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PART I

Acts, Ordinances, President's Orders and Regulations

GOVERNMENT OF GILGIT-BALTISTAN

LAW AND PROSECUTION DEPARTMENT
(Gilgit-Baltistan Secretariat)

Gilgit, the 24th November, 2025

[THE GILGIT-BALTISTAN FLOOD PLAIN REGULATION ACT, 2025]

(ACT NO. XXX OF 2025)

AN

ACT

to regulate construction in the floodplains in Gilgit-Baltistan

WHEREAS it is necessary to regulate construction in floodplains for flood mitigation and development of water resources, and to deal with ancillary matters.

Price: Rs. 10.00

[2801 (2025)/Ex. Gaz.]

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It is hereby enacted as follows:

1. Short Title, Commencement and Extent.

(1) This Act may be called as the Gilgit-Baltistan Flood Plain Regulation Act 2025.

(2) It shall come into force at once.

(3) It extends to the whole of Gilgit-Baltistan.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context;

(a) **"Breaching section"** means the section of a flood embankment or other flood protection work which is designated for effecting a controlled breach to release a part of the flood under specified conditions.

(b) **"Authorized Officer"** means an Officer appointed under the Act not below the rank of (BS-18).

(d) **"committee"** means a construction approval committee constituted under Section-9 of this Act.

(e) **"construction"** means any excavation, clearing, laying of utility lines, road or construction of a bridge or any other physical structure.

(f) **"Early warning system"** includes physical and electronic warning systems.

(g) **"flood plain"** means the land notified by the Government of Gilgit Baltistan in the official Gazette as a floodplain under section 3 of the Act.

(h) **"flood plain usage plan"** means the plan defined in section 6 of the Act.

(i) **"Government"** means the Government of Gilgit-Baltistan.

(j) **"land"** includes the land of any tenure and land submerged in water.

(k) **"pond area"** means the area which is prone to flooding owing to the backwater effect of a dam or mini-dam.

(l) **"prescribed"** means prescribed by the rules made under the Act.

(m) **"Prohibited activity"** means an activity listed in section 7(2) of the Act.

(n) **"River"** includes a stream, Nallah, hill torrent tributaries, Dry Nallas, GLOF. Nallah, and any other natural water course conveying run-off from rain, snow melt, or both.

(o) **"regulated activity"** means an activity listed in section 7(1) of the Act.

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(p) **"Spatial planning agency"** means a government entity charged with the formulation of master plans, land usage plans or other land management plans and authorized to grant building or land use permissions.

(q) **"High Water Limit"** means the uppermost water level attained by rivers during their peak flows in the usual flood season, demarcated at the site and so notified.

(r) **"National Environment Quality Standards"** means standards established by the federal Agency under the Pakistan Environment Protection Act, 1997, and the Gilgit Baltistan Environmental Protection Act, 2014 and Rules made thereof.

3. Authority to Designate Floodplain.

(1) The Government may, by notification in the official Gazette, containing detailed specifications of the land, declare any land as a floodplain if the land falls under any of the following categories:

(a) Natural course of a river, area of a lake or wetland.
(b) A low plain which is adjacent to a river and is likely to flooding.
(c) Area which is likely to be inundated due to the operation of a breaching section;
(d) Pond area of a barrage or dam; mini dam
(e) An area likely to be used for the construction of a dam or a barrage.
(f) perennial Nallah passing through the settlement.
(g) An area that has experienced mudflow due to a cloud burst etc.

(2) The Government may, by notification in the official Gazette, revise the extent of a flood plain at such intervals as may be prescribed.

4. Responsibility of Authorized Officer.

(1) The Government shall appoint an Authorized Officer not below basic scale 18 for the performance of one or more functions under this Act.

(2) An Authorized Officer shall have jurisdiction over such part of the floodplain as may be specified by the Government.

(3) Where an Authorized Officer is on leave or he is absent from duty, an Authorized Officer immediately superior to him shall be responsible for his assigned work.

5: Responsibility of Spatial Planning Agencies.

(1) Every Spatial Planning Agency shall designate the flood plain as one or more of the following land use areas
   a. Agricultural area
   b. Green area
   c. Ecological area

(2) The construction and use in the flood plain shall be subject to the provisions of the Flood Plain usage plan, where the same has been notified.

6. Flood Plain Usage Plan.

(1) The Authorized Officer shall, with the permission of the Government, notify a Flood Plain Usage Plan within 06 months of the commencement of this Act.

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(2) The Plan shall delineate the topographical and hydrological conditions of the plain and areas that will be inundated under various flow levels.

(3) The Plan shall indicate the nature of land usage that may be undertaken in various parts of the plan without affecting flow patterns during various flood levels.

(4) The Plan shall be updated every 3 years.

7. Regulated and Prohibited Activities in the Floodplain, etc.

(1) Subject to subsection (2), the Government may, by notification in the official Gazette, declare that a person shall not undertake the following Activities in the flood plain without prior permission in writing of the Authorized Officer.

a. Any type of construction.
b. The deposit and/or removal of soil or other materials in a large-scale manner.
c. The removal of vegetation and plantation.

(2) The Government may, by notification in the official Gazette, prohibit one or more of the following Activities in the flood plain.

a. any particular type of construction.
b. The discharge of any effluent or wastewater in excess of National Environmental Quality Standards.
c. The deposit of any substance in excess of National Environmental Quality Standards.

(3) The Deputy Commissioner of the concerned District may, with prior approval of the Government, direct the removal of such crops as impede the flow of the flood. The Deputy Commissioner shall also indicate the date and time by which the crops must be removed.

8. Application for Permission.

(1) A person may make an application for permission to undertake a regulated activity in a flood plain to the Authorized Officer in the prescribed manner.

(2) If an existing construction on a flood plain is an illegal construction under any law, the Government may, by notification in the official Gazette, require that the occupant of any category of such construction shall, within ninety days of the commencement of this Act, seek permission of the Authorized Officer under the Act, who may grant permission when the construction is brought in accordance with the requirements of this Act or rules made thereunder by modification or retrofitting as may be necessary.

(3) If any existing construction or settlement on a flood plain is an illegal construction or settlement, then the authorized officer may submit a case for appropriate decision, including demolition or resettlement, or any appropriate decision to be made by the Government that deems appropriate.

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(4) The Authorized Officer shall, without undue delay but within the time fixed by the Government, endorse his opinion on the application and submit it to the Committee.

9. Regulated Activities Approval Committee.

(1) The Government may, by notification in the official Gazette, constitute one or more Committees headed by an Authorized Officer consisting of such Authorized Officers and other officials and experts in the relevant fields as it deems appropriate, to consider applications for permission to undertake regulated activities in a flood plain.

(2) The Committee may, for reasons to be recorded, either reject the application or grant permission subject to such conditions and restrictions as it may deem fit to achieve the objectives of this Act.

(3) While granting permission to construct in a flood plain, the Committee shall, among other things, consider the following matters.

(a) The obstruction that the construction is likely to cause to the flow and its flood-related impact.

(b) The pressing need for such construction.

(c) The safety of the construction and its impact on the safety of other constructions or related areas.

(d) The opinion of the Authorized Officer on the application for permission to construct in the floodplain.

(4) The Committee shall decide the application within such time as may be prescribed or specified by the Government and convey its decision to the Authorized Officer without unnecessary delay.

10. Formal Permission to Undertake Regulated Activities.

(1) The Authorized Officer shall, in accordance with the decision of the Committee and within forty-five (45) days of receipt of the application, accept or reject the application for permission to undertake a regulated activity in writing and convey it to the applicant.

(2) The Authorized Officer shall keep a complete record of all applications for permission to undertake regulated activities in a flood plain, proceedings on the applications, and decisions of the committee on the applications in the prescribed manner.

11. Review Board.

(1) The Government shall constitute a Review Board headed by an authorized officer and comprising such Authorized Officers, other officials, and experts in the relevant fields as may be prescribed, to review the order of the Authorized Officer under section 10.

(2) Any person aggrieved by the order of the Authorized Officer under section 10 may, within thirty days, prefer an appeal to the Review Board in the prescribed manner.

(3) The Review Board shall decide an appeal for review of an order of the Authorized Officer within thirty days from the date of filing of the appeal.

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12. **Public Authorities.-** This Act applies to public authorities, including the Federal Government, a Provincial Government, or a Local Government, and a public authority shall not finance or undertake any regulated or prohibited activities in the flood plain without the prior written permission of the Authorized Officer.

13. **Special Building Code.**

i) The Government may make rules or apply any of the existing building control instruments, under any other law for the time being in force, to control the construction of buildings in the catchment areas or the Flood Plain Management Area of any river or a part thereof.

ii) Notwithstanding anything in any other law. The government may prescribe a special building code for construction in a flood plain in view of the particular requirements of the flood plain.

14. **Floodplain Surveys.-** Each year in October or at such other time as the Government may specify, the Authorized Officer shall carryout a survey of the flood plain, including its extent and nature, and submit a report to the Government mentioning activities required to be notified under section 7 of this Act, the survey may be done based on expert opinion from relevant department and input from local communities based on historical practices/flood occurrence.

15. **Publication of Maps of the Floodplain-**The Government shall publish electronic maps of the flood plain notified under section 3 of the Act within one month of their notification.

16. **Information and Guidance regarding Floods.**

(1) The Government shall install and maintain early flood warning systems for occupants of floodplains. In areas with large population concentrations Government shall additionally maintain physical warning systems.

(2) The Government shall publish and make generally available a guide to assist occupants of the floodplain for better preparation and/or evacuation in case of a flood.

17. **Action Against Unauthorized Regulated Activities**

(1) Where a regulated activity is undertaken otherwise than in accordance with the provisions of this Act, the Authorized Officer may order its stoppage and/or removal and cause it to be stopped and/or removed.

(2) For purposes of subsection (1), if considered necessary, an Authorized Officer may request assistance from the District Collector, local police, or an authority of the local government.

(3) The District Collector, local police, or the local government shall render assistance to the Authorized Officer and shall, in case of inability to render immediate assistance, inform the Authorized Officer in writing within three days of the request.

18. **Power to Arrest.**

(1) If a person resists,

a) removal of unauthorized construction, or
b) crops being removed under the provisions of section 7(3), or

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c) stopping of a regulated activity being undertaken except in accordance with the provisions of this Act or

d) assaults or threatens any person acting under the order of the Authorized Officer the person may be arrested.

(2) Where a person is arrested by a person other than a police officer under this Act, he shall immediately be handed over to the nearest police station.

19. Offences.

(1) A person who undertakes a regulated activity except in accordance with the provisions of this Act or undertakes a prohibited activity in violation of the provisions of this Act or does not remove crops directed to be removed under this Act shall be guilty of an offence punishable with imprisonment which may extend to Sixty (60) days and fine which may extend to ten hundred thousand rupees (Rs. 1000000).

(2) If a person occupies an illegal construction after ninety days of the commencement of the Act, he shall be guilty of an offence punishable with a fine which may extend to five hundred thousand rupees (Rs 500,000).

(3) The Authorized Officer shall have all the powers to seal and stop any commercial activity, business of a hotel, or establishment with respect to which an offence appears to have been committed under this Act shall have the power to requisition the police force through officer-in- charge of a police station within whose local jurisdiction an offence under this Act appears to have been committed.

20. Protection of Actions.- No suit, prosecution, or other legal proceedings shall lie against any person acting under this Act for anything done in good faith under the Act or any rules made or notification issued under the Act.

21. Trial Courts (Executive Magistrate 1st Class).-

1) Government shall, by notification in the Official Gazette, authorize one or more Executive Magistrates first Class and specify the area of jurisdiction of each such court, which shall exclusively try offenses under this Act.

2) The magistrate shall conduct a trial of the offences summarily in accordance with sections 260-265 CrPC, and punishment exceeding 06 months shall be tried in ordinary procedure provided in the Code of Criminal Procedure 1898.

22. No Liability.

(1) Notwithstanding anything contained in this Act, an Authorized Officer or any other officer of the Government or the Government shall not be liable for any flood-related or other damage occurring due to any construction permitted under the Act.

(2) A court or tribunal shall not entertain any claim for compensation or damages for any damage mentioned in subsection (1).

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23. Removal of Difficulty.- If any difficulty arises in giving effect to any of the provisions of this Act, the Government may, as occasion may require, by order, do anything which appears to it to be necessary for the purpose of removing such difficulty.

24. Power to Make rules.- The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

25. Overriding. This Act shall prevail over all other laws, and any law inconsistent with the Act shall not be enforced in a floodplain.

NAZIR AHMAD,
Speaker
Gilgit-Baltistan Assemlby.

SYED MEHDI SHAH,
Governor
Gilgit-Baltistan.

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