

منجانب محترم جناب ہدایت الرحمان صاحب رکن صوبائی اسمبلی خیبر پختونخواہ۔

<p>جواب۔</p> <p>(۱)۔ تمام ضبط شدہ لکڑی کی نیلامی چھوٹے چھوٹے لاٹوں میں بمقام دروش اور زمین پر ہر مہینے کی جاتی ہے۔ مقامی آبادی کی حوصلہ افزائی کیلئے لاٹوں کو چھوٹا رکھا جاتا ہے۔ سرکاری ضبط شدہ لکڑی کی مقامی نیلامی ٹکٹے کے زیر غور ہے (کاپی لف ہے)</p>	<p>کیا وزیر ماحولیات ارشاد فرمائیں گے کہ</p> <p>(۱)۔ ٹکٹے فارسٹ کے اہلکار ضبط شدہ لکڑی ضلع جتڑال میں بیابا ہر نیلام کرتے ہیں، جب کہ اگر یہ لکڑی سستے داموں مقامی افراد کو پر مٹ کے تخت دی جائے تو اچھا نہیں ہوگا، نیز حکومت اس سلسلے میں کیا اقدامات اٹھا رہی ہے، تفصیل فراہم کی جائے۔</p>
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**OFFICE OF THE
CONSERVATOR OF FORESTS,
MALAKAND WEST FOREST
CRICLE TIMERGARA**



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Dated Timergara the 01-01 /2019

To

The Chief Conservator of Forests,
Malakand Forest Region-III,
Saidu Sharif Swat.

Subject:

PROCEDURE FOR REGULATING THE PROCUREMENT OF RIGHT OF TIMBER FOR LOCAL USE UPPER DIR AND LOWER DIR, DISTRICTS (TERRITORY OF FORMER DIR STATE)

Reference DFO Upper Dir letter No.2414/G dated 20/11/2018 (Copy enclosed). Also your good-self personal meeting with the elites of Dir Kohistan at Sheringal during your visit of Upper Dir upper and Lower from 5 to 7/12/2018 and discussion on the issue with the undersigned.

The following factual position brought into your kind notice. The undersigned feel honour to recommend draft procedure for perusal of your learned and knowledge office for further course of action.

- 1 The forests of Former Dir State are protected Forests vide notification No. SOFT (FAD)V-168/71(11) dated 22-12-1975 and the property of the state as per land dispute settlement inquiry Commission report notified vide No. 10/16/SOTA-II/72-1520 dated 15 September 1972
- 2 The people has the following Rights and Concessions as per Working Plan in these protected Forests;
 - a. 80% Royalty shall be paid to Sultan Khel and Painsa Khel tribes out of sale proceeds from their forests, where as 60% in case of remaining tribes
 - b. For firewood purposes local people have the rights to cut dry branches and trees from the forests
 - c. Grass cutting and lopping of fodder trees are allowed to right holders
 - d. The local Quota for constructional timber requirement can be fulfilled through issuing permit by Forest Department
 - e. Right holders have the right to receive a fee (Qalang) from Gujars and nomads in view of grazing their cattle
 - f. Trees standing in the agriculture lands are exempted from marking and are taken into account as the property of land owners
- 3 Despite clear provision of the above right and concession there is no proper procedure for regulating the fulfilment of the right of local timber use despite the fact that the people of Dir exercise the same at their free will. This phenomena is leading to multiple complaints of the non- stakeholders particularly the print and electronic media endless fact finding and disciplinary inquiries.
- 4 The role and responsibility of the government is regulating the resources and addressing the right in rim of its subject according to rules and procedure. Therefore in the absence of rules and procedure no regulation and monitoring of exercise of rights is possible.

- 5 Several attempts have been made since 2015 starting from suspension of the then DFO Dir Mr. Raees Khan and Mr. Shah Wazir Khan the then Chief Conservator of Forest Malakand Region-III. As a result of absence of procedure for procurement of timber for local use in former Dir.
- 6 Therefore on public demand a draft comprehensive procedure for procurement of timber for the people of Malakand, prepared by various committees constituted by Administrative Department, CCF-I and CCF-III. The draft procedures submitted by Mr. Sher Nawaz Khan CCF Region-III and later on Qazi Muhammad Mushtaq CCF- Region-III.
- 7 The draft procedure also placed before the workshop organized by FP &M Circle at PFI on 5/3/2018. The Secretary Forestry, Environment and Wildlife Department realizing the importance and urgency of the task requested the participants of the workshop to spend another two days for devising the procedure for the people of Malakand and particularly Dir. But all the participants unanimously referred the task to the local Forest Officers of Malakand Division.
- 8 Therefore realizing my responsibility as Conservator of Forest Malakand West Forest Circle having more than 24 years' service experience in all the Forest Divisions of Malakand West Forest Circle and detail deliberations with all the stake holders i.e. All Divisional Forest Officers, Public Representatives Nazims, MPAs, MNAs and Elites. I recommend the following procedure:

B AFTER THOROUGH DELIBERATIONS WITH ALL STAKE HOLDERS, THE FINAL DRAFT PROCEDURE FOR LOWER DIR AND UPPER DIR DISTRICTS, RECOMMENDED FOR APPROVAL OF THE COMPETENT AUTHORITY.

- a The Forest Department will itself harvest and extract the timber of dry standing/wind fallen trees, diseased, hazardous, thinning, damage marking and marking for road extension and road expansion in Protected Forests and marking carried out in Community Use working as per Working Plan prescription.
- b The timber obtained from the marked trees mentioned in Para (a) above will be transported to a depot to be established at the maximum of four depots per Forest Subdivision/ Range in the centrally located Forest area on the approval of Conservator of Forest under the Supervision of SDFO/RFO having Jurisdiction of the area. The timber transported to such depots will be put to auction twice a month for meeting the local needs of the Forest Subdivision. No Forest Development Fund(FDF) and Forest Duty shall be charged on timber purchased in these auctions from the successful bidder and the timber will be allowed only for local use in the jurisdiction of Forest Subdivision, therefore no Transport Pass will be issued for the timber purchased during auction at Forest Subdivision/Range level Depot. Only Rahdari to a register Saw Machine situated in the jurisdiction of Forest Subdivision/Block will be issued by the Sub Divisional forest Officer or Range Forest Officer as the case may be.
- c After two consecutive auction the left over timber at Sub Divisional/Range level Depots will be transported to a depot to be established on the approval of Conservator of Forest at least one per each Forest Division in former state of Dir. The timber brought from Subdivision/ Ranges will be put to auction twice a month for 4 consecutive auctions in the Divisional Level Depot.No FDF and Forest Duty shall be charged on the timber purchased in these auctions from the successful bidder and the timber will be allowed only for local use in the jurisdiction of former State of Dir. For transportation of timber purchased in these auction a transport pass without realizing duty and FDF will be issued by the DFO to a registered Saw Machine close to the utilization place of the successful purchaser in the jurisdiction of farmer state of Dir.

- d The left over timber from local use in the jurisdiction of former state of Dir will be transported to Timber Market Chakdara or any other Timber Market the Chief Conservator of Forest deem appropriate and will be put to open auction for the public at large. The timber purchased during auction at Timber Market will be allowed for transportation to any part of the country through Transport Pass issued by Divisional Forest Officer after realization of Forest Development Fund, Forest Duty and all other taxes of the Government.
- e After deducting of extraction and transportation charges, the net sale proceeds out of all the auctions mention above will be apportioned as per already approved ratio between Government and local forest concessionaires of the Forest Compartment from where the timber has been extracted.
- f The confiscated timber and other forest produce will be transported to central timber depot at the Divisional Level and will be put to open auction at central depot, after deduction of the conversion, transportation expenditures 50% of the net sale proceed will be deposited in government treasury while 50% will be paid as reward to the informer, Forest and police officials for the extraordinary efforts leading to confiscation of such timber.

Conservator of Forests,
Malakand West Forest Circle,
Timergara

No. 3827-34 /G&L

Copy Forwarded to:-

1. The Commissioner, Malakand Division with reference to public demand for local Timber Depot at Koll-Kachehr, Durish-Khela Swat
2. Deputy Commissioner Dir Lower with reference to meeting held in his office on 18/12/2018
3. Deputy Commissioner Dir Upper for information
4. Deputy Commissioner Chitral for information
5. Divisional Forest Officer Dir Upper with reference to his letter cited above
6. Divisional Forest Officer Dir Lower at Timergara
7. Divisional Forest Office Dir Kohistan with reference to meeting held with the elites of Dir Kohistan in the Conference Room of his office on 7/12/18 for information
8. Divisional Forest officer Chitral for information

Conservator of Forests,
Malakand West Forest Circle,
Timergara