

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

Dated the 19th Feb, 1994

No. 145-149/LD/94. The following Ordinance made by the President on the 13th day of Feb, 1994, is hereby published for general information:-

(ORDINANCE VIII 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 President is satisfied that circumstances exist which render it necessary to take immediate action;

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

1. **Short title and commencement.**- (1) This Ordinance may be called the Jammu and Kashmir Forest Regulations (Amendment) Ordinance, 1994.

(2) It shall come into force at once.

2. **Amendment of Regulation II of 1930.**- In the Jammu and Kashmir Forest Regulation 1930 (Regulation II of 1930), hereinafter referred to as the said regulations, in regulation II, in Section 2, after the heading "River" at the end the following new heading shall be added:-

"Forest Protection Officer" means a person appointed and empowered by the Government to hear and decide the Forest cases under the Forest Regulations, 1930.

3. **Addition of Section 57, and 58 Regulation II of 1930.**- In the said Regulation after Section 56, the following shall be added, namely:-

"57. Forest Protection Officer.- (1) Appointment to post of Forest Protection officer shall be made from amongst such persons possessing such qualification and experience as prescribed for the appointment of Sub-Judges.

(2) On appointment of Forest Protection Officers, all cases pending with Magistrate shall stand transferred to the Forest Protection Officers and their territorial Jurisdiction shall be determined by the Government.

(3) The rules for appointment and terms and conditions of Service of Sub-Judges shall be applicable to the appointment of Forest Protection Officers or appointment to the Post may be made by transfer amongst the Sub-Judges.

“58. Forest Appellate Tribunal.- (1) There shall be a Forest Appellate Tribunal consisting of a person equal to the Post and status of a District and Sessions Judge.

(2) Any person aggrieved by any order or Judgment made by the Forest Protection Officer, may within thirty days of the commencement of such order or judgment, prefer an appeal to the Forest Appellate Tribunal and its decision, subject to the provision of sub-section (3) shall be final.

(3) An appeal to the Supreme Court of Azad Jammu and Kashmir from an order or judgement of the Forest Appellate Tribunal shall lie only if the Supreme Court of Azad Jammu and Kashmir being satisfied, that the case involves a substantial question of Law of public importance grants, leave to appeal.”

4. **General Amendment, Regulation II of 1930.-** In the said regulations, for the word “Magistrate” wherever occurring, the words “Forest Protection Officer” shall be substituted.

Sd/-
(Sardar Sikandar Hayat Khan)
President
Azad Jammu and Kashmir