

Volume X (1994-2000)
AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT
MUZAFFARABAD

Dated the 29th Dec, 1994

No. 800-804/LD/94. The following Ordinance made by the President on the 29th day of Dec, 1994, is hereby published for general information:-

(ORDINANCE XXXIX OF 1994)

AN
ORDINANCE

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;

AND WHEREAS the Legislative Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the power conferred by sub-section (1) of Section 41 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President in pleased to make and promulgate the following Ordinance:-

1. **Short title and commencement.**- (1) This Ordinance may be called the Jammu and Kashmir Forest Regulation, 1930 (Amendment) Ordinance, 1994.
(2) It shall come into force at once.
2. **Amendment of Section 28, Forest Regulation II of 1930.**- In the Jammu and Kashmir Forest Regulation, 1930 (II of 1930), hereinafter referred to as the said Regulation, in Section 28,-
 - (a) in sub-section (1) the words “with the connivance of the owners thereof” shall be omitted; and
 - (b) after sub-section (II-A) the following new sub-section (II-B) shall be inserted:-

“(II-B) any Forest Officer found guilty of abetting an offence, under this regulation, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five thousand rupees, or with both.”
 - (c) after sub-section (4) the following new sub-section

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(4-A), shall be inserted, namely:-

“(4-A) The Officer confiscating any property under sub-section (1) may release such property on payment of penalty which may extend to eleven times but shall not be less than four times of the market value of confiscated forest produce.

Explanation.- For the purposes of this Regulation, market value of the forest produce means “market value” fixed by the Chief Conservator of Forests from time to time.”

- (d) in sub-section (6) the full stop at the end shall be substituted by a colon and thereafter the following proviso shall be added, namely:-

“Provided the revising authority, may on revision, confirm, set aside, vary or modify the order under revision as it may deem fit.”

- (e) in sub-section (9) for the figures “Rs. 50,000/-“ at both the places and “Rs. 5000/-“ the words “one hundred thousand rupees” at both the places and “ten thousand rupees” shall respectively be substituted.

3. **Amendment of Section 56, Forest Regulation II of 1930.-** In the said Regulation, in Section 56, the words “except Section 28” shall be omitted:-

4. **Addition of Section 56-A, Forest Regulation II of 1930.-** In the said Regulation after Section 56, the following new Section 56-A, shall be inserted, namely:-

“56-A. The forest produce alongwith its means of transportation referred in sub-section (1) of Section 28, on its confiscation by any Police Officer, shall be handed over to the Divisional Forest Officer concerned and the person arrested shall be brought before the Forest Protection Officer having jurisdiction in the case within twenty four hours, excluding the time necessary for the journey from the place of his arrest.”

Sd/-

(Sardar Sikandar Hayat Khan)

President

Azad Jammu and Kashmir