

NOTIFICATION

23rd November, 2002.

No. **LEGIS:I(15)/75**.—The following Ordinance by the Governor of the North-West Frontier Province is hereby published for general information:—

**THE N.W.F.P THE PUNJAB MINOR CANALS (AMENDMENT) ORDINANCE, 2002.
N.-W.F.P. ORDINANCE NO. LVII OF 2002.**

AN

ORDINANCE

further to amend the Punjab Minor Canals Act, 1905

WHEREAS it is expedient further to amend the Punjab Minor Canals Act. 1905 (Pb. Act No. III of 1905), in the manner hereinafter appearing;

AND WHEREAS the Governor of the North-West Frontier Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, as amended upto date, and the Provisional Constitution Order No. 1 of 1999, read with Article 4 of the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of the North-West Frontier Province is pleased to make and promulgate the following Ordinance:

1. Short title and commencement.— (1) This Ordinance may be called the Punjab Minor Canals (North-West Frontier Province) (Amendment) Ordinance, 2002.

(2) It shall come into force at once.

2. Amendment of section 71 of Pb. Act No. III of 1905.—(1) IN the Punjab Minor Canals Act. 1905 (Pb. Act No. III of 1905), in its application to the North-West Frontier Province, in section 71,-

1. the existing provisions shall be numbered as sub-section (1) of that section, and in the said sub-section (1), as so numbered, for the words “imprisonment of either description not exceeding one year or to fine or to both”, the words “fine not exceeding five thousand rupees or imprisonment not exceeding six months or both”, shall be substituted;
2. after sub-section (1), as so numbered and amended, the following sub-sections shall be added, namely:

"(2) Offence under the Act will be non-bailable.

(3) In case land of any person is proved to have been watered by deliberate misuse of water, the beneficiary will be penalized at the rate of Rs. 50/- per kanal.”.