

## CONFIDENTIAL

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### PROVINCIAL ASSEMBLY OF THE PUNJAB REPORT OF THE STANDING COMMITTEE ON FORESTRY AND FISHERIES REGARDING THE PUNJAB FOREST (AMENDMENT) BILL 2016 (BILL NO. 13 OF 2016)

The Punjab Forest (Amendment) Bill 2016 (Bill No.13 of 2016) was referred to the Standing Committee on Forestry and Fisheries on 1<sup>st</sup> February 2016. The Committee considered the Bill in its meeting held on 16 March 2016.

2. The following were present:—

1.	Ch Ashraf Ali Ansari, MPA (PP-93)	Acting Chairman
2.	Mr Muhammad Asif Malik Minister for Forestry, Wildlife & Fisheries, Punjab	<i>ex-officio</i> Member
3.	Haji Khalid Saeed, MPA (PP-66)	Member
4.	Ms Rukhsana Kokab, MPA (W-308)	Member
5.	Mrs Raheela Anwar, MPA (W-357)	Member

3. Captain (R) Jahanzeb Khan, Secretary to Government of the Punjab, Forestry, Wildlife and Fisheries, Department and Mr Mohsin Abbas Syed, Director, Law and Parliamentary Affairs Department represented their Departments. Hafiz Muhammad Shafiq Adil, Special Secretary, Provincial Assembly of the Punjab functioned as Secretary to the Committee.

4. Since Chaudhry Iftikhar Hussain Chhachhar, MPA (PP-188) Chairman, Standing Committee on Forestry and Fisheries, could not attend the meeting of the Committee due to some other engagements, Ch Ashraf Ali Ansari, MPA (PP-93), in terms of rule 151(2) of the Rules of Procedure of the Provincial Assembly of the Punjab, 1997, was chosen to act as Chairman for the sitting dated 16 March 2016.

5. The Secretary to Government of the Punjab, Forestry, Wildlife and Fisheries Department apprised the Committee about the aims and objects of the Bill. He said that it was necessary further to amend the Forest Act, 1927 (XVI of 1927) to make appropriate provisions for the use of reserved or protected forest land, where inevitable, for national projects of strategic importance. He requested the Committee that the Bill, as introduced, may be recommended to be passed by the Assembly.

6. The Committee after hearing the Members, having the view point of the Administrative Department & Law and Parliamentary Affairs Department and discussing various points, unanimously decided to recommend that the Bill may be passed by the Assembly subject to the following amendments:—

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AMENDMENTS IN THE BILL

(1) PREAMBLE OF THE BILL

after the word "necessary" occurring in line 1, the word "further" be added.

(2) CLAUSE 2

Clause 2 be substituted as under:-

**"2. Amendment in section 27 of Act XVI of 1927.**— in the Forest Act, 1927 (XVI of 1927), for brevity cited as 'the said Act', in section 27, after subsection (2), the following subsections (3) and (4) shall be inserted:

"(3) Notwithstanding anything contained in this section, the Government, with the approval of the Provincial Cabinet, may, by notification in the official Gazette, declare a reserved forest or any part of a reserved forest as no longer reserved forest, if the organization requiring reserved forest land:

(a) satisfies the Government with cogent reasons in writing that there is no other option but to use the proposed reserved forest land for purposes of a national project of strategic importance;

(b) provide a substitute plant-able land agreed to by the Government, which is:

(i) equal to or bigger than the reserved forest land;

(ii) in a compact form and is, as far as possible, situated close to the reserved forest land; and

(c) provide funds for immediate forestation and maintenance of the substitute land as may be prescribed.

(4) The Government shall, by notification, declare the substitute land provided under subsection (3) as the reserved forest."

(3) CLAUSE 3

Clause 3 be substituted as under:-

**"3. Amendment in section 34-A of Act XVI of 1927.**— In the said Act, in section 34-A, after subsection (2), the following subsections (3) and (4) shall be inserted:

"(3) Notwithstanding anything contained in this section, the Government, with the approval of the Provincial Cabinet, may, by notification in the official Gazette, declare a protected forest or any part of a protected forest as no longer protected forest, if the organization requiring reserved forest land:

(a) satisfies the Government with cogent reasons in writing that there is no other option but to use the proposed protected forest land for purposes of a national project of strategic importance;

- (b) provide a substitute plant-able land agreed to by the Government, which is:
  - (i) equal to or bigger than the protected forest land;
  - (ii) in a compact form and is, as far as possible, situated close to the protected forest land; and
- (c) provide funds for immediate forestation and maintenance of the substitute land as may be prescribed.

(4) The Government shall, by notification, declare the substitute land provided under subsection (3) as the protected forest.”

7. A copy of the bill as introduced in the Assembly is at Annexure-A and a copy of the Bill as recommended by the Committee is at Annexure-B.

**(CH ASHRAF ALI ANSARI)**

*Acting Chairman*

*Standing Committee on Forestry and Fisheries*

Lahore

*16 March 2016*



**(RAI MUMTAZ HUSSAIN BABAR)**

*Secretary*

Lahore

*16 March 2016*

# PROVINCIAL ASSEMBLY OF THE PUNJAB

Bill No. 13 of 2016

## THE PUNJAB FOREST (AMENDMENT) BILL 2016

A  
Bill

*further to amend the Forest Act, 1927.*

It is necessary to amend the Forest Act, 1927 (*XVI of 1927*) to make appropriate provisions for the use of reserved or protected forest land, where inevitable, for national projects of strategic importance.

Be it enacted by Provincial Assembly of the Punjab as follows:

**1. Short title and commencement.**— (1) This Act may be cited as the Punjab Forest (Amendment) Act 2016.

(2) It shall come into force at once.

**2. Amendment in section 27 of Act XVI of 1927.**— in the Forest Act, 1927 (*XVI of 1927*), for brevity cited as 'the said Act', in section 27, after subsection (2), the following subsection (3) shall be inserted:

"(3) Notwithstanding anything contained in this section, the Government, with the approval of the Provincial Cabinet, may, by notification in the official Gazette, declare a reserved forest or any part of a reserved forest as no longer reserved forest, if:

- (a) the agency or the institution requiring reserved forest land satisfies the Government with cogent reasons in writing that there is no other option but to use the proposed reserved forest land for purposes of a national project of strategic importance;
- (b) a substitute land, equal to or bigger than the said forest land, is declared as a reserved forest;
- (c) the substitute land is in a compact form and is, as far as possible, situated close to the said forest land; and
- (d) appropriate funds are allocated for immediate afforestation of the substitute land."

**3. Amendment in section 34-A of Act XVI of 1927.**— In the said Act, in section 34-A, after subsection (2), the following subsection (3) shall be inserted:

"(3) Notwithstanding anything contained in this section, the Government, with the approval of the Provincial Cabinet, may, by notification in the official Gazette, declare a protected forest or any part of a protected forest as no longer protected forest, if:

- (a) the agency or the institution requiring protected forest land satisfies the Government with cogent reasons in writing that there is no other option but to use the proposed protected forest land for purposes of a national project of strategic importance;

- (b) a substitute land, equal to or bigger than the said protected forest land is declared as protected forest;
- (c) the substitute land is in a compact form and is, as far as possible, situated close to the said forest land; and
- (d) appropriate funds are allocated for immediate afforestation of the said substitute land.”.

**4. Repeal.**— The Punjab Forest (Amendment) Ordinance, 2016 (IX of 2016) is hereby repealed.

**MINISTER INCHARGE**

Lahore:  
1<sup>st</sup> February 2016

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**RAI MUMTAZ HUSSAIN BABAR**  
Secretary

## ANNEXURE - B

### (BILL AS RECOMMENDED BY THE STANDING COMMITTEE ON FORESTRY AND FISHERIES

A  
Bill

*further to amend the Forest Act, 1927.*

It is necessary further to amend the Forest Act, 1927 (XVI of 1927) to make appropriate provisions for the use of reserved or protected forest land, where inevitable, for national projects of strategic importance.

Be it enacted by Provincial Assembly of the Punjab as follows:

**1. Short title and commencement.**— (1) This Act may be cited as the Punjab Forest (Amendment) Act 2016.

(2) It shall come into force at once.

**2. Amendment in section 27 of Act XVI of 1927.**— in the Forest Act, 1927 (XVI of 1927), for brevity cited as 'the said Act', in section 27, after subsection (2), the following subsections (3) and (4) shall be inserted:

"(3) Notwithstanding anything contained in this section, the Government, with the approval of the Provincial Cabinet, may, by notification in the official Gazette, declare a reserved forest or any part of a reserved forest as no longer reserved forest, if the organization requiring reserved forest land:

(a) satisfies the Government with cogent reasons in writing that there is no other option but to use the proposed reserved forest land for purposes of a national project of strategic importance;

(b) provide a substitute plant-able land agreed to by the Government, which is:

(i) equal to or bigger than the reserved forest land;

(ii) in a compact form and is, as far as possible, situated close to the reserved forest land; and

(c) provide funds for immediate forestation and maintenance of the substitute land as may be prescribed.

(4) The Government shall, by notification, declare the substitute land provided under subsection (3) as the reserved forest."

**3. Amendment in section 34-A of Act XVI of 1927.**— In the said Act, in section 34-A, after subsection (2), the following subsections (3) and (4) shall be inserted:

"(3) Notwithstanding anything contained in this section, the Government, with the approval of the Provincial Cabinet, may, by notification in the official Gazette, declare a protected forest or any part of a protected forest as no longer protected forest, if the organization requiring reserved forest land:

(a) satisfies the Government with cogent reasons in writing that there is no other option but to use the proposed



protected forest land for purposes of a national project of strategic importance;

- (b) provide a substitute plant-able land agreed to by the Government, which is:
  - (i) equal to or bigger than the protected forest land;
  - (ii) in a compact form and is, as far as possible, situated close to the protected forest land; and
- (c) provide funds for immediate forestation and maintenance of the substitute land as may be prescribed.

(4) The Government shall, by notification, declare the substitute land provided under subsection (3) as the protected forest."

**4. Repeal.**— The Punjab Forest (Amendment) Ordinance, 2016 (IX of 2016) is hereby repealed.

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