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PART IV

PROVINCIAL ASSEMBLY OF SINDH

NOTIFICATION

Karachi, the 23rd October, 2003

NO.PAS/LEGIS-B-6/2003. The Sindh (Prohibition of taking minerals including reti (sand) and Bajri from any land) Bill, 2003 have been passed by the Provincial Assembly of Sindh on 18th September, 2003 and assented to by the Governor of Sindh on 4th October, 2003, is hereby published as an Act of the Legislature of Sindh.

THE SINDH (PROHIBITION OF TAKING MINERALS INCLUDING RETI
(SAND) AND BAJRI FROM ANY LAND) ACT, 2003.

SINDH ACT NO.IV OF 2003

(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 23rd October, 2003).

AN
ACT

to provide for the prohibition of taking minerals including reti (sand) and bajri from any land by excavation or otherwise, in the Province of Sindh.

Preamble

WHEREAS it is expedient to provide for prohibition of taking minerals including reti (sand) and bajri from any land by excavation or otherwise, in the Province of Sindh, and provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

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| Short title and commencement | 1. (1) This Act may be called the Sindh (Prohibition of taking minerals including reti (sand) and bajri from any land) Act, 2003. |
| | (2) It shall come into force at once. |
| Definitions | 2. In this Act, unless there is anything repugnant in the subject or context.
(a) "Government" means the Government of Sindh;
(b) "land" includes the land beneath water and subsoil of land; and
(c) "rules" means rules made under this Act. |
| Restriction on taking minerals including reti (sand) and bajri | 3. Except with the prior sanction of Government, no person shall take minerals including reti (sand) and bajri from any land by excavation or otherwise.

Provided that no sanction shall be accorded if it adversely affects the Topography, Archaeology, Ecology and Environments of that area. |
| Punishment | 4. Whosoever contravenes any of the provisions of this Act shall on conviction, be Punishable-
(a) in the case of first conviction with imprisonment which may extend to three months and fine, not exceeding ten thousand rupees; and
(b) in the case of any subsequent conviction with imprisonment which may extend to one year and fine, not exceeding twenty thousand rupees. |
| Cognizance | 5. No court shall take cognizance of any offence under this Act except on a complaint in writing by any officer authorized by Government. |
| Indemnity | 6. No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act. |
| Rules | 7. Government may by notification in the Official Gazette, make rules for carrying out the purposes of this Act. |
| Repeal | 8. The Sindh (Prohibition of taking Minerals including reti (sand) bajri from any land) Ordinance, 2003 is hereby repealed. |

BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH

HADI BUX BURIRO
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH