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PART IV

PROVINCIAL ASSEMBLY OF SIND

Karachi, the 31st March 1976

No. PAS/Legis/Bill-21/75.—The Sind Irrigation (Amendment) Bill, 1975 having been passed by the Provincial Assembly of Sind on the 8th March, 1976 and assented to by the Governor of Sind on the 22nd March, 1976 is hereby published as an Act of the Legislature of Sind:—

THE SIND IRRIGATION (AMENDMENT) ACT, 1976.

SIND ACT VI OF 1976.

(First published after having received the assent of the Governor of Sind in the Gazette of Sind (Extra-Ordinary), dated 31st March 1976).

AN

ACT

to further amend the Sind Irrigation Act 1879.

WHEREAS it is expedient to further amend the Sind Irrigation Act, Preamble, 1879, in the manner hereinafter appearing;

It is hereby enacted as follows:—

1. (1) This Act may be called the Sind Irrigation (Amendment) Act, 1975. Short title and commencement.

(2) It shall come into force at once.

Amendment
of section 28
of Sind
Act VII of
1879.

2. In the Sind Irrigation Act, 1879, hereinafter referred to as the said Act, in section 28, the fullstop appearing at the end of clause (g) shall be replaced by a semi-colon, and thereafter the following new clause shall be added:—

“(g) whenever and so long as it is necessary to repair the module tampered with.”.

Insertion of
new section
28-A in Sind
Act VII of
1879.

3. In the said Act, after section 28, the following new section shall be inserted:—

“28-A. The cost of repairs of the module tampered with shall, as determined by the Canal Officer, be recovered from the person or persons chargeable in respect of the water supplied through such module as arrears of land revenue.”.

Recovery of
cost of
repairs of
modules.

Amendment
of section 61
of Sind Act
VII of 1879.

4. In the said Act, in section 61, for the words “fine which may extend to fifty rupees” the words “imprisonment of either description for a term which may extend to three months or with fine which may extend to one thousand rupees or with both” shall be substituted.

Amendment
of section 62
of Sind
Act VII of
1879.

5. In the said Act, in section 62, for the words and comma “of the first or second class, be punished for each such offence with fine which may extend to two hundred rupees, or with imprisonment for a term which may extend to six months”, the comma and words “be punished for each such offence with imprisonment of either description for a term which may extend to one year or with fine which may extend to two thousand rupees” shall be substituted.

Insertion of
section 62-A
in Sind Act
VII of 1879.

6. In the said Act, after section 62, the following new section shall be inserted:—

“62-A. Whoever abets the commission of an offence under this Act shall be punished as if he has committed the offence himself.

Punishment
for abetment.

Explanation.—Any public servant who connives or directly or indirectly assists, in the commission of an offence shall be deemed to be an abettor.”.

Amendment
of section 67
of Sind
Act VII of
1879.

7. In the said Act, in section 67, the figures and word “28-A” shall be inserted between the figures “25” and “30” occurring in line 2 of section 67 and the following second proviso be added after the first proviso:—

“Provided further that an appeal against the order of the Canal Officer passed under section 28-A shall not be entertained unless the appellants has deposited the cost payable under the order of the Canal Officer.”.

8. In the said Act, after section 69, the following new section shall be inserted :—

Insertion of section 69-A in Sind Act VII of 1879.

Service of notice when person cannot be served in the ordinary manner.

“69-A. A person who could not be served in the manner laid down in section 69 and whose whereabouts are not known, may be served by publishing a notice in at least one Urdu and one Sindhi daily newspaper and one local newspaper of the District, if any.”.

By order of the Speaker,
Provincial Assembly of Sind.

JAMALUDDIN ABRO,
Secretary,
Provincial Assembly of Sind.