

**PROVINCIAL ASSEMBLY OF WEST PAKISTAN
NOTIFICATION**

The 24th March, 1964

No. PAWP/Legis- (212)/63-64 95—The West Pakistan Firewood and Charcoal (Restriction) Bill, 1963, having been passed by the Provincial Assembly of West Pakistan on the 11th day of March, 1964 and assented to by the Governor of West Pakistan on 17th day of March, 1964, is hereby published as an Act of the Provincial Legislature of West Pakistan :

**THE WEST PAKISTAN FIREWOOD AND
CHARCOAL (RESTRICTION) ACT, 1964**

WEST PAKISTAN ACT No. XI OF 1964

(First published, after having received the assent of the Governor of West Pakistan, in the *Gazette of West Pakistan* (Extraordinary), dated 24th March 1964).

AN
ACT

*to prohibit and regulate the burning of firewood and charcoal
in West Pakistan.*

WHEREAS it is expedient in the public interest Preamble.
to prohibit and regulate the burning of firewood and charcoal in factories, brick-kilns, lime-kilns and other specified places in the Province of West Pakistan in the manner hereinafter appearing;

It is hereby enacted as follows:—

1. (1) This Act may be called the West Pakistan Firewood and Charcoal (Restriction) Act, 1964. Short title, extent and commencement.
- (2) It extends to the whole of the Province of West Pakistan, except the Tribal Areas.

(941)

Price : 13 Paiss

(3) This section and section 2 shall come into force at once and the remaining provisions shall come into force in such area or areas on such date or dates as may be specified by Government, by notification, in this behalf.

Definitions.

2. In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say—

- (a) "factory" means any premises including the precincts thereof where any process is being carried on with the aid of power;
- (b) "firewood" includes any kind of wood used for burning a fire, but does not include shrubs, loppings of trees not exceeding six inches in girth, or the stumps of trees ;
- (c) "Forest Officer"—
 - (i) in relation to Hazara District, has the meaning assigned to it in the North-West Frontier Province Hazara Forest Act, 1936;
 - (ii) in relation to any other place, has the meaning assigned to it in the Forest Act, 1927;
- (d) "Government" means the Government of West Pakistan;
- (e) "Power" means electrical energy and any other form of energy which is mechanically transmitted and is not generated by human or animal agency.

Restrictions on burning firewood and charcoal.

3. It shall be unlawful to burn firewood or charcoal in any factory, brick-kiln, lime-kiln, or such other fire places or class of fire places as may be specified by Government by notification:

Provided that the prohibition contained in this section shall not apply to—

- (i) any fire place for burning of earthen-wares;
- (ii) any brick-kiln or lime-kiln worked for the preparation of bricks or lime for the personal use of the proprietor of such kiln;
- (iii) the use of firewood for any domestic purposes:

Provided further that Government may, in any area, permit the burning of firewood or any kind of firewood or charcoal in any class of factories, brick-kilns or lime-kilns subject to such conditions as may be prescribed.

Penalty.

4. Any person who contravenes the provisions of section 3 or such of the rules made under this Act, as may be specified, shall be liable to simple imprisonment for a term which may extend to thirty days or with fine up to five hundred rupees or with both.

5. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under this Act shall be cognizable and bailable within the meanings of the said Code. Offence to be cognizable and bailable

6. (1) Any Forest Officer, specially empowered by Government in this behalf, may, after getting a warrant from a Magistrate, arrest any person who has committed an offence under this Act or the rules made thereunder, and may seize the firewood and charcoal in respect of which the offence has been committed. Power of Forest Officer

(2) The Forest Officer making an arrest under subsection (1) shall release such person on his executing a bond to appear, when so required, before the officer in-charge of the nearest Police Station.

7. No suit, prosecution or other legal proceedings shall lie against any officer for anything which is, in good faith, done or intended to be done in pursuance of any provision of this Act or the rules made thereunder. Immunity

8. Government may, after previous publication, make rules for the purpose of carrying into effect the provisions of this Act. Power to make rules

By order of the Speaker,
Provincial Assembly of West Pakistan

MUHAMMAD IQBAL
SECRETARY,
Provincial Assembly of West Pakistan.