

GOVERNMENT OF WEST PAKISTAN

REVENUE DEPARTMENT

NOTIFICATION

The 27th January 1969

WEST PAKISTAN NATIONAL CALAMITIES (PREVENTION AND RELIEF)
RULES, 1969

No. 5174-68/155-CRI—In exercise of the powers conferred by Section II of the West Pakistan 'National Calamities (Prevention and Relief) Act, 1958 (Act No. XXXIII of 1958)' the Governor of West Pakistan is pleased to make the following rules, namely :—

1. *Short title extent and commencement*—(i) These rules may be called the West Pakistan National Calamities (Prevention and Relief) Rules, 1969.

(ii) They shall come into force at once.

2. *Definitions*—In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them :—

(a) "Act" means the West Pakistan National Calamities (Prevention and Relief) Act, 1958 (Act No. XXXIII of 1958);

(b) "Calamity-affected area" means an area declared as such under section 3;

(c) "Municipal Committee", "Union Committee", "Town Committee", "Union Council", "District Council" and "Divisional Council" shall have the meaning respectively assigned to them under the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960) and the Basic Democracies Order, 1959 (P. O. 18 of 1959);

(d) "Section" means a section of the Act.

3. *Control over requisitioned officers and staff*—The Deputy Commissioner of a calamity affected area as well as every employee of Government, whose services have been requisitioned by the Relief Commissioner under section 5 shall, for the purpose of the Act, be under the control of the Relief Commissioner ; but for departmental purposes, including emoluments, travelling allowances and daily allowances, shall continue to be under the control and superintendence of the Head of the office or Department to which he belongs.

4. *Allocation of work by Relief Commissioner*—(1) The Relief Commissioner may, by general or special order, provide for the allocation or distribution of work, to be undertaken by various officers in a calamity-affected area.

Transfer of proceedings by the Relief Commissioner—(2) The Relief Commissioner may of his own motion or on an application made to him in this behalf, transfer any proceeding pending before any officer to whom he has delegated any powers under section 7 or allocated or distributed any work under sub-rule (1) to himself or to another officer, for inquiry or disposal.

5. *Powers, duties and functions of Deputy Commissioner*—
(1) Subject to the control and superintendence of the Relief Commissioner, the Deputy Commissioner for a calamity-affected area :—

- (a) shall be the Chief Controlling and Co-ordinating Authority within his District for the purposes of the Act ; and
- (b) may organize non-official relief agency or private charity for the calamity-affected area.

(2) Every Deputy Commissioner shall maintain area-wise lists of Qaumi Razakars, Civil Defence Volunteers or Voluntary workers of social and charitable organisations in his District, whose services could be availed of during an emergency.

6. *Constitution of Relief Committees*—(1) The Deputy Commissioner may appoint for each tehsil/taluka, the whole or any part whereof has been declared calamity-affected area, a central committee, whose duty it shall be to advise generally the Deputy Commissioner in relief matters, to stimulate private charity, collect subscriptions in cash or kind and, if necessary, manage scarcity works and supervise and assist in the distribution of gratuitous relief.

(2) In each town or large village, which has been declared to be calamity-affected area, the Deputy Commissioner may form a sub-committee or if such area be a Municipality, the Municipal Committee may be requested to undertake these functions.

7. *Preparation of Flood Protection Scheme*—The Deputy Commissioners of the districts, which are normally affected by floods, shall frame schemes for flood protection relief measures, in respect of the areas in their charge.

8. *Maintenance and utilization of boats in a flood emergency*—In districts which are liable to be affected by floods, a sufficient number of boats, to be fixed from time to time, by the Relief Commissioner, shall be maintained under the charge of the Deputy Commissioner, through the Tehsildar, and the Headquarters Civil Defence Organisation or the Union Committee, Town Committee, Union Council or the District Council concerned, and utilized in an emergency, under instructions of the Relief Commissioner.

9. *Preparation of lists showing places of safety*—(1) The Deputy Commissioners of the flood affected districts shall select places of safety, to which the displaced population from the low-lying areas could be moved, in an emergency.

(2) *Notification of lists, showing places of safety*—The lists, specifying the places of safety under sub-rule (1), shall be notified to the District Council concerned and all Police Stations and Tehsil Headquarters in the District.

10. *Flood Warnings*—As soon as the danger of flood becomes imminent, the following measures shall be adopted by the authorities concerned for receipt, consolidation, dissemination and communication of flood signals, warnings and preparation of flood situation reports—

- (i) The Meteorological Officer, Lahore, shall pass on all information regarding weather forecasts and rainfall in catchment areas to the Assistant Inspector-General of Police (Tele-Communications), West Pakistan.
- (ii) *Action by the Chief Engineer (Floods) Irrigation Department*—The flood wireless stations of the Irrigation Department, at the canal Head-works shall transmit

messages containing gauge readings, to the Chief Engineer (Floods), Irrigation Department, West Pakistan, who shall send copies of such reports, showing gauge readings and other information to the Assistant Inspector-General of Police (Tele-Communications), West Pakistan.

- (iii) *Action by the Chief Engineer, (Floods) Irrigation Department*—The Chief Engineer (Floods), Irrigation Department, West Pakistan, shall establish contact with the Indian Authorities and arrange to collect all intelligence relating to floods likely to affect Pakistan territory and shall transmit the same to the Assistant Inspector-General of Police, (Tele-Communications), West Pakistan by the quickest possible means.
- (iv) The Chief Engineer (Floods), Irrigation Department, West Pakistan, shall be responsible for the issuance of the High Flood Warnings and the morning and evening Flood Situation Reports.
- (v) *Action by Assistant Inspector-General of Police (Tele-Communications), Location of Wireless sets*—At a stage and the places determined by the Flood Commission, the Assistant Inspector-General of Police (Tele-Communications), West Pakistan shall instal wireless sets netted on the range frequency, keeping in view the wireless sets of the other departments, and be responsible for the reception and transmission of flood messages and warnings at the headquarters and out-lying stations.
- (vi) *Receipt and transmission of Flood Warnings and preparation of Flood Situation Reports by Local Officers*—The Deputy Commissioner and the Superintendent of Police of the district concerned may use the flood wireless stations within the district for the speedy transmission of local flood warnings, etc. They shall also prepare the Flood Situation Reports jointly and keep the Commissioner, the Head of the Department concerned, the Flood Relief Commissioner and the Government constantly informed of the situation.

- (vii) *Dis-continuance of Flood Situation Reports*—As soon as the emergency is over, transmission of flood situation Reports through teleprinter or wireless service shall be discontinued. Negative reports such as “Situation Normal” shall not be reported. If the situation again takes a turn for the worse, the submission of daily situation reports shall be resumed by the authorities concerned.
- (viii) *“Drafting of Flood Situation Reports*—The Flood Situation Reports shall be concisely drafted by all concerned in the language ordinarily used for telegrams. Insignificant items of local interest need not be included and essential figures should be repeated to avoid errors.
- (ix) *Ban on issue of situation reports by the Commissioners of Divisions*—Commissioners of Divisions shall not issue situation Reports containing information incorporated in the District Situation Reports.
- (x) *Supply of copy of Provincial sitreps to Director, Public Relations for publicity through Press and Radio*—All intelligence regarding flood situation shall be communicated to the press and radio by the Director, Press Information, to whom a copy of the Provincial Situation Reports shall be sent by the Assistant Inspector-General of Police (Tele-Communications), West Pakistan.
- (xi) On receipt of a flood warning, the Deputy Commissioner of the affected district shall proceed to :—
- (a) inform the Commissioner of the division, the Relief Commissioner and the Government about the situation, with his recommendations, if necessary, for any areas in his district, to be declared as calamity-affected ;
 - (b) have a warning issued to the inhabitants of the areas likely to be affected by floods ;
 - (c) issue necessary orders under the scheme prepared by him and approved by the Relief Commissioner for anti-flood and relief measures.

11. (1) *Submission of Preliminary estimates of damage and loss caused by floods*—The damage and loss caused by floods shall be assessed by the Deputy Commissioner of the flood-affected area, in consultation with the field staff, and the preliminary estimates based on personal inspection and knowledge of the areas concerned, shall at once be submitted to the Flood Relief Commissioner to enable relief being rushed to the affected areas, with maximum speed.

(2) The Deputy Commissioners shall supply copies of instructions and *proforma* in Urdu in pursuance of the Flood Relief Commissioner's orders to the Patwaris and other local officers, who should remain in their circles during the flood season, in order to report these estimates with the least possible delay. The estimates should be prepared with proper vigilance and care taken to avoid duplication.

12. (1) *Compensation*—Where the existing law does not provide for the payment of compensation for the property acquired under subsection (2) of section 4, such compensation shall be paid in accordance with the market value immediately before the declaration of the area as calamity-affected.

(2) The payment of compensation for or land acquired under section 4 shall be in accordance with the provision of the Land Acquisition Act, 1894.

13. (1) *Revision*—Any person aggrieved by an order passed by the Relief Commissioner or any officer to whom the Relief Commissioner has delegated his powers under the Act, may, within fifteen days from the date of the order, apply to Government for a revision of the order.

(2) Every application for revision shall be in writing and shall set forth, concisely, without any argument, the grounds of the objections. Such grounds shall be numbered consecutively and the application shall be signed and verified by the person presenting the same in the manner provided under the Code of Civil Procedure, 1908.

(3) Every application shall be accompanied by a certified copy of the order sought to be revised (or if the certified copy cannot be obtained in time an affidavit to that effect) and shall bear a court fee stamp of the value of rupees two.

(4) In the computation of the period for submission of the application under sub-rule (1), the limitation, therefore, shall be governed by the provisions of the Limitation Act, 1908.