

**THE BALOCHISTAN FIREWOOD AND CHARCOAL
(RESTRICTION) ACT, 1964**

(W.P. Act XI of 1964)

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**¹THE ²[BALOCHISTAN³] FIREWOOD AND CHARCOAL
(RESTRICTION) ACT, 1964**

(W.P. Act XI of 1964)

[24th March, 1964]

An Act to prohibit and regulate the burning of firewood and charcoal in ²[Balochistan].

Preamble.

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 ²[Balochistan] in the manner hereinafter appearing;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the ²[Balochistan] Firewood and Charcoal (Restriction) Act, 1964.

(2) It extends to the whole of the Province of ²[Balochistan].

(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.

Definitions.

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—

(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 stumps of trees;

¹ For statement of objects and reasons, see West Pakistan Gazette (Extraordinary), dated 10th January, 1964, pages 188-AAA to 188-CCC. This Act was passed by the W. P. Assembly on 11th March, 1964; assented to by the Governor of W. P. on 17th March, 1964; and, published in the W. P. Gazette (Extraordinary), dated 24th March, 1964, pages 941-46.

² Subs. by Balochistan Laws (Adaptation) Order, 1975; published in the Balochistan Gazette (Extraordinary) No. 17, dated 9th May 1975, for the words "West Pakistan".

³ Spelling of the word "Baluchistan", wherever it appears in this Act, is corrected by insertion of letter "o" instead of "u"; as per Government of Balochistan, S&GAD's Notification No. SORI (4) 6/ S&GAD-89, dated 18th June, 1989.

- (c) "Forest Officer"—
 - (i) in relation to Hazara District, has the meaning assigned to it in the North-West Frontier Province Hazara Forest Act, 1936¹;
 - (ii) in relation to any other place, has the meaning assigned to it in the Forest Act, 1927²;
- (d) "Government" means the Government of ³[Balochistan];
- (e) "Power" means electrical energy and any other form of energy which is mechanically transmitted and is not generated by human or animal agency.

Restriction on burning firewood and charcoal.

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

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 of 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.

Penalty.

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.

Offence to be

5. Notwithstanding anything contained in the Code of

¹ N.W.F.P. Act VI of 1936. Now Khyber Pakhtunkhuwa.

² Act XVI of 1927.

³ Subs. by Balochistan Laws (Adaptation) Order, 1975; published in the Balochistan Gazette (Extraordinary) No. 17, dated 9th May 1975, for the words "West Pakistan".

cognizable and bailable.	Criminal Procedure, 1898 ⁴ , an offence punishable under this Act shall be cognizable and bailable within the meanings of the said Code.
Power of Forest Officer.	<p>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.</p> <p>(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-in-charge of the nearest police station.</p>
Indemnity.	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.
Power to make rules.	8. Government may, after previous publication, make rules for the purpose of carrying into effect the provisions of this Act.

⁴ Act V of 1898.