

**SIND ACT NO. VI OF 1976**

**THE SIND IRRIGATION (AMENDMENT) ACT, 1976**

[31<sup>st</sup> March, 1976]

An Act to further amend the Sind Irrigation Act, 1879.

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

**Preamble**

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.

2. In this 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:--

**Amendment of section 28 of Sind Act VII of 1879.**

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

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

**Establishment and incorporation of the Organization.**

“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

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 61 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.

**Amendment of section 62 of Sind Act VII of 1879.**

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

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

“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.”.

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 :--

**Amendment of section 67 of Sind Act VII of 1879.**

“Provided further that an appeal against the order of the Canal Officer passed under section 28-A shall not be entertained unless the appellant 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.**

“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.”.

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