

North West Frontier Province Management of Protected Forest Rules 1975

[17th February 1976].

1. **Short title.**—These rules may be called the North-West Frontier Province Management of Protected Forests Rules 1975.

Definition.—All words used in these rules and not defined shall have the meanings respectively as are assigned to them under section 2 of the Forest Act, 1927.

3. **Grant of trees.**—No trees shall be felled or removed from the forests to which these rules are applicable, except with the permission in writing of the Conservator of Forests, Malakand, or the Divisional Forest Officers having jurisdictions in the forests.

4. **Free grant of trees for domestic needs** may be made to the owners or right-holders and to other local inhabitants entitled to this privilege subject to silvicultural availability of trees and upto the limit given in the sanctioned working plans, except in the case of Swat and Kalam. Limit in the case of Swat and Kalam shall be such as is given in the Schedule appended to these rules.

5. Every request for free grant of trees shall be made to Range Officer, having jurisdiction in the area, which in case of Dir, Swat and Kalam shall be made on white paper and in case of Chitral on the prescribed form obtainable from Forest Department on payment of a fee of rupees ten for each form.

6. The entitlement to the free grant of trees shall be verified by the Tehsildar concerned. For the grant of trees to non-residents, the Tehsildar will first obtain the concurrence of the Jirga of the owners or right obtain holders of the respective village and record a certificate to this effect on the application. After verification of the entitlement, the application will be forwarded to the Range Officer concerned, who will verify the needs and record the timber requirements either personally or through the Block Officer. At least 20% of the verification made by the Block Officer shall be checked by the Range Officer himself.

7. The verification made in respect of grant of free trees needed for construction and re-construction of houses must state that the foundation of houses have been built upto punth area level. In the absence of such certificate no application shall be considered.

8. (1) The Range Officer shall enter all applications for free grant of tree received by him in a register with the following columns :—

Year—————Tehsil—————Ceiling (No. of trees).

Serial No.	Name and Subject particular of applicant	Authority verifying entitlement	Authority verifying needs	Report of Range Officer	Orders D. F. O. sanctioning or rejecting	Balance from the ceiling
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(2) The register will be put up by the Range Officer once a month, preferably during the first week when the Range Officer visits the office of the Divisional Forest Officer.

(3) After the orders for issue of timber have been made by the Divisional Forest Officer, the Range Officer will start a second register having the following columns :—

Name and particulars of applicant	Date of, marking	Name of Forests	Date of hammer marking timber and issue of "Rahdari".	Certificate of utilization by the Range Officer.	Remarks.
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9. The trees will be granted in the diameter range of 24" --30". The Standing Deodar trees shall not be granted for domestic use, except in Kalam. Upper Indus-Kohistan, Dir, Kohistan and Chitral. Windfallen trees will be granted and counted against the quota. Trees will be marked strictly according to the silvicultural availability. No trees shall be marked within 300 feet of the outer boundaries of the forests.

10. Trees will be marked by the Range Officer himself or through Block Officer within two months from the receipt of the orders. The Range Officer will be responsible for the correctness of the marking and whether he does it himself or through the Block Officer. The trees will be cut within two months of the date of marking and will be utilized for the purposes stated and for no other within six months from the date of cutting.

11. The outturn from the trees marked will only be removed after it has been branded with the right-holders hammer and its transport allowed through a Rahdari to be issued by the Range Officer concerned.

12. Timber granted for domestic needs shall neither be sold nor given free, nor taken out of the limits of the village. The Range Officer will verify the utilization of timber in a register to be maintained for the purpose.

13. Neither the person to whom trees have been granted for construction of a house in any year nor a member of his family shall be entitled to the grant in the following year unless proved to the satisfaction of the Divisional Forest Officer concerned that the timber is required for the construction of a separate house.

14. In case of Swat and Kalam, trees of central quota specified in the Schedule shall be sanctioned by the Conservator of Forests, Malakand and the trees of local quota specified in the said schedule shall be sanctioned by the Divisional Forests Officer of the area concerned. The procedure followed for

the grant of trees from local quota shall also be followed for the central quota grants. For this purpose two separate registers will be maintained by the Divisional Forest Officer. The form for both shall be as prescribed for local quota.

15. Every person to whom the trees have been granted under these rules shall plant five trees in a place or places designated by the Forest Officer during the plantation season and look after them for such time as may be directed by the forests authorities.

16. **Concessional Grants.**—(1) These shall be granted on concessional rates in Madyan, Behrain Fatehpur, Matta, Kabal, Babozai, Charbagh, Alpuri, Lilowni, Kana, Puran, and Chakesar Tehsil's and Buner Sub-Division of Swat District in the following cases :—

- (a) for the domestic requirements of the local inhabitants who either do not have the forest or the required timber trees therein ; and
 - (b) for the construction of commercial buildings by the local inhabitants, such as shops, hotels and residential accommodations meant for rent.
- (2) Concessional rates are fixed as follows :—

Area.	Rate per tree (Rupees)			
	Docdar Rs.	Kail Rs.	Fir/Spruce Rs.	Chir. Rs.
Madyan, Behrain, Fatehpur and Matta Tehsils.	700 00	500 00	400 00	...
Khabbal, Babuzai and Charbagh	... 600 00	400 00	300 00	...
Alpuri, Kana, Lilowni Puran and Chakesar Tehsils.	600 00	400 00	350 00	...
Buner Sub-Division.	—	200 00	150 00	100 00

(3) These rates may be revised by the Chief Conservator of Forests from time to time.

17. Conservator of Forests may grant on concessional rates, upto a maximum of 500 tree annually. The trees shall not be marked unless price is realized in full. Trees of 28' d. b h. shall not be marked for grant of concessional rates. All other formalities, procedure and restrictions shall be the same as are prescribed for the grant of timber for domestic use to right-holders.

18. **Special Contract.**—Supply of timber will be permitted to persons residing in Swat District who are neither entitled to free grant of timber nor to the grant on concessional rates. This will be done through a special contract in the following manner :—

- (i) On the recommendation of Conservator, the Chief Conservator of Forests will decide the volume of the special contracts to be given for

this purpose. The Contractor to whom such a contract is given will be required to maintain a depot and issue timber from it on the rates specified by the Chief Conservator of Forests to the persons eligible on the authorization of the Divisional Forest Officer after due verification of the needs is carried out as prescribed in rule 5 of these rules for the free grant of timber. All other formalities, procedure and restriction shall be the same as prescribed in the said rule. The Chief Conservator of Forests will fix the sizes into which such timber will be converted and will specify conditions for the operations of such contracts from time to time.

- (ii) Special contracts will be granted subject to the availability of balance in the volume fixed for local use in the sanctioned working plans after the demands met with for free grants and on concessional rates.

19. Commercial Sales.—(1) Regular commercial sale will be conducted in the forests in accordance with the sanctioned working plans. Fifteen per cent of the sale proceeds from commercial sales in Dir, Swat and Kalam and fifteen per cent sales proceeds on concessional rates and quomi contracts in Swat will be distributed amongst the right-holders.

(2) The Divisional Forests Officer will issue a cheque in the name of the Deputy Commissioner for the amount of share of the local inhabitants out of the sale proceeds. The amount will be distributed by the Deputy Commissioner or his representative amongst the right-holders, and the acquittance roll will be forwarded to the Conservator of Forests on each occasion the payment is made. The Conservator of Forests will maintain the accounts for audit purposes.

20. Punishment.—Any breach of these rules shall be punishable with imprisonment or with a fine or with both as provided in section 33 of the Forest Act, 1927.

SCHEDULE

Annual quota of trees prescribed for the domestic needs of the local population in Swat District.

Serial No.	Name of Tehsil	Central quota	Local quota.
1.	Babuzai-Manglawar area	50	150
2.	Babuzai-Jambil Area	50	150
3.	Charbagh Maturizai Area	20	180
4.	Azai Khel Area	30	270
5.	Janki Khel Area	20	180
6.	Madyan Area	30	270
7.	Behrain Area	40	360
8.	Shamizai (Bar Swat) Area	40	360
9.	Si-Boojnai (Bar Swat) Area	40	360
10.	Kabal Area	40	360

Serial No.	Name of Tehsil	Central quota	Local quota
11.	Barikot Area	30	270
12.	Badezai (Buner) Area	40	360
13.	Salarzai (Buner) Area	40	360
14.	Daggar (Buner) Area	60	540
15.	Gaggara (Buner) Area	60	540
16.	Chamla (Buner) Area	50	450
17.	Chagharzai (Buner) Area	60	540
18.	Amazai (Buner) Area	40	360
19.	Khadu Khel Tatalai Area	60	540
20.	Alpuri Area	40	360
21.	Kana (Shahpur) Area	40	360
22.	Lilowni Area	20	180
23.	Chakesar Area	40	360
24.	Puran Area	40	360
25.	Martung Area	30	270
26.	Bisham Area	20	180
27.	Seo Area	20	180
28.	Pattan Area	30	270
29.	Dobar Area	20	180
30.	Ranolia Area	20	180
31.	Karang Area	10	90
32.	Jajshuai Area	10	90
33.	Kalam Area	50	100
34.	Ushu Area	30	70
35.	Uttor Area	30	70
Total		1,250	9,900