

AZAD GOVERNMENT OF THE STATE OF JAMMU & KASHMIR,
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT
MUZAFFARABAD

Dated the 16TH March, 1994.

No. 202-207/LD/Leg/94. The following Act of the Assembly received

the assent of the President on the 9th March, 1994 is hereby published for

general information:-

(ACT XVIII OF 1994)

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 Regulations (Amendment) Act, 1994.

(2) It shall come into force at once.

2. Amendment of Regulation II of 1930:- In the Jammu and Kashmir Forest Regulation 1930 (Regulation II of 1930), hereinafter referred to as the said regulations, in regulation II, in Section 2, after the heading "River" at the end, the following new heading shall be added;

"Forest Protection Officer" means a person appointed and empowered by the Government to hear and decided the Forest cases under the Forest Regulations, 1930.

3. Addition of Section 57, and 58 Regulation IT of 1930:- In the said Regulation after Section 56, the following shall be added, namely:-

57. Forest Protection Officer:- (1) Appointment to post of Forest Protection Officer shall be made from amongst such persons possessing such qualifications and experience as prescribed for the appointment of Sub-Judges.

(2) Notwithstanding anything contained in any other law for the time being in force, on appointment of Forest Protection Officers, all cases, pending with Forest Magistrate and cases of

Forest Offences pending with Conciliation Courts constituted under the Azad Jammu and Kashmir Conciliation Courts Act, 1986 shall stand transferred to the Forest Protection Officers and their territorial jurisdiction shall be determined by the Government;

(3) The rules for appointment and terms and conditions of service of Sub-Judges shall be applicable to the appointment of Forest Protection Officers.

58.Forest Appellate Tribunal:- (1) There shall be one or more Forest Appellate Tribunal Consisting of District and Sessions Judges and their jurisdiction shall be determined by the Government;

(2) Any person aggrieved by any order or Judgment made by the Forest Protection Officer, may within thirty days of the commencement of such order or judgment, prefer an appeal to the Forest Appellate Tribunal and its decision, subject to the provision of sub-section (3) shall be final.

(3) An appeal to the Supreme Court of Azad Jammu and Kashmir from an order or judgment of the Forest Appellate Tribunal shall lie only if the Supreme Court of Azad Jammu and Kashmir being satisfied, that the case involves a substantial question of law of public importance grants, leave to appeal.”
General Amendment, Regulation II_ of 1930:- In the Said regulations, for the word “Magistrate” wherever occurring, the words “Forest Protection Officer” shall be substituted.

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

Sd/- (Syed Shakir Shah)
Deputy Secretary Law