

# North West Frontier Protection of Trees and Brushwood Act, 1949

(AUTHORITIES FOR SHOWING CAUSE)

(17th February 1976)

No. SOFT (FAD) V-168/71 (V) - In exercise of the powers conferred by Clause (1) of Sub Section (2) of Section 7 of the North West Frontier Protection of trees and Brush-wood Act, 1949, (N.W.F.P.) Act, VII of 1949, the Government of the North West Frontier Province are pleased to prescribe that the Conservator of Forests, Abbottabad and Conservator of Forests Malakand, in their respectively Circles shall be the authorities before whom representatives of any Village, land-owners or occupants of lands can Show Cause as to why fine should not be imposed upon them under the said Act.

## HAZARA DISTRICT PROTECTED FOREST RULES, 1973

No. Soft. (Fad). V-168/71 - In exercise of the power conferred on him by Section 32, 68, 72 and 76 of the Forest Act, 1927 (Act XVI of 1927) the Governor, North West Frontier Province, is pleased to make the following rules, namely:—

1. These rules may be called the Hazara District protected Forest rules, 1973 (Sic). [PLD 1975 N.W.F.P. Statutes p. 207.
2. They shall come into force at once.
3. They shall apply to Government lands along roads, Canals, Railways and Forest lands resumed by Government.
2. In these rules :—
  - (a) "Divisional Forest Officer" mean Divisional Forest Officer, incharge of the Division concerned ; and
  - (b) "Conservator" means the Conservator of Forest, incharge of the conservancy Circle concerned.
3. (1) Cutting, Sawing, Conversion and removal of trees and timber and collection, manufacture and removal o. other forest produce from the protected forest in prohibited, except as provided in these rules.
  - (2) Cutting of the trees from protected Forest for Commercial purpose shall be done under approved working plans schemes and sale proceeds thereof shall be credited to Government account as revenue of the Forest Department.
  - (3) Resin taping operations and collection of other Forest produce in the protected forest shall be organized by the Divisional Forest Officer on the pattern in vogue in reserved forest and the sale proceeds thereof shall be credited to the Government account as revenue of the Forest Department.

(4) Subject to the following conditions, the grant of trees for meeting *bonafide* domestic requirements of the residence of the villages within the boundaries of which the protected Forest is situated shall rest with Conservators :—

- (a) the removal of trees shall be subject to silvicultural availability ;
- (b) request for grant of trees shall ordinarily be rejected if alternative sources for meeting such demands are available ;
- (c) the grant of trees under this rule shall not be free but on concessional rates and subject to a maximum limit to be fixed by the Provincial Government on recommendations of the Conservator ; and
- (d) the rates and number of trees fixed under Clause (c) of this rule shall be reviewed periodically.

5. Collection of dry and fallen branches of trees by the local residents for *bonafide* domestic use as firewood may be permitted by the Conservator on such terms and conditions as he may impose from time to time.

6. Grazing and gross cutting in protected forest may be permitted by the Conservator on the following conditioner :—

- (a) Grazing and gross cutting fee shall be charged at the rates fixed for reserved forests of the Forest Division concerned ;
- (b) type of grazing animals to be allowed, their number and season during which grazing may be done shall be determined by the Divisional Forest Officer ;
- (c) the Conservator may close any part of the protected forest to grazing and gross cutting for the purpose of regeneration of conservation for period not exceeding 30 years ; provided in village where there are no waste lands the area closed for grazing shall not exceed one half of the total area of protected forest in village where there are waste lands the maximum limit for closure to grazing shall be one half of the total area of the waste lands and the protected forest taken together.

7. The use of existing paths and springs shall be allowed in accordance with current practices ; provided that the Conservator may close an existing path after giving a notice which shall not be less than one month ; and provided further that such closure shall be made only when an alternative path exists or has been provided for in the vicinity of the path so closed.

8. Quarrying for sand and stone, and digging of soil may be permitted by the Divisional Forest Officer in terms and fees in vogue for similar activities in reserved forest of the Division concerned.

9. Burning of kilns for lime, surkhi or any other purpose is prohibited except for Government works or undertaking of general public utility, and for which a fee Rs. 100/- per klim shall be charged.

10. Rules made for regulation and control of hunting, shooting fishing, poisoning of water and setting traps or snares in reserved forest of the Division concerned shall also be applicable to the protected forest of that Division.

11. Duties and the powers of the Forest Officer in relation to affairs of the protected forest not provided for specifically in these rules shall be the same as in case of the adjoining reserved forest.

12. Any person who infrings any of the provisions of these rules shall be punishable with imprisonment for a term which may extend to six months, or the fine which may extend to five hundred rupees or with both.

## **PROTECTED FOREST ACT 1927**

*(31st October, 1975)*

**No. Sft. (Fad) V-168/71/P—In exercise of the Powers conferred on by Section 30 of the Forest Act, 1927. The Governor, North West Frontier Province, is pleased to declare that all the trees on the Government lands in Hazara District along roads, Canals, Railways and Forest lands resumed by Government, which constitute protected forest, shall be reserved with immediate effect.**

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