

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR

LAW, JUSTICE AND PARLIAMENTARY AFFAIRS DEPARTMENT

MUZAFFARABAD

No. 402-408/LD/Leg/95. The following Act of the Assembly received the

assent of the President on 7th April, 1995, is hereby published for general information:-

(ACT V OF 1995)

AN

ACT

to amend the Jammu and Kashmir Forest Regulation 1930

WHEREAS it is expedient to amend the Jammu and Kashmir Forest Regulation, 1930 (Regulation II of 1930), in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement:-(1) This Act may be called the Jammu and Kashmir Forest Regulation, 1930 (Amendment) Act, 1995.

(2) It shall come into force at once.

2. Amendment of Section 28, Forest Regulation, 1930:-In the Jammu and Kashmir Forest Regulation, 1930 (Regulation II of 1930), hereinafter referred to as the said Regulation, in Section 28,-

(a) in sub-section (1) the words "with the connivance of the owners there" shall be omitted; and

(b) after sub-section (IJ-A) the following new-sub-section

(II-B) shall be inserted,-

"(I-B) Any Forest Officer found guilty of abetting an offence, under this regulation, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both."

(c) after sub-section (4) the following new sub-section (4-

A), shall be inserted, namely:-

"(4-A) The officer confiscating any property under sub-section (1) may release such property on payment of penalty which may extend to eleven times but shall not be less than four times of the market value of confiscated forest produce.

Explanation:- For the purposes of this Regulation market value

of the forest produce means "market value" fixed by the Chief

Conservator of Forests from time to time."

(d) in sub-section (6) the full stop at the end shall be substituted by a colon and thereafter the following proviso shall be added, namely:-

(e)

"Provided the revising authority, may on revision confirm, set aside, vary or modify the order under revision as it may deem fit."

in sub-section (9 for the figures "Rs. 50,000/-" at both the places and "Rs. 5000/-" the words "one hundred thousand rupees" at both the places and "ten thousand rupees" shall respectively be substituted.

Amendment of Section 56, Forest Regulation II_of 1930:- In the said Regulation, in Section 56, the words "except Section 28", shall be omitted.

Addition of Section 56-A, Forest Regulation I of 1930:-In the said Regulation after Section 56, the following new Section 56-A, shall be inserted, namely:-

"56-A. The forest produce alongwith its means of transportation

referred in sub-section (1) of Section 28, on its confiscation by any Police Officer, shall be handed over to the Divisional Forest Officer concerned and the person arrested shall be brought before the Forest Protection Officer having jurisdiction in the case or in his absence, before any other magistrate, within twenty four hours, excluding the time necessary for the journey from the place of his arrest."

Repeal:-The Jammu and Kashmir Forest Regulation, 1930 (Amendment) Ordinance, 1994 (Ordinance XXXIX of 1994) is hereby repealed.

Sd/- (SYED SHAKIR SHAH)
DEPUTY SECRETARY LAW.