



26<sup>th</sup> December, 2023

TL2023/1226/5A

Mr. Asfand Yar Khan Kakar,  
Secretary Forest & Wildlife,  
Government of Balochistan,  
Quetta.

**Sub: Complaint Against Allegations of Illegal Cutting of Ziarat Juniper Forest Resulting in Degradation of the Forest Cover in Ziarat, Balochistan and Violation of Section 2 of The Balochistan Forest Regulation (Amendment) Act, 1974, and Section 25 of The Balochistan Forest Act, 2022.**

Dear Sir,

Transparency International Pakistan has received a complaint on the allegations of illegal cutting of Ziarat Juniper Forest resulting in degradation of the forest cover in Ziarat, Balochistan and violation of Section 2 of The Balochistan Forest Regulation (Amendment) Act, 1974 and Section 25 of The Balochistan Forest Act 2022.

The complainant has made the following allegations;

That;

1. Juniper forest reserve in Ziarat is facing threat due to illegal tree cutting, mostly done as it is a good source of income for locals.
2. The local timber mafia is engaged in both deforestation and the illicit trafficking of these ancient trees to different parts of the country, while forest department either unable to do anything or is a part of this corrupt practice.
3. Villagers also cut the trees for shelter besides firewood in extreme cold weather.
4. The unique structure of these trees makes it favorable for construction. Juniper wood is in high demand for construction not only in Balochistan but other parts of the country as well.
5. A considerable portion of the forest has been converted into farmlands and orchards in recent decades and this practice is ongoing which is reducing the forest cover in Ziarat.
6. The Ziarat Juniper Forest holds immense ecological significance, serving as a habitat for diverse flora and fauna. The forest is also home to several endangered wildlife species, including the Himalayan black bear, wolves, urials, a type of sheep, and the Sulaiman markhor, a large species of wild goat. This habitat destruction would cause loss of biodiversity in the region.

**Transparency International Pakistan Comments**

Transparency International Pakistan has reviewed the allegations of the complaint. Prima facie, allegations seem correct. Following are TI Pakistan comments:

1. The Juniper cutting for different purposes are violation of Section 2 of The Balochistan Forest Regulation (Amendment) Act, 1974, which states (**Annex-A**):

**Section 12-A, The Balochistan Forest Regulation (Amendment) Act, 1974 — Cutting, removal and sale of Juniper wood**

(1) It shall be unlawful:

- (i) to fell or girdle a Juniper tree;
- (ii) to lop, tap, burn, strip off the bark from or in any other way damage, a Juniper tree whether standing, fallen or felled;



- (iii) to remove any felled or fallen Juniper tree, or its firewood, or any part thereof, for sale;
- (iv) to possess and stock Juniper firewood or timber for the purpose of sale:

2. Illegal cutting of trees is a violation of Section 25 of The Balochistan Forest Act, 2022, which states **(Annex-B)**:

**Section 25 of The Balochistan Forest Act, 2022,**

Acts prohibited in reserved forests and punishment thereof.

25. (1) No person after issuance of a notification under section-19 shall, in a reserved forest—

- (d) sets fire or abet in setting fire, or in contravention of any rules made in this behalf, kindle any fire or leave any fire burning in such manner as may endanger such forest;
  - (e) cause any damage by negligence in felling any tree or cutting or dragging any timber;
  - (f) cut, fell, uproot, girdle, lop, tap, burn any tree or brush wood, or strip bark or leaves or collect or extract torch wood and any forest produce from or otherwise damage or collect the same;
3. Unesco in 2013 has declared Ziarat's juniper forest a "Biosphere Reserve", and the United Nations has added the forest to the World Network of Biosphere Reserves.
4. Pakistan is considered as the 5<sup>th</sup> most vulnerable country when it comes to climate change. For climate mitigation and adaptation, Pakistan needs to reduce deforestation and increase its forest cover.
5. The illegal activity of cutting Juniper trees has been reported for many years **(Annex-C)**. It is imperative that such environmental crimes which worsen the effects of climate change are punished and held accountable.

**Transparency International Pakistan Recommendations**

Transparency International Pakistan requests the Secretary Forest and Wildlife Department, Government of Balochistan to examine the allegations of the complaint in light of The Balochistan Forest Regulation (Amendment) Act, 1974 and The Balochistan Forest Act, 2022, and if found correct, issue directives to take action against the timber mafia for illicit trafficking of these trees and against the locals cutting the ancient trees for firewood. Forest and Wildlife Department must also make efforts for the protection and conservation of this historical forest having a wide range of biodiversity.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption, and achieve Zero tolerance against corruption.

With Regards,

  
(Advocate Daniyal Muzaffar)  
Trustee/Legal Advisor  
Transparency International Pakistan

Copies forwarded for the information with request to take action under their mandate to:

1. Caretaker Chief Minister Balochistan, CM House, Quetta.
2. Chief Secretary, Government of Balochistan, Quetta
3. Secretary, Climate Change and Environment Department, Quetta
4. Director General, Environment Protection Agency, Quetta
5. Registrar, High Court of Balochistan, Quetta



Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a whistleblower and operate under Article 19-A, of the Constitution of Pakistan which gives the right to public to know how government is being run by public officers. Article 19-A makes the right to access of information pertaining to a public authority a fundamental right, and a three member bench in case of Mukhtar Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

“What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution”

**<sup>1</sup>THE BALOCHISTAN<sup>2</sup> FOREST REGULATION (AMENDMENT)  
ACT, 1974**

(Balochistan Act XIII of 1974)

[24<sup>th</sup> July, 1974]

An Act to amend the Balochistan Forest Regulation,  
1890.

Preamble.

WHEREAS it is expedient to amend the Balochistan Forest Regulation, 1890 (Regulation No. V of 1890), in the manner hereinafter appearing:

It is hereby enacted as follows: —

Short title and  
commencement.

1. (1) This Act may be called the Balochistan Forest Regulation (Amendment) Act, 1974.
- (2) It shall come into force at once.

Insertion of section  
12-A in the  
Balochistan Forest  
Regulation 1890.

2. After section 12 of the Balochistan Forest Regulation, 1890, the following new section shall be inserted, namely: —
  - "12-A. *Cutting, removal and sale of Juniper wood.*
  - (1) It shall be unlawful: —
    - (i) to fell or girdle a Juniper tree;
    - (ii) to lop, tap, burn, strip off the bark from or in any other way damage, a Juniper tree whether standing, fallen or felled;
    - (iii) to remove any felled or fallen Juniper tree, or its firewood, or any part thereof, for sale;
    - (iv) to possess and stock Juniper firewood or timber for the purpose of sale:

Provided that nothing shall be deemed to be an offence under this section when done with the permission in writing of the prescribed authority or in accordance with rules framed or in force under the Forest Act, 1927.

<sup>1</sup> This Act, which amended Balochistan Regulation V of 1890, was passed by the Balochistan Assembly on 16<sup>th</sup> July, 1974: assented to by the Governor of Balochistan; and published in the Balochistan Gazette (Extraordinary) No. 46, dated 24<sup>th</sup> July, 1974.

<sup>2</sup> 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 18<sup>th</sup> June, 1989.

(2) Any Forest Officer, Police Officer, Risaldar of the Levies, or an Incharge of a Levies Post may search any means of transport used for the offence; he may also search firewood stalls, or any other place where he has reason to believe that Juniper wood is placed in contravention of the provisions of this section, and may seize any such wood.

Search under this sub-section shall be made in accordance with the provisions of section 102 and 103 of the Code of Criminal Procedure, 1898<sup>3</sup>.

(3) Any person who commits a breach of the provisions of this section shall be punished with imprisonment for a term which may extend to one year or with fine which may extend to five thousand rupees or with both.

(4) Notwithstanding anything contained in the Code of Criminal Procedure, 1898<sup>1</sup>, an offence punishable under this section shall be cognizable and non-bailable within the meaning of the said Code."

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<sup>3</sup> That is Act V of 1898.

**Acts prohibited  
in reserved  
forests and  
punishment  
thereof.**

25. (1) No person after issuance of a notification under section-19 shall, in a reserved forest—
- (a) encroach upon any land, or cultivate any land or clear or break up or occupy any land for cultivation, or for any other purpose;
  - (b) construct or cause to be constructed any building or shed, road or enclosure, or any infrastructure, or alter or enlarge any existing building, road, shed or any enclosure or infrastructure;
  - (c) exercise the right of trespass, graze, browse, pasture or herd cattle or permit cattle to trespass, or cut grass, or exercise any other right, except the rights admitted under section-14;
  - (d) sets fire or abet in setting fire, or in contravention of any rules mad in this behalf, kindle any fire or leave any fire burning in such manner as may endanger such forest;
  - (e) cause any damage by negligence in felling any tree or cutting or dragging any timber;
  - (f) cut, fell, uproot, girdle, lop, tap, burn any tree or brush wood, or strip bark or leaves or collect or extract torch wood and any forest produce from or otherwise damage or collect the same;
  - (g) quarry stone, burn lime or charcoal, subject to any manufacturing process mine minerals or carry out any drilling for oil and gas exploration or remove any forest produce;
  - (h) pollute soil or water by sewerage, sewage, domestic or industrial waste or through any other pollutants or means; and
  - (i) hunt, shoot, fish, or poison water, or set snares or traps in contravention of any rules made in this behalf.
- (2) No persons shall abet in the commission or furtherance of any of the above acts.
- (3) Nothing in this section shall be deemed to prohibit:

# Post-flood demand for firewood piles pressure on Pakistan's forests

In the wake of last year's floods, when stores of wood were lost and gas supplies damaged, people across Pakistan have turned to forests for fuel

[Fawad Ali](#)

February 2, 2023

In July 2022, 28-year-old Haroon Jan finished storing away a carefully planned stock of firewood in his home in Mankyal village, in northern Pakistan's Khyber Pakhtunkhwa province. Jan planned to use the wood to keep him and his family warm through the coming winter, and for maintenance of their house. But just a month later, flash floods hit Mankyal. The gushing water swept away Jan's house, and the wood stored inside.

"It happened within the blink of an eye," Jan recalls. 34 people lost their lives in Khyber Pakhtunkhwa's Swat district during flash floods in August 2022, according to a spokesperson from the Swat government who spoke with The Third Pole. As many as 1,049 houses were damaged in [Bahrain](#) tehsil (subdistrict), in Swat, on 26 August alone. After the floods, Jan and his fellow villagers turned to the nearby mountain forests to replenish the wood stock they had lost.

According to Zubair Torwali, an environmental activist from Kalam in Swat district who spoke with The Third Pole in November 2022, "Pressure on forests in Swat has doubled since recent floods with little to no check from authority."

Similar scenes have occurred across Pakistan since [massive floods](#) driven by extreme monsoon rainfall hit the country in July and August 2022, experts tell The Third Pole. Around [8 million people](#) were displaced, and faced both limited access to firewood and unprecedented gas outages, as major [gas supply lines](#) were damaged. Many people affected by the floods were left with no option but to cut down trees for fuel to cook with and heat their homes.

"They will survive this winter by cutting these forests but are they ready to survive next floods, that will come due to deforestation?" said Abdur Raheem Ziaratwal, a former provincial minister in Balochistan. "We are born alongside these trees, they are our lifeline and the lungs of the environment –save them or no one can save you from disasters," Ziaratwal told The Third Pole.

### **'Timber mafia' exploit opportunity**

The juniper forests of Ziarat, in southwest Pakistan's Balochistan province, extend across more than 110,000 hectares and are the second largest juniper forests in the world, according to [Pakistan's submission](#) to UNESCO to recognise the forests as a World Heritage Site. Some trees in the forests may be thousands of years old.

# Annex-C

Local people have always gathered wood for their daily use from the forests. But according to Mahmud Tareen, a Ziarat resident and environmental activist, “Post-flood stress on these forests is unprecedented.”

While condemning the environmental impact of the deforestation, Tareen noted that locals have no alternative source of fuel. “If they don’t cut trees for firewood, the option is to die of cold,” he told The Third Pole. Temperatures frequently dip below zero during winter in the Balochistan cities of Quetta and Ziarat.

One factor exacerbating the situation has been illegal loggers jumping at the economic opportunity presented by heightened demand for timber. According to Malik Achakzai, assistant professor at Balochistan University’s Department of Journalism, the cities of Ziarat, Quetta and Qalat were flooded with firewood from October, when gas outages coincided with the arrival of cold weather. Aware of people’s desperation, in October 2022 sellers in Ziarat and Quetta were charging PKR 2,000-2,500 (USD 9-11) for a donkey-load of firewood from the juniper forests, compared to PKR 500-800 (USD 2.5-4) before the floods, Achakzai told The Third Pole.

Zubair Torwali described a similar situation in Swat, in northern Pakistan. “In the past, the timber mafia was not that greedy. They would cut large trees and leave behind its branches and fallen trees – people would mostly use [those] as firewood. But now [after the floods], the timber mafia don’t leave them behind, so people cut standing trees to fulfil their needs. That adds pressure on the forests.”

Tree loss was also witnessed in Sindh province, in southeastern Pakistan, in the aftermath of last year’s floods. “Logging in the riverine forests on the River Indus and coastal mangroves intensified after the floods last year in September, as even those who would [previously] use gas are now dependent on firewood,” Ghulam Jaffar, a forest range officer in the Sindh Forest Department, told The Third Pole.

## **Pakistan’s need for firewood**

According to a [2018 study](#) from the Pakistan Institute of Development Economics (PIDEE), citing the FAO, an estimated “72 percent of all wood used in Pakistan is consumed as fuel wood.” The same study says that around 51 million people in Pakistan have no access to electricity, while in 2022 PIDE [reported](#) that 78% of households in Pakistan have no access to gas.

The [Pakistan Economic Survey 2021-22](#) identifies firewood and timber extraction as among the main drivers of forest cover loss in Pakistan. According to the [Sindh Forest Department](#), demand for fuelwood in the province stands at around 6.4 million m<sup>3</sup>, whereas sustained supply is only around 1.68 million m<sup>3</sup>, leaving a huge gap between supply and demand.