

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

(WEST PAKISTAN ACT NO. XI OF 1964.)

[24th March, 1964.]

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(RESTRICTION) ACT, 1964.**

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**AN
ACT**

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

WHEREAS, it is expedient in the public interest 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;

Preamble.

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 ¹[Province of Khyber Pakhtunkhwa] except the Tribal Areas.

(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.

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—

Definitions.

(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 of fire , but does not include shrubs, loppings of trees not exceeding six inches in girth, or the stamps of trees;

¹ Substituted vide Khyber Pakhtunkhwa Adaptation of Laws Order, 1975.

- (c) “Forest Officer”—
- (i) In relation to Hazara District, has the meaning assigned to it in the ¹[Khyber Pakhtunkhwa] 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 ²[Khyber Pakhtunkhwa.]
- (e) “Power” means electrical energy and any other form of energy which is mechanically transmitted and is not generated by human or animal agency.

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

Restriction on burning firewood and charcoal.

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 for 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.

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.

Penalty.

¹ Substituted vide Khyber Pakhtunkhwa Adaptation of Laws Order, 1975.

² Substituted vide Khyber Pakhtunkhwa Adaptation of Laws Order, 1975.

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