

THE PUNJAB LAND PRESERVATION ACT, 1900

(Punjab Act II of 1900)

CONTENTS

PRELIMINARY

Sections

T-A.

Short title and commencement.

GENERAL DEFINITIONS

Definitions.

NOTIFICATION AND REGULATION OF AREAS

Notification of areas.

Power to regulate, restrict or prohibit, by general or special order, within notified areas, certain matters.

Power in certain cases, to regulate, restrict, or prohibit, by special order, within notified areas, certain further matters.

Power to require execution of works and taking of measures.

Necessity for regulation, restriction or prohibition to be recited in the order under section 4 or 5. Publication of order.

Proclamation of regulations, restrictions and prohibitions and admission of claims for compensation for rights which are restricted or extinguished.

Deputy Commissioner's power regarding execution of works and taking of measures.

CONTROL OVER THE BEDS ON NALAHS

Action when Provincial Government considers it desirable to take measures to regulate the beds of Nalahs, Vesting of such beds in the

Provincial Government,

Effect of notification to suspend or extinguish private rights in the area notified under section 8.

10. Power of Deputy Commissioner to delimit the bed and to decide what constitutes such bed. Power to take possession of bed when vested in the Provincial Government.

11. Bar of compensation for acts done under sections 8, 9 or 10

12. Condition as to sale of land acquired under the Act and obligation of Provincial Government to keep account of moneys expended on such land.

POWER TO ENTER UPON AND DELIMIT NOTIFIED AREAS AND BEDS

13. Power to enter upon, survey and demarcate areas notified under section 3 or section 8.

INQUIRY INTO CLAIMS AND AWARD OF COMPENSATION

14. Inquiries into claims and awards thereupon.

15. Method of awarding compensation and effect of such award.

PROCEDURE, RECORDS AND APPEAL

16. Record-of-rights in respect of notified areas.

17. Mode of proclaiming notifications and of serving notices, orders and processes, issued under the Act.

18. Appeal, review and revision.

PENALTIES, BAR OF SUITS AND RULES.

19. Penalty for offences.

20. Application of provisions of Act XVI of 1927.

21. Bar of suits.

22. Power to make rules.

'THE/[WEST PAKISTAN] AND RESERVATION ACT, 1900
(Punjab Act II of 1900)
[10th October, 1900]

Act to provide for the better preservation and protection of Certain portions
of the territories of 3[N'.W.F.P].

PRELIMINARY

(1) | This Act may be called the [* * *) Act, Land Preservation 1[* * *) Act,

1900.

8[(2)]It shall extend to the whole of the °[Khyber Pakhtunkhwa] except the
Tribal Areas.]

73)] It shall come into force at once.

2. In this Act Unless a different intention appears from _ the

subject or context,-

For statement of objects and Reasons, See Punjab Gazette, H99, Pa t V-APage13, Report of the Select
Committee, See ibid, 1900, Part-V Page].for proceeding in Councils, See ibid, 1899, Part-VI, Pages and ibid
1900 Part. VI Page 12.

Subs by 11. P ord No. VI of 1963.

Omitted and Subs by A.W.F.P. A. L.O, 1975.

Omitted by Punjab Act, No- X1,194,25.

The Preamble Omitted, Ibid, 8 3

Omitted and Subs by A.W.F.P. A. L.O, 1975.

The brackets and the word "(Chos)" omitted by Punjab. \d No. IV of 1944 52 (a).

Subs by W. Pord No. VI of 1963 for Sub Section (2).

Subs by Khyber PakhtunkhwaA.L.O. 1975.

10, The original Sub-Section (2) re-cumbered as Sub-Section 3) by Punjab Act No. XI of 1942, S. 4 (a).

Ce NDA oT ew oN

Short title and
commencement.

Definitions.

(b)

(o)

(a)

(e)

the expression "land" means land within any '[* * *] area preserved and and protected or otherwise dealt within manner in this Act provided, and includes benefits to arise out of land, and things attached to the

earth or permanently fastened to anything attached to the earth;

[* * *]The expression "nalali" means a stream or torrent flowing

through or from any mountain range within the *[Province.]:

the expressions "tree", "timber," "forest-produce" and _ "cattle" respectively, shall have the meanings severally assigned thereto in Section 2 of the "[* * *] Forest Act °[1927];

the expression "person interested" includes all persons claiming any interest in compensation to be made on account of any measures taken under this Act, Te * *]

the expression "Deputy Commissioner" includes any officer or officers at any time specially appointed by the '[Provincial Government] to perform the functions of a Deputy Commissioner, under this Act,

8[* *] the expression "rightholder" includes-

(i) persons not being tenants or mortgages having rights to or in land; and

The word "Local" Omitted by Punjab Act IV of 1944, S. 3 (a).

Subs, for the original clause (b) by Punjab Act XV of 1955, s. 2, Sch. 1, Part-II

Subs, for the words "Punjab" by W. P. Ordinance VI of 1963, s. 4.

The words "Indian" omitted by Punjab Act XV of 1955, s. 2, Sch. T, Part-11.

Subs, for the figures "1878,, by Punjab Act IV of 1944,8.3 (b

The word "and" omitted ibid, s. 3 (c),

Subs, for the words "Local Government" by A. O., 1937.

Add, by Punjab Act IV of 1944, s. 3 (c).

(ii) persons having rights of collection of forest produce or of grazing or pasture: and

(g) the expression "erosion" includes the removal or displacement of earth, soil, stones or other materials by the action, of wind or water.]

NOTIFICATION AND REGULATION OF AREAS

'[3]. Whenever it appears to the Provincial Government that it is desirable to provide for the conservation of sub-soil water or the prevention of erosion in any area subject to erosion or likely to become liable to erosion, such Government

may by notification make a direction accordingly.]

4. In respect of area notified under section 3 generally or the whole or any part of any such area, the *[Provincial Government] may, by general or special

order temporarily *[*] regulate, re- strict or prohibit—

(a) the clearing or breaking up or cultivating of land not ordinarily under cultivation prior to the publication of the notification

under section 3;

(b) the quarrying of stone or the burning of lime at places where such stone or lime had not. ordinarily been so quarried or burnt prior to

the publication of the notification under section 3:

1, Subs, for the original section (3) by Punjab Act XI of 1942, s. 5.

2, Subs. for the words "Local Government", by A. O., 1937.

The words "or permanently" omitted by Punjab Act VII of 1926.

Power to regulate

restrict or
prohibit, by
general or
special order
within notified
areas, certain
matters.

(o)

(a)

(e)

(g)

the cutting of trees or timber, or the collection or removal or subjection to any manufacturing process, otherwise, than as described in clause (b) of this sub-section of any forest-produce other than grass, save for bonafide domestic or agricultural

purposes 'fof right holder in such area];

the setting of fire of trees, timber or forest produce:

the admission, herding, pasturing or retention of sheep, *Tgoats or camels];

the examination of forest-produce passing out of any such area ;

and

the granting of permits to the inhabitants of towns and villages situate within the limits or in the vicinity of any such area, to take any tree, timber or forest produce for their own use there from, or to pasture sheep, *[goats or camels] or to cultivate or erect buildings therein and the production and return of such permits by

such persons.

15] In respect of any specified village or villages, or part or part thereof,

comprised within the limits of any area notified under section a 3

the*[Provincial Government] may, by special order, temporarily ore * *)

regulate, restrict or prohibit—

1, Add. by Punjab Act IV of 1944, s. 4.

Subs, ibid, for the words "or goats".

Subs, ibid, for the words "or goats".

For notification see Punjab Local Roles and Orders.

5, Subs. for the words "Local Government", by A. O., 1937.

The words "or permanently" omitted by Punjab Act VII of 1926.

Power, in certain
cases to regulate
restrict or prohib,

it by — special
order within
notified area
certain further
matters.

(a) the cultivating of any land ordinarily under cultivation prior to

the publication of the notification under section 3

(b) the quarrying of any stone or the burning of any lime at places where such stone or lime had ordinarily been so quarried or burnt prior to the publication of

the notification under section 3;

(c) the cutting of trees or timber or the collection or removal or subjection to any manufacturing process, otherwise than as described in clause (b) of this sub-

section of any forest-produce '[for any purposes]; and

(d) the admission, herding, pasturing or retention of cattle generally other than

sheep, *[goats and camels] or of any class or description of such cattle.

3[5-A. In respect of areas notified under section 3 generally or the whole or any part of any such area, the Provincial Government may, by genera] or special order, direct—

(a) thelevelling, terracing, drainage and embanking of fields;

(b) the construction of earth-works in fields and ravines;

(c) the provision of drains for storm water;

(d) the protection of land against the action of wind or water;

(e) the training of streams ; and

(f) the execution of such other works and the carrying out of such other measures as may, in the opinion of the Provincial Government, be necessary for

carrying out the purposes of this Act.]

1, Subs, for the words "for bonafide domestic or agricultural purposes", by Punjab Act IV of 1905.

2, Subs, for the words "and goats" by Punjab Act IV of 1944, s.5,

3, Ins. ibid, s. 6.

Power to require
execution of
works and taking
or measures.

6. Every order made under 'Tsections 4,5 or 5-A] shall be publish-' ed in the'/Official Gazette} and shall set forth that the *[Provincial Government] is satisfied, after due inquiry, that regulations, restrictions, "[prohibitions or directions] contained in the order are -necessary for the purpose of giving effect

to the provisions of this Act.

7. (i) When, in respect of any *[*] area, a notification hasl been published under section 3, and

(a) upon such publication any general order, made under j section 4 S[or section 5-A] becomes applicable to such area, or;

(b) any special order under [sections 4,5 or 5-A] is made in respect of

such area,

the Deputy Commissioner shall cause public notice of the provisions of such general or special order to be given, and if the provisions of any such order restrict or "[prohibit the exercise of] any existing rights, shall also publish in the language of the country and in every town and village the boundaries of which include any portion of the area within or over which the "[exercise of any such rights is so restricted or prohibited] a proclamation stating the regulations, restrictions and prohibitions which have been imposed, by any such order, within

the limits of such area or in any part or parts thereof; fixing a period of not less

Subs, for the words and figures "section 4 or section 5", by Punjab Act IV of 1944. s. 7.
2, Subs, for the word "Gazette", by A. O., 1937.

Subs, *ibid.*, for the words "Local Government"

4, Subs, for the words "or Prohibitions" by Punjab Act IV of 1944. S. 7.

5, The word "Local" Omitted by Act No Iv of 1944. s. 8.

6, *Ins. ibid.*

Subs, *ibid*, for the words and figures "section 4 or section 5".

8, Subs, for the word "extinguish", by Punjab Act VII of 1926, s. 4.

Subs. *Ibid* , for the words "any such rights are so restricted or extinguished".

Necessity for
regulation
restriction or

prohibition to be
recited in the
order under
section 4 or 5.

Publication of
order,
Proclamation of
regulations,

restrictions, and prohibitions and admission of claims for compensation for rights which are restricted or extinguished.

than three months from the date of such proclamation, and requiring every person claiming any compensation in respect of any right so restricted or prohibited, within such period either to present "to such officer a written notice specifying, or to appear before him and state, the nature and extent of such right and the amount

and particulars of the compensation (if any) claimed in respect thereof.

(2) Any claim not preferred within the time fixed in the proclamation made under sub-section (1), shall be rejected: Provided that, with the previous sanction of the Commissioner, the Deputy Commissioner may admit any such claim as if it

had been made within such period.

'17-A.J(1) When an order has issued under section 5-A, the Deputy Commissioner may by notice require the owner or occupier of the land to execute

such works or take such measures as may be specified in the notice.

(2) Every such notice shall state the time within which the works are to be

executed or measures are to be taken.

(3) A person aggrieved by an order contained in such a notice as aforesaid may, within thirty days from the service of such notice or within such longer period as the Deputy Commissioner may allow in this behalf, serve a notice of his objections on the Deputy Commissioner in such manner as may be provided by

the rules made under this Act.

(4) If and in so far as an objection under this section is based on the ground of some informality, defect or error in or in connection with the notice, the Deputy Commissioner shall dismiss the objection, if he is satisfied that the informality,

defect or error was not a material one.

Ins. by Punjab Act IV of 1944, s. 9.

2, Add. by Punjab Act XV of 1955, s. 2, Sch. I, Part-II.

*[Deputy

Commissioner's
powers regarding

execution

of

works or taking

or measures].

(5) If the objection is brought on all or any of the following grounds, that is to

say:

(a) that the notice might lawfully have been served on the occupier of the land in question instead of on the owner, or on the owner instead of on the

occupier, and that it would have been equitable for it to have been so served;

(b) that some other person, being the owner, occupancy tenant, mortgagee with possession or lessee or farm holder or possessing some other right in or over the land to be benefited, ought to contribute towards the expenses of executing

any works or taking any measures required:

(c) where the work or measure is work or measure for the common benefit of the land in question and other land, that some other person being the owner or occupier of land to be benefited, ought to contribute towards the expenses of

executing any works or taking any measures required;

the objector shall serve a copy of his notice of objection on each other person referred to and on the hearing of the objection the Deputy Commissioner may make such order as he thinks fit with respect to the person by whom any work is to be executed or measure is to be taken and the contribution to be made by any other person towards the cost of the work or measure, or as to the proportions in which any expenses which may become recoverable by the Deputy Commissioner

under sub-section (6) are to be borne by the objector and such other person:

Provided that no such order shall be made unless the person who is likely

to be affected thereby has been given a reasonable opportunity of being heard.

In exercising his power under this sub-section the Deputy Commissioner

shall have regard—

(a) as between an owner and an occupier, to the terms and conditions, whether contractual or statutory, of the tenancy and to the nature of the works and measures required; and

(b) in any case to the degree of benefit to be derived by the different persons concerned.

(6) Notwithstanding anything to the contrary in any Jaw for the time being in force, no person required by a notice or an order under this section to execute any work or to take any measure shall be required to obtain the consent of any other

person before complying with such notice or order.

(7) Subject to such right of objection as aforesaid and the right of appeal under section 18, if the person required by the notice to execute works or to take measures fails to execute the works or to take the measures indicated within the time thereby limited, the Deputy Commissioner may himself or by an agent execute the work or take the measures and recover from that person the expenses reasonably incurred by him in so doing:

(1) provided that it shall not be necessary for the Deputy Commissioner to wait for the decision of any objection other than at objection under clause (a) of sub-section (5), or an appeal against any decision on such objection, before taking action under this sub-section:

(2) provided further that the maximum amount that shall be recoverable in respect of any land in regard to which the work has been executed or the measure taken shall not exceed -

(a) where the work is required to be executed or the measure to be taken by the owner, ten times the land revenue assessed on all the lands owned by him

in the '[Province]; and

(b) where the work is required to be executed by the occupier, ten times the land revenue assessed on all the lands occupied by him in the state in which

such land is situated.

(8) If the cost of any work executed or any measure taken by any person remains unpaid by the person from whom it is due after the date specified in a notice issued in this behalf by the Deputy Commissioner or such other date as is fixed by him, such cost shall be recoverable as an arrear of land revenue and a certificate issued by the Deputy Commissioner in this behalf shall be final and

conclusive evidence of the sum so recoverable and the person liable for the same.

(9) livery order issued under this section shall be published in such manner as may be prescribed in the rules made under this Act, and upon such publication every person affected thereby shall, unless the contrary be proved, be deemed to

have had due notice thereof.

(10) The Deputy Commissioner may by general or special order authorise any revenue officer subordinate to him to enquire in to any objection that may be

brought under this section:

Provided that no final order on any such objection shall be passed except

by the Deputy Commissioner himself.

1 Subs, for the word "Punjab", by W, P. Ordinance VI of 1963, a. 5.

(11) In making an order on objections brought under this section, the Deputy Commissioner shall be guided by such rules, if any, as the Provincial Government may make in this behalf.

(12) For the purposes of this section, the expression "Estate" shall have the meaning assigned thereto in the Punjab Land Revenue Act, 1887.

CONTROL OVER THE BEDS OF '[NALAHS]

8. (1) Whenever it appears to the *[Provincial Government] that re" it is desirable

that measures should be taken in the bed of any 3[Nalah} [° for the purpose of—

(a)regulating the flow of water within and preventing the

widening or extension of such bed, or of

(b) reclaiming or protecting any land situate within the limits of such bed; such Government, may, either proceed at once in manner in subsection (2) provided, or, in the first instance, by notification specifying nature and extent of

the measures to be taken and the locality in and the time within which such

Subs, for the words "Chos" by Punjab Act XV of 1955, s. 2, Sch. I, Part-II.
Subs, for the words "Local Government", by A. O., 1937.

3, Subs, for the words "Chos" by Punjab Act XV of 1955, s. 2, Sch. I, Part-II.

Action when
Provincial
Government
considers it
desirable take
measures to

regulate the bdes
of 1(Nalah)
vesting of such
beds in
2(Provincial
Govet),

measures are to be so taken, require all persons possessing proprietary or occupancy rights in land situate in such locality to themselves carry out the measures specified in such notification accordingly.

(2) If the whole or any part of the bed of any '[nalah] be unclaimed, or, if, in the opinion of the *[Provincial Government], the measures deemed necessary under sub-section (1) are of such a character, in regard to extent and cost, that the interference of the | 3[Provincial Government] is absolutely necessary,

or in the event of the owner or occupier of any portion of the bed of any "[nalah] failing, to comply with the requirements of any notification issued under sub-section (1), such Government may, by notification declare that the whole or any part of the area comprised within the limits of the bed of any° [nalah] shall STvest in Provincial Government] '[* * *] for such period and subject to such conditions af any) as may be specified in the

notification:

Provided that no such declaration shall be made in respect of or shall affect any land included within the limits of the bed of any such *[nalah] which, at the date of the publication of the notification making such declaration, is cultivated or culturable, or yield any produce of substantial value.

1, Subs, for the words "Chos" by Punjab Act XV of 1955, s. 2, Sch. I, Part-II.

2. Subs, for the words "Local Government", by A. O., 1937.

3, Subs, for the words "Local Government", by A. O., 1937.

a Subs, by Pb. Act XV of 1955.

5, Subs, by Pb. Act XV of 1955.

6, Subs for the words "Vest in His Majesty for the purposes of the Province", by W. V. Laws Adaptation Order, 1964, s. 2

(1) Sch., which were previously subs, for the words the Government", by A.O. 1937, Sch. VI.
The words "either absolutely and in perpetuity or" omitted by Punjab Act VIII of 1962, 8.2."

8, Subs, by Pb. Act XV of 1955.

(3) When the owners or occupiers of such locality are unable to agree among themselves regarding the carrying out of such measures, the decision of those

paying the larger amount of land revenue shall be held to be binding on all.

(4) The '[Provincial Government] may, from time to time, by like notification, extend the period during which any such area shall remain vested in *Tthe

Provincial Government].

9. Upon the making of any declaration under sub-section (2) of section 8, all private rights of whatever kind existing in or relating! any land comprised within the area specified in the Notification: containing such declaration at the time of the publication thereof, shall *Tbe suspended for the period specified in the declaration and for such further period (if any) to which such period may at any

time be extended]:

Provided that, as far as circumstances admit, such rights of way and water shall be reserved, in respect of every such area, as may be necessary to meet the reasonable requirements and convenience of the person (if any) who, at the time of

the making of such declaration, possessed any such rights over such area.

Subs for the words "Vest in His Majesty for the purposes of the Province", by W. V. Laws Adaptation Order, 1964, s.2 (1) Sch., which were previously subs, for the words the Government", by A.O. 1937, Sch. VI.

2, Subs., for the words "His Majesty", by the West Pakistan Laws (Adaptation) Order 1964, s.2(1) Sch. Part-II.
3, Subs, by Punjab Act VIII of 1926, s. 3, for the following clauses:—"

(a) if o period is specified in such declaration —cease and determine absolutely; (

(b) if any period is specified in such declaration—be suspended for such period and for such further period (if any)

to which such period may at any time be extended.

Effect of
notification to
suspend or
extinguish

private rights in
the area notified
under section 8,

10. (1) The Deputy Commissioner shall, for the purposes of every notification issued under sub-section (2) of section 8, fix the limits of the area comprised within the bed of the : [nah] to which ' such notification is to apply.

(2) Upon

declaration under sub-section (2) of section 8,

the publication of a notification containing any
it shall be lawful for

the Deputy Commissioner to —

(a) take possession of the area specified in such declaration;

(b) eject all persons there from : and to

(c) deal with such area, while it remains vested in *[Provincial Government],
as if it were the absolute property of "[Provincial Government].

11. No person shall be entitled to any compensation for anything at any time

done, in good faith, in exercise of any power conferred by section 8, section 9 or

section 10.

12, [Condition as to sale of land acquired under the Act and objection of Local Government to keep account of moneys expended on such land]—Repealed by Act VI of 1926 s. 4

POWER TO ENTER UPON AND DELIMIT NOTIFIED AREAS AND BEDS

1, Subs, for the word "cho,, by Punjab Act XV of 1955,)s. 2, Sch. I, Part-D.

2. Subs, for the words "His Majesty", by W. P. Laws (Adaptation) Order. 1962 s. 2.)sSch.Part-IL.

3. Subs, for the words "His Majesty", by W. P. Laws (Adaptation) Order. 1962 s. 2.)sSch.Part-IL.

4, Subs, for the words "His Majesty", by W. P. Laws (Adaptation) Order. 1962 s. 2.)sSch.Part-II.

Power of Deputy
Commissioner to
delimit the bed
and constitute
such bed.

Power to take
possession of
bed when vested
in [Provincial
Govt]

Bar of

compensation for
acts done under
section 8, 9 or
10.

13. It shall be lawful for the Deputy Commissioner and For his subordinate officers, servants, care-takers and workmen, from time to time, as occasion may require,—

(a) to enter upon, and survey any land comprised within any *[* *] area in regard to which any notification, < has been issued under sections or sections *[or in regard to which a notification is proposed to be issued under section 5-A];

(b) to erect bench; marks on and to delimit and demarcate the boundaries of any such "Te *] area; and

(c) to do all other acts and things which may be necessary in order adequately to preserve or project any land or to give effect to all or any of the provisions of this Act:

Provided that reasonable compensation, to be assessed and determined in the manner in this Act provided, shall be made in respect of any damage or injury caused to the property or rights of any person in carrying out any operations under the provisions of this section, but no such compensation shall be payable in respect of anything done under the said provisions within the limits of any *[* *] area

notified under section 8.

1, The ward "Local", omitted by Punjab Act XV of 1955. 9.2. Sch. I. Part-II.

2, The word "Local" omitted by Punjab Act IV of 1944, s. 10.

3, Add. Ibid.

a The word "Local" omitted by Punjab Act IV of 1944, s. 10.

5, The word "Local" omitted by Punjab Act IV of 1944, s. 10.

Power to enter
upon, survey and
demarcate
[XXX]

INQUIRY INTO CLAIMS AND AWARD OF COMPENSATION

14. (1) The Deputy Commissioner shall—

(a) fix a date for inquiring into all claims made under section 7¹ and may in his discretion, from time to time adjourn the inquiry to a date to be fixed by

him;

(b) record in writing all statements made under section 7:

(c) inquire into all claims duly preferred under section 7²; and

(d) make and award upon each such claim, setting out therein the nature and extent of the rights claimed, the person or persons making such claim, the extent (if any) to which, and the person, or person in whose favour, the right claimed is established, the extent to which it is to be restricted or [prohibited] and the nature and amount of the compensation (if any), awarded.

(2) For the purposes of every such inquiry the Deputy Commissioner may exercise all or any of the powers of a Civil Court in the trial of suits under the Code of "[Civil Procedure].

(3) The Deputy Commissioner shall announce his award to such persons interested, or their representatives, as are present, and shall record the acceptance of those who accept it. To such as are not present, the Deputy Commissioner shall cause immediate notice of his award to be given.

15. (1) In determining the amount of compensation the Deputy Commissioner shall be guided, so far as may be, by the provisions of sections 23 and 24 of the Land Acquisition Act, 1894, and as to matters which cannot be

dealt with under those provisions, by what is just and reasonable in the

1, The words "or section 12" omitted by Punjab Act VIII of 1926, 5.

2, The words "or section 12" omitted by Punjab Act VIII of 1926, 5.

3, Subs by Punjab Act No. VIII of 1926.

4, Now the Code of Civil Procedure, 1908 (Act V of 1908).

Method

awarding

compensation

and effect

such award,

of

of

circumstances of each case.

(2) The Deputy Commissioner may, with the sanction of the '[Provincial Government] and the consent of the person entitled, instead of money award

compensation in land or by reduction in revenue or in any other form.

(3) If, in any case, the exercise of any right is prohibited for a time only, compensation shall be awarded only in respect of the period during which the

exercise of such right is so prohibited.

PROCEDURE, RECORDS AND APPEAL

16. (1) For every area, notified under section 3 or section 8, the of Deputy Commissioner shall prepare a record setting forth the nature description, local

situation and extent of all rights mentioned in section 4 and section 5—

(a) existing within such area at the time of the publication of the

notification relating thereto under section 3 or section 8; and

(b) regulated, restricted, or *[* *] “[prohibited] by any order under section

4 or section 5.

1, Subs, for the words "Local Government", by A. O., 1937.

2, Repealed by Punjab Act VIII of 1926, s. C.

3, The word "suspended"* omitted-by Punjab Act VIII of 1926, S. 7.

4

Sub. *ibid*, for the word "extinguished".

Record of rights

in respect
notified area.

of

(2) When any award is made under section 14, its effect upon any right

shall also be recorded therein.

17. (1) Upon the publication of a notification issued under any of the provisions of this Act, the Deputy Commissioners shall cause public notice of the substance thereof to be given at convenient places, in the locality to

which such notification relates.

'[(2)]The procedure prescribed for the service of summons, notice, order or proclamation under the law relating to land revenue for the time being in force,

shall be followed, as far as may be, in proceedings under this Act.]

18. Every order passed and every award made by a Deputy Commissioner under this Act, shall, for the purposes, of appeal, review and revision, respectively be deemed to be the order of a Collector within the meaning of sections 13, 14, 15 and 16 of the *[Punjab Land Revenue Act, 1887, *[for the corresponding provisions of the Sind Land Revenue Code, 1879, or any other law relating to

land revenue for the time being in force, as the case may be]:

Provided that nothing in this Act contained shall be deemed to exclude the jurisdiction of any Civil Court to decide any dispute arising between the persons interested in any compensation awarded as to the apportionment or distribution

thereof amongst such persons or any of them.

1, Subs., for the original sub-section (2), by W.P. Ordinance VI of 1963, s. 6.

2, Since repealed by The Punjab Land Revenue Act, 1967.

3, Ins. by W. P ord No. VI of 1963 S. 7.

Mode of
Proclaiming
notification and
of servings
notices, orders
and processes,
issued under the
Act.

Appeal, review
and revision.

PENALTIES, BAR OF SUITS AND RULES.

19. Any person who, within the limits of any '[* *]' area notified under section 3, commits any breach of any regulation made, "restriction or prohibition imposed, order passed or requisition made under sections 4,5,5-A, or 7-A] shall be punished with imprisonment For a term which may extend to one month, or with

a fine which may extend to one hundred rupees, or with both.

20. >The provisions of sections 52, 54,55,56,57, 58, 59,60,61, 62, 64 (excluding the last sentence), 66, 67, 68 and 73 of the 4r* *] Forest Act, 1927, shall so far as applicable, be read as part of this Act, and for the purposes of those provisions, every offence punishable under section 19 shall be deemed to be a *["forest offence"] and every officer employed in the management of any area notified under section 3 or section 8, as care-taker or otherwise, shall be deemed to be a

forest officer.

21. No suit shall lie against the *[Provincial Government] for any thing done under this Act, and no suit shall lie against any public servant for anything done,

or purporting to have been done, by him, in good faith, under this Act.

22. (1) The '[Provincial Government] may make rules, consistent with this Act,—

1, The word "Local" omitted by Punjab Act IV of 1944, s. II.

2, Subs, ibid for the words and figures "of restriction or prohibition imposed under section 4 or section 5".

3, Subs, for the words, figures and brackets "The provisions of sections 52,53,54,55,56, 57,58,59,60,61,63 (excluding the lattsentence). 64.65.66,67 and 72 of Indian Forest Act, 1878". by Punjab Act HI of 1944, s. 12.

a The word "Indian" omitted by Punjab Act XV of 1955, b. 2. Sch. I Part-11.

5, Subs, ibid, for the words and figures "Act VII of 1878",

6. Subs., for the words "Crown", by West Pakistan Laws (Adaptation) Order 1964, s. 2,(1) Sch. Part-II which was previously subs., for the words "the Secretary of State for India in Council, or the Government" by A. O.. 1937.
7, Subs., for the words "Local Government", by A. O., 1937.

Penalty
offences.

Application
provisions
(Act XVI
1927).

Ear of suits.

for

of
of
of

Power to make

Rules.

(a) regulating the procedure to be observed in any inquiry or proceeding under this Act; and

(b) generally for the purpose of carrying into effect all or any of the provisions of this Act.

(2) All rules made under this section shall be published in the [Official Gazette].

1, Subs, *ibid*, for the word "Gazette".