

As
~~[TO BE INTRODUCED IN THE SENATE]~~

**A
BILL**

to recognize mature and heritage trees as national ecological heritage; to regulate and prevent the unlawful destruction of such trees; to provide due process, accountability, and ecological justice through existing institutions; and to give effect to the constitutional right to life and a healthy environment

WHEREAS article 9, of the Constitution guarantees the right to life, which includes the right to a clean and healthy environment;

AND WHEREAS Pakistan is among the most climate-vulnerable countries in the world;

AND WHEREAS mature and heritage trees are irreplaceable ecological assets essential to human survival, public health, water security, and climate stability;

AND WHEREAS international best practice increasingly recognizes environmental destruction as a grave harm to life itself;

It is hereby enacted as follows:-

1. Short title and commencement. – (1) This Act may be called the National Tree Protection and Ecological Justice Act, 2026.

(2) It shall extend to the Islamabad Capital Territory.

(3) It shall come into force at once.

2. Definitions.– In this Act, unless there is anything repugnant in the subject or context,-

(a) **"Mature Tree"** means any tree that—

(i) is thirty (30) years of age or more; or

(ii) has a trunk diameter of twenty-four (24) inches or more at breast height; or

(iii) is certified by the relevant Environmental Protection Agency as ecologically, historically, or culturally significant, regardless of age;

(b) **"Heritage Tree"** means any tree—

(i) exceeding sixty (60) years of age; or

(ii) declared by the relevant Environmental Protection Agency as possessing exceptional ecological, cultural, or historical value; and

- (iii) which shall not be removed except by order of a competent court;
- (c) **"Ecological Asset"** means any natural entity essential to climate stability, biodiversity, water cycle, or public health; and
- (d) **"Ecological Homicide"** means the willful, reckless, or negligent destruction of a mature or heritage tree without lawful authorization.

3. Status of Mature and Heritage Trees.- All mature and heritage trees within Pakistan shall be deemed National Ecological Heritage and shall be protected in perpetuity.

4. Regulation of Removal of Mature Trees.- (1) No mature tree shall be felled, destroyed, or transplanted unless—

- (i) An Environmental Impact Statement (EIS) is prepared in accordance with the Pakistan Environmental Protection Act, 1997;
 - (ii) Public notice is issued for not less than fourteen (14) days;
 - (iii) Written approval is granted by the relevant Environmental Protection Agency;
 - (iv) In the Islamabad Capital Territory, such approval shall additionally require certification by the Capital Development Authority and endorsement by the Ministry of Interior; and
 - (v) It is demonstrated that no feasible alternative exists.
- (2) No heritage tree shall be removed except by order of a competent court.

5. Offence of Ecological Homicide.- Any person, department, authority, or corporation that unlawfully destroys a mature or heritage tree commits the offence of Ecological Homicide, punishable under this Act, notwithstanding any other law for the time being in force.

6. Punishment of Ecological Homicide.- (1) any Individual offender if unlawfully destroys a mature tree or heritage tree shall be liable to fine not less than five hundred thousand rupees and shall not be more than five million rupees and plantation and maintenance of not less than one thousand trees for a period of five years..

(2) any Department, Authority, or Corporation if unlawfully destroys a mature tree or heritage tree shall be liable to fine not less than five million rupees and shall not be more than fifty million rupees and plantation and maintenance of not less than one thousand trees for a period of five years and Public disclosure in the Annual Environmental Accountability Report.

7. Adjudication.- All disputes and violations under this Act shall be adjudicated by the Environmental Tribunals constituted under the Pakistan Environmental Protection Act, 1997; or

Such courts as the Federal Government may notify from time to time. All proceedings under this Act shall be treated as urgent environmental matters and decided, as far as possible, within fifteen (15) days.

8. Development Offset Rule.- Every approved removal of a mature tree shall require—

- (i) A minimum replacement ratio of one to twenty-five (1:25); and
- (ii) A five-year ecological bond deposited by the developer to ensure survival and maintenance.

9. Parliamentary Accountability.- Every Federal, Provincial Environmental Protection Agency, and every Development Authority, shall submit an Annual Tree Impact Report to Parliament, failure to submit such Report shall constitute misconduct under the relevant service rules.

The Report shall include—

- (i) Number of mature and heritage trees removed;
- (ii) Legal basis for each removal;
- (iii) Replacement measures taken; and
- (iv) Survival rates.

STATEMENT OF OBJECTS AND REASONS

Pakistan is currently facing an escalating ecological crisis characterized by rapid deforestation, urban expansion, declining biodiversity, rising temperatures, and deteriorating air quality. Mature trees—defined as long-established trees that have reached significant ecological and biological development play a critical and irreplaceable role in maintaining environmental stability. They serve as vital carbon sinks, regulate urban and rural microclimates, support biodiversity, prevent soil erosion, and contribute significantly to public health and community well-being.

2. The bill seeks to achieve the aforementioned objects.

Sd/-

SENATOR DR. ZARQA SUHARWARDY TAIMUR
Member-In-Charge