

Regulation No.V of 1890

The Pakistani

Balochistan,
Forest Regulation, 1890

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THE BALOCHISTAN FOREST REGULATION, 1890,

[Baln. Reg. V of 1890]

A Regulation to declare the Law relating to Forests in Pakistani Balochistan and amend the Pakistan Balochistan Laws and Civil Justice Regulation, 1890

WHEREAS it is expedient to declare the law relating to forests in Pakistani Balochistan and amend the Pakistani Balochistan Laws and Civil Justice Regulation, 1890; it is hereby enacted as follows:

CHAPTER - I	
<i>PRELIMINARY</i>	
Title and extent	<p>1. (1) This Regulation may be called the Pakistani Balochistan Forest Regulation, 1890. and,</p> <p>(2) It extends to the territories for the time being administrated by the Chief Commission of Pakistani Balochistan.</p> <p>Provided that the Chief Commissioner may by notification in the Gazette of Pakistani exempt any place in those territories from the operation of the whole or any part of this Regulation, but not so as to affect anything done or any offence committed, or any fine or penalty incurred, or any proceedings commenced in such place before such exemption.</p>
Definitions.	<p>2. In this Regulation, unless there is something repugnant in the subject or context:-</p> <p>(1) “Deputy Commissioner” means the Chief Executive Revenue Officer of the district.</p> <p>(2) “State Forest” means any land which may be constituted a State Forest under this Regulation.</p> <p>(3) “Forest-officer” means any person appointed by name or as holding an office, by or under the orders of the Governor General in Council or the Chief Commissioner, to be Chief Forest Officer or Deputy Conservator, Assistant Conservator, Sub-Assistant Conservator, Forests-ranger, Forester or Forest-guard, or to discharge any function of a Forest-officer under this Regulation or any rule thereunder.</p>

	<p>(4) “Chief Forest Officer” means the Chief Forest Officer in Pakistani Balochistan.</p> <p>(5) “tree” includes palms, bamboos, stumps, brushwood and canes.</p> <p>(6) “timber” includes trees when they have fallen or have been felled, and all wood whether cut up or fashioned or hollowed out for any purpose or not.</p> <p>(7) “forest-produce” includes :-</p> <p>(a) the following whether found in, or brought from, a forest or not, that is to say :-</p> <p style="padding-left: 40px;">timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, mahua, flowers and myrabolams; and</p> <p>(b) the following when found in or brought from, a forest, that is to say :-</p> <p style="padding-left: 40px;">(i) trees and leaves, flowers and fruits, and all other parts or produce not hereinbefore mentioned of trees.</p> <p style="padding-left: 40px;">(ii) plants not being trees including grass creepers, (reeds and moss), and all parts or produce of such plants,</p> <p style="padding-left: 40px;">(iii) wild animals, and skins tusks, horns, bones silk cocoons, honey and wax, and all other parts or produce of animals, and</p> <p style="padding-left: 40px;">(iv) peat, surface-soil, rock and minerals (including limestone, laterite, mineral oils and all products of mines or quarries).</p> <p>(8) “forest-offence” means an offence punishable under this Regulation;</p> <p>(9) “cattle” includes elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, bulls, bullocks, cows, heifers, assess, pigs, rams, ewes, sheep, lambs, goats and kids; and</p> <p>(10) “Magistrate” means a Magistrate of the first or second class, and includes a Magistrate of the third class when he is specially empowered by the Chief Commissioner to try forest-offences.</p>
<p>CHAPTER II</p> <p><i>STATE FORESTS</i></p>	
<p>Constitution of</p>	<p>3. (1) The Chief Commissioner may, by notification in the</p>

State Forests	<p>Gazette of Pakistan declare any wood-land, permanent grazing ground or other land, which is the property of the Government to be a State forest from a date to be fixed in the notification.</p> <p>(2) The notification shall specify as nearly as possible the situation and limits of the land in respect of which the declaration is made, and from the date fixed therein the said land shall be deemed to be State forest.</p> <p>(3) The Deputy Commissioner shall, before that date cause a translation of the notification in the language of the country to be published in the town and villages in the neighborhood of the land, and in any other villages of which the residents have been accustomed to graze their flocks in, or in the vicinity of the land.</p>
Demarcation of State Forests	<p>4. Whenever a State Forest is not bounded by a road, stream or other existing well-defined boundary mark, it shall be demarcated by cleared lines or in such other manner as the Chief Commissioner may direct.</p>
Bar of acquisition of rights	<p>5. No right of any description adverse to the Government shall be acquired in or over a State Forest by lapse of time or otherwise than under a grant or contract in writing made by, or on behalf of, the Government.</p>
Power to close roads and pathways	<p>6. (1) In any State forest the Chief Forest-officer may from time to time, with the previous sanction of the Chief Commissioner, determine what roads and pathways shall be authorized for public traffic, and cause all other roads and pathways to be closed either permanently or for a time only.</p> <p>(2) The Chief Forest-officer shall cause public notice to be given of the closing of any existing road or pathway.</p>
Penalty for trespass or damage in State Forests	<p>7. Any person who in a State forest</p> <ul style="list-style-type: none"> (a) trespasses, or pastures cattle or permits cattle to trespass, off any road or pathway authorized for public traffic, or (b) causes any damage by negligence in felling any tree, or cutting or dragging any timber, or (c) lops, notches, strips off the leaves from, or otherwise damages any tree or (d) hunts, shoots, fishes, poisons water or sets traps or snares, <p>shall be punished with fine which may extend to fifty rupees,</p>

	<p>or, when the damage resulting from his offence amounts to more than twenty-five rupees, to double the amount of such damage.</p>
Acts prohibited in State Forests	<p>8. Any person who:</p> <ul style="list-style-type: none"> (a) sets fire to a State forest, or (b) in contravention of any rule made by the Chief Commissioner, kindles any fire or leaves any fire burning in such manner as to endanger a State forest, <p>or who in a State forest,</p> <ul style="list-style-type: none"> (c) kindles, keeps or carries any fire except at such seasons, and in such manner, as a Forest-officer specially empowered in this behalf may from time to time notify, or (d) fells, girdles, marks, taps, strips off the bark from or uproots or burns any tree, or (e) quarries stone, burns lime or charcoal, or collects, subject to any manufacturing process or removes any forest-produce, or (f) clears, cultivates or breaks up any land for cultivation or any other purpose, <p>shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and shall also be liable to pay such sum as compensation for damage done to the forest as the convicting Magistrate may direct.</p>
Exceptions from prohibitions in sections 7 & 8	<p>9. (1) Nothing in section 7 or section 8 shall be deemed to prohibit any act done:-</p> <ul style="list-style-type: none"> (a) with the permission of a Forest-officer specially empowered to give such permission, or (b) in pursuance of any permission granted by Chief Commissioner or (c) in accordance with any rule made by the Chief Commissioner with the previous sanction of the Governor in council. <p>(2) The permission of the Forest-officer referred to in sub-section (1), clause (a), shall be in writing, and shall only authorize the doing of some particular act on some particular occasion.</p> <p>(3) The permission referred to in sub-section (1), clause (b),</p>

	<p>may be a general permission to a person to pasture his cattle, or to collect and remove any forests-produce for the use of himself and his family but not for the purposes of trade.</p> <p>(4) The rules referred to in sub-section (1), clause (c), may be applied by the Chief Commissioner, by notification the Gazette of Pakistan, to all or any State forests, or to any part of a State forest, and may, with respect thereto:</p> <ul style="list-style-type: none"> (i) regulate the cutting, sawing, conversion and removal of trees and timber, the cutting of grass and pasturing of cattle, and the collection and removal of forest-produce; (ii) regulate the quarrying of stone, the prospecting for, and extracting of oil, the boiling of cutch, and the burning of lime or charcoal; (iii) regulate hunting, shooting, fishing and setting traps or snares; (iv) prescribe, or authorize any Forest-officer to prescribe, subject to the control of the Chief Commissioner, the fees, royalties or other payments for timber or other forest-produce, and the mode in which such fees, royalties or other payments shall be levied, whether in transit, or partly in transit, or otherwise. <p>(5) In making any such rule the Chief Commissioner may direct that a breach of it shall be punishable with fine which may extend to fifty rupees, and, when the breach is a continuing breach, with a further fine which may extend to five rupees for every day after the first during which the breach continues.</p> <p>(6) The Chief Commissioner may cancel any permission given by a Forest-officer or withdraw any permission granted by himself, and may, by notification in the Gazette of Pakistan cancel or modify with the previous sanction of the Governor General in Council, all or any rules made under this section.</p>
<p>Power to declare forest to be no longer State Forest</p>	<p>10. (1) The Chief Commissioner with the previous sanction of the Governor General in Council may, by notification in the Gazette of Pakistan, direct that, from a date fixed by such notification, any State Forest or any portion thereof shall cease to be a State Forest.</p> <p>(2) From the date so fixed such forest or portion shall cease to be a State Forest.</p>

CHAPTER III

PROTECTION OF CERTAIN TREES

Power to declare reserved trees	11. The Chief Commissioner by notification in the Gazette of Pakistan: (a) may declare that any trees or any specified class or classes of trees standing on any land at the disposal of the Government shall, from a date to be fixed by such notification, be reserved trees, and (b) may vary or cancel any such notification.
Act prohibited in regard to reserved trees	12. (1) No person shall fell, girdle, mark, lop, tap or injure by fire or otherwise any reserved trees, except as provided by rules made by the Chief Commissioner in this behalf or with the permission in writing of a Forest-officer specially empowered to grant such permission. (2) Whoever fells, girdles, marks, lops, taps or injures by fire or otherwise any reserved tree in contravention or sub-section (1) shall be punished with fine which may extend to twenty rupees or, when the damage resulting from his offence amounts to more than ten rupees, to double the amount of such damage.
CHAPTER IV	
<i>FOREST-PRODUCE IN TRANSIT</i>	
Power to establish forest-stations	13. The Chief Forest-Officer may, subject to the control of the Chief Commissioner, establish stations within or outside any State forest for the examination of timber and other forest-produce, and for the collection of dues leviable in respect of the same.
Power to prescribe routes for removal of forest-produce	14. (1) No timber or other forest-produce shall be taken out of any State forest except by a route on which such a station has been established, or of which the use for the removal of timber or other forest-produce has been specially authorized by the Chief Forest-officer. (2) A full description of every such route shall be fixed up by the Forest-officer in charge of the forest division in the towns and villages in the neighborhood of the forest served by the same.
Forest produce in transit to be	15. (1) No timber or other forest-produce, whether the produce of a State forest or of other land, shall be taken along

covered by pass	<p>any route authorized for the removal of timber or other forest-produce under section 14 unless covered by a pass issued by a Forest-officer whom the Chief Forest-officer has duly authorized in that behalf or by the owner of the land, as the case may be.</p> <p>(2) Such pass shall state the quantity and kind of timber or other forest- produce so taken, and the marks, if any, which it bears.</p>									
Penalty for breach of section 14 or section 15.	<p>16. Any person who contravenes the provisions of section 14 or section 15 shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.</p>									
Power to exempt from operation of section 14 or section 15.	<p>17. A general exemption from the operation of section 14 or section 15 or both sections:</p> <p>(a) with respect to any class of timber or other forest-produce, or</p> <p>(b) with respect to all timber or other forest-produce, in favour of the inhabitants of any specified locality,</p> <p>may be granted by a Forest-officer specially empowered in this behalf.</p>									
<p>CHAPTER V</p> <p><i>CATTLE-TRESPASS</i></p>										
Application of Cattle Trespass Act 1871	<p>18. Cattle trespassing in a State forest shall be deemed to be cattle doing damage to a public plantation within the meaning of section 11 of the Cattle-trespass Act, 1871, and may be seized and impounded as such by any Forest-officer or Police officer specially authorized in this behalf by the Deputy Commissioner.</p> <p style="text-align: center;">Provided that it shall be optional with the Forest-officer to proceed against the owner of such cattle under section 7 of this Regulation.</p>									
Levy of fines	<p>19. The Chief Commissioner may, by notification in the Gazette of Pakistan, direct that there shall be levied for each head of cattle impounded such fines as he thinks fit, but not exceeding the following, that is to say:</p> <table style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th style="text-align: right;">Rs.</th> <th style="text-align: right;">P.</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">For each elephant</td> <td style="text-align: right;">10</td> <td style="text-align: right;">0</td> </tr> <tr> <td style="text-align: center;">For each camel or buffalo</td> <td style="text-align: right;">2</td> <td style="text-align: right;">0</td> </tr> </tbody> </table>		Rs.	P.	For each elephant	10	0	For each camel or buffalo	2	0
	Rs.	P.								
For each elephant	10	0								
For each camel or buffalo	2	0								

	For each horse mare, gelding, pony, colt, filly, mule, bull, bullock, cow, or heifer	1	0
	For each calf, ass, pig, ram, ewe, sheep, lamb, goat or kid.	0	8
CHAPTER VI			
<i>PENALTIES AND PROCEDURE</i>			
Seizure of property liable to confiscation and report thereof to Magistrate	20.	(1) When there is reason to believe that a Forest-offence has been committed in respect of any timber or other forest-produce, such timber or produce, together with all tools, boats, carts and cattle used in committing such offence, may be seized by any Forest-officer or Police-officer. (2) Every officer seizing property under this section shall place thereon, or on the receptacle (if any) in which it is contained, a mark indicating that the same has been so seized, and shall, as soon as may be, make a report of such seizure to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made: Provided that, when the timber or other forest-produce with respect to which such offence is believed to have been committed is the property of the Government and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.	
Procedure thereupon	21.	Upon the receipt of any such report, the Magistrate shall take such measures as may be necessary for the trial of the accused and the disposal of the property according to law.	
Confiscation of forest-produce and tools in case of forest-offence	22.	(1) When any person is convicted of a forest-offence, all timber or other forest-produce in respect of which such offence has been committed, and all tools, boats, carts cattle and other things used in committing such offence, shall be liable, by order of the convicting Magistrate to confiscation. (2) Such confiscation may be in addition to any other punishment prescribed for the offence.	
Disposal, on conclusion of Trial for forest-offence, of forest-	23.	When the trial of any forest-offence is concluded, any timber or other forest-produce in respect of which such offence has been committed shall, if it is the property of the Government, or has been confiscated, be taken possession of by a Forest-	

produce in respect of which offence was committed.	officer specially empowered in this behalf, and may in any other case, disposed of in such manner as the Court may order.
Procedure when offender is not known or cannot be found	<p>24. (1) When the offender is not known or cannot be found, the Magistrate inquiring into the offence, if he finds that an offence has been committed, may, on application in this behalf, order the property, in respect of which the offence has been committed to be confiscated and taken possession of by a Forest-officer specially empowered in this behalf, or to be made over to such Forest-officer or other person as the Magistrate considers entitled to receive the same:</p> <p style="padding-left: 40px;">Provided that no such order shall be made till the expiration of one month from the date of the seizure of such property, or without giving the person (if any) claiming any right thereto an opportunity of being heard, and hearing the evidence (if any) which he may produce in support of his claim.</p> <p>(2) The Magistrate shall either cause a notice of any application under this section to be served upon any person whom he has reason to believe to be interested in the property seized, or publish such notice in such manner as he thinks fit.</p>
Procedure as to perishable property seized under section 20	25. The Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 20 which is subject to speedy and natural decay and may deal with the proceeds as he might have dealt with the property itself if it had not been sold.
Appeal from orders under sections 22, 23 and 24	26. Any person claiming to be interested in property seized under section 20 may, within one month from the date of any order passed by a Magistrate under section 22, section 23 or section 24, present an appeal there from to the Court to which orders made by such Magistrate are ordinarily appealable, and the order passed on such appeal shall be final.
Vesting of confiscated property in Government	27. When an order for the confiscation of property has been passed under section 22 or section 24, and no appeal from such order has been presented within the period prescribed by section 26, or when on an appeal being presented, the appellate Court confirms such order in respect of the whole or a portion, of the property, such property or portion, as the case may be, shall vest in the Government free from all encumbrances.

Saving of power to release property seized	28. Nothing hereinbefore contained shall be deemed to prevent any officer specially empowered in this behalf from directing at any time the immediate release of any property seized under section 20 and the withdrawal of any charge made in respect of such property.
Penalty for counterfeiting or defacing marks on trees and timber and for altering boundary-marks	29. Whoever, with intent to cause damage or injury to the public or to any person, or to cause wrongful gain as defined in the Pakistan Penal Code: <ul style="list-style-type: none"> (a) knowingly counterfeits upon any timber or standing tree a mark used by Forest-officers to indicate that such timber or tree is the property of the Government or of some person, or that it may lawfully be cut or removed by some person, or (b) unlawfully affixes to any timber or standing tree a mark used by Forest-officers, or (c) alters, defaces or obliterates any such mark placed on any timber or standing tree by or under the authority of a Forest-officer, or (d) alters, moves destroys or defaces any boundary-mark of any State-forest, <p style="text-align: center;">shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.</p>
Power to arrest without warrant	30. (1) Any Forest-officer or Police-officer may, without orders from a Magistrate and without a warrant, arrest any person reasonably suspected of having been concerned in any forest-offence, if such person refuses to give his name and residence, or gives a name or residence which there is reason to believe to be false or if there is reason to believe that he will abscond. <p style="text-align: center;">(2) Every officer making an arrest under sub-section (1) shall without unnecessary delay, take or send the person arrested before a Magistrate having jurisdiction in the case or to the officer in charge of the nearest Police-station.</p>
Punishment for wrongful seizure or arrest	31. (1) Any Forest-officer or Police-officer, who vexatiously and unnecessarily seizes any property on pretence of seizing property liable to confiscation under this Regulation, or who vexatiously and unnecessarily arrests any person, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred

	<p>rupees, or with both.</p> <p>(2) Any fine so imposed or any portion thereof shall, if the convicting Magistrate so directs and the fine or portion is recovered by given, subject to the direction in last paragraph of section 545 of the Code of Criminal Procedure, 1882, as compensation to the person aggrieved by such seizure or arrest.</p>
Power to prevent commission of offence	32. Every Forest-officer and Police-officer shall prevent, and may interfere for the purpose of preventing the commission of any forest-offence.
Power to compound offences	<p>33. (1) The Chief Commissioner may, by notification in the Gazette of Pakistan empower a Forest-officer, by name or as holding an office:-</p> <p>(e) to accept from any person against whom a reasonable suspicion exist as that he has committed any forest-offence, other than an offence specified in section 29 or section 31, a sum of money by way of compensation for the offence which such person is suspected to have committed, and,</p> <p>(f) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof as estimated by such officer.</p> <p>(2) On the payment of such sum of money, or such value, or both as the case may be, to such officer, the suspected person, if in custody, shall be discharged, the property, if any seized shall be released, and no further proceeding shall be taken against such person or property.</p> <p>(3) A Forest-officer shall not be empowered under this section unless he is a Forest-officer of a rank not inferior to that of a Forest-ranger and is in receipt of a monthly salary amounting to at least one hundred rupees, and the sum of money accepted as compensation under sub-section (1), clause (a), shall in no case exceed the sum of fifty rupees.</p>
Presumption as to ownership of Forest-produce by Government	34. When, in any proceedings taken under this Regulation, or in consequence of anything taken under this Regulation a question arises as to whether any timber or other forest-produce is the property of the Government, such timber or produce shall be presumed to be the property of the Government until the contrary is proved.

CHAPTER VII

FOREST-OFFICERS

Conferment of powers on forest-officers	<p>35. (1) The Chief Commissioner may invest any Forest Officer, by name or as holding an office, with all or any of the following powers, that is to any:</p> <ul style="list-style-type: none">(a) the powers of a Civil Court to compel the attendance of witnesses and the production of documents;(b) power to issue search-warrants under the Code of Criminal Procedure, 1882;(c) power to hold enquiries into forest-offences, and in the course of such enquiries to receive and record evidence;(d) power to notify the seasons and manner in which fire may be kindled, kept or carried in a State forest;(e) power to give the permission referred to in section 9, sub-section (1) clause (a);(f) power to grant general exemptions under section 17;(g) power to take possession of property under sections 23, 24 and 42;(h) power to direct the release of property and withdrawal of charges under section 28; <p>and may withdraw any powers so conferred.</p> <p>(2) Evidence recorded under clause (c) sub-section (1) shall be admissible in any subsequent trial of the alleged offender before a Magistrate: Provided that it has been taken in the presence of the accused person and recorded in the manner provided by section 355, section 356 or section 357 of the Code of Criminal Procedure, 1882.</p>
Forest-officers deemed public servants	36. All Forest-officers shall be deemed to be public servants within the meaning of the Pakistan Penal Code.
Indemnity for acts done in good faith	37. No suit or criminal prosecution shall lie against any public servant for anything done or committed by him in good faith under this Regulation.
Forest-officers not to trade	38. Except with the permission in writing of the Chief Commissioner, no Forest-officer shall, as principal or agent, trade in timber or other forest-produce, or be or become interested in any lease or mortgage of any forest, or in any

	contract for working any forest, whether in Pakistan or in any foreign territory.
CHAPTER VIII	
<i>MISCELLANEOUS</i>	
Additional power to make rules	39. The Chief Commissioner may make rules consistent with this Regulation: <ul style="list-style-type: none"> (a) to declare by what Forest-officers or class of Forest officers the powers or duties conferred or imposed by or under this Regulation on a Forest-officer shall be exercised or performed. (b) to regulate the rewards to be paid to officers and informers from the proceeds of fines and confiscations under this Regulation or from the public treasury, and, (c) generally, to carry out the provisions of this Regulation.
Persons bound to give information and assistance to Forest-officer and Police officer	40. Every person who is permitted by a Forest-officer, or to whom permission has been granted by the Chief Commissioner, to pasture cattle in, or to collect and remove any forest-produce, from a State forest, and, <ul style="list-style-type: none"> every person who is employed by any such person in such a forest, and every person in any village contiguous to such a forest who is employed by the Government, or who receives emoluments from the Government for services to be performed to the community, shall be bound to furnish, without unnecessary delay, to the nearest Forest-officer or Police-officer any information which he may possess respecting the occurrence of a fire in or near such a forest, or the commission of, or intention to commit, any forest-offence and shall assist any Forest-officer or Police-officer demanding his aid: <ul style="list-style-type: none"> (a) in extinguishing any fire occurring in such a forest, (b) in preventing any fire which may occur in the vicinity, of such a forest, from spreading to such a forest, (c) in preventing the commission in such a forest of any forest offence, and, (d) when there is reason to believe that any such offence has been committed in such a forest, in discovering and arresting the offender.
Recovery of Fines and other Moneys	41. All money, other than fines, payable to the Government under this Regulation or under any rule thereunder, or on account of

	<p>the price of any timber or other forest-produce or of expenses incurred in the execution of this Regulation in respect of such timber or produce, may, if not paid when due, be recovered under the law for the time being in force as if it were an arrear of land-revenue.</p>
<p>Lien of Forest-produce for such Money</p>	<p>42. (1) When any such money is payable for, or in respect of, Any forest-produce, the amount thereof shall be deemed to be first charge on such produce, and the produce may be taken possession of by a Forest-officer specially empowered in this behalf and may be retained by him until the amount has been paid.</p> <p>(2) If the amount is not paid when due, the Forest-officer may sell the produce by public auction, and the proceeds of the sale shall be applied first in discharging such amount.</p> <p>(3) The surplus (if any), if not claimed within two months from the date of the sale by the person entitled thereto, shall be forfeited to the Government.</p>
<p>Irresponsibility of Government and its officers for loss of or damage to certain forest-produce</p>	<p>43. The Government shall not be responsible for any loss or damage which may occur in respect of any timber or other forest-produce while at a station established under section 13, or while detained elsewhere for the purpose of this Regulation, and no Forest-officer shall be responsible for any such loss or damage unless he causes the same negligently, maliciously or fraudulently.</p>
<p>Recovery of penalties due under bond</p>	<p>44. When any person, in compliance with any rule under this Regulation, binds himself by any instrument to perform any duty or act, or covenants by any instrument that he or that he and his servants and agents, will abstain from any act, the whole sum mentioned in such instrument as the amount to be paid in case of a breach of the conditions thereof may, notwithstanding anything in section 74 of the Pakistan Contract Act, 1872, be recovered from him in case of such breach as if it were an arrear of land-revenue.</p>
<p>CHAPTER IX</p> <p><i>Amendments of the Pakistan Balochistan Laws Civil Justice Regulation 1890</i></p>	
<p>Amendment of section 4 of</p>	<p>45. After clause (5) of section 4 of the Pakistani Balochistan Laws Regulation, 1890, the following shall be added namely:</p>

<p>Regulation 1 of 1890</p>	<p>(6) The Cantonments Act; 1889, shall be read as if after the words, within the territories administrated by such Government, each time they occur in section 17 the words, or within any other part of Pakistan, were added.</p>
<p>Repeal of works in section 7 of same Regulation</p>	<p>46. In section 7 of the same Regulation the words and figures “including the Balochistan Forest Law published in the notification of the Foreign Department No.876 E, dated the 14th May, 1886,” are hereby repealed.</p>
<p>Substitution of new section for section 71 of Regulation III of 1890</p>	<p>47. For section 71 of the Pakistani Balochistan Civil Justice Regulation, 1890, the following shall be substituted, namely:-</p> <p style="text-align: center;">Power for Deputy Commissioner to Distribute Business.</p> <p>“71 Notwithstanding anything in the Code of Civil Procedure or the Provincial Small Cause Courts Act, 1887, a Deputy Commissioner may, by order direct that any civil business cognisable by his Court and the Courts under his control shall be distributed among those courts in such manner as he thinks fit:</p> <p>Provided that, except so for as it may affect the exclusive jurisdiction of a Court of Small Causes or Court invested with the jurisdiction of a Court of Small Causes, a direction given under this section shall not empower any Court to exercise any powers or deal with any business beyond the limits of its proper jurisdiction.”</p>

Amendment- 24th July, 1974

Amendment
in
Balochistan,
Forest Regulation, 1890
