

THE PROVINCIALLY ADMINISTERED TRIBAL AREAS
(APPLICATION OF LAWS) (SECOND) REGULATION, 1974.

N.W.F.P. REGULATION No. II OF 1974.

[20 May, 1974.]

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THE PROvincially Administered Tribal Areas
(APPLICATION OF LAWS) (SECOND) REGULATION, 1974.

20 May, 1974.

N.W.F.P. REGULATION No. II OF 1974.

A
REGULATION

to apply certain laws to the Provincially Administered Tribal Areas of
Chitral, Dir, Kalam, Swat and Malakand Protected Area.

WHEREAS it is expedient to apply certain laws to the Provincially
Administered Tribal Areas of Chitral, Dir, Kalam, Swat and Malakand Protected
Area;

AND WHEREAS clause (4) of Article 247 of the Constitution of the
Islamic Republic of Pakistan provides that the Governor of a Province, with the
prior approval of the President, may, with respect to any matter within the
legislative competence of the Provincial Assembly, make Regulation for
Provincially Administered Tribal Area or any part thereof;

NOW, THEREFORE, in exercise of the powers aforesaid, the Governor
of the North-West Frontier Province, with the approval of the President, is
pleased to make the following Regulation:—

1. (1) This Regulation may be called the Provincially Administered Tribal
Areas (Application of Laws) (Second) Regulation, 1974.

(2) It extends to the Provincially Administered Tribal Areas of Chitral,
Dir, Kalam, Swat and Malakand Protected Area.

(3) It shall come into force at once.

2. In this Regulation, unless the context otherwise requires, the following
expressions shall have the meanings hereby respectively assigned to them, that
is to say—“ ”

(a) “Government” means the Government of the North-West Frontier
Province;

(b) “Schedule” means the Schedule to this Regulation.

Preamble.

Short title,
extent and

commencement.

Definitions.

3. The laws specified in column 2 of the Schedule as in force in the North-West Frontier Province, immediately before the commencement of this Regulation, subject to modifications herein specified and exceptions if any, set out in column 3 thereof, and so far as may be, all rules, notifications and orders made or issued thereunder, shall apply to the Provincially Administered Tribal Areas of Chitral, Dir, Kalam, Swat and Malakand Protected Area, hereinafter referred to as the said Areas.

4. All taxes, fees, duties, tolls or surcharges recoverable under the provisions of any law, rule, notification or order, so applied, shall become due and recoverable with effect from the date of commencement of this Regulation, and in so far as such taxes, fees, duties, tolls or surcharges relate to a complete financial year, the same shall be levied for the financial year 1973-74 with proportionate reduction.

5. Where under any law, rule, notification or order, so applied, any Power, function or duty is to be exercised, performed or discharged by any person or authority, such power, function or duty shall be exercised, performed or discharged by such person or authority as Government may, by notification in the official Gazette, appoint.

6. Where in any law, rule, notification or order, so applied any procedure is prescribed for the assessment, collection and recovery of any tax, fee, duty, toll or surcharge, such tax, fee, duty, toll or surcharge shall be assessed, collected and recovered in such manner as Government may, by notification in the official Gazette, specify.

7. (1) If, immediately before the commencement of this Regulation, there was in force in the said Areas any law, instrument, custom or usage having the force of law corresponding to the provisions of any of the laws applied to those Areas by this Regulation, such law, instrument, custom or usage shall, upon such commencement, cease to have effect in those Areas.

(2) Nothing in sub-section (1) shall affect —

(a) the previous operation of any such law, instrument, custom or usage; or

(b) the recovery of any tax, fee, duty, toll or surcharge recoverable under any such law, instrument, custom or usage before the commencement of this Regulation, and any such tax, fee, duty, toll or surcharge shall be recoverable as if sub-section (1) had not come into force; or

Application of
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(c) any penalty, forfeiture or punishment incurred in respect of any offence punishable under such law, instrument, custom or usage ; or

(d) any investigation, proceeding or remedy in respect of any such penalty, forfeiture or punishment, and any such investigation, proceeding or remedy may be instituted continued or enforced and any such penalty, forfeiture or punishment may

be imposed as if sub-section (1) had not come into force.

SCHEDULE.

[See Section 3].

Laws. Exceptions.

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The Court-fees Act, 1870
(Act No. VII of 1870).

The Contract Act, 1872
(Act No. IX of 1872).

The Canal and Drainage Act, 1873
(Act No. VIII of 1873).

The Opium Act, 1878
(Act No. I of 1878).

The Transfer of Property Act, 1882
(Act No. IV of 1882).

The Land Improvement Loans Act, 1883
(Act No. XIX of 1883).

¹Omitted vide Regulation No. III of 1975.

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The Suits Valuation Act. 1887
(Act No. VII of 1857).

The Guardians and Wards (Act, 1890
(Act No. VIII of 1890).

The Land Acquisition Act, 1894
(Act No. I of 1894).

The Prisons Act, 1894
(Act No. IX of 1894).

The Reformatory School Act, 1897
(Act No. VII of 1897).

The Stamp Act, 1899
(Act No. II of 1899).

The Prisoners Act, 1900
(Act No. III of 1900).

The Limitation Act, 1908
(Act No. IX of 1908).

The Registration Act, 1908

(Act No. XVI of 1908).

The Lunacy Act, 1912
(Act No. IV of 1912).

The Punjab Forest (Sale of Timber)
Act, 1913 (Pb. Act No. III of 1913).

The Good Conduct Prisoners Probational
Release Act, 1926 (Pb. Act No. X of 1926).

The Forest Act, 1927 (Act No. XVI of 1927).

Exceptions.

Serial Laws. Exceptions.

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22. *[The North-West Frontier Province Prohibition Act, 1938 (N.W.F.P. Act No. XI of 1938).]

23. The North-West Frontier Province Protection of Trees and Brushwood Act, 1949 (N.W.F.P. Act No. VII of 1949).

24. 3[The North-West Frontier Province Pre-emption Act, 1950 (N.W.F.P. Act No. XIV of 1950).]

25. The West Pakistan Entertainments Duty Act, 1958 (W. P. Act No. X of 1958).

26. The West Pakistan Agriculturists' Loans Act, 1958 (W. P. Act No. XVII 1958).

27. The West Pakistan Foodstuffs (Control) Act, 1958 (W. P. Act No. XX of 1958).

28. The West Pakistan Motor Vehicles Taxation Act, 1958 (W. P. Act No. XXXII of 1958).

29. The West Pakistan Control of Goondas Ordinance, 1959 (W. P. Ord No. XXV of 1959).

30. The West Pakistan Highways Ordinance, 1959 (W. P. Ord No. XXXII of 1959).

31. '[The West Pakistan Wild Life Protection Ordinance, 1959 (W. P. Ord No. VI of 1959).]

32. The West Pakistan Prohibition of Opium Smoking Ordinance, 1960 (W. P. Ord No. II of 1960).

1Omitted vide Regulation No. III of 1975.

2Repealed vide N.W.F.P. Act No. VIII of 1985.

3Repealed vide N.W.F.P. Act No. X of 1987.

4Repealed vide N.W.F.P. Act No. V of 1975.

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Laws. Exceptions.

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The West Pakistan Pure Food Ordinance,
1960 (W. P. Ord No. VII of 1960).

The West Pakistan Maintenance of Public Order
Ordinance, 1960 (W. P Ord No. XXX] of 1960).

'[The West Pakistan Prevention of Gambling
Ordinance, 1961 (W. P. Ord No. 1 of 1961).]

The West Pakistan Fishries Ordinance,
1961 (W. P. Ord No. XXX of 1961).

The West Pakistan Tolls on Roads and
Bridges Ordinance, 1962 (W. P.
Ord No. VIII of 1962).

The West Pakistan Finance Act,0.. Except sections 3 to 13 and 15.
1963 (W. P. Act No. IX of 1963).

The West Pakistan Finance Act,0.. Except sections 3 to 9.
1964 (W. P. Act No. XXXIV of 1964).

The West Pakistan Finance Act,0.. Except sections 3 to 9.
1965 (W. P. Act No. I of 1965).

The West Pakistan Finance Act,.....04. Except sections 3 to 8.
1966 (W. P. Act No. I of 1966).

The West Pakistan Finance Act,0.. Except sections 3 to 6.
1967 (W. P. Act No. IV of 1967).

1Repealed vide N.W.F.P. Ord No. V of 1978.

2Omittted vide Regulation No. III of 1975.

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The West Pakistan Finance Act,0.. Except sections 2 to 5.
1968 (W. P. Act No. III of 1968).

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The West Pakistan Finance00005 Except sections 2 to 5.

Ordinance, 1969 (W. P. Ord No. VII of 1969).

The West Pakistan oo... cece eeeeeeeeeeeeeeeee es Except sections 2 to 5.
(North-West Frontier Province) Finance Ordinance,
1970 (W. P. Ord No. XXIII of 1970).

The North-West Frontier Province Except sections 3 to 5.
Finance Ordinance, 1971
(N.W.F.P. Ord No. IV of 1971).

The North-West Frontier Province Except sections 3 to 6.
Finance Act, 1972
(N.W.F.P. Act No. VI of 1972).

The Criminal Law (Amendment)
Act, 1973 (Act No. VI of 1973).

The North-West Frontier Province..... Except sections 3.
Finance Act, 1973 (N.W.F.P.
Act No. XII of 1973).

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