the rank of a Headconstable or any officer of the Customs and Excise Department not below the rank of a mahaldar, may seize any timber lying in or passing through the Azad Kashmir Territory if he has reason to believe that the timber is possessed or is being exported without proper authority.
5. Any officer who has seized timber in exercise of his powers under Section 4 shall submit a report immediately to the nearest gazetted officer of the Forest Department.
6. If a claimant proves to the satisfaction of the Divisional Forest Officer that the timber so seized lawfully belongs to him, the Divisional Forest Officer shall release the timber. If no claim is preferred within three months from the date of seizure the timber shall be finally deemed to be the property of the Azad Kashmir Government and shall be dealt with as such.

If any person resists the seizure of any timber or, tampers with or attempts to tamper with, conceals or attempts to conceal, removes or attempts to remove without lawful authority the timber so seized or any part thereof or timber lying or passing through the Azad territory which is Government property he shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.

An offence under section 7 shall be cognizable and non-bailable subject to the provisions of Sections 497, 498 of the Cr. P.C. and shall be tried by a First Class Magistrate.