

Government of ¹[Khyber Pakhtunkhwa]
Environment Department

Notification
Peshawar dated the 14.12.2004

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In exercise of the powers conferred by section 73 of the ²[Khyber Pakhtunkhwa] Forest Ordinance, 2002 (³[Khyber Pakhtunkhwa] Ord. No. XIX of 2002), and in supersession of all previous rules on the subject, the Government of ⁴[Khyber Pakhtunkhwa] is pleased to make the following rules, namely:

**⁵[Khyber Pakhtunkhwa]
SALES, SAWING AND PROCESSING OF TIMBER RULES, 2004**

1. Short title and commencement: -

- (1) These rules may be called the ⁶[Khyber Pakhtunkhwa] sale, sawing and processing of timber rules, 2004.
- (2) They shall come into force at once

2. Definition: -

- (1) In these rules, unless the context otherwise requires,-
 - (a) "Registering Officer" means the Divisional Forest Officer in-charge of the Forest Division concerned;
 - (b) "Wood Processing Unit" means any unit involved in wood processing and or manufacturing of, *inter alia*, furniture, handicrafts, doors, windows, ventilators, etc.;
 - (c) "Ordinance" means the ⁷[Khyber Pakhtunkhwa] Forest Ordinance, 2002 (⁸[Khyber Pakhtunkhwa] Ord. No. XIX of 2002).
 - (d) "Timber" for the purpose of these rules, shall mean the timber of the following species, namely;

Deodar (*Cedrus deodara*) vernacular deodar or diar, Blue pine (*Pinus Wallichiana*), vernacular kail, biar, ander or anander. Chir pine (*Pinus roxburghii*), vernacular chir or chil, Spruce (*Picea smithiana*) vernacular achal, kachal or acher; silver Fir (*Abies pindrow*), vernacular partal or

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

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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

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

⁸ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011

paluder; Yew (*Taxus baccata*), vernacular barmi or thuni; Shisham (*Dalbergia sissoo*), poplar spp (*populus*), Toot (*Morus alba*), Willow (*Salix tetrasperma*), Dhrek (*Melia azderach*), Simal/ Simbal (*Bombax malabaricum*), Acacia Spp; (KJkar, Phulai) Brown Oak (*Quercus semecarpifolia*), vernacular ban], barungi, banchar, mukhair, White Oak (*Quercus dilatata*), vernacular barungi, Holm Oak (*Quercus ilex*), vernacular rhin, ban], or saira, Oak (*Quercus incana*), vernacular rhin, Walnut (*Juglans rigia*), vernacular akhrot or khors Indian Olive (*Olea ferruginea*), vernacular kao, Ash (*Fraxinus floribunda*), or (*F. excelsior*), vernacular sum; Toon (*Cedrella toona*), vernacular drawa, Hill toon (*Cedrella serrata*), vernacular drawa; Maple (*Acer caesium*), vernacular trikan, Tarkana: Indian Horse Chestnut (*Aesculus indica*), vernacular bankhor; Pistachio (*Pistacia intergerrima*), vernacular kangar; Bird's Cherry (*Prunus padus*), vernacular kalakat; large-leave elm (*Ulmus walliehiana*), vernacular kain; small -leaved elm (*Ulmus vilosa*), vernacular mannu; Himalayan poplar (*Populus ciliata*), vernacular palach or bagroon and any other kind of wood/ timber from any other tree species as may be notified by Government from time to time.

3. Registration of sale depot, sawing unit and wood processing unit:-

- (1) No sale depot, sawing unit or wood processing unit shall be established, maintained or operated unless registered under these rules in the office of Registering Officer.
- (2) Any person wishing to establish or maintain a sale depot, a sawing unit or wood processing unit, shall make an application to the Registering Officer concerned who may, in respect of such sale depot, sawing or wood processing unit, require an applicant to furnish such details as to the source and origin of timber:

Provided that if a person wants to use a sawing unit also as sale depot or wood processing unit, he shall be required to register the same independently.

- (3) The Registering Officer, while making an order registering a sale depot, a sawing unit or a wood processing unit, shall specify
 - (a) The source of timber authorized for running a sale depot, a sawing unit or a wood processing unit;
 - (b) The kind of timber defined in rule 2 (d) of these rules;
 - (c) Limits within which timber or any other wood products may be transferred for sale from a sale depot, sawing unit or wood processing unit;
 - (d) Limits within which timber or any other wood products from a sawing unit or wood-processing unit may be transported for purpose other than sale.
- (4) The sale depots, sawing units or wood processing units already in existence on the date of coming into force of these rules shall within sixty days of the notice in

writing by the Registering Officer, be registered under these rules, if not already registered.

- (5) The Registering Officer may, for reasons to be recorded in writing, refuse to register or renew registration, or cancel the registration of a sale depot, a sawing unit, or a wood-processing unit if he is satisfied that:
- (a) Such sale depot, sawing unit or wood processing unit is being operated in violation of these rules; or
 - (b) There is imminent danger of its becoming a cause of destruction or damage to the trees growing in reserved forests, protected forests, Guzara forests, waste lands or any other forests:

Provided that no such order shall be made unless the owner or person running a sale depot, a sawing unit or a wood processing unit is given an opportunity of being heard.

4. Appeal: -

Any person aggrieved by an order made under rule 3 (5) shall have right of appeal to the Conservator of Forests in the manners provided in section 71 of the Ordinance.

5. Registration fee and security: -

- (1) Each sale depot, sawing unit or a wood-processing unit registered under these rules shall be assigned a registration number by the Registering Officer.
- (2) The security, fee for registration and annual renewal fee shall be as under:

	Security (Rs.)	Registration fee (Rs.)	Annual renewal fee (Rs.)
(a) Sale depot.	5000	2000	1000
(b) sawing unit	2000	500	100
(c) wood processing unit			
(i) for local use	5000	2000	1000
(ii) for export abroad	10000	5000	2500

- (3) The fee for registration and renewal shall be non-refundable.

(6) Registration for hammer marks: -

- (1) Any person having a registered sale depot or sawing unit shall register his sale hammer-mark/property mark in the office of Registering Officer concerned. No fee shall be charged for registration of such sale, property hammer-mark.

- (2) A sale, property hammer mark already registered in favour a person or used by Government shall not be registered in favour of any other person.
- (3) The Registering Officer may refuse to register any mark which in his opinion resembles the mark used by the Government or registered in favour of any other person.
- (4) Upon cancellation of any registration or in the event of permanent closure of sale depot or sawing unit, the sale hammer mark shall be surrendered in the office of the Registering Officer. The amount of security if not forfeited shall be returned to the owner.

(7) **Inspection and maintenance of record: -**

- (1) Sale depot, sawing unit and wood processing unit shall be inspected by the Registering Officer concerned personally or through his subordinate Forest Officials at least once in a calendar year.
- (2) Any Forest or Police Officer may, at any time and without a search warrant, enter a sale depot, sawing unit or a wood processing unit, and inspect the same alongwith its godowns or stores.
- (3) Every owner or person in-charge of a sale depot or sawing unit, or a wood processing unit shall provide all possible assistance to facilitate the physical checking of the timber whether lying in a godown, store, receptacle or in open.
- (4) The owner or person in-charge of a sale depot, sawing unit or a wood processing unit shall maintain the following registers duly issued by the Registering Officer and shall produce the same as and when required by the Registering Officer or any official duly authorized by him.
- (5)
 - (i) Register of receipt of timber, showing:
 - (a) date of receipt
 - (b) Name of person from whom received.
 - (c) Species.
 - (d) Marks.
 - (e) Number of logs or scantlings with sizes.
 - (f) Source and origin of timber.
 - (g) Remarks.
 - (ii) Register of sale and removal of timber etc. showing:
 - (a) Date of sale.
 - (b) Date of removal/dispatch of timber etc. from a sale depot, a sawing unit or a wood processing unit.
 - (c) Name of person/party to whom sold or made over.
 - (d) Destination.
 - (e) Species.
 - (f) Marks.

- (g) Number, size and volume
- (h) Number of transport challan used.
- (i) Remarks.

(6) No timber shall be removed from any sale depot or sawing unit unless:

- (a) Marked with the registered sale hammer of the sale depot or of the sawing unit; and
- (b) Accompanied by a challan form duly issued and approved by the Registering Officer or his authorized representative.

(7) Wood products shall be transported-

- (a) Under the authority of challan within District; and
- (b) Under the authority of Transport Pass outside the District.

(8) Procedures: -

Where any difficulty is being felt in the smooth functioning of these rules, the Chief Conservator of Forests may issue such instructions and directions not inconsistent with these rules, as deemed necessary.

**SECRETARY TO GOVT. OF THE
[Khyber Pakhtunkhwa]
ENVIRONMENT DEPARTMENT**

⁹ Subs. by the Khyber Pakhtunkhwa Act No. IV of 2011