

GOVERNMENT of ¹[Khyber Pakhtunkhwa]
Environment Department

Notification
Peshawar, dated the 2.11.2004

No.SO(Tech)ED/V-105/2003/Vol: VI/10237 - 47.

In exercise of the powers conferred by Section 115 of the ²[Khyber Pakhtunkhwa] Ordinance, 2002 (³[Khyber Pakhtunkhwa] Ord, No.XIX of 2002), read with section 110 thereof, the Government ⁴[Khyber Pakhtunkhwa] is please to make the following rules, namely;

**COMPENSATION FOR FORESTS OFFENCES AND
VALUE OF CASE PROPERTY RULES. 2004.**

1. Short title and commencement: -

(1) These rules may be called the ⁵[Khyber Pakhtunkhwa] Compensation for the Forest Offences and value of Case property Rules, 2004

(2) They shall come into force at once.

2. Definition: -

(1) In these rules, unless the context otherwise require, "Appendix" means the appendix appended to these rules or such other appendix revised by Government from time to time.

(2) Other words and expressions used in these rules but not defined shall have the meanings respectively assigned to them under the Forest Ordinance, 2002 (⁶[Khyber Pakhtunkhwa] Ord. No. XIX of 2002), or any other law for the time being in force.

3. Rates of compensation: -

The rates of compensation for forest offences for compounding by the Forest Officers shall be in accordance with Appendix-I to these rules.

4. Exempted Articles: -

The following wood articles/products obtained from the timber of lawful origin shall be exempted from the provisions of these rules:

- (i) Furniture articles accompanied with barat; and
- (ii) Coffin boxes for burial of dead.

¹ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

² Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

³ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

⁴ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

⁵ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

⁶ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

5. Value of case property: -

- (1) The value of case property i.e. forest produce, implements, vehicles, vessels, receptacles, lorries, tools, animal and fashioned wood products for compounding forest offences cases by the Forest Officers shall be charge in accordance with the Appendix II to these rules.
- (2) Value of case property shall be charged at double the rate in the following cases:
 - (a) Forest offences committed between sunset and sunrise;
 - (b) Forest offences committed in the regeneration areas and research/sample plots;
 - (c) Forest offences committed by the same offender for the second and subsequent time.
- (3) In case of resistance, defiance or aggression to lawful authority, the value of case property i.e. forest produce, implements vehicles, boats, motor launches, receptacles lorries, vessels, animals and fashioned products shall be charged at three times the rates.

6. Walnut bark: -

Forest Offences regarding Walnut bark shall not be compounded under these rules by Any Forest Officer for any quantity what-so-ever. The same shall be seized and put to court for prosecution. After confiscation of produce under the orders of the court, the same shall be auctioned by the authorized Forest Officers.

7. Formulation of Procedure: -

Where any difficulty is being felt in the smooth functioning of these rules, the Chief Conservator may issue such instructions or directions, not inconsistent with these rules, as he may deem fit.

Appendix-I

1. Compensation for the forest offences

| S.No | Particulars | Rate (Rs.) in each case |
|------|---|-------------------------|
| 1 | Possession of the illicit timber. | 100.00 per case |
| 2 | Cutting of trees, coniferous and broad-leaved species | 100.00 each |
| 3 | Cutting of firewood from standing and fallen trees. | 50.00 each |
| 4 | Cot arms, legs, crates and wooden products. | 50.00 each |
| 5 | Mazri leaves and other mazri products. | 50.00 each |
| 6 | Other forest products. | 100.00 each |
| 7 | (a) Resin, wood oil, natural varnish and making charcoal; and | 50.00 each |
| | (b) Other minor forest produces. Grazing and browsing of camels, buffaloes, cows, bullocks, horses, ponies, mules, donkeys, goat, and sheep. | 50.00 each |

APPENDIX-II

II. Value of the case property.

| S.No | Particulars | Rates (Rs.) in each case |
|--------|---|--|
| 1 | Trees felled illicitly (standing volumes) within limits of Deh/Mozah/Forest--- (a) Deodar/ Ash; (b) Blue pine, Fir, Spruce, Chir, Walnut, Shisham, Yew (Bermi) (c) Other broad leaved and coniferous Species; | 200.00 per cft. 100.00 per cft. 50.00 Per cft. |
| 2 ★ | Possession of converted timber for local domestic use within the limits of Deh/Mozah/Forest (a) Deodar/ Ash; | 500.00 per cft. |

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| | | |
|-------|---|-----------------|
| (b) | Blue pine | 350.00 per cft |
| (c) | Fir/Spruce | 300.00 per cft |
| (d) | Chir | 250.00 per cft |
| (e) | Walnut, Shisham, Yew (Bermi) | 200.00 per cft |
| (f) | Other broad leaved and coniferous Species; | 100.00 per cft |
| 3 ★ | <u>Possession of the converted timber for local non-domestic use within the limits of Deh/Mozah/Fnerst</u> | |
| (a) | Deodar/ Ash; | 700.00 per cft |
| (b) | Blue pine | 500.00 per cft |
| (c) | Fir/Spruce | 350.00 per cft |
| (d) | Chir | 300.00 per cft |
| (e) | Walnut, Shisham, Yew (Bermi) | 250.00 per cft |
| (f) | Other broad leaved and coniferous Species; | 150.00 per cft |
| 4 ★ | <u>Possession of converted timber for sale</u> | |
| (a) | Deodar/ Ash; | 1000.00 per cft |
| (b) | Blue pine | 700.00 per cft |
| (c) | Fir/Spruce | 500.00 per cft |
| (d) | Chir | 400.00 per cft |
| (e) | Walnut, Shisham, Yew (Bermi) | 300.00 per cft |
| (f) | Other broad leaved and coniferous Species; | 200.00 per cft |
| 5 | <u>Possession of small timber, firewood and charcoal and cut up or fashioned or hallowed timber.</u> | |
| (i) | Bargas and plough wood. | 50.00 per cft. |
| (ii) | | |
| (a) | Truck, lorry, tractor-trolley, boat, Steamer, motor launch load. | 5000.00 each |
| (b) | Other vehicles, pickup, van-car, Jeep and Suzuki load. | 2000.00 each |
| (c) | Head load | 70.00 each |
| (d) | Donkey load | 100.00 each |
| (e) | Mule, pony, horse load | 150.00 each |
| (f) | Camel load | 300.00 each |
| | (Note. --- The other loads of any description shall be assessed by head load). | |
| (iii) | Charcoal. | 100.00 each |
| (iv) | (a) Doors, windows, frames, ventilators, tables, sofas, beds, chairs, boards, cupboards, benches, boxes. | 800.00 each |
| | (b) Cot arms, legs and honey bee | 100.00 each |

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| | boxes (new and unused). (v) Mazri and Mazri products--- (a) Ban, Mazri leaves, Chappal, Rope (b) Mat, tranger. | 5.00 per kg 50.00 each |
| 6. | Possession of the forest produce (a) Resin, rosin, wood oil and natural varnish (b) Medicinal herbs and morels (green) (i) All medicinal herbs. (ii) Black mushroom (Guchi). (Note. --- Four times of the value given above shall be charged for the dry products) (c) Lopping (i) Coniferous/Ash/Yew (ii) Other broad leaved and junipers (d) Grass cutting and lopping for fodder (e) Stones (f) Soil sand and humus (g) Honey, gum and lac (h) All others | 200.00 per kg. 50.00 per kg. 200.00 per kg. 50.00 per head load 30.00 per head load 20.00 per head load 150.00 per % cft 150.00 per %cft 100.00 per kg 20.00 each |
| 7. ★ | Value of the case property other than forest produce. (a) Truck, lorry, tractor-trolley and vessels involved in transportation of: (i) timber, resin, rosin, natural varnish and wood oil; (ii) firewood and other forest produce; (b) Any other vehicle including pickup van, car, jeep and Suzuki etc involved in transportation of timber, wood oil, resin and natural varnish; (c) Camel, horse, mule and pony/donkey, bullock and buffalo with carriage carts involved in transportation of timber, wood oil, resin, rosin, natural varnish; (d) Camel, horse, mule and pony/donkey, bullock and buffalo without carriage carts involved in transportation of timber, wood oil, resin, rosin, natural varnish; (e) Camel, horse, mule, ponies, bullock and buffaloes with or without carriage involved in transportation of other forest produce including firewood; (f) Donkey involved in transportation of other Forest produce and firewood. | 25000.00 each 10000.00 each 10000.00 each 2500.00 each 1000.00 each 1000.00 each 400.00 each |
| 8. | Tools and implements (a) Bullock/donkey cart; (b) Hand cart; (c) Tranger (Bullock) and Thara (donkey, mules horse, pony). | 100.00 each 150.00 each 100.00 each |

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| | | |
|--|---|--------------|
| (d) | Sickle, net, rope sack, spare etc. | 50.00 each |
| (e) | Axe; | 50.00 each |
| (f) | Cross cut saw; | 500.00 each |
| (g) | Hand saw; | 300.00 each |
| (h) | Chain-saw, diesel saw or electric saw; | 5000.00 each |
| (j) | Sledge hammer, pick-Axe, Lever, Wedge, Slive, File (rati), Patan (camel), Shovel. | 150.00 each |
| (Note. – Tools and implements other than above shall be charged at the rates assessed by Forest Officer in accordance with the prevailing Market rates). | | |

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|-----|---|-------------|
| 9. | Grazing animals | |
| (a) | Camel; | 150.00 each |
| (b) | Buffalo, cow, bullock, horse, ponies, mule, donkey and yalk | 100.00 each |
| (c) | Goat, sheep | 50.00 each |

SECRETARY TO GOVT. OF THE
⁷[Khyber Pakhtunkhwa]
Environment Department

⁷ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011