



**WATER AND SANITATION SERVICES COMPANY
ABBOTTABAD**

(Registered Under Section 42 of the Companies Ordinance 1984)
Ph: 0992-9311048, Email: wsscabbottabad@gmail.com



No. CEO/WSSCA/023/9262

12/10/2023

To,

The Resident Engineer/ The Engineer (Water Supply)
Water Supply System (Abbottabad)
PMSC-KPCIP

Received
20/10/23

**Project: Khyber Pukhtunkhwa City Improvement Project (KPCIP)
CW-02--Lot 2 (Water Treatment Plant, Abbottabad)**

Subject: Re 2. Intimation of the Competent Authority for Handing / Taking over the Trees

This is in response of your Letter No. KPCIP/PMSC/RE-ATD/CW-02/Lot-2/040 dated 16th October 2023.

WSSCA has clearly given its compiled and resolute response in this matter through the Letter No. CEO/WSSCA/023/9262 dated 03-10-2023 which is still unanswered by the Resident Engineer / PMSC.

Before we start fears for paying out penalties for an unprincipled and illegitimate act under the command of PMSC, please return to the PMSC Letter No. KPCIP/PMSC/RE-ATD/CW-02/Lot-2/013 dated 22nd August 2023 where WSSCA was called up for "Intimation of the competent Authority for handing/taking over the trees", not for "Removal of Tree Stems from Project Site". Since the primary subject is not concluded yet, therefore PMSC is requested to stick with the same title i-e "Intimation of the Competent Authority" unless the leading issue is decided.

As per KPCIP SEMP, there are 03 Competent Authorities to be applied for permission / license BEFORE removal of a single tree. Obtaining NOC/s from ADB & PMU is the direct responsibility of PMSC which qualifies WSSCA/CIU to put forward the case to the next authority. PMSC is therefore requested to share the obtained NOC / Permission of Tree Cutting or any supporting document with WSSCA/CIU as endorsement from ADB/PMU in this matter.

Third but the CENTRAL competent authority is the Forest Department which has its defined acts and codes in accordance with the concerned activities. Please go through the below acts / laws:

KP Forest Act (2022 Amendment), Article 7: "All Forests, Private Forests, Jointly Managed Communal Forests, Socially Managed Forests and Forest Produce, in the Government owned forests or Government owned lands, SHALL BE THE PROPERTY OF GOVERNMENT"

KP Forest Act (2002), Article 30 Section 2: "All the trees on Government Lands resumed by Government or Declared Protected under this ordinance shall be deemed to be reserved under this section with effect from the commencement of this ordinance"

KP Forest Act (2022 Amendment), Article 6: "The following acts shall be **PROHIBITED** in the forests, private forests, jointly managed communal forests and socially managed forests: Illicit **CUTTING**, Sawing, converting, obtaining, **STORING**, selling, **TRANSPORTING, REMOVAL OF THE TREES & THE TIMBERS**."

There are penalties, fines, imprisonment and cessation of machinery / vehicles under Pakistan Criminal Laws, against violation of above-mentioned clauses.



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CEO/WSSCA/023/

/10/2023

SSCA/CIU is firmed with their sole statement: *We will not intervene from any aspect for shifting / removal of cut trees* less:

- The determined responsibility of this action (Tree Cutting) is accepted by or imposed over to a person / team
- PMSC provide acknowledgement from ADB & PMU for this activity

is also requested that ignoring the main error and writing casually about the "Trees Removal" or "Stems Removal" will not normalize the issue. We have to accept that an established law has been broken and WSSCA/CIU will not contribute to cover it.

At the close, PMSC is advised to take measurements of the stems of the cut trees to calculate / quantify the timber which will be required soon.

Chief Executive Officer

Water and Sanitation Services Company
Abbottabad

Copy Forwarded to;

1. The Project Director, PMU-KPCIP, LGE&RDD, KP
2. The Director Technical, PMU KPCIP, LGE&RDD
3. The Director Compliance, PMU KPCIP, LGE&RDD
4. The Focal Person, WSSCA/KPCIP, Abbottabad
- ✓ 5. The Infra Engineer (WATSAN), CIU Abbottabad
6. The Team Leader (PMSC), Peshawar
7. Office Copy

Chief Executive Officer

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