

GOVERNMENT OF ¹[Khyber Pakhtunkhwa] ENVIRONMENT DEPARTMENT

NOTIFICATION

Peshawar dated the, 31.01.2006

No. SO (Tech) ED/V-III-Gen/2003/KC. In exercise of the powers conferred by section 115 of the ²[Khyber Pakhtunkhwa] Forest Ordinance, 2002 (³[Khyber Pakhtunkhwa] Ord. No. XIX of 2002), read with section 104 thereof, the Government of the ⁴[Khyber Pakhtunkhwa] is pleased to make the following rules, namely:

THE ⁵[Khyber Pakhtunkhwa] FOREST DEVELOPMENT FUND (MANAGEMENT AND UTILIZATION) RULES, 2006.

1. Short title and commencement.---(1) These rules may be called the ⁶[Khyber Pakhtunkhwa] Forest Development Fund (Management & Utilization) Rules, 2006.

(2) These rules shall come into force at once

2. Definitions.--- In these rules, unless the context otherwise requires: -

⁷[*****]

(ii) "Fund" means the Fund established under section 104 of the Ordinance;

(iii) "Ordinance" means the ⁸[Khyber Pakhtunkhwa] Forest Ordinance, 2002 (⁹[Khyber Pakhtunkhwa] Ord. No. XIX of 2002);

(iv) "section" means the section of the Ordinance.

3. Forest Development Fund.---(1) There shall be opened an account in the Government Treasury for proper maintenance of Fund and all money generated through various sources as specified in section 104 of the Ordinance shall be pooled in the account so opened.

¹ Substituted. by Khyber Pakhtunkhwa Act No. IV of 2011.

² Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

³ Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

⁴ Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

⁵ Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

⁶ Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

⁷ Deleted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

⁸ Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

⁹ Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.

(2) No amount from the Fund shall be withdrawn, unless the bill/cheque meant for drawing money is signed by both the Chief Conservator of Forests and the ¹[Divisional Forest Officer (Direction) Headquarter at Peshawar].

²[4. **Utilization of the Fund:** The Fund, in term of clause (d) of sub-section (4) of section 104 of the Ordinance, shall also be utilized for the following purposes:

- (a) replenishment of the cutover area of designated forest;
- (b) forestry resource protection, conservation, development and management in the immediate surroundings of natural forests, including preparation of forest resource management or working plans;
- (c) procurement of tools, equipment, technology and logistics or vehicles, POL, repair of equipment and vehicles and purchase of fencing materials for forest protection, conservation, management, including forest fires management;
- (d) reward for forest officers and officials on account of their extra ordinary performances as per guidelines to be issued by the Department;
- (e) hiring the services of Police or Frontier Constabulary, and other law enforcing agencies under special circumstances or emergency;
- (f) construction and repair or maintenance of forest check posts, inspection huts and other required infrastructure, including infrastructure of eco-tourism initiatives of the Department;
- (g) provision of conversion, transportation of illicit cut or drifted timber and salvage of hazardous trees; and
- (h) compensation for local volunteers, for physical or financial losses, during assisting the forest staff, in forest protection as per guidelines, to be issued by the Department.]

5. **Management of the Fund:** --- ³[(1) There shall be a management committee, hereinafter referred to as the Committee, for the management of the Fund, which shall consist of the following:

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|-------|---|----------|
| (i) | Secretary to Government, Climate Change, Forestry, Environment and Wildlife Department; | Chairman |
| (ii) | Chief Conservator of Forest, Central Southern Forest Region-I, Peshawar; | Member |
| (iii) | Chief Conservator of Forests, Northern Forest Region-II, Abbottabad; | Member |

¹ Substituted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

² Substituted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

³ Substituted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

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| (iv) | Chief Conservator of Forests, Malakand Forest Region-III, Swat; | Member |
| (v) | A representative of Finance Department, not below the rank of Deputy Secretary; | Member |
| (vi) | Director, Budget and Account of the Climate Change, Forestry, Environment and Wildlife Department or his nominee not below the rank of BPS-17; and | Member |
| (vii) | Divisional Forest Officer (Direction) Headquarter at Peshawar.] | Member |

(2) The ¹[Divisional Forest Officer (Direction) Headquarter at Peshawar] shall also act as Secretary of the Committee.

(3) The Committee shall appropriate the Funds allocated for the financial year concerned for different activities and shall be responsible for all other matter pertaining to the Funds.

²[(4) The Concerned Divisional Forest Officer shall prepare forest development schemes for protection, conservation, management and sustainable development of forestry resources, duly reviewed and endorsed by concerned Conservator of Forests and Chief Conservator of Forests for placement before the Committee for approval.]

³[(4A) Upon the approval of forest development scheme, the concerned Divisional Forest Officer shall submit yearly plan of operation to concerned Conservators of Forest for approval, within one month for new schemes and upto 15th of April of each year for already approved ongoing schemes.

(4B) Upon the approval of yearly plan of operation, the concerned Conservator of Forests shall consolidate all such plans and submit them to the Chief Conservator of Forests, Central Southern Forest Region-I, (HAD) Peshawar through concerned Chief Conservator of Forests, for release of funds.]

(5) Allocation of the Funds, as approved by the Committee, shall be distributed amongst the quarters concerned by the Chief Conservator of Forests.

⁴[(6) The disbursement of Fund, at all level, shall be utilized as per approved yearly plan of operation. The unutilized amount, out of the released Fund, shall be surrender to the Fund, at the end of financial year.]

¹ Substituted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

² Substituted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

³ Inserted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

⁴ Substituted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

6. Maintenance of the Funds.---(1) The accounts of the Funds shall be maintained separately as per existing practice of maintenance of accounts in the Forests Department and a consolidated yearly report of the accounts shall be submitted to the Committee not later than 30 days of the closing of the respective financial year.

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(3) The accounts of the Fund shall be audited in accordance with the procedure in vogue in the department on yearly basis and the audit report shall be submitted to the Committee within 30 days of the close of the respective financial year.

SECRETARY TO GOVERNMENT OF
THE ²[Khyber Pakhtunkhwa]
ENVIRONMENT DEPARTMENT



¹ Sub-rule (2) deleted by Notification No. SO(Tech)/ CCFE&WD/V-590/2024/PC/KC/FDF Rules, dated, 11th November, 2024.

² Substituted by Khyber Pakhtunkhwa Act No. IV of 2011.