

THE NORTH-WEST FRONTIER PROVINCE, (CONSERVATION AND EXPLOITATION OF CERTAIN FORESTS IN HAZARA DIVISION) ORDINANCE, 1980.

N.-W. F. P., ORDINANCE No. VII OF 1980.

17th June, 1980.

AN

ORDINANCE

to provide for conservation, better exploitation and prohibition of unlawful cutting of forests in certain areas of Hazara Division.

Preamble

WHEREAS it is expedient to provide for conservation, better exploitation and prohibition of unlawful cutting of forests in certain areas of Hazara Division, and for matters connected therewith;

AND WHEREAS the Governor of the North-West Frontier Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (C. M. L. A. Order No. I of 1977), and in exercise of all powers enabling him in that behalf, the Governor of the North-West Frontier Province is pleased to make and promulgate the following Ordinance:

Short title and commencement

1. (1) This Ordinance may be called the North-West Frontier Province (Conservation and Exploitation of Certain Forests in Hazara Division) Ordinance, 1980.

1. It shall extend to the specified areas.
2. It shall come into force at once.

2. In this Ordinance, unless the context otherwise requires,—

Definitions.

1. "forest produce" and "timber" shall have the same meanings as are respectively assigned to them in the Hazara Forest Act 1936 (N.-W. F. P. Act VI of 1937);
2. "Government" means the Government of the North-West Frontier Province;
3. "Schedule" means the Schedule to this Ordinance; and

(d) "specified areas" means the areas comprising the villages in Hazara Division specified in the Schedule.

3. (1) For the purposes of conservation and better exploitation of forests, there shall be no extraction of timber and other forest produce in the specified areas, except by Government or by a corporation or an agency set up or authorised by Government in this behalf.

Prohibition of private extraction of timber, etc.

(2) Notwithstanding anything to the contrary contained in any law for the time being in force, or any decree, order or judgment of any Court or other authority;-

1. all contracts, agreements or other instruments entered into or executed for the extraction of timber or other forest produce in the specified areas, subsisting immediately before the commencement of this Ordinance, shall upon such commencement, stand terminated; and
2. all timber and other forest produce produced in and extracted from the specified areas and transported from, through or to any place within Hazara Division shall, whether extracted before or after the commencement of this Ordinance, be liable to duty at the rate notified by Government under sections 28 and 29 of the Hazara Forest Act, 1936 N. W. F. P. Act VI of 1937), by notification No. S. O. F. T. (FAD) V-105/70/(HFA 1936), dated the 24th December, 1979, or at such other rate as may, hence after . be notified by Government under the said Act.

Disposal of timber etc. on failure of the owner to collect. 4. (1) If the timber or other forest produce, referred to in clause (b) of sub-section (2) of section 3, lying in the specified areas or the depots is not collected by the owner, after payment of duty referred to in the said clause, within three months of the coming into force of this Ordinance, then the same may be put to sale by Government through public auction.

1. The proceeds of sale under sub-section (1) shall after deduction of duty leviable under clause (b) of sub-section (2) of section 3 and any other' expenses, if any, incurred in connection with the holding of auction, be refunded to the owner of such timber or other forest produce on an application made by him in that behalf.
2. The person in whose favour such timber or other forest produce is auctioned shall be liable to pay duty at the usual rate as applicable in the Hazara Division for such sales from the depot.

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Indemnity 6. No suit, prosecution or other legal proceeding shall lie against Government or any other person for anything in good faith done or intended to be done under this Ordinance.

Power to make rules. 7. Government may make rules for carrying out the purpose of this Ordinance.

Section 5 Omitted by N.-W. F. P. Act No. II of 1985 read with the schedule see section-2.

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SCHEDULE

Serial No.	Name of Village	Serial No.	Name of Village	Serial No.	Name of Village
1.	Banian	20.	Tangai	39.	Sitramai.
2.	Tarnamaria	21.	Chaprai.	40.	Gijborai.
3.	Chauhan Maira.	22.	Matta.	41.	Qalagai.
4.	Dabuna.	23.	Kangrai.	42.	Sarkhelia Banda.
5.	Dande.	24.	Bar Banda.	43.	Kuz Shinglai
6.	Borai	25.	Kuz Banda (Banda Gulab Khan).	44.	Bar Shinglai.
7.	Site.			45.	Kot Gala.
8.	Garan	26.	Kandar.	46.	Shar.
9.	Batai.	27.	Mera.	47.	Dab.
10.	Naka.	28.	Guratai.	48.	Battal.
11.	Kakatai	29.	Shahtute.	49.	Kuz Gondor.
12.	Mori.	30.	Atir.	50.	Tarnao.

13.	Chapra.	31.	Shalida.	51.	Ghulingai.
14.	Qalagai.	32.	Serai.	52.	Shah Dherai.
15.	Chinmang.	33.	Jalalkot.	53.	Naryala.
16.	Naraza.	34.	Karimauna.	54.	Pomang.
17.	Hukmat Khan Banda	35.	Ruban.	55.	Serai
18.	Cidrai.	36.	Darai.	56.	Pashma.
19.	Khair Maidan.	37.	Tangai.	57.	Dherai.
		38.	Lohiamaira.	58.	Karwar.

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Serial No.	Name of Village	Serial No.	Name of Village	Serial No.	Name of Village
59.	Sahib Khan.	99.	Burj Phanian.	140.	Derai.
60.	Ughaz Banda.	100.	Nochi.	141.	Tangai.
61.	Landi.	101.	Bailing.	142.	Dabuna.
62.	Matta.	102.	Sherol.	143.	Dande.
63.	Sofian.	103.	Bail.	144.	Dharian.
64.	Dheri.	104.	Kirar Bikka.	145.	Garhi.
65.	Bar Maidan.	105.	Dela.	146.	Bandagai.
66.	Kuz Maidan.	106.	Lakhha.	147.	Bandagai Chauhan join with Naror.
67.	Matta.	107.	Bir.	148,	Dharian joint with Ashlar,
68.	Battamori.	108.	Gali.	149.	Qabula.
69.	Ain.	109.	Maddi.	150.	Gul Dheri.
70.	Khet.	110.	Chini.	151.	Dedal.
71.	Serai.	111.	Barag.	152.	Sadin Mira.
72.	Yaro Banda.	112.	Garhi.	153.	Banara.
73.	Gada.	113.	Dabbona.	154.	Kharagai.
74.	Shingarai.	114.	Brat.	155.	Tikri.
75.	Kararshang.	115.	Chagjai.	156.	Landai.
76.	Rachhmaiaa.	116.	Pansera.	157.	Chham warrah.
77.	Bela.	117.	Bela.	158.	Landi Shah.
78.	Joz.	118.	Machai	159.	Manumaria.
79.	Mangarai.	119.	Kotwal.	160.	Bias Maira.
80.	Bizokas.	120.	Banjai.	161.	Khatuna.
81.	Sangu.	121.	Cherakmar.	162.	Dheri.
82.	Kuz Bansar.	122.	Bagwai.	163.	Vait.
83.	Saral.	123.	Ruke Kot.	164.	Battagram.
84.	Kadlsai.	124.	Sera.	165.	Qila Bala.
85.	Phagora.	125.	Preari	166.	Sandesar.
86.	Sharbanai.	126.	Biland Kot Proper.	167.	Kandar.
87.	Shabora.	127.	Siadra.	168.	Gulibagh.
88.	Kolai.	128.	Miran.	169.	Kohani.
89.	Gandaur.	129.	Mai.	170.	Cham Sharkheli.
90.	Chapar Gran.	130.	Tarand.	171.	Jabba.
91.	Tami.	131.	Tarand Qila.	172.	Arghashori.
92.	Ajmera.	132.	Charbagh.	173.	Gabasni (Syed).

93.	Nowshera Saidan.	133.	Gidrai.	174.	Gani Kot (Afghan).
94.	Balani.	134.	Dherai.	175.	Gabai (Syed).
95.	Surai.	135.	Taya.	176.	Parba.
96.	Jutial.	136.	Shalkhai.	177.	Kafila.
97.	Khabbal and their Bandas	137.	Jalaekot.	178.	Dagra.
98.	Kaya.	138. 139.	Karinuana. Ruban.	179.	Charvai.

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Serial No.	Name of Village	Serial No.	Name of Village	Serial No.	Name of Village
180.	Kali Iarr.	207.	Teius.	234	Jambera.
181.	Warro.	208.	Kasai.	235.	Hanagai.
182.	Char una.	209.	Panjul.	236.	Suchhai.
183.	Shinglai.	210.	Rupkni.	237.	Karagai.
184.	Gharhi.	211.	Kingram.	238.	Shah Murad.
185.	Kuprai.	212.	Palang.	239.	Pachargram.
186.	Sithans.	213.	Narai.	240.	Bishkot.
187.	Sazin.	214.	jabbar.	241.	Biswasi.
188.	Harban.	215.	Bojrai.	242.	Shamalai.
189.	Shatial.	216.	Ner.	243.	Hill.
190	Jalkots.	217.	Batila.	244.	Bach Baaja
191.	Palas.	218.	Narsuk.	245.	Bhir.
192.	Zuri Galli.	219.	Shalkai.	246.	Magri.
193.	Thungir.	220.	Pashto Kali.	247.	Batangi.
194.	Kagi Abo.	221.	Bara Char.	248.	Bannas Wali.
195.	Kharg.	222.	Uttar.	249.	Murad Banda.
196.	Cbiran.	223.	Kocha.	230.	Kholi.
197.	Derai.	224.	Barai.	251.	Jaunlai.
198.	Umari.	225.	Tando.	252.	Baba Sheikh Islam Ziarat.
199.	Bao.	226.	Jabrai.	253.	Hotar.
200.	Rab.	257	Kalang Ketha.	254.	Raidhawari.
201.	Biari.	228.	Jaribila.	255.	Chhika.
202.	Pokal.	229.	Gantar.	256.	Khet Banda.
203.	Richban.	230.	Chuani.	257.	Milishang.
204.	Kolar.	231.	Warai.	258.	Andarwalali.
205.	Gangwai.	232.	Burj.	259.	Chanwali.
206.	Jakrallai.	233.	Farid Garhi.	260.	1 (Rashang.)

Inserted by N.-W, F. P. Ord: No, VI of 1982.