

# **HP FOREST DEPARTMENT**

**Review of Policy for felling of Khair trees from  
private areas in the State of Himachal Pradesh**

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**Report of the Committee constituted by GoHP  
vide letter No.FFE-B-A(3)-4/2022 dated 08/03/2022**



## EXECUTIVE SUMMARY

*Acacia catechu* Willd. (Mimosaceae), locally known as Khair, is a medium sized deciduous tree and is widely distributed in Mandi, Hamirpur, Kangra, Solan, Sirmaur, Una, Chamba, Shimla and Bilaspur districts of the state. The heartwood of the tree is mainly used for extracting Katha and Cutch (decoction obtained after filtration) which are sold in the market. Due to its commercial importance, it is immensely significant for the people particularly rural communities as a subsidiary source of income. The sale of trees (and felling of trees for self-consumption) have been regulated under the provisions of the HP Land Preservation Act 1978, Rules and orders made/ issued there under. A 10 year felling programme is notified for each of the Forest Division of HP. The technical aspects in respect of felling of Khair trees in private land are governed by Technical Order No.670 of 1993 issued by Pr.CCF (HP). The instant proposal preferred by PCCF (HoFF) is to reduce its felling cycle from 10 year to 5 years. It has been mentioned that this change would help in meeting the needs of local community, uplifting their economic returns and boosting their income. The State Government set up a three member committee and mandated that "The aforesaid committee shall examine the instant proposal from different perspectives viz. procedure adopted in the other states, Indian Forest Act, 1927, jurisprudence in this context and impact in terms of trees growth and ecology. The committee shall submit its report to the Government along with full justification". The Committee considered the following factors for determination of felling cycle for Khair:-

- a) Regulatory environment.
- b) Ease of doing business.
- c) Administrative burden on forest and revenue staff.
- d) Ecological consideration.
- e) Threat of illicit felling in Government forests.
- f) Economics of harvest at a certain age/diameter.
- g) Oversupply, glut in market leading to losses.
- h) Consideration of other species.

After carefully studying the provisions made by the Punjab, UP, Uttarakhand & MP States and J&K UTs in their respective States, provisions under Indian Forest Act, various Court Orders and instructions issued by the Government of India for tree felling, the Committee felt that the present regulatory regime is tedious and has resulted into a complex and self-sustaining system only helping limited number of contractors who are involved in the business of purchase of Khair trees, their felling, conversion, transport and sale. This tedious system results in rent seeking behavior and increase in upfront cost and hidden cost which is borne by the land owners and small farmers. Therefore, Khair species needs to be added to the list of LPA exempted species (like 19 other species notified by the State Government) and also exempted from the requirement of transit pass under Transit Rules (like 20 other species notified by the State Government).





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## ACRONYMS

APCCF (Management)	Additional Principal Chief Conservator of Forests (Management)
CCF(WP&S)	Chief Conservator of Forests (Working Plan and Settlement)
CEC	Central Empowered Committee
cm	Centimeter
CWP	Civil Writ Petition
DBH / dbh / d.b.h.	Diameter at breast height
DFO	Divisional Forest Officer
GoHP	Government of Himachal Pradesh
GoI	Government of India
ha	Hectare
HPFD	Himachal Pradesh Forest Department
HPLPA / LPA	Himachal Pradesh Land Preservation Act, 1978
IA	Interlocutory Application
ICFRE	Indian Council of Forest Research and Education
m	Meter
m <sup>3</sup>	Cubic Meter
PCCF(HoFF)	Principal Chief Conservator of Forests (Head of Forest Force)
PCCF(WL)	Principal Chief Conservator of Forests (Wildlife)
PLPA	Punjab Land Preservation Act, 1900
SLP	Special Leave Petition
WP	Working Plan
WP(C)	Writ Petition (Civil)





## CHAPTER 1

### Introduction

*Acacia catechu* Willd. (Mimosaceae), locally known as Khair, is a medium sized deciduous tree with crooked and forked trunk. It is found growing in both natural and plantation forms in most of the parts of country up to an elevation of 1300 m above mean sea level. In Himachal Pradesh, catechu is widely distributed in Mandi, Hamirpur, Kangra, Solan, Sirmaur, Una, Chamba, Shimla and Bilaspur districts. Generally, *A. catechu* forms pure patches of Khair forests but it is also found in association with *Acacia modesta*, *Pinus roxburghii*, *Mallotus philipensis*, *Dalbergia sissoo*, *Zizyphus sp.* and other species. *A. catechu* a multipurpose tree species is widely used by the inhabitants for fodder, fuel, building material and in health care.

2. The heartwood of the tree is mainly used for extracting Katha and Cutch (decoction obtained after filtration) which are sold in the market. Katha is commonly used in ayurvedic preparations. Besides this, it serves as one of the major components in masticatory i.e. chewing of betel leaf (pan) in India. *A. catechu* is a valuable bio-resource and has been exploited commercially in Tannin and Katha industry for decades. Besides its commercial importance, it is equally significant for the people particularly rural communities living in the vicinity of catechu forests as it is a subsidiary source of income to them. Khair has become an integral part of socio-economic and cultural life of the people inhabiting the Shivalik Range. Besides, traditional and commercial importance, it has tremendous ecological significance.

3. Trees form an integral part of the private land use system. Either the Khair trees are grown in ghasnies where a combination of grasses and trees is referred to as 'Pastoralsilviculture' land use system or the Khair trees are grown on the field bunds alongwith agricultural crops as the main component where the land use system is known as 'Agrosilviculture'.

#### Background:

Based upon a proposal preferred by PCCF (HoFF) vide his letter No.Ft.783-54/70(Mgt)Orders /Vol.XIX dated 28 Jan 2022 regarding reduction in felling cycle of khair trees from private areas from 10 years to 5 years, GoHP set up a 3 member committee comprising of (i) PCCF (WL) as Chairperson, and APCCF (Management) & CCF(WP&S), Mandi as Members, to examine the proposal with the following terms of reference (Annexure 1):-

"The aforesaid committee shall examine the instant proposal from different perspectives viz. procedure adopted in the other states, Indian Forest Act, 1927, jurisprudence in this context and impact in terms of trees growth and ecology. The committee shall submit its report to the Government alongwith full justification".



## CHAPTER-2

### History of Regulations concerning Sale of trees from private land in Himachal Pradesh

The sale of trees (and felling of trees for self-consumption) have been regulated under the provisions of the HP Land Preservation Act 1978, Rules and orders made/ issued thereunder.

2. Utilizing the provisions of HP Land Preservation Act, a 10 year felling programme has been notified for each of the forest division of HP. All tree species (except which are exempted) are offered for sale by the private land owners through the special power of attorney holder (often preferred to as private sale contractor) as per the 10 year felling programme. However, the 10 year Felling Programme has been followed since long in different parts of pre-existing Himachal under the then extant regulations. The HPFD field staff, land owners and private sale contractor are familiar with the 10 year felling programme. The 10 year felling programme upon its expiry is generally notified without any change except for inclusion of any left out villages or change in name of villages. The Land Preservation Act, 1978 also has provisions relating to soil conservation, land management, management of sub-surface flow under section 5 and 6. Similarly, even under section 4 apart from regulating the felling of trees in private lands, provisions relating to clearing or breaking up of land & quarrying of stones also exist. However, these provisions have never been notified/ used.

3. While, GoHP notifies the 10 year felling programme through orders issued under the Land Preservation Rules, 1983; the technical aspects in respect of felling of Khair trees in private land are governed by Technical Order No.670 of 1993 issued by Pr.CCF HP (Annexure 2).

4. Starting from the year 2003 (6 species) with a view to encourage growing of trees on private land (agro-forestry), reducing regulatory requirement and reducing the dependence on forests, the State Government has progressively enlarged the list of exempted species which now stands at 19 (Annexure 3). Further, GoHP has also exempted 20 species from the purview of HP Transit (Land Route) Rules, 1978 as amended upto 2021 (Annexure 4). These enabling provisions have had positive impact on the incomes of the farmers and no detrimental effect on the ecology of the Government forest is on record.



### CHAPTER-3

#### Growth Statistics of Khair

1. The Age-diameter relationship in Khair species is given as under:-

**Table1**

Crop age (years)	Average DBH (cm)	Average height (m)
5	3.5	3.3
10	7.6	6.0
15	11.1	8.5
20	13.9	10.9
25	16.5	13.1
30	18.8	14.9
35	20.8	16.7
40	22.6	18.3
45	24.1	19.5
50	25.4	20.7
55	26.6	21.6
60	27.7	22.5

(Source: W.P. of Una & Kutlehar)

2. The age diameter relationship has been obtained from Una Working Plan and Kuthlehar Working Plan. It is evident from Table 1 that the minimum exploitable diameter (d.b.h.) which is 20 cm is attained at the age of 30-35 years. The above age-diameter relationship tallies well with data compiled by ICFRE (Annexure 5) given in Table 2 below:

**Table 2**

Age (Years)	Dominant		Number of trees/ ha	Total volume/ ha (m <sup>3</sup> )
	Height (m)	Diameter (cm)		
Good Sites				
10	13.5	23.0	557	9.65
20	18.3	27.0	440	31.31
30	21.1	29.7	349	47.53
40	23.0	31.8	287	59.38
50	24.5	33.4	242	68.48
60	25.6	34.6	208	75.93
Moderate sites				
10	10.6	21.1	557	3.23
20	15.3	25.4	460	18.00
30	18.1	28.3	376	33.34
40	20.1	30.5	312	45.47
50	21.6	32.2	264	55.12
60	22.8	33.5	227	62.97



Age (Years)	Dominant		Number of trees/ ha	Total volume/ ha (m <sup>3</sup> )
	Height (m)	Height (m)		
Poor Sites				
10	8.0	18.8	557	0.57
20	12.3	23.5	460	8.22
30	15.1	26.5	396	19.89
40	17.1	28.8	336	31.30
50	18.7	30.7	288	40.96
60	19.9	32.2	250	49.25

(Source: ICFRE; based on sample plots in Haldwani, Terai & Bhabar, Siwalik, Ramnagar, Lansdowne Divisions and Silviculture Nursery at Clutterbukganj, Bareilly)

- Khair is normally found on the uncultivable portion of the private land mainly classified as Khadyater, Ghasni etc. preferring to grow on shallow soil and rocky outcrops. Khair is also available in limited numbers on the bunds / berms of the agricultural fields and in these cases uprooting for proper management of agricultural fields is also allowed. Khair is a leguminous tree which seeds profusely and is also a strong coppicer.
- In respect of forest areas particularly in the divisions of Paonta Sahib, Nalagarh, Una, Bilaspur, Hamirpur, Nurpur, Dharamshala, Renukaji, Solan, Kunihar, Dehra and Suket, khair is mostly found in the Overlapping Working Circle worked under Selection and or Coppice System.
- The Committee also perused an article (Annexure 6) relating to yield of heart wood in *Acacia catechu* for use in Katha manufacture published in the Journal of Tree Sciences No 1 &2, Volume 32, June and December, 2013, extract of which is stated in Table 3 below:

Table 3

Dia class (cm)	Total stem volume (m3)	Heartwood volume (m3)	Stem heartwood (kg tree <sup>-1</sup> )	Root heartwood (kg tree <sup>-1</sup> )	Total heartwood (kg tree <sup>-1</sup> )	% Heartwood weight of total tree weight
0-5	0.0020	0.0005	0.00	0.07	0.07	1.67
5-10	0.0157	0.0073	9.48	3.17	12.14	36.74
10-15	0.0410	0.0218	28.83	11.42	40.25	46.18
15-20	0.1098	0.0568	71.33	21.92	93.25	46.66
20-25	0.18830	0.1105	125.23	30.17	155.40	47.41
25-30	0.3802	0.2230	204.45	71.67	276.12	45.01

- The main utility of khair tree lies in its heartwood (containing catechins), which yields the much coveted 'katha', used as perfuming and flavouring agent especially in pan & pan masala. Katha is also used in traditional medicines. Cutch (containing tannins), a byproduct obtained being denser than katha is separated and used as a tanning agent in the leather

industry (though overtime its use has reduced considerably). It is important to note that farmers themselves prefer to sell those trees which will yield optimum heartwood. Similar is the inclination of the private sale contractors to realise heartwood at a cost effective rate.

7. The conclusion drawn from the statistics is that exploitable diameter fixed at 20 cm d.b.h. is correct from growth and heartwood production point of view and that any felling below 20 cm d.b.h. is unlikely to be cost effective.



## CHAPTER -4

### Regulations Governing Sale of Trees in Other States & Indian Forest Act, 1927

#### 1. Punjab:

Government of Punjab vide their Notification No.Forest-46/8/2021-Ft-3/6887 dated 06/12/2021 (Annexure 7) has issued a comprehensive felling policy and procedure for issue of permit in respect of areas notified under the Punjab Land Preservation Act (PLPA) 1900. The main points of the Policy are as under:-

- a) Felling of trees in private areas not covered under PLPA is not regulated.
- b) In respect of areas notified under PLPA, a five year felling cycle for private owners and *mushterqua malikan* areas is prescribed.
- c) A 10 year felling programme is prescribed for Panchayat areas notified under PLPA.
- d) Marking and issue of permit is done by the concerned DFO in respect of main and subsidiary felling.
- e) There is no bar or regulation on felling of trees in cultivated land in respect of species such as Eucalyptus, Poplar, Drek, Bamboos, Subabool, Mulberry, Chandan or any other species notified by PCCF (HoFF) from time to time.
- f) No felling is permitted during the fire season i.e. 15<sup>th</sup> April to 30<sup>th</sup> June.

It can be inferred from this policy that felling of khair trees growing in private areas not notified under PLPA is not regulated, while that growing on private areas and Panchayat areas notified under PLPA would require marking permit which is given by the DFO in keeping with the 5 or 10 year felling cycle as mentioned in point (b) and (c).

#### 2. Uttar Pradesh and Uttarakhand:

UP and Uttarakhand regulate felling of trees as per the provisions of the Uttar Pradesh Protection of Trees in Rural and Hill area Tracts, 1976 (Annexure 8). The important features of the said Act are as under:-

- a) No felling programme / felling cycle is followed.
- b) Land owners may request the competent authority (DFO) to sell / dispose of standing trees and the DFO may give his/her approval on a case to case basis depending upon the merit and the ground situation.
- c) The competent authority upon receipt of an application for felling of trees has to convey the decision within a period of 90 days failing which deemed approval is considered.
- d) Further amendments to the Act have taken out 27 species from the regulation for which no permission is required and only 11 species are considered as restricted which are regulated, Khair being one of them.



### 3. Madhya Pradesh:

Tree felling on private land in the state of Madhya Pradesh is governed under the provisions of the Madhya Pradesh Land Revenue Code as well as the MP Lok Vaniki Adhiniyam 2001 (Annexure 9). The gist of the two Acts is as under:-

- a) A management plan is to be formulated in respect of "Tree Clad area", the felling is done as per the prescriptions of the approved Management Plan.
- b) In respect of Trees standing on the private land not covered under the "Tree Clad Area" no permission is required for cutting or felling of trees except for a specific class of trees specified in Rule 2 of the Madhya Pradesh Prohibition or Regulation of the cutting of Tree Rules 2007.

### 4. Jammu & Kashmir:

Felling of khair trees in Jammu & Kashmir is highly regulated and covered under a Notification No. PCCF/Coord/Khair/ Management Plan/2016/2608-78 dated 26.04.2016 issued by PCCF(HoFF) J&K (Annexure 10), titled as Management Plan for Khair Growing on Non-Forest Land in J&K State.

- a) The Management Plan has been issued in accordance with the judgment of Supreme Court dated 26.09.2013 passed in IA Nos. 2,9, 11 of 1996, 16,17,19 of 1998, 33-34/2005, 37/2009 based on the recommendations of the CEC.
- b) J&K has through Himalayan Forest Research Institute carried out an assessment survey of khair trees growing on non-forest land and determined the number of trees and volume that can be exploited sustainably on an annual basis division wise.
- c) As per recommendations of CEC the total annual yield has been fixed at 20970.2 m<sup>3</sup>, which is further divided forest division wise.
- d) The exploitable diameter is fixed at 20cm d.b.h, rotation period is 33 years and felling cycle of 11 years.
- e) The procedure for marking of exploitable trees has been given in detail in the management plan quoted verbatim. "Every year in the month of April, the territorial Divisional Forest Officer, shall give advertisement in print and electronic media, notifying the villages to be taken up for felling of exploitable khair trees in the said year and total volume of khair trees including lops and tops and firewood from all villages for which felling programme can be granted during the year. **Selection of villages during a year will be one tenth of villages in every stratum of villages having 0-1 tree, 1-10 tree, 10-50 trees, 50-100 tree and 100 trees above. This will result in selection of every village at least once in every 10 year felling programme with representation of every stratum every year**".

The procedure stated at e) above is obviously extremely cumbersome.

## 5. Provisions in the Indian Forest Act, 1927

Khair wood is defined as "Forest Produce" in section-2, clause (iv) (a) reproduced hereinafter

(iv) "Forest-Produce" includes –

- (a) The following whether found in, or brought from, a forest or not, that is to say – timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, mahua flowers, mahua seeds, [kuth] and myrabolams, and

Apart from Khair wood being defined as a forest produce, catechu which is a derived produce from acacia wood is also defined as a forest produce.

- 6. Sections 41 and 42 empower the state Government to frame Rules or regulation of transport of forest produce and by virtue of these provisions, the Government of HP has notified the HP Forest Produce Transit (Land Route) Rules, 2013 as amended from time to time. Khair wood is covered under these Rules.
- 7. Since the Indian Forest Act mainly relates to Government forest, there are no further provisions for regulating cutting, felling and or sale of trees from private land.



## CHAPTER – 5

### **Court Orders Relating to Sale of Trees Standing on Private Land and in Particular Khair**

As discussed in para 1 of Chapter 2, the sale of trees standing on private land including Khair is regulated under the provisions of the HP Land Preservation Act and a 10 Year Felling Programme is followed for all species.

2. In 2007 in CWP No.1358/2001 the Hon'ble High Court of HP in its order dated 23/11/2007 stated that the order passed by the Hon'ble Supreme Court on 12/12/1996 in T.N.Godavaraman's case is in operation and consequently there cannot be any green felling in the entire State of H.P., either in Government owned forest or private as well as removal of fallen trees, diseased trees and dry standing timber. The order of Hon'ble High Court was challenged both by the private land owners and private sale contractors as well as the State Government.

3. In I.A.No.2370 the Apex Court relying on the recommendations of the CEC allowed felling of trees in non-forest areas as per the provision of the HPLPA 1978 except Khair trees. Vide further order dated 30/10/2009 the Apex Court extended the relief granted on 08/05/2009 i.e. allowing felling of trees on non-forest areas to Khair trees as well (Annexure 11 & 12).

4. There are other orders also passed by Hon'ble High Court of HP and the Apex Court regarding the establishment and regulation of wood based industry including katha manufacturing units whereas matters related to number of katha manufacturing units, consumption of khair wood and installed capacity have been dealt with. These orders however do not impact the felling and sale of trees on private land and are also outside the scope of this report.



## CHAPTER – 6

### Analysis of the Current Proposal

1. The proposal preferred by PCCF(HoFF) vide letter dated 28/01/2002 is to reduce the felling cycle from 10 year to 5 years in respect of Khair trees. It has been mentioned that this change would help in meeting the needs of local community, uplifting their economic returns and boosting their income.
2. With regard to the above proposal the following points emerge for further discussion / consideration:-
  - a) The change in the felling cycle has been proposed for Khair trees only but the other valuable species like Shisham, Sal, Conifers have not been proposed.
  - b) Logistically bringing about this change would result operation of two parallel felling programmes in a division which would result in increased administrative work.
  - c) If the economic basis is the only reason for reduction in felling cycle, it could be better served by either reducing it further or doing it away completely.
  - d) The proposal also does not mention whether any stake holder consultation was carried out or any requests were received from public representatives or grass root level organizations. A scrutiny of the file vide which the proposal was sent also does not reveal any consultation/ request received.
  - e) Any change (reduction) in the felling programme for khair species (available only in low lying areas of the State) may result in the request for reduction of time frame in felling programmes for other species, if the basis was only economical.
3. The Committee members felt that the proposal was not thought through completely and alternative options benefitting the public could have been suggested taking a holistic view.



## CHAPTER – 7

### Recommendations

1. In view of the points considered in the previous chapters, the committee was of the unanimous view that the present proposal of reducing the felling cycle in respect of Khair tree from 10 year to 5 year is not practicable, well thought out and would create operational and logistic issues. While there would be two concurrent felling programmes in operation, the staff would be burdened to go over the areas twice in a period of 10 years for the purpose of demarcation, marking and checking. It is common knowledge that considerable time and energy is spent for the purpose of demarcation, marking and checking in lower divisions of the state from September till March each year.
2. Khair growing on the private land in lower divisions of the state is considered to be a valuable cash crop similar to other well-known agro-forestry species like Eucalyptus, Poplar, Box-wood etc.
3. Any determination of felling cycle for Khair has to be considered keeping in mind the following factors:-
  - a) Regulatory Environment.
  - b) Ease of Doing Business.
  - c) Administrative Burden on Forest and Revenue Staff.
  - d) Ecological Consideration
  - e) Threat of Illicit Felling in Government Forests.
  - f) Economics of Harvest at a certain age/diameter.
  - g) Oversupply, Glut in Market Leading to Losses
  - h) Consideration of other Species.
4. While arriving at the recommendations contained in para 5, the factors listed above have been discussed and analysed as under:

#### **a) Regulatory Environment:**

The present regulatory environment is tedious and has bred a complex and self-sustaining system of limited number of private sale contractors and their intermediaries who are involved in the business of purchase of khair trees, their felling, conversion, transport and sale. Considerable resources have to be spent by the private sale contractors in arranging land revenue papers of all the land owners, their co-sharers, affidavits by all concerned and then arranging demarcation, marking and checking which includes liaising with forest and revenue staff. It is also acknowledged that this tedious system results in rent seeking behavior as several layers of forest field hierarchy is involved leading upto grant of Felling Orders by the Divisional Forest Officer. In cases of extension and deviation (deviation being no longer permitted now due to Supreme Court's orders), the compliance burden further increases as higher offices are involved and chances of rent seeking behavior increase. The upfront costs (investment) and the hidden cost of the present regulatory environment are ultimately borne



by the land owners and as such it could be inferred that the actual price received by the land owner is not fair market price or in other words it is depressed price. Further, because of the very nature of the felling programme available after 10 years, there are cases of distress sale as well. Further, the system offers limited or no opportunity for generating cash income whenever it is needed the most.

**b) Ease of Doing Business:**

GoHP and GoI have been stressing the need for reducing the compliance burden to promote business activities. Further, to boost the income of the farmer and to simplify the processes a number of species have been exempted from the provision of LPA as well as H.P. Forest Transit by (Land Route) Rules. The present regulatory environment dis-incentivizes the contractors to offer better remunerative prices to the land owners because they bear the entire burden of obtaining the consent of the land owners liaising with revenue and forest staff for Demarcation and marking and getting felling orders from the office of DFO. A lesser compliance requirement for the contractor would translate into better remunerative prices for the farmers. As stated in para 4 (a), the entire financial burden of cumbersome regulatory compliance ultimately falls on the land owners. There are also cases of 'gaming' of the entire system by the private contractors and also cases of 'cartel' formation, agonizing and tormenting the land owners further.

While some of the private sale contractors have 'gamed' the system, it also leads to denying a fair chance to new entrants into the business by creating entry barriers or acting as gate keepers.

**c) Administrative Burden on Revenue and Forest Staff:**

The forest field staff as well as the revenue staff are administratively burdened during the process of Demarcation and marking and further follow up activities. In the low-lying divisions of the State, from September to March the forest staff is regularly approached for Khair felling related activities at the cost of their normal field operations / inspections. Obviously, opportunities arise for rent seeking behavior. It can be inferred that the entire regulatory regime, is detrimental to the conservation and management of forests, while being lucrative to the contractors, middlemen and forest field staff.

**d) Ecological Considerations:**

The provisions of HP Land Preservation Act and the 10 year Felling Programme is premised on ecological conservation. The 10 year Felling Programme prevents large scale felling of trees in one go and as such sequential felling allows retention and regeneration of trees in the other areas. While the 10 Year Felling Programme has been designed on ecological consideration, yet it also has a negative dimension in the fact that whenever an area opens up in the 10 year felling programme there is an effort by the land owners to dispose of all the eligible (above exploitable diameter of 20 cm d.b.h) trees. Further, while in case of Khair and Conifer species (nationalized), Technical Orders of PCCF HP, have specified the eligibility



criteria which ensure retention of immature trees as well as future growth based on ecological considerations. As the khair trees (and others too) have to be offered for sale above a threshold diameter, the ecological relevance vis-à-vis the 10 year felling programme is in conflict. It can be concluded that the 10 Year Felling Programme has been designed more keeping administrative convenience in mind rather than ecological considerations.

**e) Threat of Illicit Felling in Government Forests:**

An apprehension is often expressed by the forest staff that should there be no regulation on Khair, incidences of illicit felling in government forest will increase. Demarcation and marking ensures that the Khair trees standing in the government forest are not felled on the pretext of felling of private areas. A similar situation prevailed before many tree species were exempted from the purview of LPA. Consequent upon exemption of trees species from LPA and more importantly Bamboo there is nothing on record to prove that incidences of illicit felling increased after exemptions were granted. The forest field staff is mandated to protect the government forest and it is nobody's case that only way to ensure protection of government property is to regulate felling of trees on private land. Reducing compliance burden on land owners would free up the staff to focus their energy on protection of forests, their conservation and management. Mixing of illegal Khair timber from government forest would also result in over supply and consequent decrease in the market price of privately owned khair timber.

**f) Economics of Harvest at a Certain Age/Diameter:**

Vide Technical Order No.670/1993 the exploitable diameter of Khair has been fixed at 20 cm d.b.h. At attaining this diameter, the Khair tree produces heartwood economically. As may be seen from Table-3, diameter classes 20-25 cm and 25-30 cm produce heartwood which is economical from the point of view of Katha production. It can be inferred from the growth and yield statistics that exploitation of khair trees below 20 cm diameter would be uneconomical and the land owner would resort to felling under-sized trees only in a distress situation. The market forces when allowed free play will ensure that the farmers not only exploit the tree at the right age and diameter but also at the most opportune time.

**g) Oversupply, Glut in the Market Leading to Losses:**

It can be argued that no regulation on Khair would result in the land owners rushing to the market with Khair produce thus causing a glut. While the situation may arise at certain points in time it is self-correcting in nature and ultimately driven by the market forces. There would be no occasion for distress sale as is often evidenced due to the 10 year felling programme.



**h) Consideration of Other Species:**

The Committee felt that while considering the proposal for reducing the Felling Programme from 10 to 5 years, other species may also be considered on the same basis (economic).

5. In view of the above discussions, looking at the regulatory environment in some of the states, analyzing the issues holistically, keeping the interests of land owners uppermost in mind, and learning from the experience gained from the exempted species; the committee recommends the following:-

**a) Khair species should be added to the list of LPA exempted species. It shall not be regulated under the provisions of LPA, 1978 and under Transit Rules.**

As already explained earlier the present regulatory regime is tedious and has resulted into a complex and self-sustaining system only helping limited number of contractors who are involved in the business of purchase of Khair trees, their felling, conversion, transport and sale and this tedious system results in rent seeking behavior and increase in upfront cost and hidden cost which is borne by the land owners and small farmers. Therefore, Khair species need to be exempted from felling like 19 other species notified by the Government vide its order No.FFE-B-A(3)-1/2017 dated 08/02/2021 and 20 species exempted from the requirement of transit pass vide Notification No.FFE-B-A(3)-5/2020 dated 12/02/2021.

**b) The 10 year Felling Programme in respect of non-exempted species should be scrapped i.e. to say that the non-exempted species would be regulated under LPA but without a Felling Programme.**

This will help the land owners to sell their trees keeping in view their own financial requirement, and demand in the market as they will not be compelled to distress sale due to imposition of 10 Year Felling Programme. This will help the land owners to get remunerative price of their produce. However, felling of non-exempted species can be regulated under HP LPA. To obviate, land owners repeatedly approaching the DFO for felling of trees on 'any time' or 'on demand' basis and also considering the fact that retained trees would require time to put on incremental volume, it would be appropriate to allow felling of trees from a plot(s) of land after 10 years. Thus, time interval (10 years) would be khasra numbers based, without any formal felling programme. This will provide enough flexibility, while retaining regulation of Demarcation and marking. PCCF HP, may issue a revised Technical Order specifying the exploitable diameter, volume that can be removed and that needs to be retained and regulating the time period between successive felling permissions on plot number (khasra number) basis.

**c) Since the permission for felling of Khair trees on privately owned non-forest areas were given by the Hon'ble Supreme Court in its order dated 30/10/2009 in I.A.No.2370 in WP(C)No.202/1995 and SLP(C)No.26329/2008 subject to the following conditions:-**

"i) No felling of trees, including of Khair trees, from the forest area will be permissible in violation of the Hon'ble Supreme Court Order dated 12.12.1996;



- ii) no deviation from the ten year felling programme fixed by the Forest Department accordance with the provisions of the Land Preservation Act, 1978 will be permissible;
- iii) no Katha / Kutch manufacturing unit will be permitted to be established / allowed to operate or to expand its capacity in violation of the Hon'ble Supreme Court orders dated 29/30.10.2002"
- d) The recommendation made at (a) above would not be valid for areas falling within the confines of duly notified Eco Sensitive Zone (buffer area) of any Sanctuary or National Park. Instead, khair and all other tree species would be covered under recommendation (b) of para 5. This is as per provisions of ESZ Notifications, vide which tree felling in private areas is regulated and no trees can be felled without the prior permission of the competent authority in the State Government (Annexure 13).
- e) To cater to the needs of the general public for felling of trees falling in ESZ areas, the State Government may notify DFO as the competent authority to grant permission. Even otherwise, DFO is the competent authority to grant permission under the LPA, 1978, who should remain so even after a Revised Technical Order is issued by PCCF, HP as per recommendation (b) above.
6. The orders stated at c) above were made on the recommendations of CEC. Therefore, it is felt that the report submitted by the Committee has to be got approved from MoEF&CC and Central Empowered Committee of the Hon'ble Supreme Court and thereafter an I.A. will have to be filed by the GoHP before the Supreme Court to exempt Khair species from 10 Year Felling Programme formulated under LPA. Similarly, for doing away with the 10 year felling programme for all the species (non-exempt), a reference to MoEF&CC, CEC and Supreme Court may be necessary. Both can be taken up together.


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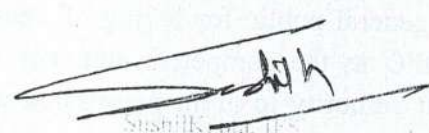



Proceeding of the meeting of Committee constituted by GollP vide letter No. FFE-B-A (31-4-2022 dated 18.03.2022

The member of the committee met through VC on 1.06.2022 to consider the draft report and after detailed discussion approved its unanimous submission to GollP.

The committee expressed its gratitude to Dr. KenuS (zst. DFO (P&L) O/o PCCF (Hof)) who ably assisted the committee throughout its deliberations. The committee also expressed its gratitude to Sh. Anil Joshi, I.S. CCF Kollu who was consulted by the committee in its deliberations.

  
H.V. Kataria, IFS  
CCF (WF & S) Mundi  
Member

  
Sushil Kumar, IFS  
APCCF (Mgt.)  
Member

  
Rajiv Kumar, IFS  
PCCF (WF) HP  
Chairman

No. FFE-B-A(3)-4/2022  
Government of Himachal Pradesh  
Department of Forests.

From

Additional Chief Secretary (Forests) to the  
Government of Himachal Pradesh, Shimla-2.

To

The Principal Chief Conservator of Forests (HoFF),  
Himachal Pradesh, Taland, Shimla-171 001.

Dated: Shimla-171002 the 17<sup>th</sup> March, 2022.

Subject:-

Review of Policy for felling of Khair trees from private areas in  
the State of Himachal Pradesh - regarding.

Sir,

I am directed to refer to your letter No. Ft. 783-54/70 (Mgt) Orders/Vol XIX, dated 28<sup>th</sup> January, 2022 on the subject cited above and to say that the matter was taken up with the Law Department who have advised as under:-

"Examined in the Law Department. The issue in the instant matter relates to reviewing of the policy of the Government for felling of Khair trees from private areas in the State of Himachal Pradesh. The felling of trees from private land is regulated in terms of order dated 10th September, 2002, issued under section 4 of the Himachal Pradesh Land Preservation Act, 1978. Para 1 of said order prohibits cutting of trees or timber and removal thereof throughout the areas in Himachal Pradesh. However, third provision to para 1 of said order says as follows:-

"Provided further that the trees for sale shall be felled in accordance with the ten years felling programme which shall be framed by the officers of the Forest Department and approved by the State Government and the trees shall be felled after obtaining the permission of the following authorities....."

Perusal of records as placed on file would reveal that there was a complete ban on felling of the trees. However, the Hon'ble Apex Court vide order dated 30.10.2008 rendered in IA No. 2370 in WP (C) No. 202/1995 - T.N. Gopalvarman Thirumulpadi Vs. Union of India & Ors & SLP (C) No. 26329 of 2008, on the basis of recommendations and suggestions made by the CEC has permitted felling of Khair trees on privately owned non-forest areas on the following conditions:-

- (i) no felling of trees, including of Khair trees, from the forest area will be permissible in violation of the Hon'ble Supreme Court order dated 12.12.1996;
- (ii) no deviation from the ten-year felling programme fixed by the Forest Department in accordance with the provisions of the Land Preservation Act 1978 will be permissible;



(iii) no Katha/ Kutch manufacturing unit will be permitted to be established/ allowed to operate or to expand its capacity in violation of the Hon'ble Supreme Court orders dated 29/30.10.2002.

From the above, it is clear that the Government cannot act contrary to the orders of the Hon'ble Court as discussed above. The proposal of Forest Department for reducing felling cycle from present 10 years to 5 years for felling of Khair trees from private areas would be against the directives of the Hon'ble Court as quoted supra. If the department is of the view that reducing felling cycle from present 10 years to 5 years is necessary in the interest of the public of the areas, the Forest Department may move an Interlocutory Application in the Hon'ble Apex Court for seeking permission to reduce the felling cycle from existing 10 years to 5 years. The Forest Department is advised to act accordingly in the matter."

2. In this context, I am further directed to constitute a committee under the Chairmanship of Principal Chief Conservator of Forests (Wildlife), Himachal Pradesh to look into the matter in the following manner:-

- |      |   |   |          |
|------|---|---|----------|
| i.   | Principal Chief Conservator of Forests (Wildlife), Himachal Pradesh.          | - | Chairman |
| ii.  | Addl. Principal Chief Conservator of Forests (Working Plan), Himachal Pradesh | - | Member   |
| iii. | Addl. Principal Chief Conservator of Forests (Management), Himachal Pradesh   | - | Member   |

The aforesaid committee shall examine the instant proposal from different perspectives viz. procedure adopted in the others States, Indian Forest Act, 1927, jurisprudence in this context and impact in <sup>terms</sup> of tree growth and ecology. The committee shall submit its report to the Government alongwith full justification.

Yours faithfully,

*P.S. 3*  
(Jeewan S. Negi)  
Deputy Secretary (Forests) to the  
Government of Himachal Pradesh  
Phone No. 0177-2620159

Endst. No. As above Dated: Shimla-2 the 05<sup>th</sup> March, 2022.

Copy forwarded for information and necessary action to:-

1. The Principal Chief Conservator of Forests (Wildlife), Himachal Pradesh, Taland, Shimla-2.
2. Addl. Principal Chief Conservator of Forests (Working Plan), Himachal Pradesh, Taland, Shimla-2.
3. Addl. Principal Chief Conservator of Forests (Management), Himachal Pradesh, Taland, Shimla-2.

*P.S. 3*  
(Jeewan S. Negi)  
Deputy Secretary (Forests) to the  
Government of Himachal Pradesh  
Phone No. 0177-2620159

\*\*\*\*\*



Department of Forest, Farming & Conservation  
Himachal Pradesh

Technical Order No. 670 Dated 13th August, 1993.

**Subject :- Sale and felling of Khair Trees from Private Lands in Himachal Pradesh under the H.P. Land Preservation Act, 1978 and H.P. Land Preservation Rules, 1983.**

The sale and felling of Khair trees growing on private lands is regulated according to the approved 10 years felling programme framed under the H.P. Land Preservation Act, 1978 and the rules framed there under. Following guidelines are issued for regulating sale & felling of Khair trees throughout the State with a view to adopt uniformity :-

**1. DEMARCATION**

- 1.1 The demarcation of the areas must be done in the preceding year to the year in which the area is due for felling as per 10 years felling programme. The demarcation of the land of the concerned area will be carried out by the Field Kanungo in the presence of the Deputy Ranger of the area concerned.
- 1.2 In case of joint khata in which more than one owners (co-sharers) are involved every owner has to furnish affidavit indicating their willingness for the sale of trees. However in such cases, the land owners can also furnish power of Attorney in favour of particular individual as per the Govt. instructions contained in their letter No. Van(4)12-34/83-Park-IV dated 12.3.1993, the contents of which stood conveyed to all CPs(1) DFOs vide Memo No. Ft. 783-54/70(M) order dated 33.3.1993.

**2. MARKING**

- 2.1 The marking of Khair trees will be carried out by the Block Officer in the presence of Field Kanungo and land owners and same with revenue papers, marking lists and with the following certificates recorded, will be sent to the DFO:-
  1. Certified that the trees have been marked after following the prescribed procedure for demarcation/mark of the concerned revenue papers, application and an affidavit of the land owners etc. were duly scrutinised by me.
  2. Certified that the case has been processed by taking a joint Khata or a single ownership irrespective of the No. of co-sharers in the joint Khata.
  3. Certified that the area from where these trees have been marked for sale are due for felling during the prescribed year of felling as per approved 10 years felling programme of the Forest Division concerned.



- [ 2 ] -

4. Certified that the trees for which the sanction has been sought, are actually standing in privately owned Malkiyati areas of the applicants lands owner and no tree has been marked from land ceiling areas vested with the Government under the provision of H.P. Village Common Land (Vesting and Utilization) Act, 1974. ~~Certified that no trees have been marked within the area from Govt. land.~~
5. Certified that the land owners in question have not sold any more trees of other species and they will be allowed to do so from their private land during the current year season. Further no felling has taken place in the Khairi Nos in which marking has been done now during the last 10 years period.
6. Certified that the demarcation/markings has been carried out by Field Kanungo of revenue department and by me personally. I am satisfied with the demarcation of demarcation given by the Field Kanungo.
7. Certified that <sup>no</sup> trees have been marked from Govt. land.
8. Certified that no demarcation has been carried out on Govt. land which are under unlawful possession of the applicant owner (s).
9. Certified that the list of the trees found in private land at the time of demarcation has been prepared carefully and the species given are correct and tally with the field.
10. Certified that no such trees standing in the areas granted under Nautor has been marked for which the price has not been paid by the applicant owners. Land ceiling certificate duly signed by the Collector has been obtained and no trees marked in the areas liable to vest in the Govt. under the said Act.
11. Certified that markings have not been done in one Khata involving more than one contractor.
12. Certified that the above marked trees are in Malkiyati land for which demarcation has been given by the Field Kanungo/Competent Revenue official on the site.
13. Certified that the land where marking has been carried out is not mortgaged to any agency. That the owner of the land vide this affidavit enclosed in original has taken the responsibility for the payment of dues of Khair trees to the other owners of land in which trees have been marked for sale to the contractor.
14. Certified that no demarcation in the land of <sup>has</sup> been made which is mortgaged in <sup>any</sup> <sup>of</sup> <sup>the</sup> institution/Agency.

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15. Certified that no demarcation has been carried out in "Khadyate/Chasni" the lands adjoining Govt. land or Forests, the demarcation has been done by leaving one Jarabe/chain.

16. Certified that the power of Attorney has been attended by the Nakary/Ordn. Commissioner which is the competent authority for the purpose.

### 2.2 MINIMUM DIAMETER FOR MARKING OF KHAIR TREES

The marking in private areas is to be done strictly on silvicultural principles. Explicit diameter will be 20 cms. 40y and no clear felling of the area shall be allowed even for purposes of raising of orchards (H.P.L.P.R. 1983 417) (d)).

### 2.3 COMPLETION OF KHAIR MARKINGS

It has been experienced that Khair markings are carried out almost through out the year, sometime towards the end of the prescribed year of felling, resulting in extensions for subsequent year. Therefore, it is hereby ordered that all Khair markings would be completed by 15th September in the year of felling positively and the cases after marking would be submitted to the DFOs who after due scrutiny will issue felling orders expeditiously.

### 3. CHARGING OF SECURITY

As a uniform policy, to safeguard the interest of the department, a security of 10% subject to a maximum of Rs. 5000/- of the value of the trees worked out at market rates will be got deposited in the post office saving bank and will be released only after successful completion of work.

### 4. FELLING OF KHAIR TREES

(a) Felling of Khair trees will be allowed as under :

1) Up to 200 Khair trees in each case in a year	By the concerned DFO
2) 200 & above Khair trees in each case in a year	By the concerned Conservator of Forests.

Where only demarcation and marking completed and no felling order has been completed issued ; and where felling order is issued either felling is carried out partly or felling is not done at all, all such cases will be referred to the Pr. Chief Conservator of Forests for seeking extension in working period upto one year.

### 4(1) FELLING, CONVERSION AND STACKING OF KHAIR TREES

1) The trees will be felled and converted into billets of standard length except the terminal billets which may be of length from 0.5 m to 1.5 m for ensuring complete utilization.



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- ii) Standard 1 m length billets would be further sorted out and stacked in following mid girth classes i.e.

20.1 cm to 30 cm.  
 30.1 cm to 40 cm.  
 40.1 cm to 50 cm.  
 50.1 cm to 60 cm and so on upto 90.1 cm and up girth class.

- iii) All the non standard size billets i.e. remaining billets will be stacked in one lot after actual measurements.

#### 4(1) MEASUREMENTS

The billets will be of 1 m standard length which should be ensured by issuing 1 m length bamboo sticks to the laborers. However, the girth will be measured in 10 cm girth classes upto 90.1 cm and over girth class. The recording would be made true wise. For each billet extracted the volume will be calculated according to formula  $(D/4)^2 \times L$  taking mid girth measurement under bark as 'D'.

On each billet, on one face, Felling order No./ Tree No. will be written.

#### 4(2) KHAIR FUELWOOD

All the tops, tops and branches which are not convertible into billets of minimum 20 cm mid girth under bark are to be stacked as fuelwood.

#### 5. UPROOTING OF KHAIR TREES

No uprooting of Khair trees will be allowed except from areas under cultivation or where the land in question is proposed to be brought under cultivation. In the later category of land, the uprooting will be allowed only under prior permission of the DEO based on spot inspection of the area and considering the slope of the area etc. No such uprooting of trees in Ghannien and other sloping Banjar areas will be allowed.

#### 6. REPORTING

With a view to have information about the total removal of Khair trees and likely yield available for processing, an abstract of all the felling permissions given by DEO will be sent to the concerned IR on given proforma (Annexure-1) immediately after the expiry of prescribed year of felling. The IR will forward the same in a consolidated form for the whole circle on the same proforma.

- 1 - 5 - 1 -

## 7 EXPORT OF KHAIR WOOD

### 7.1 POWERS

Export permit will be issued by the concerned DFOs(T) & WL in case of Khair wood to be exported within the Division and from one Division to another and in the event of export of Khair wood from one Circle to another with the prior approval of the Conservator of Forests concerned and in case of export of Khair wood outside the State with the prior approval of the Government.

### 7.2 REPORTING

To have complete data about the Khair wood extracted and export allowed; the detail of all the exports given by DFO in each case of felling of Khair from private areas will be furnished to the concerned G.P. in the prescribed form (Annexure-III). G.P. will forward a consolidated report of the Circle to the Direction Office by 15th May of the succeeding financial year.

## 8. PROCESSING OF KHAIR WOOD

### 8.1 KATHA BHATTIES

Permission for installation of Katha Bhatti will be granted only where minimum quantity of 400 meter girth Khair wood is available. No permission for installation of Katha bhatti will be allowed for less quantity. General principle of allowing establishment of Katha Bhatti will be away from the area in which the Khair lots is under work by the H.P. State Forest Corporation will be followed.

### 8.2 REPORTING

Data about the total Khair wood extracted and utilized for manufacturing of Katha, will be furnished by DFO to the concerned Conservator of Forests in the prescribed proforma (Annexure III). The G.P. will forward the same in a consolidated form for the whole Circle to Direction office.

## 9. CONDITIONS REGARDING PLANTATION CHARGES

According to rule 4(3)(b) of H.P. Land Preservation Rules, 1983, DFO may require the owners to deposit such amount not exceeding Rs. 3/- per plant in lieu of three plants to be planted. For the present this rate is Rs. 2/- per plant as already conveyed vide this office Memo No. Ft.783-B4/70(M) order dated 9.2.1993. DFO will incorporate necessary condition in the felling permission that the owners will be bound to plant three plants for every tree felled within one year of felling and where the owners fail to fulfill this condition within stipulated period, the planting of requisite number of plants will be done by the DFOs out of the money kept as deposit. For the purpose as per instructions issued separately.



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## 10. FELLING OF KHAIR TREES UNDER CONSOLIDATION OF LAND HOLDING

Felling of Khair trees for the excess number of trees coming in exchange between the old and new land owners will be allowed in the same manner as if the area in question fall under normal prescribed year of felling. To that extent which instructions/orders applicable in normal cases of sale and felling of Khair trees will hold good in such cases also.

## 11. DEVIATIONS

All cases of deviation will be dealt with as per the Government guidelines which are re-iterated below :-

- i) The deviation/extension may not be allowed in the private sale cases for the felling of trees from the private land. The felling of trees from the private land may be done according to 10 years felling programme framed under the H.P. Land Preservation Act, 1978 and the rules framed there under;
- ii) The other operations like demarcation of land from the private land may be carried out in the preceding year to the year in which the area is due for felling as per 10 year felling programme. The marking and felling of trees should take place in the year in which the area is actually due for felling as per the 10 year felling programme;
- iii) The Govt. may consider for the felling of trees from the 10 years felling programme only in exceptional cases keeping in view the full justification of the case on receipt of recommendations of the Pr. Chief Conservator of Forests as under :-
  - a) Deviation for arrears of felling will be allowed only upto extent of 2 years from the prescribed year of felling (i.e. deviation can be considered for the cases pending from 1991-92 to 1993-94. Each case falling within this limit will be processed on merit keeping in view the reason for not seeking/getting the permission during the prescribed year of felling;
  - b) In no case, felling in advance of the prescribed year of felling programme will be processed.

## 12. RATES OF STANDING TREES

As provided in the rule 4(2)(g) of H.P. Land Preservation Rules, the concerned Divisional Forest Officers will impose following restrictions in addition to the other standard conditions already in operation, in the interest of conservancy and misuse of Khair extracted from private areas:-

- a) The price of Khair trees to be paid to the growers/farmers is to be ensured.

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In no case the farmers/growers should be paid less than the price fixed by the Govt./Competent authority for the year in which actual felling is carried out;

- b) Payments at the rates as fixed by the Competent authority/Govt. of converted khair wood to be paid to contractors/farmers by mechanized khair processing units/satha khatti owners are required to be ensured;
- c) Rates referred above in 12(a) and (b) are to be given wide publicity in the local press and also through beat of drum;
- d) Concerned D.O. will ensure that all the agencies pay rates as referred above to the farmers/growers and will attend to the cases of exploitation on top priority;
- e) The rates mentioned in 12(a) and (b) are to be ensured by making mention in the felling permission/permit as provided in Rule 4(2)(g) of Land Preservation Rules, 1983.

(V. P. Mohan)  
 Pr. Chief Conservator of Forests,  
 Himachal Pradesh.



*Authoritative English text of this Department Order No. FFE-B-A(3)-1/2017, dated 08 February, 2021 as required under clause (3) of article 348 of the Constitution of India;*

Government of Himachal Pradesh  
Department of Forests.

No. FFE-B-A(3)-1/2017

Dated Shimla-2, the

08 February, 2021.

**ORDER**

WHEREAS, the Governor of Himachal Pradesh, in exercise of the powers conferred by section 4 read with section 7 of the Himachal Pradesh Land Preservation Act, 1976, had issued Order No. FFE-B-A(3)-4/99, dated 10-09-2002 for temporarily regulating, restricting and prohibiting throughout the areas in Himachal Pradesh (except the areas falling within the limits of Municipal Corporation, Municipal Councils, Nagar Panchayats and Cantonment Boards) as specified in Schedule appended to the said Order, the acts specified therein for a period of 10 years from the publication of the said order in Rajpatra, Himachal Pradesh and the said order was published in the Rajpatra, Himachal Pradesh dated 4th October, 2002;

AND WHEREAS, the State Government is satisfied, after due inquiry, that it is necessary and expedient to carry out amendments in the said Order;

NOW, THEREFORE, in exercise of the powers conferred by section 4 read with section 7 of the Act aforesaid, the Governor of Himachal Pradesh is pleased to make the following amendments in the said Order, namely:-

**AMENDMENT**

Amendment  
of para-1

In para 1 of the said Order,  
(a) for the first proviso the following shall be substituted, namely:-

"Provided that there shall be no prohibition or restriction on felling of following species of trees:-

Sr. No.	Local Name of Species	Botanical Name of Species
1.	Kala Siris / Ohi / Siris	<i>Albizia speciosa</i>
2.	Saichea	<i>Eucalyptus species</i>
3.	Poplar	<i>Populus deltoides</i>
4.	Indian Willow / Bums	<i>Salix species</i>
5.	Sambao calus / Lath / bans / Maggar / Quarrich / Bans	<i>Dendrocalamus strictus / Dendrocalamus hamiltonii / Bambusa nurens / Bambusa bambos</i>

6.	Paik/Koi/Koch/Kanis/Kunish/Nyun	<i>Alnus indica</i>
7.	Khirk/Khadai	1. <i>Celtis australis</i> 2. <i>Celtis tatarica</i>
8.	Darak/Bakar	<i>Melia azedarach</i>
9.	Pagon/aphagorn/Tamblot/tina/Armal/hajir/Chotari/Cholia	<i>Ficus species</i>
10.	Toon	<i>Toona ciliata</i>
11.	Paak/Sagar/Sagwan	<i>Tectona grandis</i>
12.	Ajua	<i>Terminalia arjuna</i>
13.	Satal/Shalmaltas	<i>Bombax ceiba</i>
14.	Dilu/Belu/Bhumal/Bal-ural/Dhaman	<i>Grewia species</i>
15.	Paga/Padam	<i>Fraxinus coratva</i>
16.	Kamale/Rain/Rohan/Rohun/Sinduri	<i>Mallotus philippensis</i>
17.	Aam (Commercial/Beyond Improved variety)	<i>Mangifera indica</i>
18.	Richlak/Rich/Dade	<i>Sapindus mukorossi</i>
19.	Bur, Maximum up to five trees*	<i>Quercus leucotrichophora</i>

\*Note: The above mentioned species of trees shall exclusively be used for domestic purpose and maximum five trees of these species may be felled by each year, and

(b) for the second provision, the following shall be substituted, namely:—

"Provided further that there will be complete ban on felling of green trees of Peepal (*Ficus religiosa*), Bargad (*Ficus bengalensis*) and Aam (Wild. Genarupa) (*Mangifera indica*) growing on private lands, except for widening of road, dangerous trees posing threat to life and property and bonafide domestic use, for which the Competent Authority to grant permission will be the concerned Divisional Forest Officer."

By order,

R.D. Dhiman  
Addl. Chief Secretary (Forests) to the  
Government of Himachal Pradesh



Endst. No. As above

Dated Shimla-2, the

28 February, 2021.

Copy forwarded to:-

1. The Deputy Secretary (G.A.D.) to the Govt. of Himachal Pradesh w.r.t Item No. 06 of the Cabinet Meeting dated 23-12-2020.
2. D.R. Cum-Deputy Secretary (Law) to the Govt. of H.P., Shimla-02.
3. D.R. Cum-Deputy Secretary (Law- Official Language) to the Govt. of H.P., Shimla-02.
4. Principal Chief Conservator of Forests (Hol/P), H.P. Shimla-01.
5. Principal Chief Conservator of Forests (Wild Life), H.P. Shimla-01.
6. All the Addl. Pr.CCFs/CCFs/CFs (T) & (Wild Life) in H.P. **APCCF (FCA)**
7. All the Deputy Commissioners in H.P. **Talwara, Shimla**
8. All the Divisional Forest Officers (T) & (Wild Life) in H.P.
9. The Controller, Printing & Stationary Deptt. Shimla-05 for publication in the Rajpatra (Extraordinary), Himachal Pradesh.
10. The Director, Information and Public Relations, H.P. Shimla-02.
11. The Section Officer (Forest-A) H.P. Secretariat, Shimla-02.
12. Sr. Law Officer (Hindi) H.P. Secretariat, Shimla-02.
13. Guard File.

(Sat Pal Dhimian) 28-2-2021  
 Joint Secretary (Forests) to the  
 Government of Himachal Pradesh.

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(Authoritative English text of this Department Notification No. FFE-B-A(3)-5/2020 dated 12 February 2021 as required under clause (5) of article 148 of the Constitution of India)

Government of Himachal Pradesh  
Department of Forests.

No. FFE-B-A(3)-5/2020

Dated Shimla-2, the

12 February, 2021.

**NOTIFICATION**

In exercise of powers conferred by sections 41 and 42 of the Indian Forest Act, 1927 (XVI of 1927), the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Forest Produce Transit (Land Routes) Rules, 2013, as notified vide this Department Notification No. FFE-B-A(3)-2/2013, dated 26-1-2013 and published in the *Rajpatri*, Himachal Pradesh on 30<sup>th</sup> November, 2013, namely:-

1. Short title.— These rules may be called the Himachal Pradesh Forest Produce Transit (Land Routes) Amendment Rules, 2021.
2. Amendment of Annexure-D.—In Annexure D appended to the Himachal Pradesh Forest Produce Transit (Land Routes) Rules, 2013, for Schedule-1, the following shall be substituted, namely:—

**"Schedule-1**

(See rule 8(1))

Forest Produce obtained from the following plant species growing on private land shall be exempted from the requirement of Transit Pass:-

Sr. No.	Local Name of Species	Botanical Name of Species
1.	Kala Siris / Ohli Siris	<i>Albizia speciosa</i>
2.	Safai	<i>Eucalyptus sp.</i>
3.	Poplar	<i>Populus deltoides</i>
4.	Indian Willow / Birus	<i>Salix</i> species
5.	Bamboo culms / Lathi bans / Maggati Dharainchi Bans	<i>Dendrocalamus strictus</i> <i>Dendrocalamus hamiltonii</i> <i>Bambusa nana</i> / <i>Bambusa bambusa</i>
6.	Kutha	<i>Sesuvium coccineum</i> (— <i>S. lappaceum</i> )
7.	Kala Zira	<i>Bumelia persiana</i>
8.	Paik / Koli / Kash / Kuris / Kish / Deyan	<i>Alnus wilsonii</i>
9.	Kork / Khaki	<i>E. alba parvifolia</i> <i>E. alba parvifolia</i>



10.	Darak/Bakin	<i>Melia azadirach</i>
11.	Fagoora/ phagoora/ Tumble/ timia/ timal/ anjil/ cluster fig/ goolar	<i>Ficus speciosa</i>
12.	Yoon	<i>Toona ciliata</i>
13.	Fesk/Sagun/Sagwan	<i>Tectona grandis</i>
14.	Arjun	<i>Terminalia arjuna</i>
15.	Semal/Shalmallas	<i>Bombax ceiba</i>
16.	Bihul/Betul/Bhimil/Bhimil/Dharmil	<i>Gravola species</i>
17.	Papa/Padam	<i>Prunus cerasus</i>
18.	Kamala/Rasini/Rohan/Rohini/Sinduri	<i>Mallorus philippensis</i>
19.	Aam (Commercial/Hybrid/Improved variety)	<i>Mangifera indica</i>
20.	Rishak/Ritha/Dene	<i>Sapindus mukorossi</i>

\*Export of Kuth (*Saussurea Costuslappat*) will however be subject to fulfillment of requirements of the provisions contained in the Wild Life Protection Act, 1972.

The removal and transportation of the forest produce obtained from plants species listed in this schedule and growing on private lands shall be in accordance with the following provisions:—

- (i) The landowner shall intimate in writing to the concerned Range Forest Officer through the local Forest Guard of his intent to harvest produce from plant species listed in this Schedule specifying there in the estimate of yield which is likely to result therefrom before starting the harvest.
- (ii) The Range Forest Officer may himself or through his representative inspect the land from which such harvesting is proposed and verify the proposed yield.
- (iii) Range Forest Officer shall issue a letter to the landowner giving details of forest produce obtained from private land.
- (iv) The landowner shall carry this letter during transportation of the verified forest produce."

By order,

R.D. Dhillon  
Addl. Chief Secretary (Forests) to the  
Government of Himachal Pradesh

Endst. No. FFE-B-A(3)-5/2020 Dated Shimla-2, the 12<sup>th</sup> February, 2021.

Copy forwarded to:-

1. The Deputy Secretary (GAD) to the Govt. of Himachal Pradesh w.r.t. Item No. 06 of the Cabinet Meeting dated 23-12-2020.
2. DLR-Cum-Deputy Secretary (Law) to the Govt. of H.P. Shimla-02.
3. DLR-Cum-Deputy Secretary (Law- Official Language) to the Govt. of H.P. Shimla-02.
4. Principal Chief Conservator of Forests (HoFF) H.P. Shimla-01.
5. Principal Chief Conservator of Forests (Wild Life) H.P. Shimla-01.
6. All the Addl. Pr. CCFs/CCFs(T) & (Wild Life) in H.P.
7. All the Deputy Commissioners in H.P.
8. All the Divisional Forest Officers (T) & (Wild Life) in H.P.
9. The Controller, Printing & Stationery Deptt. Shimla-03 for publication in the Rajpala (Extraordinary), Himachal Pradesh.
10. The Director, Information and Public Relations, H.P. Shimla-02.
11. The Section Officer (Forest-A) H.P. Secretariat, Shimla-02.
12. Sd. Law Officer (Hindi) H.P. Secretariat, Shimla-02.
13. Guard File

(Sat Pal Dhiman) 12-2-2021  
Joint Secretary (Forests) to the  
Government of Himachal Pradesh.  
Phone No. 0177 2621874.

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## Khair (*Acacia catechu*)

### Knowing the Species

#### (a) Introduction

*Acacia catechu* is a deciduous tree with a light feathery crown and dark brown, glabrous, slender, thorny, shining branchlets, usually crooked. Bark dark brown or dark grey, brown or red inside, nearly 12-15 mm in thickness, rough, exfoliating in long narrow rectangular flakes which often remain hanging. Blaze very hard, colour brown and then deep pink.

Branchlets armed with pseudo-stipular spines in pairs below the petioles. Pod 10-15 cm by 2-3 cm, thin, straight, flat, glabrous dark-brown and shining when mature. Seeds 3-8, about 5 mm in diameter.

#### (b) Natural Habitat and Classification

*Acacia catechu* is widely distributed throughout the greater part of India except the most humid, cold and the driest regions. It is common in the sub-Himalayan tract and outer Himalayas ascending from 900 to 1,200 m from Jammu to Assam. The record distribution of khair shows that the various forms of it, rather than overlapping, appear representative of none or another tolerably well defined areas.

**Var. catechu** – Found chiefly in Punjab, Garhwal and Kumaon, Bihar and Orissa. In the sub-Himalayan tract and the outer Himalayas, it ascends upto 900-1200 m elevation.

**Var. catechuoides** – Found chiefly in Sikkim terai, West Bengal and Assam. This is the Burmese form.

**Var. sundra** – Found chiefly in the Indian Peninsula. This is southern and western form occurring in the Deccan, Maharashtra, Gujarat and Rajasthan.

Thus the var. *catechu* has never been found in Eastern Himalayas nor in Assam. The var. *catechuoides* is apparently absent from the Western peninsula. The var. *sundra* which is now given specific rank *Acacia chundra*, is confined to Deccan, Gujarat, Rajasthan, Southern Maharashtra only.

#### Classification

*Acacia catechu* occurs in tropical moist deciduous forests, dry tropical forests and tropical thorn forests in the following sub-types as given by Champion and Seth (1968).

- In low alluvial savannah wood land (3/1S1) associated with *Bombax ceiba*, *Butea monosperma*, *Dalbergia sissoo*, etc.
- In Southern tropical dry deciduous forests (5 A), Khair occurs in very dry teak forests (5 A/C1a) and dry teak forest (5A/C1b), associated with associates of teak. It also occurs in southern dry mixed deciduous forests (5A/C3). Common associates are *Terminalia alata*, *Roswellia serrata*, *Azadirachta indica* etc.
- In northern tropical dry deciduous forest (5B), khair occurs in dry sal bearing forests (5B/C1), dry Siwalik sal forest (5B/C1a), dry peninsular sal forests (5B/C1c) and

northern dry mixed deciduous forests (5B/C2). Common associates are *Shorea robusta*, *Terminalia alata*, *Terminalia bellirica*, *Boswellia serrata*, etc.

- Khair occurs in dry deciduous scrub (5/DS1), associated with *Nyctanthes arborescens*, *Dodonaea viscosa*, *Woodfordia fruticosa*, *Carex opaca*, *Flacourtia indica*, *Lannea coromandelica* etc.
- It occurs in edaphic climax types of dry deciduous forests as in *Anogeissus* forest (5/E1) and *Aegle* forest (5/E6).
- It is also found in the seral type of dry deciduous forests as in Khair-Sisam forests (5/IS2).

In southern tropical thorn forests (6A/C1), *Acacia catechu* occurs associated with *Acacia leucophloea*, *Anogeissus latifolia*, *Azadirachta indica*, etc.

#### Climate

In the natural habitat of khair, the absolute maximum shade temperature varies from 40°C to 50°C and the absolute minimum from 2.5°C to 7.5°C. The mean daily maximum temperature in May which is generally the hottest month in the hot weather varies from 37.5°C to 43.5°C. The mean daily minimum temperature in January which is the coldest month of the year varies from 1.0°C to 2.1°C.

*Acacia catechu* is essentially a tree of comparatively dry regions though in its alluvial form, it extends into regions of heavy rainfall as in the Eastern sub-Himalayan tract, where it is found in places with rainfall as high as 3,800 mm. Away from riverain tracts it occurs in localities where the normal rainfall varies from 500 to 2160 mm. Khair develops to its maximum size in localities with heavy rainfall but it is decidedly xerophilous and grows in dry situations where few other species survive.

#### Topography

It is found on flat or gently undulating ground and ravine country as well as in hilly region but seldom extends in areas above 1200 m in elevation above the sea level.

#### Geology and soil

Khair occurs on a variety of geological formations and soil, though it undoubtedly thrives best on porous alluvium, composed of sand and shingle and on well drained sandstone. It is known to occur on granite, gneiss, schist, quartzite, shale, basalt, limestone, conglomerate and laterite.

#### (c) Growth Characteristics

A small or medium sized deciduous tree 12-15 m in height. More commonly found as a small tree 60-90 cm in girth and a bole of 2 to 3 metres. When growing in more favourable localities, it has a moderately straight and cylindrical stem up to 240 cm in girth and 30 m in height.

#### (d) As a Plantation Tree

On account of its hardness and value of wood, khair is an ideal species for the conversion of miscellaneous forests, containing inferior species and is being used to a considerable extent for afforestation in Uttar Pradesh. It plays an important part in the afforestation schemes of ravine lands of the drier parts of U.P. Experiments carried out to investigate the possibility of afforesting usar land with well defined kankar pan in U.P. indicate that the species is moderately suitable in mild usar, if planting is done in deep pits filled with better soil.



### Utilization of the Species

#### (a) Properties Including Strength Properties

##### Physical properties of the wood

Sapwood sharply distinct from heartwood, light yellowish-white or yellow. Heartwood deep red or reddish brown, darkening on exposure; somewhat lustrous. The wood is hard to very hard, heavy to very heavy, average weight  $1010 \text{ kg/m}^3$  at 12% moisture content; somewhat coarse and even-textured and straight to interlocked grained. The wood has no characteristic smell or taste.

##### Mechanical properties

The timber is very strong, very hard, very steady and moderately tough. The figures for its suitability as a timber for various purposes, expressed as percentages of the same properties of teak, for specimens from western U.P., are – weight, 147; strength as a beam, 128; stiffness as beam, 119; suitability as a post or strut, 127; shock resisting ability, 111; retention of shape, 116; shear, 155; surface hardness, 178; refractoriness (splitting co-efficient), 100; nail or screw holding property, 148.

##### Seasoning properties

The timber is highly refractory and liable to end-splitting and surface cracking during seasoning. It seasons very slowly. It should therefore, be converted soon after the rains and stacked properly under shade, well protected from rapid drying. Seasoning of thick boards or planks should be avoided wherever the timber is intended to be further converted into thinner sections.

The best results in kiln drying with this timber will be obtained by using schedule No. 11 for 2.5 cm thick planks and suitably increased humidities at the various moisture content steps in the schedule in case of thicker sections. Wherever practicable, slow partial air-seasoning to about 25% moisture content before finally taking up kiln seasoning should be attempted. The pith should be removed from the pieces before seasoning.

The sapwood is not durable. The heartwood is very durable and is described by Pearson as "one of the most durable Indian woods, which is seldom, if ever, attacked by white ants and fungi". There are several records of its having lasted for centuries in temples and it has also done well in harbour works. Natural durability 'graveyard' tests carried out at the F.R.I., Dehra Dun, have shown an average life of over 20 years.

##### Working qualities

The timber is hard to saw and machine, especially if the wood is old and dry after seasoning. A heavy gauge plate saw with closely spaced teeth and shallow gullets gives the best results and stiff tools should be used in machining and turning. The timber can be turned well. The wood can, however, be finished to an extremely smooth surface and takes polish well.



**(b) Use as Timber, Poles, Pulp and Paper, etc.**

Though Khair is chiefly used as a source of katha and kutch, it is also a useful timber. It is much prized for posts in house construction and also for making rice pestles, oil and sugar-cane crushers, ploughs, tent-pegs, sword handles and keels and knees of boats. There is, however, a local superstition against it in parts of Uttar Pradesh on account of which it is not used in house construction.

Khair is a valuable economic structural timber, the heartwood being naturally durable. This species has been classified as "Super Group" timber suitable for large spans more than 12 m and is placed as the first choice of selection for permanent structures (I.S.I., 1962). It is eminently suitable for tools and tool handles, particularly for mallets and plane bodies. It is excellent for making spokes and hubs of wheels.

Sapwood of khair is a waste product in katha industry as it does not find at present any use except as a fuel. Since the katha manufacturers use the spent heartwood chips as a fuel in their boilers and bhattis, considerable quantity of the sapwood is literally wasted.

It can be seen from the results of chemical composition of the wood obtained at the F.R.I. Dehra Dun, that the sapwood of khair trees, if collected economically, can be profitably utilized for producing bleached cellulose which will find use in multifarious cellulose based industries like CMC, cellulose acetate, ethers, and even for paper and paper boards if made available in large quantities.

**(c) Use as Fodder**

It is considered to be a good fodder tree and is extensively lopped to feed goats and at times cattle also. The plants are also browsed by cattle, rhinoceros, deer and elephant. The leaves contain 13.03-18.72% crude protein, 46.69-50.96%N free extract and 0.14-0.17% phosphorus. Total digestible nutrients are 46.33 kg. of dry material. The nutritive ratio is 15.0. The digestibility values are moderately high which shows that the leaves are feed for cattle on the basis of crude protein, crude fibre and tannin contents. The leaf fodder *Acacia catechu* is rated as good.

**(d) Use as Fuel**

It is also used as fuel and furnishes charcoal of good quality, the calorific value of moisture free sapwood being 5142 calories (9256 B.T.U.) and that of heartwood 4946 calories (8915 B.T.U.).

**(e) Medicinal Uses**

The different parts of the tree have a variety of medicinal uses, which in haemoptysis (spitting of blood). A paste of the bark is useful in conjunctivitis. The bark is reported to be useful in the treatment of snake bites.

**Flowers:** A mixture of flower tops, currie, milk and sugar is useful in gonorrhea.

**Wood:** Cutch and katha obtained from the heartwood have great medicinal value. It is cooling, digestive and a very valuable astringent, specially in chronic diarrhea and dysentery, bleeding piles, uterine haemorrhages, leucorrhoea, gleet, atonic dyspepsia, chronic bronchitis, etc. It is also useful in cases of mercurial salivation, bleeding or



ulcerated or spongy gums, hypertrophy of the tonsils, relaxation of the uvula, aphthous ulceration of the month, etc.

A mixture of catechu and myrrh (Kathol) is usually prescribed as a tonic and as a galactagogue to women after confinement.

Kheersal is used as a remedy for chest diseases, especially for the treatment of asthma, cough and sore throat.

#### (f) Katha (Catechu)

The most important product obtained from *Acacia catechu* var. *catechu* proper is katha or catechu. This is obtained by boiling chips of heartwood with water. In India two varieties are marketed katha or pale catechu and cutch or dark catechu. As sold in the bazaar, katha is found in irregular pieces or small square blocks of grayish colour, which on breaking show a crystalline fracture.

There is a very large internal demand for it for masticatory use in pan preparations and in medicine. Katha is regarded as astringent, cooling and digestive and is useful in sore throat, cough and diarrhoea. Externally it is employed as an astringent and as cooling application to ulcers, boils and eruptions on the skin. It is an indispensable ingredient of pan preparations. In combination with lime, it gives the characteristic red colouration resulting from the chewing of pan.

Dark catechu or cutch, which is mainly obtained as a by-product of the katha industry is marketed in the form of small cubes or blocks, rusty brown or dull orange in colour and of conchoidal fracture. It is used only for industrial purposes. It is largely used for dyeing cotton and silk and preserving of fishing nets, sailing ropes and mail bags; in water softening and in the manufacture of stencils and printers ink.

#### (g) Other Uses

**Tanning:** The astringent bark is sometimes used for tanning.

**Lac:** Khair is a very good host plant for growing the Katki or Aghani crop in alternation with the normal Rangeeni or Kusumi hosts. This species is unsuitable for the Baisakhi or Jethwi crops due to non-possession of sufficient vitality during the late winter and early hot weather months to bear a lac crop. This species is best used for raising the Aghani crop and produces an encrustation equal in quality and quantity to that produced on kusum (*Schleichera oleosa*). The brood from the infestation of khair with kusum brood takes very well when used to infect kusum again in January-February. The resulting lac is of good quality.

**Gum:** The gum from khair is said to be of very good quality and is regarded as the best substitute for true gum arabic. The tears may be as large as 3 cm in diameter and pale yellow to dark amber in colour. It is not collected separately and is generally mixed up with other *Acacia* gums.

### Natural Regeneration



Under natural conditions, the seed is disseminated by wind. The seeds adhere to the light pod valves after the pods dehisce and are often blown to a considerable distance from the trees. In alluvial tracts, dissemination of the seed is further effected by water. Though the seed itself is rather heavy, the pod with seeds get washed down and the seeds rubbed off among the sand and boulders of newly thrown up islands and banks.

Germination takes place in the beginning of the rainy season and the early development of the seedling is greatly favoured on loose soil free from weeds. Thus on alluvial sand or gravel, countless number of small seedlings may be found in the early part of the rainy season not only in the open but also under a comparatively dense cover. In the latter case they die rapidly owing mainly to shade and to damping off and by the end of the season, most of the seedlings disappear. In the open, a fair proportion survives provided the seedlings are protected from grazing.

The cattle are very fond of young shoots and closure of areas under regeneration has strikingly beneficial results. Frequently, there is a high mortality from drought, particularly if the soil is stiff or shallow and the roots have difficulty in penetrating it. The seed germinates readily with heavy rain and although germination takes place ordinarily at the commencement of the monsoon, it may begin earlier in the season in case of early heavy showers of rain; when this happens the seedlings generally die off or the germinating seed perishes in the ensuing spell of dry weather. Such mortality is particularly marked in the case of seeds germinating on the surface of the ground.

In wet and sodden grass, however, the seedlings damp off. Khair seed is very delicate and is at once killed by the slightest damage from fire. As the seed falls in January and February, that is to say, just before the fire season commences, fires must be rigidly kept out from the areas under natural regeneration. The slightest carelessness in this respect may jeopardise a whole year's natural regeneration.

The freedom with which natural reproduction of khair springs up in alluvial riverain tracts is remarkable. The chief factors favouring it in such localities are the new loose soil free from heavy weeds and the abundance of light while the soil moisture obtained by percolation no doubt also assists the development of the seedlings.

As the crops become older and elevated above the river bed through changes in the course of the river, the conditions for natural regeneration change. The ground becomes harder and a dense undergrowth of *Adhatoda vasica* or other plants frequently makes its appearance. Under such conditions, natural reproduction is no longer possible and although it continues to take place where new alluvium is thrown up, it ceases under the old crops.

### Nursery Practices

#### (a) Nursery Site

Nursery work presents little difficulty, provided the nursery site fulfills the basic conditions of complete overhead light, a sandy loam soil, adequate irrigation and drainage. Soil working may be required especially in the case of heavier soils of the nurseries.



**(b) Seed Collection and Storage**

As a rule the tree seeds well almost every year and produces abundant crop of pods. The seeds adhere to the light pod valves after the pods dehisce and are often blown to a considerable distance from the trees. Seed fall takes place in the month of January and February. Khair seed is very delicate and is at once killed by the slightest damage from fire.

The seeds can be collected by lopping small pod bearing branches in December or early January and spreading them in the sun for a few days. The pods are then heaped on a gunny bag and beaten with sticks. The pods are separated by shaking and winnowing in a flat basket.

**(c) Sowing**

It is advisable to sow the seeds in the year in which they are collected. Seeds are sown in the nursery in the month of April or May. Germination commences from about the 4th day after sowing and its completion may linger on upto 36 days. It is better to soak the seeds in cold water for 24 hours before sowing. In West Bengal, the pods are soaked in water for one or two days in May and then sown, there being no need to separate the seed.

**(d) Irrigation**

Irrigation is essential in the nursery till the out break of monsoon. The seedlings require daily irrigation with a precaution that the water does not accumulate at the roots of the plants.

**(d) Weeding**

One of the commonest form of mortality in the case of seedlings in a heavy growth of weeds is the damping off to which they are subject during the rains. For optimum growth, nursery should be kept free of weeds as these are liable to kill seedlings by suppression. It is therefore advisable to carryout regular weeding programmes especially in the rainy season.

### Planting Practices for the Species

**(a) Direct Sowings**

Direct sowing gives good results and is very easy. The methods of sowing vary under different conditions. In the grassy savannahs of Avadh, line sowings have proved successful in spite of a fairly tall growth of grass in the rains.

In areas flooded for long periods in the monsoon, Khair should be sown on mounds at least 61 to 76 cm in height so that the seedlings do not remain submerged in water for a long period; a few weeks' submersion is not fatal.

Broadcast sowing has also been frequently tried, often with success; where suppression from weeds is to be feared, however, it cannot be compared with line sowings. The method which has succeeded best and is also very cheap is that of line sowings with or without the raising of agricultural crops and is being adopted in several parts of India.

**(b) Taungya Technique**

In Uttar Pradesh, large areas of miscellaneous forests of little value have been converted into plantations of valuable species such as *Acacia catechu* by line sowings with rains, weeding and fencing.



The annual coupe is clearfelled, the timber and firewood extracted and the area divided up into plots varying size from 0.4 to 1.6 ha and distributed among the cultivators. The cultivators then prepare the land for sowing, by burning the slash, uprooting the stumps if necessary and working the soil by hoeing or ploughing.

In many places unrestricted cultivation with any field crop is allowed in the first season. In the second season, the ground is prepared for the sowing of the selected tree crop in lines which may be kept 4.6 to 7.6 meters apart and the sowing of this and the field crop is done at the appropriate time. Both the forest crop and the agricultural crop grow up simultaneously and the cultivators undertake to keep the seedlings well weeded and to prevent the field crop from shading and suppressing the seedlings.

Cultivators may continue to take out field crops and tend the seedlings along with them from 1 to 2 years after the introduction of the tree crop, depending upon the fertility of the soil and the rate of growth of the seedlings. In the meanwhile they also get each year freshly cleared areas for sustained working. When the seedlings render taking out of field crop from an area uneconomical, that area is no longer cultivated and left for normal protection by forest staff. This system of cultivation promotes vigorous growth, the thorough working of the soil and the weeding causing the roots to strike deep down from the commencement.

#### Mechanized plantations

In the mechanized plantations, the annual felling coupes are of several hundred hectares. The standing forest is marked for clear felling and sold by auction, with a stipulation that all the trees are felled by uprooting upto 60 cm depth and all the old stumps as well as the surface roots are dug out by the purchaser. This operation as well as the extraction and removal of all the produce and roots is under sale-deed to be completed in the winter season.

The area so cleared is given a hot burn and is first fully ploughed, then harrowed and finally ridged by tractors, the last operation consisting of laying out 45 cm high parallel ridges spaced 3-4 m apart centre to centre throughout the area. A system of roads and paths is then laid out, dividing the large coupe area into smaller plots of about 20-30 hectares. These plots are leased out for cultivation for 1-2 years, with the condition that the lessee will also look after, weed and tend the forest plants sown or planted along the ridges, together with his own crop.

Khair and other seeds are sown in the ridges in the 3<sup>rd</sup> week of June. The seed germinates with the out-break of monsoon and seedlings are weeded by the lessee. Three weedings have to be carried out by him in the first year, three in the second year and two in the third year. The area is already fenced in the summer of the first year and remains so till the plantation is about 6 years old.

On the termination of lease the fire protection work is carried out by the forest department by laying out a number of fire lines round the coupe and plots and keeping them clear by cutting and burning the grass in late winter or spring. Sometimes the tall grasses in the intermediate strips between the ridges are hoed down by tractors to reduce their inflammability. The pressed grass may, after the plantation has become high enough, with all precautions, be control-burnt in cold weather.

#### (c) Root and Shoot Cuttings (Stumps)



Under optimum conditions, Khair can also be propagated by stumps. The stumps should be made from seedlings about 15 months old raised in nurseries from seed sown in April of the previous year and irrigated till the break of monsoon. Cuttings should be made from well developed seedlings. The root and shoot should be 23 to 31 cm and 2.5 to 5.0 cm respectively.

The best size of stumps at the root collar is 10 to 15 mm in diameter. The seedlings under 10 mm in diameter at root collar do not make good cuttings, while seedlings thicker than 15 mm in diameter at root collar do not produce satisfactory shoots or fail to produce shoots. Planting of stumps should be done soon after the break of rains; delayed planting is not advisable. Under irrigated conditions stumps can be planted during March-April.

#### Entire planting

In recent years entire planting of container plants has been successfully tried, particularly in Gujarat and Rajasthan. Polythene bags of the size 30 x 10 cm are suitable as containers. In Indonesia bamboo tubes have been reported used as containers.

### Cultural Operations and Its Calendar

#### (a) Weeding

Repeated weedings are necessary in the first two or three years. Two good weedings are enough but sometimes a third is required in the first rains. One weeding may be necessary in the third year especially round the backward plants. The amount of weeding needed will depend on the site.

#### (b) Cleaning, Thinning, etc.

Khair seedlings usually come up in a congested crop. In the early cleanings, plants may be spaced about 80 to 120 cm apart. Early thinnings are very important for the proper development of the crop. All shade, even lateral, must be removed. Normally the first thinning should not be delayed beyond the 5<sup>th</sup> year. If grown pure, it requires repeated climber cuttings. In taungya plantations, like that of North Gonda, the first cleaning is done at the age of 3 years. Subsequently thinnings are done at the ages of 5, 10, 15, 20 and 25 years. The first three thinnings are mechanical, in which a spacement equal to half to average crop height is aimed at.

In coppice crops, it becomes necessary to reduce the number of the several coppice shoots sprouting from a single stump to one or two within 3-5 years.

### Pest, Diseases and Deficiencies

Khair seedlings are comparatively resistant to damping off disease in the nurseries, however, water logging may sometimes predispose the seedlings to damping off in the early stage of development.

#### (a) Root Rot

*Ganoderma lucidum* (Leyss.) Karst. Causes serious mortality due to root rot in reforested stands. Khair is susceptible to the attack of pathogen at all ages. The affected plants exhibit pale foliage followed by drying. Young plants are killed soon after infection while the mature trees die when most of the roots become affected.

The fungus produces thin white mycelial mat between the bark and wood and causes white spongy rot in the sapwood. Fruit bodies of the fungus develop at the base of affected trees which are stalked and corky. The stalk and upper surface are dark brown, and lightly zoned. Lower surface is white when fresh, turning light brown on drying and covered with minute circular pores. The spores are produced in abundance and are deposited on the adjoining weeds or grass as brown red powdery mass.

The disease can effectively be checked by extraction of old stumps and cleaning of debris from the site, digging of isolation trenches in young plantations, planting of resistant species like

*Bombax ceiba* and *Ailanthus excelsa* and mixed cropping (50:50) with resistant species.

#### (b) Heart Rot

*Fomes buxifus* Berk. Causes heart rot in Khair and is common in all Khair forests, both natural and planted. Sporophores develop on the branches and trunk and are the main source of identification of diseased trees. They are perennial, hoof-shaped, sessile, hard and woody. Upper surface is brown or black, cracking with age.

Lower surface is dull brown with numerous minute pores. The fungus causes decay in the heart wood only. Sapwood remains healthy and free from infection. Initially the heartwood changes to deep brown in colour, but later becomes yellow, spongy and mottled. The heart rot increased with age of tree and mature trees become unfit for extraction of catech and katha due to its complete disintegration.

The disease can be managed to some extent by avoiding injuries to the trees and by periodically removing the sporophores from the trees and burying them in the soil.

#### (c) Other Diseases

Apart from the above, minor diseases, infect the foliage of trees. *Erysiphe acaciae* causes powdery mildew and *Microstromata acaciae* produces snowy-white tufts on the lower surface of *Khair* leaves. Leaf rust by *Ravenella rondonii* is common in North India. Among phanerogamic parasites *Khair* is attacked by *Macrosolen cochinchinensis* and in H.P. by *Loranthus* sp.

#### (d) Pests

Beetles, larvae of borers, defoliators and sap suckers cause severe damage to the young living plants.

Deers, pigs, wild elephants, porcupines, rats and domestic animals also damage young plants.

### Growth Yield and Management of the Species



The following statement shows the average rate of growth based on the measurements of 14 sample plots of Saharanpur, Rohilkhand, Ramnagar, Lansdowne, Haldwani, Baharaich and Terai and Bhabar Forest Division of Uttar Pradesh.

Average rate of growth		
Age (in years)	Crop Height (in metre)	Crop Diameter (in cms)
10	11.27	12.2
20	18.15	18.8
30	18.59	22.4
40	19.81	25.4
50	20.73	27.7
60	21.34	29.7
70	21.64	31.2

The following table shows the total volume (Over Bark) and total volume (Under Bark) in cubic metres.

D.B.H. (in cms)	Volume (Over Bark) (in cubic metre)	Volume (Under Bark) (in cubic metre)
10	0.13151	0.10084
20	0.18502	0.14195
30	0.49215	0.39838
40	0.86718	0.70860
50	1.26877	1.04051

The following table gives the yield of Khair for good, moderate and poor site qualities. The table is based on the data of 10 sample plots distributed in Haldwani, Terai & Bhabar, Siwalik, Ramnagar, Lansdowne divisions and Silviculture Nursery at Clutterbuckganj (Barcilly).

Age	Dominant		Number of Trees/ha	Total Volume/ha (in cubic metre)
	Height (in m)	Diameter (in cms)		
Good Sites				
10	13.5	23.0	557	9.65
20	18.3	27.0	440	31.31
30	21.1	29.7	349	47.53
40	23.0	31.8	287	59.48
50	24.5	33.4	242	68.48
60	25.6	34.6	208	75.93
Moderate Sites				
10	10.6	21.1	557	5.21
20	15.3	25.4	460	18.00
30	18.1	28.3	376	31.44
40	20.1	30.5	312	45.67
50	21.6	32.2	264	55.32
60	22.8	33.5	227	62.97
Poor Sites				
10	8.0	18.8	557	0.57
20	12.5	23.5	460	8.22
30	15.1	26.5	366	19.89
40	17.1	28.8	316	31.50
50	18.7	30.7	288	40.96
60	19.9	32.2	250	49.25

### Market and Marketable Products, Used as Raw Material in Forest Based Industries

In India, State Forest departments are the major producers of Khair wood. The wood is generally disposed off by the respective State Forest Departments/Forest development corporations at their sale depots.

Wholesale markets are mostly located in towns. These are permanent in nature where transaction take place daily throughout the year. In these markets (Mandis) the wholesalers and commission agents play an important role in the sale of produce. During recent years, with the development roads, communication and transport, there has been a marked increase in the sales of Khair wood at these markets (mandis).

In M.P., marked Khair trees are cut in the coupe and if the trees are big then logged into pieces and numbered. Cut Khair wood is transported to depot where it is transferred to one of the following agencies.

- (i) Given to advance purchaser who has tendered the highest rate on log basis for a particular coupe.
- (ii) Given to cooperative societies or cottage industry for making Katha by country method.
- (iii) Supply of Khair wood to Katha factories under contractual obligation.
- (iv) In case of default by any of the above agencies Khair wood is auctioned from the depot.

#### (a) Khair Wood Used as Raw Material in Katha Industries

About 63,000 tonnes of khair wood (*Acacia catechu*) in India is annually consumed for manufacture of cutch & catechu. Chemically the products are catechin (Katha) and catechutannic acid (cutch). A third article of commerce is also obtained in the shape of a white powder, known as kheersal, which appears as a deposit in the wood. It is used for medicinal purposes specially for cough and sore throat.

#### (b) Yield of Katha (Cutch)

The yield of katha and cutch varies considerably with the season in which the trees are felled and their girth, age and condition. The maximum yield of katha is obtained from trees felled in autumn and winter. Trees that are gnarled and crissked are reported to give higher yields than straight one. Trees of higher girth having white lines on them are preferred. Freshly felled trees also give higher yields than dried ones. Dead trees are unsuitable for extraction. Following table depicts yield of katha & cutch from 100 kg. of khair heartwood in different parts of the country.

States	Factories		Small scale units	
	Katha	Cutch	Katha	Cutch
Andhra Pradesh	--	--	2	3
Mumbai (Inc.)	4.5	12	3-4	10



Maharashtra & Gujarat)				
Madhya Pradesh	1.5-1.7	10-12	3	--
Uttar Pradesh	4.5	10.5	--	--
West Bengal	--	10.5	6.3	--

Average katha yield per trees by the country method (Handi method) is estimated as under -

Tree size girth in cms	Average katha yield in kg
31-38	0.210
39-45	0.455
Over 45	0.900

#### (c) Marketing of Katha and Cutch

Katha is marketed in the form of irregular pieces and small square tablets or blocks of grayish brown colour, which when fairly pure, exhibit crystalline feature. No regular statistics are however, available for the widely scattered production of katha and cutch by the cottage scale manufacturers whose total production may safely be placed at least as equal to the factory production, if not more.

There are eight katha factories in U.P. located at Izzatnagar, Bareilly, Haldwari and Najibabad. It is in existence for past 50 years or so, while the other are of present origin. The factory at Izzatnagar processes about 10,000 tons of katha wood and produces about 500 tons of katha and 1,000 tons of cutch. The remaining factories utilize about 15,000 tons of heartwood and produce about 400 tons of katha and 1,000 tons of cutch. Their annual capacity varies from 1,000 to 3,000 tons of heartwood.

#### Markets and Depots

Following are some of the important Khair wood markets and depots in Northern India.

Haryana - Sonapat, Chachrauli, etc.

Punjab - Roopnagar, Hoshiarpur, Pathankot, Dausya, etc.

Uttar Pradesh - Kishanpur, Gorakhpur, Tulsipur, Najibabad, Gonda, Bareilly, Lakhimpur, Bahraich, Bijnore, etc.

Uttaranchal - Raiwala.

Maharashtra - Chanda, Minarul, Kasa, Thane, etc.

Gujarat - Waghai, Songadh, etc.

Bihar - Hazaribagh, Monghyr, etc.

Madhya Pradesh - Sidhi, Panna, Damoh, Sarguja, Sagar, Jabalpur, Sheopur, etc.

**Source Institutions for Detailed Information**

Detailed information can be obtained from Institutes listed below:

1. Forest Research Institute, Dehradun, Uttaranchal.
2. State Forest Departments and Forest Development Corporations of U.P., Bihar, Orissa, Punjab, Maharashtra, Gujarat, Uttaranchal.
3. Katha factories
4. Tropical Forest Research Institute, Jabalpur.

Source: Indian Council of Forestry Research and Education, Dehradun. *Khair (Acacia catechu)*, Dehradun, Forest Research Institute. 24p.



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Reference

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20 — *affiliated authors of this publication are also working on these related projects:*

Figure 1. Attenuation rate of *S. aureus* in milk.

<sup>a</sup> Data are means ± SD.



### Yield table of *Acacia catechu* for the Lateritic-Humid Tropics

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#### ABSTRACT

*Acacia catechu* is one of the important Non-Timber Forest Product resources of India which is used to extract katha and kutch from heartwood. Local yield table is very important for estimation of yield on site. Hence a study was conducted to develop a yield table for the heart wood weight for different diameter at breast height and height for the lateritic humid tropics. A total of 48 trees representing 16 dbh classes of 6 cm interval were felled and their roots were excavated to quantify the stem volume, stem heartwood volume and heart wood weight of stem and root. The polynomial regression model was used to develop the yield table for the prediction of heart wood weight by using the yield as the dependent variable and the dbh with height as the independent variables.

Keywords:

*Acacia catechu*,  
polynomial regression equation,  
yield table

#### INTRODUCTION

Khair (*Acacia catechu* Wight & Arn.) is a medium sized deciduous tree with a moderately straight and cylindrical stem. It is widely distributed in the Indian sub continent under varying climatic and edaphic conditions (Troup 1987). In Konkani, this species is scattered on agricultural plains as well on farm fields and private lands. The species is known for its valuable heart wood which is used in the manufacture of Katha and Kutch. The total area under khair is estimated to be about 5500 sq km in the country with the annual consumption of 63,000 tons of katha heart wood for above mentioned products. It has been estimated that about 3000 to 3500 tons of katha is produced annually by small scale and cottage industries in the country. However, the annual demand of this species is increasing exponentially as numerous small cottage industries are flourishing every year. The farmers of this region are dependent on the cut tree basis to the local market without the complete knowledge of its

yield and are usually under paid. This could be due to non-availability of local yield table for the region. Therefore, the development of yield table for the region is very essential and that will help in predicting yield of heartwood from the tree. Hence, an attempt was made to develop the yield table for the Konkani region of Maharashtra belonging to the humid tropical condition.

#### MATERIALS AND METHODS

Khair trees distributed in the Konkani region were selected for the estimation of heart wood yield. The sampling area was located in the Western Ghats at an elevation of 350 msl. The location receives an annual rainfall of 3500 mm and has a minimum temperature of 21 °C and maximum of 34 °C. The soil is Laterite type comprising of moist deciduous forest type. Forty eight healthy trees equally distributed in the various diameter classes were destructively sampled from established plantations located at Central Experimental Station, Wakavali of Dr. Balasaheb Sawant Konkan Krishi Vidyapeeth, Dapoli and



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random trees scattered in the campus. A total of five trees from each diameter classes (class interval: 5) were selected and their D.B.H. (diameter at breast height) was recorded. Selected trees were felled at 1.3 m height and their roots were excavated upto 100 cm. Coarse root (2 cm diameter) portion. Felled trees were cut into logs of 1 m length after measuring the total height. Then logs were weighed and diameter at base, middle and top of the log was recorded with the help of a Caliper. Bark and sapwood portion of the logs was scraped with the help of a hand saw and ball hook with utmost care so as to obtain the complete heartwood portion. The scraped logs containing only heartwood were measured and measured for their top, middle and base diameter. Similarly, the total root weight and heartwood was recorded for all the excavated roots of the trees. Total stem volume and stem heartwood volume of all trees belonged to different diameter classes was calculated by Samalian's formula as below:

$$\text{Volume } V = \frac{A_1 + A_2}{2} \times L$$

Where: V is the volume of the log in  $m^3$ ,  $A_1$  is the area of the small end of the log in  $m^2$ ,  $A_2$  is the area of the large end of the log in  $m^2$  and L is the length of the log in m.

All these parameters were analyzed to identify the variations between diameter classes using a MS DOS based MSTAT statistical software. A linear regression was developed between d.b.h. and heartwood yield (stem heartwood weight, root heartwood weight and total heartwood weight) using a MS DOS version 7.5 software. Lastly, the yield of *A. catechu* for predicting the heart wood yield at different height and diameters was developed from the regression equation.

## RESULTS AND DISCUSSION

All the trees sampled in the experiment (log 1 from 4.33 to 26.6 cm D.B.H. (diameter at breast height) and were grouped into VI diameter classes of 0.5 cm interval each. Similarly, the tree height ranged from 5.34 to 6 cm class. It was observed that stem volume and heartwood volume increased with the diameter classes and varied significantly (Table 1). Furthermore, stem heart wood weight, root heartwood weight, total heartwood weight and

total tree weight varied significantly among the various diameter classes (Table 1). This variation among the diameter classes may be due to different age factor. Similar observations were also reported by Mishra and Singh (1985) and Kumar (1998) in *A. catechu*. Interestingly, it was observed that the heartwood formation of *A. catechu* occurred only after the attainment of 5 cm D.B.H. Hence, trees with less than 5 cm D.B.H. cannot be recommended for Katha extraction. It was recorded that Katha trees contained considerable amount of heartwood of nearly 40-50 percent after attainment 15 cm D.B.H. Hence, as the heartwood content of the trees increased proportionately to that of the stem weight, commercial harvesting can be initiated when tree attain a diameter of 15 cm and onwards. The root contributed considerable amount of heartwood weight and in almost all the diameter classes 24 percent of the total heartwood weight was represented by root heart wood. Hence, it is mandatory that root portion of the tree is to be excavated for economical harvest of this species resulting in 24 percent more income to the farmer. Overall it may be concluded that highest heartwood biomass can be obtained with increase in diameter of stem and tree height. This result is also in conformity with the findings made by Singh and Jain (1987), Kumar (1998) and Thakur et al. (2008) in *A. catechu*.

Various models were considered for the development of regression equation to predict the heart wood yield of *A. catechu*. Among them, the equation developed using a polynomial (3rd) and better fit and  $R^2$  values (0.95) viz.  $y = ax^3 + bx^2 + cx + d$ ,  $y = a \ln(x) + b$ ,  $y = a e^{bx}$ ,  $y = aX^b + bX + c$ . Singh and Jain (1987) have strongly recommended polynomial regression model to determine the yield of heartwood in *Acacia catechu* from North India. Furthermore, the independent variables used in the form of D.H. (D= DBH and H= Tree Height), for the development of equation contributed positively towards yield prediction of this species. This was in line with the recommendations made by the Forest Survey of India (1996) for the preparation of volume tables for various species including *A. catechu*. The regression equation developed to predict the total heart wood (stem + root) yield of *A. catechu* is:

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Table 1. Volumes and Weight of heartwood and sapwood for different diameter classes

Diameter classes (cm)	Total stem volume (m <sup>3</sup> )	Heartwood volume (m <sup>3</sup> )	Sapwood volume (m <sup>3</sup> )	Heartwood weight (kg tree <sup>-1</sup> )	Sapwood weight (kg tree <sup>-1</sup> )	Total stem weight (kg tree <sup>-1</sup> )	Percent heartwood weight of the total tree weight
I 0-5	0.0070	0.0003	0.00	0.07	0.07	0.07	1.67
II 5-10	0.0157	0.0073	0.38	3.17	12.14	15.31	20.74
III 10-15	0.0410	0.0278	28.33	11.42	49.25	60.67	18.18
IV 15-20	0.1098	0.0566	71.33	21.92	93.25	115.17	19.66
V 20-25	0.1830	0.1103	125.23	30.17	153.40	183.57	16.44
VI 25-30	0.3802	0.2250	204.45	71.67	276.12	347.79	20.61
S.E.(m)	0.02	0.01	9.25	9.49	11.23	11.23	11.23
C.D.(5%)	0.05	0.08	24.94	7.04	32.80	32.80	32.8



Table 2: Mean values for "Physiological" factors and for different

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Age in	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1															
2															
3		1.357													
4		1.755	2.160	2.364	3.008	2.973	3.277								
5			2.744	3.220	3.596	4.172	4.649								
6				1.268	4.354	4.541	6.329	7.038							
7					6.441	7.382	8.330	9.280	10.392						
8					6.167	8.095	10.025	11.856	13.690	14.378	14.325	10.526			
9					10.128	11.863	13.245	14.810	16.375	17.950	17.550	16.021	10.526		
10						14.240	16.188	18.125	20.050	21.975	23.900	25.825	27.750	29.675	
11							19.447	21.506	23.565	25.624	27.683	29.742	31.801	33.860	
12								23.057	25.858	28.659	31.460	34.261	37.062	39.863	
13									28.258	30.959	33.660	36.361	39.062	41.763	
14										33.218	35.919	38.620	41.321	44.022	
15											40.400	43.101	45.802	48.503	
16												51.361	54.062	56.763	
17													61.321	64.022	
18														71.281	
19															81.241
20															91.201
21															101.161
22															111.121
23															121.081
24															131.041
25															141.001
26															150.961
27															160.921
28															170.881
29															180.841
30															190.801

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Table 3: Yield parameters of *Acacia catechu* in different diameter classes

Diameter class (cm)	Stem Volume (m <sup>3</sup> )	Height (m)	Stem Heartwood volume (m <sup>3</sup> )	Stem Weight (kg)	Stem Heartwood weight (kg)	Root weight (kg)	Root heartwood weight (kg)	Total (Stem + Root) weight (kg)	Total (Stem + Root) heartwood weight (kg)
0-5	0.003	5.87	0.001	5.33	0.00	1.17	0.00	6.50	0.00
5-10	0.012	7.33	0.002	23.71	5.81	5.70	2.20	29.41	8.01
10-15	0.041	10.65	0.008	60.20	23.30	17.10	8.90	77.30	31.20
15-20	0.101	13.34	0.019	141.90	55.93	35.50	19.90	177.40	75.83
20-25	0.135	13.55	0.031	233.30	105.70	54.00	29.00	287.30	134.70
25-30	0.240	15.14	0.055	369.17	183.00	122.00	68.00	491.17	251.00
SE. (m)	0.01	0.28	0.00	14.85	11.07	3.46	2.16	16.27	12.37
C.D.	0.04	0.83	0.00	43.81	32.65	10.21	6.38	47.99	26.49



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$$Y = 25.48(D'H)^2 + 189.7(D'H) - 0.8446$$

Where, Y = total heart wood yield of Khair, D = diameter at breast height and H = height of the tree.

In the yield table, the heart formation is observed in a tree that attained a height of 3 m with diameter of 8 cm. The economic yield starts from diameter at breast D D H of 15 cm and height 9 m and above, as per the table it yields 49.30 kg total heart wood per tree. Similarly, tree with 30 cm D B H and 15 m height may produce 303.4 kg total heart wood per tree. The yield table developed can be used to estimate the heart wood yield of *Acacia catechu* in the Bunkar region of Maharashtra.

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Government of Punjab  
Department of Forests and Wildlife Preservation  
(Forest Branch)

Notification

No. Forest-46/8/2021-Ft-3/ 6887 Chandigarh, Dated the 06/12/2021

Subject: COMPREHENSIVE FELLING POLICY AND PROCEDURE FOR ISSUE OF PERMITS  
IN RESPECT OF AREAS NOTIFIED UNDER THE PUNJAB LAND PRESERVATION  
ACT (PLPA), 1900.

1. Whereas, this felling policy is in consonance with the National Forest Policy, 1988 of Government of India wherein the main objective is to ensure environmental stability and maintenance of ecological balance including atmospheric equilibrium which are vital for sustenance of all life forms, human, animal and plant and the derivation of direct economic benefit must be subordinated to this principal aim.

And whereas, the land notified under Punjab Land Preservation Act, 1900 are managed by Forest Department as per the provisions of the said Act. The ownership of these lands is Private, Common or Panchayat, or Mushtarkan Maikan.

And whereas, the felling policy for marking/harvesting of trees in areas notified under Section 4 & 5 of PLPA, Punjab Government was issued, vide its Memo no. 38 (3) FT-3-87/266 Dt. 22.3.1993. Thereafter it was amended vide Punjab Govt. memo no. 38/2/2000 forest 3/4623 dated 19.04.2000, memo no. 38/2/200-f-3-spl dated 25.09.2007, memo no. 38/2/200-f-3-spl dated 20.10.2011 and memo no. 38/2/200-f-3/400831/1 dated 27.01.2015. ✓

And whereas, a strong need is felt to examine and review the existing provisions and regulations on tree felling from these private forest areas including the felling policy, procedure for issue of permits so as to attain a balance between the emerging needs of local communities, long term ecological security of the State and also biodiversity conservation to ensure intergenerational equity.

And whereas, it is a mandatory duty of the State to protect the interest of the landowners and local communities and also to conserve the forest resources and ecosystem of Shiwalik hills in a sustainable way. The land owners/Panchayats/Societies etc. will be the rightful owners of the sale proceed of the trees felled under the policy.

Now, therefore, the felling policy and procedure in respect of areas notified under the Punjab Land Preservation Act, 1900 is revised as follows.



The revised provisions shall be incorporated in the Management Plans of Forests.

## 2 Tree Felling Policy for Lands notified under PLPA, 1900.

This policy is in supersession to all the earlier policies issued in this regard so far. The provisions of the policy are as follows:

- a) The felling programme will be based on 5 year felling cycle for the private owners and Mushtarkan Malkan areas and for Panchayat areas the felling cycle will be 10 years keeping in view the common good involved and ecological services to be derived from these areas and will be termed as main felling programme. This felling program will be the part of the approved management plan of the concerned division. The approved main felling programme will be given wide publicity and Gram Panchayats/Joint Forest Management Committees/FPCs will be made aware about the felling program.
- b) The marking/felling year for a particular village will be as per the approved management plan of the concerned division and regular permits will be issued by the DFO in prescribed year. In case the owner of the land could not avail permit or could not fell the trees in the prescribed year, the concerned DFO will be competent to grant deviation next year. Under extra ordinary conditions, (the reasons of which are to be duly recorded by the CF), the concerned Conservator of Forests shall be competent to grant deviation for the second year and any further deviation will be the competency of the State Government. In each case, the competent authority will record the reasons for granting such deviation after satisfying itself regarding about the reasons for such deviations and shall also ensure that the deviation period is not being sought to be extend unduly. Any such change or deviation, however will not disturb the next stipulated felling programme of the village. Cases involving felling of trees from private forests on account of diversion of forest land for non-forestry purposes under the Forest Conservation Act (FCA), 1980 by MoEF or where orders of court of law for ordering felling of trees have attained finality will not require further permission for deviation /
- c) For the following types of felling, termed as annual or subsidiary felling, the marking will be done and permit will be issued by the concerned DFO without consideration of the felling cycle of the main felling programme:-
  - i. Dead, dry, dying (trees with more than 2/3rd crown area dried/died back) and fallen trees. Such trees will be removed from the forest before the onset of fire season i.e. 15th of April.
  - ii. Felling of trees in cultivated lands (except species such as Eucalyptus, Poplar, Drek, Bamboo culms, Subabul, Mulberry, Chandan or any other species notified by PCCF (HoFF) in this regard from time to time)



- Tree species such as Eucalyptus, Poplar, Drek, Bamboo culms, Subabul, Mulberry, Chandan or any other species notified by PCCF (HoFF) in this regard from time to time in the cultivated area, permits/prior permission will not be required. However, the land owner shall inform DFO at least 15 days prior to the felling and obtain receipt of this communication from the concerned Range/Divisional office

- iii. Tree species like Eucalyptus, Poplar, Drek, Bamboo culms, Subabul, Mulberry, Chandan or any other fast-growing species notified by PCCF from time to time in non-cultivated area -

In all the above cases, applications for issue of permits can be given throughout the year and permission shall be granted by DFO within 45 days of receipt of complete application. Any delay beyond 45 days has to be explained by the concerned DFO to CF and owner has to be informed with reasons thereof.

However, no felling will be permitted during the fire season i.e. 15th April to 30th June.

- d) After fulfilling the requirements of felling policy and procedure for issuing the permits and marking rules etc., the felling permits shall be issued by the concerned DFO in the name of land Owner/Panchayat/Registered Society of Shareholders of Mustarkan Malkan land (Here in after referred as Society). No permit will be given for main felling during the fire and plantation season i.e. from 15th April to 31st August and for subsidiary felling between fire season i.e. 15th April to 30th June. Actual felling of trees may be undertaken by the land owner/Panchayat/Registered Society themselves or their authorized contractor. Such authorization shall be in the form of an affidavit given by the owner/Panchayat/Registered Society in the name of the concerned contractor and a copy of which shall be provided to the concerned Range Office.

- i. In case of any offence in contravention to the conditions of felling permit/ Forest laws is committed, the concerned permit holder will be liable to face penal action as the case may be.
- ii. Felling of trees can also be undertaken by the Punjab State Forest Development Corporation (PSFDC) on behalf of the private owners, Panchayats or Mushtarkan Malkan areas on their request.

Provided the permit for the land belongs to Mustarkan Malkan shall be issued to the Society, formed with all the shareholders as members and registered under The Indian Societies Registration Act.



3. This issue with approval of Hon'ble Forest and Wildlife Preservation Minister, Punjab.
4. This shall be implemented with immediate effect.

Chandigarh, dated the

06-12-2021

*Seema Jain*  
Seema Jain, IAS

Additional Chief Secretary, Govt. of Punjab,  
Forests and Wildlife Preservation Department

Endst. No. Forest- 46/8/2021-Fr-3/6888 /

Chandigarh, dated the 06/12/2021

A copy of the above is forwarded to the following for information and necessary action:-

1. PS/Forest and Wildlife Preservation Minister, Punjab.
2. Additional Chief Secretary, Rural Department and Panchayat Department/Revenue, Rehabilitation and Disaster Management Department, Punjab.
3. PS/Additional Chief Secretary, Forests and Wildlife Preservation Department.
4. Principal Chief Conservator of Forests (HoFF), Forest Complex, Sector-68, Mohali.
5. Managing Director, Punjab State Forest Development Corporation Ltd., Forest Complex, Sector-68 Mohali.

*Jaswant Singh*  
Jaswant Singh  
Superintendent, Grade-I

6/12/2021

6/12/2021



# The Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976

Act 45 of 1976

## Keyword(s):

Blank Area, Bloomi Sanrakshan Adhikari, Divisional Forest Officer, Fell a Tree, Government Garden, Hill Area, Holding and Tenure Holder, Public Premises, Tree, Urban Area

Amendments appended: 28 of 1998, 12 of 2001, 20 of 2011

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**THE UTTAR PRADESH PROTECTION OF TREES IN RURAL  
AND HILL AREAS ACT, 1976**

(U. P. Act No. 45 of 1976)

[Authoritative English Text of the Uttar Pradesh Gramin Aur Parwatija  
Kshettra Men Priksa Sanrakshan Adhiniyam, 1967]

AN  
ACT

to provide for regulation of felling of trees and replanting of trees in  
rural and hill areas of Uttar Pradesh

It is HEREBY enacted in the Twenty-seventh Year of the Republic of India  
as follows :—

1. (1) This Act may be called the Uttar Pradesh Protection of Trees  
in Rural and Hill Areas Act, 1976.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall come into force at once.

2. This Act shall not apply to—

(a) trees situate in reserved and protected forests ;

(b) trees situate in a forest or forest land in respect of which any noti-  
fication under the Indian Forest Act, 1927 as amended in its application  
to Uttar Pradesh is in force ;

(c) trees situate in urban areas ;

(d) trees situate in a Government garden or on land held by the  
Government.

3. In this Act, unless there is anything repugnant in the context :—

(i) "blank area" means any piece of land (not being under culti-  
vation) measuring one-half of a hectare or more, which has five or less  
trees growing on it ;

(ii) "Bhoomi Sanrakshan Adhikari" shall have the meaning assigned  
to it under the Uttar Pradesh Bhoomi, Evam Jal Sanrakshan Adhiniyam,  
1963 ;

(iii) "competent authority" means an authority appointed by the  
State Government by notification to perform the duties and exercise the  
powers imposed or conferred upon a competent authority by this Act ;  
and different competent authorities may be appointed in respect  
of different classes of timber, fruit and other trees, and for different  
purposes ;

(iv) "Divisional Forest Officer" means an officer incharge of a forest  
division and exercising jurisdiction over the area ;

(v) "fell a tree", with its cognate expressions, means cutting, girth-  
ing, lopping, pollarding or damaging a tree in any other manner ;

(vi) "Government garden" means a piece of land belonging to the  
Central or State Government used for growing flowers, fruit or vega-  
tables or for planting or raising trees, and includes a grove land belong-  
ing to the Central or State Government ;

(vii) "hill area" means the districts of Almora, Pithoragarh, Garhwal,  
Chamoli, Tehri-Garhwal and Uttarkashi and the hill parts of district  
Naini Tal and areas of Chakrata Tahsil and Mussoorie Municipal  
Board of Dehra Dun district but does not include any Cantonment area.

[For Statement of Objects and Reasons, please see Uttar Pradesh Gazette (Extraordinary),  
dated March 31, 1976.]

[Passed in Hind by the Uttar Pradesh Legislative Assembly on November 6, 1976 and  
by the Uttar Pradesh Legislative Council on November 19, 1976.]

[Received the Assent of the Governor on November 19, 1976 under article 200, of the  
Constitution of India and was published in Part I (a) of the Legislative Supplement of the  
Uttar Pradesh Gazette (Extraordinary), dated November 22, 1976.]

Short title,  
extent and com-  
mencement.

Act not to apply  
to certain Areas.

विधान  
(राजकी)

Price 40 Paise



(viii) "holding" and "tenure holder" shall have the meaning assigned to them in the Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950 ;

(ix) "public premises" shall have the meaning assigned to it in the Uttar Pradesh Public Premises (Eviction of Unauthorised Occupants) Act, 1972 ;

(x) "revising authority" means an authority appointed by the State Government as revising authority under this Act ;

(xi) "tree" means any woody plant whose branches spring from and are supported upon a trunk or body and whose trunk or body is not less than five centimetre in diameter at a height of thirty centimetres from the ground level and is not less than one metre in height from the ground level, and the expressions "timber trees" and "fruit trees" means respectively the trees of the species specified in Schedule I and Schedule II respectively ;

Provided that the State Government may by notification add to or modify the Schedules ;

(xii) "urban area" means an area (not being a hill area), which is included within the limits of a Nagar Mahapalika, Municipal Board, Notified Area Committee, Town Area Committee, Cantonment Board or of a Development Authority ;

(xiii) "words and expressions" used in this Act and defined in the Indian Forest Act, 1927, as amended in its application to Uttar Pradesh, but not defined in this Act shall have the meaning respectively assigned to them in that Act.

Restriction on felling and removal of trees.

4. Except as provided in this Act or the rules made thereunder, no person shall—

(a) fell any tree standing on any land, whether included in a holding or not ;

(b) cut, remove or otherwise dispose of any tree other than a tree which is completely dead and has fallen without the aid of human agency on any such land.

Permission to fell or remove trees.

5. The competent authority may, on the application of any person entitled to fell a standing tree or to cut, remove or otherwise dispose of a fallen tree after making such inquiry, as it thinks fit, grant permission, to him to do so.

Provided that such permission shall not be refused if the tree constitutes danger to person or property :

Provided further that except in such area as may be notified by the State Government in this behalf such permission shall not be required for the felling of any tree with a view to appropriating the wood or leaves thereof for bona fide use for purposes of fuel, fodder, agricultural implements or other domestic use ;

Provided also that such immediate steps as are necessary to remove any obstruction or nuisance or to prevent any danger may be taken without such permission.

Procedure for obtaining permission to fell or remove trees.

6. (1) Every application under section 5 shall be in writing and shall be made in such manner and contain such particulars as may be prescribed.

(2) The competent authority shall give his decision in the case of an application in respect of any tree other than a tree growing in forest, grove, or public premises, within ninety days from the date of receipt of such application, and in the case of an application in respect of a fallen tree within seven days from the date of receipt of such application.

(3) If the competent authority fails to give his decision within the time allowed by sub-section (2), the permission referred to in section 5 shall be deemed to have been granted.

(4) Any person aggrieved from the decision of the competent authority under sub-section (2) may make a representation within thirty days from the date of such decision, to the Revising Authority and his decision on such representation shall be final.

20.1.01.2014



led ms	(5) Every permission granted under this Act shall be in such form and subject to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be prescribed.	
the the)	7. Every person, to whom permission has been granted under this Act to fell, cut, remove or dispute of any tree, shall be bound to plant and tend two trees in place of every tree in the area, from where such tree has been felled, cut, removed or disposed of by him under such permission :	Obligation to plant trees.
tate	Provided that the competent authority may for reason to be recorded in writing, permit lesser number of trees to be planted, or trees to be planted in any different area, or exempt any person from the obligation to plant or tend any tree.	
and less from the ears date	8. (1) Where the Divisional Forest Officer is of opinion, on the basis of the report of a revenue officer, not below the rank of a Sub-Divisional Officer, or a Horticulture Officer, not below the rank of a District Horticulture Officer, or a Soil Conservation Officer not below the rank of Bhoomi Sanrakshan Adhikari or any forest officer not below the rank of Assistant Conservator of Forest, or otherwise that trees should be planted in a blank area, he may issue a notice to the owner, occupier or tenure-holder (hereinafter referred to as claimant) of such area to show cause why trees should not be planted in such area as may be specified in such notice.	Plantation of trees in blank area.
o or ch board board	(2) The notice referred to in sub-section (1) shall be given in such form and shall contain such particulars and shall be served in such manner as may be prescribed.	
d in utter spec	(3) The Divisional Forest Officer may, after considering the cause, if any, shown by the claimant, direct him to plant such number and class of trees as may be specified in the direction.	
hold and human	(4) Any person aggrieved from any direction given under sub-section (3) may within 30 days from the date of such direction, prefer an appeal to the Conservator of Forests concerned, whose decision shall be final.	
mult i tree so activities	9. (1) Every person who is under an obligation to plant trees under section 7 or to whom any direction has been given under section 8 shall start preparatory work within ninety days from the date of the permission or the date of receipt of direction, as the case may be, and shall plant the trees in accordance with such direction in the next following rainy season or within such extended time as the Divisional Forest Officer concerned may allow.	Implementation of directions given under sections 7 and 8.
be State e felling one side domestic	(2) In case of default by such person the Divisional Forest Officer may cause trees to be planted and may recover the cost of plantation from such person in the prescribed manner.	
ive can out full	10. Whoever fells or causes to be felled any standing tree, or cuts, removes or otherwise disposes of any fallen tree, in contravention of the provisions of section 4, or contravenes any condition of any permission granted under this Act, shall be punished with imprisonment which may extend to six months or with fine which may extend to one thousand rupees or with both.	Penalty for felling, or removal of trees in contravention of section 4.
shall be ibed.	11. (1) If the person committing an offence under this Act is a company, the company as well as every person in charge of and responsible to the Company for the conduct of its business at the time of the commission of the offence shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :	Offences by companies.
c of an st. grove applic bin seven	Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.	
the this shall be	(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company and it is proved that the offence was committed with the consent or connivance of, or is attributable to any neglect on the part of any managing agent, Secretary, treasurer, director, manager or other officer of the Company shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.	
authority from the on such		



Explanation—For the purposes of this section—

- (a) "company" means any body corporate and includes a firm or other association of individuals; and  
(b) "director" in relation to a firm means a partner in the firm.

Forfeiture of timber.

12. (1) Where any person is convicted of an offence under this Act any timber or the tree in respect of which an offence is committed and the implements used for felling such trees may be ordered by the court to be forfeited to Government.

(2) Any timber forfeited under this section shall be disposed of by the competent authority in such manner as may be prescribed.

Power to arrest without warrant.

13. (1) Any forest officer not below the rank of a Forest Ranger or police officer, not below the rank of a Sub-Inspector, may without a warrant, arrest any person against whom there is reason to believe that he has been concerned in any offence under this Act:

Provided that in relation to the hill area the reference to Sub-Inspector in this sub-section shall be construed as a reference to Naib Tehsildar.

(2) Every officer making an arrest under this section shall, without unnecessary delay and subject to the provisions of this Act as to release on bond, take or send the person arrested before the Magistrate having jurisdiction in the case, or to the officer-in-charge of the nearest police station.

(3) Any person arrested under this section shall be released on his executing a bond to appear, if and when so required, before the Magistrate having jurisdiction in the case.

Power to seize.

14. (1) When there is reason to believe that any tree has been felled or cut or removed in contravention of the provisions of this Act, the wood of such tree, together with boat, vehicle, carrier or cattle, if any, used in such contravention may be seized by any Forest Officer not below the rank of a Forest Ranger or any police officer not below the rank of a Sub-Inspector or any other person empowered in this behalf by the State Government.

(2) Every seizure under this section shall be reported to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made, and such timber, boat, vehicle, carrier or cattle shall, subject to the order of such Magistrate, be disposed of in the prescribed manner.

(3) Any forest officer or police officer who vexatiously and unnecessarily arrests or seizes any property on pretence of such property being liable to forfeiture under this Act shall be punishable with imprisonment for a term which may extend to six months or with fine which may extend to five hundred rupees or with both.

Power to compound offences.

15. (1) The State Government may by notification authorise any officers to accept from any person against whom there is reason to believe that he has committed offence under this Act in respect of any tree other than a tree situated in a forest, grove or public premises, such sum of money not exceeding Rs.5,000 by way of composition for the offence which such person is suspected to have committed.

(2) On the payment of such sum of money to any such officer, the suspected person if in custody, shall be released and no further proceedings under this Act shall be taken against such person and notwithstanding anything contained in section 14, such officer may on payment of such amount, not exceeding five thousand rupees as he may in the circumstances of the case think fit, release the property seized under this Act.

Contravention of Act to be reported by certain officers.

16. It shall be the duty of every Forest Officer, Lekhpal, Panchayat Secretary, Police Constable, Assistant Horticulture Inspector or Assistant Soil Conservation Inspector or any officer superior to them—

(a) to give immediate information coming to his knowledge, of any contravention of section 4 and of preparation to commit such contravention to the competent authority; and

(b) to take all reasonable measures in his power to prevent such contravention which he may know or have reason to believe that it is about or likely to be committed.



	17. The award of penalty or confiscation of any property under this Act shall not prevent the inflicting of any punishment to which the person affected thereby is liable under any other law.	Award of penalty or confiscation not to interfere with other punishment.																																				
Act and to	18. The officers exercising powers or discharging any duties or functions under this Act shall be deemed to be public servants within the meaning of section 21 of the Indian Penal Code.	Officers to be public servants.																																				
the	19. Any sum, including any amount for composition of an offence, the payment of which has been directed to be made by any person under this Act shall, without prejudice to any other mode of recovery under any law for the time being in force, be recoverable from him as an amount of land revenue.	Exemption of order for payment of fines.																																				
office arrest tried or in	20. No suit or proceedings shall lie against the State Government or against any person empowered to exercise power or to perform duties or discharge functions under this Act, for anything in good faith done or purporting to be done under this Act.	Bar of Proceedings.																																				
it is on risk	21. Subject to such conditions, if any, as may be imposed, the State Government may, if it is considered necessary, so to do in the public interest by notification in the Official Gazette, exempt any area or any species of trees from all or any of the provisions of this Act.	Exemption.																																				
secularising	22. The provisions of the Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force prohibiting or regulating the felling of trees.	Provision of this Act to be in addition to any other law for the time being in force.																																				
led or wood	23. (1) The State Government may in the interest of general public, declare by notification that any class of trees shall not be felled for such period as is specified in that notification.	Power of the State Government for preservation of trees.																																				
such Forest or any	(2) The management of such trees shall be regulated in the prescribed manner.																																					
patrols been	24. The State Government may by notification make rules to carry out the purposes of this Act.	Power to make rules.																																				
Ord. No. 25 of 1976	25. (1) The Uttar Pradesh Protection of Trees in Rural Areas Ordinance, 1976 is hereby repealed.	Repeal and savings.																																				
it for and to	(2) Notwithstanding such repeal any thing done or any action taken under the aforesaid Ordinance shall be deemed to have been done or taken under this Act as if this Act were in force at all material times.																																					
officer he has than a except is sub	<p style="text-align: center;"><b>SCHEDULE I (TIMBER TREES)</b> [See section 3 (vi)]</p> <table><tr><th>Sl. no.</th><th>Common Name</th><th>Botanical Name</th></tr><tr><td>1</td><td>Akhrot</td><td>Juglans regia</td></tr><tr><td>2</td><td>Arjun</td><td>Terminalia arjuna</td></tr><tr><td>3</td><td>Am</td><td>Mangifera indica</td></tr><tr><td>4</td><td>Imli</td><td>Tamarindus indica</td></tr><tr><td>5</td><td>Kardhai</td><td>Anogeissus pendula</td></tr><tr><td>6</td><td>Kanju</td><td>Holoptelea integriloba</td></tr><tr><td>7</td><td>Kusum</td><td>Schleichera Trijuga</td></tr><tr><td>8</td><td>Kail</td><td>Pinus excelsa</td></tr><tr><td>9</td><td>Kharshu</td><td>Quercus Semecarpitoba</td></tr><tr><td>10</td><td>Khair</td><td>Vachla catarina</td></tr><tr><td>11</td><td>Gutal</td><td>Trewia nudiflora</td></tr></table>		Sl. no.	Common Name	Botanical Name	1	Akhrot	Juglans regia	2	Arjun	Terminalia arjuna	3	Am	Mangifera indica	4	Imli	Tamarindus indica	5	Kardhai	Anogeissus pendula	6	Kanju	Holoptelea integriloba	7	Kusum	Schleichera Trijuga	8	Kail	Pinus excelsa	9	Kharshu	Quercus Semecarpitoba	10	Khair	Vachla catarina	11	Gutal	Trewia nudiflora
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Sl. no.	Common Name	Botanical Name
12	Dharu/Bakli	Anogeissus latifolia
13	Cleudan	Samalium album
14	Chamkharik	Carpinus viminea
15	Chironji	Buchanania latifolia
16	Chil	Pinus roxburghii
17	Jamun	Syzygium cumini
18	Dhak-Palas	Butea Monosperma*
* (For Mirzapur, Varanasi, Banda and Jhansi districts only)		
19	Tuna	Cedrella serrata
20	Ten	Cedrella toona
21	Tendu	Diospyros tomentosa
22	Deodar	Cedrus Deodara
23	Nemu	Azadirachta indica
24	Papri/Sansadu/Chikri	Buxus Sempervirens
25	Phaliyant	Quercus glauca
26	Bakain	Melia azadirachta
27	Bahera	Terminalia bellerica
28	Banj	Quercus incana
29	Mahua	Terminalia bellerica
30	Morinda	Abies pindrow
31	Moru	Quercus dilatata
32	Rai	Picea morinda
33	Rianj	Quercus Lanuginosa
34	Shisham	Dalbergia sissoo
35	Salai	Diospyros serrata
36	Sagaon	Tactena grandis
37	Sal	Saorea robusta
38	Siris	Albizia species
39	Sain/Asua	Terminalia tomentosa
40	Semal	Salmalia melaharica
41	Harr	Terminalia chebula
42	Haldu	Adina cordifolia

#### SCHEDULE II (FRUIT TREES)

[See section 3 (xi)]

Sl. no.	Common Name	Botanical Name
1	Anar	Punica Granatum
2	Amerod	Psidium Guyava
3	Arco	Prunus perrico
4	Alcobukhara	Prunus communis
5	Am	Mangifera indica
6	Aoniz	Emblica officinale
7	Kathal	Artocarpus integrifolia
8	Khubani	Prunus armeniaca
9	Naspati	Pyrus coramunis

PSUP-A, P 464 Sa (Vidhyak)-31-1-77-41-9-1977-1832 (N)



No. 1425 (2)/XVII-V-1-1 (KA)-21-1998

Dated Lucknow, July 29, 1998

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Gramin aur Pargatya Kshetra Men Vriksha Rakshakhan (Samsadhan) Adhiniyam, 1998 (Uttar Pradesh Adhiniyam Sakhiya 28 of 1998) as passed by the Uttar Pradesh Legislature and assented to by the Governor on July 28 1998.

THE UTTAR PRADESH PROTECTION OF TREES IN RURAL AND  
HILL AREAS (AMENDMENT) ACT, 1998

[U.P. Act No. 28 of 1998]

(As passed by the Uttar Pradesh Legislature)

AN

ACT

to amend the Uttar Pradesh Protection of Trees in Rural and Hill Areas  
Act, 1976.

It is HEREBY enacted in the Forty-ninth Year of the Republic of  
India as follows :—

Short title and  
commencement

1. (1) This Act may be called the Uttar Pradesh Protection of Trees  
in Rural and Hill Areas (Amendment) Act, 1998.

(2) It shall come into force on such date, as the State Government  
may, by notification, appoint in this behalf.

उत्तर प्रदेश कृषिधारायक अधिनियम, 1998

2. In the long title of the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976, hereinafter referred to as the principal Act, the words "rural and hill areas of" shall be omitted.	Amendment of long title of U. P. Act no. 43 of 1976
3. In section 1 of the principal Act, for sub-section (1) the following sub-section shall be substituted, namely :— "(1) This Act may be called the Uttar Pradesh Protection of Trees Act, 1976."	Amendment of section 1
4. In section 2 of the principal Act, for clauses (c) and (d) the following clause shall be substituted, namely :— "(c) trees situate in cantonment area."	Amendment of section 2
5. After section 24 of the principal Act, the following section shall be inserted, namely :— "24-A. On and from the commencement of the Uttar Pradesh Protection of Trees in Rural and Hill Areas (Amendment) Act, 1998, any reference to the Uttar Pradesh Protection of Trees in Rural and Hill Areas Act, 1976 in any law or statutory instrument shall be construed as a reference to the Uttar Pradesh Protection of Trees Act, 1976."	Substitution of new section 24-A

By order,  
Y. R. TRIPATHI,  
Pramukh Sevak.

सं० एल० ए० पी०-ए० पी० ४४ भा० वि०-१०५३-१९५३-३५३ (वे०) ।



No. 993(2)/XVII-V.1—1 (KA)/5/2001

Dated Lucknow, April 30, 2001

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Vriksh Sanrakshan (Sanskodhan) Adhiniyam, 2001, (Uttar Pradesh Adhiniyam Sankhya 12 of 2001) as passed by the Uttar Pradesh Legislature and assented to by the Governor on April 30, 2001 along with the Statement of Objects and Reasons thereto:—

**THE UTTAR PRADESH PROTECTION OF TREES  
(AMENDMENT) ACT, 2001**

(U. P. Act No. 12 of 2001)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

Further to amend the Uttar Pradesh Protection of Trees Act, 1976.

IT IS HEREBY enacted in the Fifty-second Year of the Republic of India as follows:—

- |   |   |
|---|---|
| <p>1. (1) This Act may be called the Uttar Pradesh Protection of Trees (Amendment) Act, 2001.</p> <p>(2) It shall be deemed to have come into force on February 24, 2001.</p> | <p>Short title and<br/>commence-<br/>ment</p> |
|---|---|

4

उत्तर प्रदेश अरक्षधरण गज्य, 30 अप्रैल, 2001

Substitution of  
sections 5 and 6  
of U.P. Act no.  
45 of 1976

2. For sections 5 and 6 of the Uttar Pradesh Protection of Trees Act, 1976, hereinafter referred to as the Principal Act, the following sections shall be substituted, namely:—

"5(1) Any person entitled to fell a standing tree or to cut, remove or otherwise dispose of a fallen tree, may make an application to such officer in such form as may be notified by the State Government, for permission to fell such standing tree or to cut, remove or otherwise dispose of such

fallen tree and the officer to whom such application is made, shall, within twenty days after making such enquiry as he thinks fit, forward the application along with his report to the competent authority.

(2) the competent authority shall, within fifteen days from the date of receipt of the report under sub-section (1), grant or refuse the permission applied for.

Provided that the competent authority may, if he is not satisfied with the report made under sub-section (1), make such further enquiry as he thinks fit.

Provided further that such permission shall not be refused without affording the opportunity of hearing to the applicant.

Provided also that such permission shall not be refused if the tree constitutes danger to person or property.

Provided further that except in such areas as may be notified by the State Government in this behalf, such permission shall not be required for felling of any tree with a view to appropriating the wood or leaves thereof for bona fide use for purposes of fuel, fodder, agricultural implements or other domestic use.

Provided also that such immediate steps as are necessary to remove any obstruction or nuisance or to prevent any danger may be taken without such permission.

(3) Where the competent authority fails to take any decision under sub-section (2) within the time specified therefor, it shall be deemed that the permission applied for, has been granted.

(4) Every permission granted under this Act shall be subject to such conditions, including taking of security for ensuring regeneration of the area and replanting of trees or otherwise, as may be specified from time to time by the State Government by notification.

6. Any person aggrieved from the decision of the competent authority under section 5 may make a representation within thirty days from the date of such decision to the Revising Authority and the decision of the Revising Authority on such representation shall be final."

Repeat and  
savings

3. (1) The Uttar Pradesh Protection of Trees (Amendment) Ordinance, 2001 is hereby repealed. U.P. Ordinance no. 5 of 2001

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the Principal Act as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the Principal Act as amended by this Act as if this Act were in force at all material times.

By order,

Y. R. TRIPATHI  
Pranath Sastri.



उत्तर प्रदेश असेम्बली क्वार्टर, 30 सितंबर, 2001

## STATEMENT OF OBJECTS AND REASONS

5

Sections 5 and 6 of the Uttar Pradesh Protection of Trees Act, 1976 provided, *inter alia*, that the competent authority may, on the application of any person entitled to fell a standing tree or to cut, remove or otherwise dispose of a fallen tree, after making such inquiry as he thinks fit, grant permission to do so; that the competent authority shall give his decision in the case of an application in respect of any tree other than a tree standing in a forest, grove or public premises, within sixty days from the date of the receipt of the application, and, in the case of an application in respect of a fallen tree, within seven days from the date of receipt of the application. The general public was facing difficulty in obtaining such permission and consequently losing interest in plantation. Therefore, with a view to motivate the general public towards plantation it was decided to amend the said Act for simplifying the procedure for obtaining permission to fell or remove trees.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the Uttar Pradesh Protection of Trees (Amendment) Ordinance, 2001 (U. P. Ordinance no. 5 of 2001) was promulgated by the Governor on February 24, 2001.

This Bill is introduced to replace the aforesaid Ordinance.

सं. २८७-२३८



संविधान संख्या-२३८/२०११/२३८  
 संख्या/सं. २३८-२३८/२०११-१३  
 संविधान संख्या-२३८/२०११-१३

# सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

## असाधारण

विधायी परिशिष्ट

भाग-१, खण्ड (क)

(उत्तर प्रदेश अधिनियम)

लखनऊ, बुधवार, २३ सितम्बर, २०११

आश्विन ०१, १९३३ शक सम्पत्

उत्तर प्रदेश सरकार

विधायी अनुभाग-१

संख्या १०५७७९-११-११-१(क)-२४-११

लखनऊ २३ सितम्बर, २०११

अधिसूचना

विधि

भारत का संविधान के अनुच्छेद २०० के अधीन राज्यपाल महोदय ने उत्तर प्रदेश वृक्ष संरक्षण (संशोधन) विधिमस २०११ पर दिनांक २३ सितम्बर, २०११ को अनुमति प्रदान की और यह उत्तर प्रदेश अधिनियम संख्या २० सितम्बर २०११ के रूप में संसदीय सभा की कृपया द्वारा अधिसूचना द्वारा प्रकाशित किया जाता है :-

उत्तर प्रदेश वृक्ष संरक्षण (संशोधन) अधिनियम, २०११

(उत्तर प्रदेश अधिनियम संख्या २० सितम्बर २०११)

(जिसका उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ)

उत्तर प्रदेश वृक्ष संरक्षण अधिनियम, १९७० का उत्तर संशोधन करने के लिए अधिनियम

भारत गणराज्य के संसदीय संघ में गिनती के अधिनियम बनाया जाता है :-

१- यह अधिनियम उत्तर प्रदेश वृक्ष संरक्षण (संशोधन) अधिनियम, २०११ कहा जाएगा। संसदीय संघ



2

उत्तर प्रदेश अधिनियम संख्या 23 सितम्बर 2011

उत्तर प्रदेश  
अधिनियम संख्या  
45 सन् 1976 को  
प्राप्त 15 जून  
संशोधन

2-उत्तर प्रदेश वृक्ष संरक्षण अधिनियम, 1976 को प्राप्ति 15 में,

(क) उपधारा (1) में शब्द "पांच हजार रुपये" को स्थान पर शब्द "दस हजार रुपये" रख दिये जायेंगे;

(ख) उपधारा (2) में शब्द "पांच हजार रुपये" को स्थान पर शब्द "दस हजार रुपये" रख दिये जायेंगे;

## उद्देश्य और कारण

उत्तर प्रदेश में वृक्षों के निर्यात और पुनः आर्पण के नियन्त्रण की व्यवस्था करना के लिए उत्तर प्रदेश वृक्ष संरक्षण अधिनियम, 1976 (उत्तर प्रदेश अधिनियम संख्या 45, सन् 1976) अधिनियमित किया गया है। उत्तर प्रदेश अधिनियम की धारा 15 में अपरिच्छेद को प्रस्तावित करने की रायों की आवश्यकता है। यह अनुमान किया गया है कि उत्तर प्रदेश अधिनियम के प्रारम्भ होने के बाद ही इसका पूर्णतः उपयोग के रूप में कई पुनः बूटि हो गयी है और सम्बन्धित अपराधों, उत्तर अधिनियम को करने के लिए ऐसा व्यक्ति सदृश "हो" के प्रमाण के रूप में "बनाने से 5000 रु। के अधिक न होने के कारण भय के अनुभव नहीं करने दे। अतः यह विनिश्चय किया गया है कि उत्तर अधिनियम की धारा 15 को अद्यतन किया अथवा के द्वारा के लिए प्रारम्भ शुल्क की अधिकतम राशि को बढ़ाकर रुपये से बढ़ाकर दस हजार रुपये करने के लिए उत्तर अधिनियम को संशोधित किया जाय

अतः उत्तर प्रदेश वृक्ष संरक्षण (संशोधन) विधेयक, 2011 पुरःस्थापित किया जाता है

अज्ञात

कोटनो जिला

मुख्य सचिव

No. 105712/LXXIX-V-1-11-1 (Ka) 24/11

Dated Lucknow, September 23, 2011

In pursuance of the provisions of clause (3) of article 348 of the Constitution, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Vriksha Sanrakshan (Samsodhan) Adhiniyam, 2011 (Uttar Pradesh Adhiniyam Sanakhya 26 of 2011) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 22, 2011 :-

## THE UTTAR PRADESH PROTECTION OF TREES (AMENDMENT) ACT, 2011

(U.P. ACT NO. 26 OF 2011)

(As passed by the Uttar Pradesh Legislature)

AN

ACT

further to amend the Uttar Pradesh Protection of Trees Act, 1976.

IT IS HEREBY enacted in the Sixty-second Year of the Republic of India as follows:-

Short title

1. This Act may be called the Uttar Pradesh Protection of Trees (Amendment) Act, 2011.

Amendment of section 15 of U.P. Act no. 45 of 1976

2. In section 15 of the Uttar Pradesh Protection of Trees Act, 1976,—

(a) in sub-section (1) for the word and figure "Rs. 5,000" the words "ten thousand rupees" shall be substituted;

(b) in sub-section (2) for the words "five thousand rupees" the words "ten thousand rupees" shall be substituted.

The Uttar Pradesh Protection of Trees Act, 1976 (U.P. Act no. 45 of 1976) has been enacted to provide for regulation of felling of trees and replanting of trees in Uttar Pradesh. Section 13 of the said Act provides for power to compound offences. It has been felt that the price of timber has enhanced manifold since the commencement of the said Act and habitual offenders do not feel deterrence due to sum of money not exceeding Rs. 3000 by way of composition for the offence which such person is suspected to have committed. It has, therefore, been decided to amend the said Act to increase the maximum amount of composition fee from five thousand rupees to ten thousand rupees for compounding of an offence under section 13 of the said Act.

The Uttar Pradesh Protection of Trees (Amendment) Bill, 1911 is introduced accordingly.

By order,

K.K. SHARMA,

Promoted Sachin.

टी. आर. अग्रवाल-एच.पी. 382 सारगढ (हि.प्र.)-21.11.1975-500 प्रतिथी-(कानपुर/टी/आर.अग्रवाल)

पञ्जाब प्रशासनिक-पत्रिका- १०२ साठ दिनांक-२०११-(१७६)-२०११ टिकीट-कम्प्यूटर/सी/आकरीट।



### अंतिम नियम

पदार्थ ऐसी विविध रोगों में पाये जाते हैं जिनमें कोई भी रोग नहीं होता है तथा अन्य स्थितियों में पर ऐसे विविध रोगों में प्रतिकूल प्रभाव नहीं पड़ता है।

[ 504 ] 4 ( 71 )

make the following rules, the same having been previously published as required by sub-section (7) of Section 258 of the said Code, namely:—

1. Short title and commencement.—(1) These rules may be called The Madhya Pradesh Prohibition or Regulation of the cutting of Trees Rules, 2007.

2. No tree shall be cut, felled, girdled or otherwise damaged,—(a) within 30 meters of the extreme edge of the bank of any water course, spring or a tank;

(c) over an area covered by a grove within a radius of 30 meters of a sacred place;

(c) over an area set apart for an encamping ground, burial or burning ground, godown, shopping floor, bazaar or abattoir or

Explanation.—For the purpose of clause (a), a water course shall include all streams, rivers, rivulets and nullas which usually retain water upto the end of December but shall not include small temporary channels formed by the run off of water during the monsoon.

3. There shall be a Gram Panchayat Level Committee in every Gram Panchayat. All members of the General Administration Committee of such Gram Panchayat and local Patwari shall be the members of such committee. Chairperson of the General Administration Committee shall be the Chairman, and Secretary of such committee shall be the Member-Secretary of such committee.

4. Trees specified in rule 2, shall not be cut without the permission of the Tahsildar (which includes Additional Tahsildar and Naib Tahsildar) on the recommendation of Gram Panchayat Level Committee.

Provided that no permission for cutting or felling of trees shall be required, if the cutting or felling of trees is in accordance with the Madhya Pradesh Lok Vani Adhiniyam, 2001 (No. 10 of 2001).

उत्तर: न्यायोचरित में आश्रम वर्णन के परिचय हेतु  
आश्रम उद्भिद्धान (मानासन) नियम, 2000 लागू होंगे.

है। न्यायपालिका में नवीकरण का अन्तर्भाव कोई व्यक्ति, निरीक्षक या जल संचालक, मुख्य अधिकारी या पुलिस अधिकारी द्वारा जब तक कि उसने ऐसा करने की बाधा न पड़े, उसने प्रसार में श्री नवीकरण विधिवत रूप से प्राप्त होना निरीक्षण हेतु प्रमाण के रूप में

॥ अथ राजा कृष्णः श्री बाराहं च प्रोक्षयत् सा विजयवत्य विजयः ॥  
॥ अथ राजा विजयः श्री बाराहं च प्रोक्षयत् ॥

अतः इन प्रश्नों निम्नलिखित विषयों के उत्तरदाताओं को अपाय की भाँति निर्धारण या परीक्षा किया गया आदेश। इन निर्णयों के अपायों को भी निर्धारण या परीक्षा किया गया आदेश सम्बन्धी व्यवस्था

२०७. देश के सम्प्रसार के नाम से तथा अहिंसापुत्र, देवेन्द्र सिंघई, अनुसूचक सचिव।

भा.व.सं. दिनांक 26 मध्याह्न 2003

2. डॉ. एम. 2-39-04-साठ-साठ भात के संविधान के अनुच्छेद 348 के अन्तर्गत (2) के अनुसार में, इस विभाग की संविधानिकता, एम. 2-39-04-साठ-साठ, दिनांक 26 नवम्बर 1957 का संश्लेषित अनुवाद राज्यपाल के प्रसिद्धांतर प्रकाशित किया गया है।

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,  
देवेन्द्र सिंह, प्रमुख सचिव

Bhopal, dated 26th November 2007

25-10-1959 2-39-04 -vii.6.—In exercise of the powers conferred by sub-section (1) and clause (LXI) of sub-section (2) of Section 258 read with sub-section (1) of section 248 of the Madhya Pradesh Land Revenue Code, 1947 (No. 20 of 1959), the State Government hereby,



पृ. 39-1

मध्य प्रदेश राजपत्र, दिनांक 7 दिसम्बर 2007

पृ. 39-1	238
मिथला	अंगला
413	

मोपल, दिनांक 26 नवम्बर 2007

241 (116)

Not standing on unoccupied or Government land shall not be cut without permission in writing of the Collector.

Provided that the Tahsildar (which includes Additional Tahsildar and Naib Tahsildar) on the recommendation of Gram Panchayat level committee on the basis of a valid resolution passed in its duly convened meeting, may in writing permit cutting and removal of trees or parts thereof, of Babul species from unoccupied land in the village for bonafide use of the residents of that village only, in accordance with the Nistar Patrak prepared under section 233 of the Code.

3. A Chumriwani whose land is tree clad and which is unsuitable for permanent cultivation, may apply to the Collector for an exchange with cultivable land, belonging to the State Government approximately equal value at the current market rate.

Provided that such exchange shall not be disadvantageous to either party and that order persons are not affected adversely by such an exchange.

(4) Where any Revenue Officer has reason to believe that any person has been cut in contravention of the provisions of these rules, wood or corpus of such tree may be seized by him under the order of the Revenue Officer.

(5) Where the Revenue Officer is an officer other than the Sub-Divisional Officer, a report of such seizure shall be made by him to the Sub-Divisional Officer, the such action as he may deem fit under Section 233 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959).

(6) The Madhya Pradesh Transit (Forest Produce) Rules, 2000 shall apply for transporting the forest produce from cutting the trees.

(7) Any person in charge of the forest produce in transit shall, whenever called upon to do so by any Forest Officer, Revenue Officer or Public Officer, produce for inspection the pass or passes in respect of forest produce in his charge.

The Madhya Pradesh Prohibition or Regulation of Cutting of Trees Rules, 2002 are hereby repealed:

Provided that any action taken or order passed under the provisions of the rules so repealed, shall be deemed to have been taken or passed under these rules.

By order and in the name of the Governor of Madhya Pradesh,  
DEVENDRA SINGHA, Principal Secy.

प्र. एन. 2-39-04-सत-स. 6.-मध्य प्रदेश भू-राजस्व संहिता, 1959 (क्रमांक 20 सन् 1959) की धारा 241 की उपधारा (1) के साथ चर्चित धारा 250 की उपधारा (1) तथा उपधारा (2) के खण्ड (याकूत) द्वारा प्रदत्त शक्तियों को प्रयोग में लाते हुए राज्य सरकार, एन. एन. निम्नलिखित नियम जारी है, जो उक्त संहिता की धारा 250 की उपधारा (3) द्वारा अपेक्षित किए गए अनुसार पूर्ण में प्रकाशित किये जा चुके हैं, अर्थात्:-

## नियम

1. संक्षिप्त नाम, तथा शीर्षक—(1) इन नियमों का संक्षिप्त नाम मध्य प्रदेश राजस्व संहिता के अन्तर्गत धारा 241 की उपधारा (1) के अधीन संकलित करने के लिए कटार गिराने तथा हटाने का विनियमन नियम, 2007 है।

(2) ये "मध्य प्रदेश राजपत्र" में इसके प्रकाशन की तारीख से प्रवृत्त होंगे।

2. मध्य प्रदेश भू-राजस्व संहिता, 1959 (क्रमांक 20 सन् 1959) की धारा 241 की उपधारा (1) के अधीन संकलित आदेश का हिन्दी में अनुवाद किया जाएगा और ऐसे अनुवाद को एक प्रतिस्तिपि ऐसे ग्रामी में, जो अधिसूचित क्षेत्र में सम्मिलित हों, सार्वजनिक स्थानों पर बिपकाई जाएगी, इसकी एक प्रतिस्तिपि ग्राम पंचायत तथा ग्राम सभा के सूचना फलक पर बिपकाई जाएगी और इसकी कोपना संबंधित ग्रामी तथा सार्वजनिक हॉट यदि कोई हो, में भी डीडी पिट्या का को जाएगी।

3. प्रत्येक ग्राम पंचायत में, एक ग्राम पंचायत स्तरीय समिति होगी, इसी ग्राम पंचायत के सार्वजनिक प्रशासन समिति के समस्त सदस्य और स्थानीय बौद्ध गार्ड तथा घटनाहीरे से समिति के सदस्य होंगे, सार्वजनिक प्रशासन समिति का अध्यक्ष ऐसी समिति का सभापति तथा ऐसी समिति का सचिव ऐसी समिति का सदस्य-सचिव होगा।

4. जब किसी ग्राम में धारा 241 की उपधारा (2) के अधीन कोई आदेश सम्मिलित कर दिया जाए, तब जिसका या व्यापार अवकाश व्यवस्था के प्रयोजनों हेतु अपने खेतों में किसी मशीनकृत उपकरणों लकड़ी के वृक्ष को कटार गिराने का इच्छुक कोई व्यक्ति, इन नियमों से सम्बन्धित प्रत्येक "क" में विहित में तीन प्रतियों में आवेदन आवेदनदाता को प्रस्तुत करेगा:

परन्तु वृक्षों को काटे जाने या कटार गिराने के लिए कोई अनुज्ञा अपेक्षित नहीं होगी, यदि वृक्षों को काटा जाना या कटार गिराया जाना मध्य प्रदेश लोक वानिकी अधिनियम, 2001 (क्रमांक 10 सन् 2001) के अनुसार है:

परन्तु यह और कि मध्य प्रदेश वन वृक्ष (व्यापार विनियमन) अधिनियम, 1969 तथा भारतीय वन अधिनियम, 1927 के अधीन विहित मध्य प्रदेश अधिवहन (वनीकरण) नियम, 2000 के उपबंधों के आश्रय में इसे हुए किसी परिवर्तनों के खाल में को सम्मिलित



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(गै) ऐसे मुद्दों पर सोनिया जी के माद पर अर्थात् भूमि के तलाश  
7.3 मीटर पर कोल्लाम अ पट्टी को गै और पर लम्पसित  
किए जायेंगे.

४. ग्राम के प्रत्येकी का यह देखने का कर्तव्य होगा कि ऐसे नर  
निर्दोष अनुपस्थित विष्णु जाने का आदेश हुआ है, काट कर गिराये नहीं  
गये हैं।

9. (1) गैरों को कार्ट कर प्राप्त की गईं वन उपज से प्रतिदन के लिए गन्धर्वदेव अभिवहन (बनाएज) नियम, 2000 लागू हों।

(2) अभिवृत्त में वन उपज का प्रभावी कोई व्यक्ति, किसी या वन अधिकारी, रोज़मर्रा अधिकारी या पुलिस अधिकारी द्वारा, जब कभी उससे ऐसा करने का कहा जाय उसके प्रभाव में जो वन उपज में संबंधित बात को गिरीधर हंस प्रस्तुत करेगा,

10. (1) जहाँ किसी राजस्व अधिकारी के पास ऐसा विश्वास करने का कारण हो कि इन नियमों के उपबंधों के उल्लंघन में किसी मूला नो बला गया है तो यह राजस्व अधिकारी के आदेश के आगे या उसके द्वारा ऐसे कुछ भी सफ़्दारी या उसके साथ (जोड़कर) को अभिहित कर सकेगा।

(2) जहाँ राजस्व अधिकारी व संचालीय अधिकारी से भिन्न कोई अधिकारी हो, वहाँ उसके द्वारा ऐसे अधिप्राप्त की सूचना, भुगतान के भाग, व्ययों व उद्योगिकी से, ऐसी छविता के लिए गैरी कि नद मा प्रवेश व संचालन से, 1954 (अप्रैल 20) से 1954 से 1954 के अधीन उचित समझे, करोगे.

11. मध्यप्रदेश शासकीय स्तरों से सगे हुए ग्रामों में इभाजित सकार्डों का कट कर गिराने तथा हटाने का विनियमन विधम, 2002, एम्पद्वारा, विस्तारित किए जाते हैं:

परन्तु इस प्रकार निर्दिष्ट नियमों के उपबंधों के अधीन की गई कोई कार्रवाई या पारित शिक्षा गण्य कोई आदेश इन नियमों के उपबंधों के अधीन की गई कार्रवाई या पारित शिक्षा गण्य आदेश समझा जाएगा।

भोपाल, दिनांक 26 नवम्बर 2007

पु. क्र. एक. 2-37-04-साठ-शा.-6.-भा. के संविधान के अनुच्छेद 340 के खण्ड (3) के अनुसरण में इस विभाग की अधिसूचना क्रमांक एक. 2-37-04-साठ-शा.-2006, दिनांक 26 नवम्बर 2007 नव अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से पतङ्गप्रकाशित किया जा रहा है.

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प्रश्नपत्र संख्या, दिनांक 7 दिसम्बर 2007

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(तीन प्रतियों में)

प्रश्न "क"

(विषय-2 देखिए)

प्र.क्र.-

1. आवेदक का नाम, पिता का नाम तथा पता लिखिए

2. क्या भूमि-कमी या, जिसके जाले में तथा पटवारी हस्ताक्षर आयोग सदस्य द्वारा आवेदक का नाम निम्नलिखित वृत्त के अन्दर लिखिए

3. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

4. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

5. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

6. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

7. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

8. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

9. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

10. आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक के हस्ताक्षर

प्रश्न "ख"

(विषय-2 देखिए)

आवेदक के सामने रखे हुए आवेदक को आवेदक के आवेदक की प्रतियों को सहायित करने हेतु सूचना

आवेदक का नाम, पिता का नाम तथा पता

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

आवेदक का पता, जहाँ आवेदक के पते पर आवेदक का पता, जिसमें आवेदक का पता लिखा जाता है

प्रमाणित किया गया, दिनांक १२ अक्टूबर 2007

[ पृष्ठ ५ ]

क्रमांक	ग्राम पंचायत	विद्यमान वृक्षों को संलग्न वृक्ष प्रमाणित	प्रमाणित वृक्षारोपण हेतु वीथी को संलग्न और प्रमाणित
(1)	(2)	(3)	(4)
			नाम - पृ.क्र. - दिनांक - अंगिका - आवेदन के

समस्त देश के राज्यपाल के नाम से वृक्ष आदेशानुसार,  
देवेन्द्र सिंघाई, प्रमुख सचिव

Bhopal, the 28th November 2007

प्रमाणित वृक्षारोपण हेतु वीथी को संलग्न और प्रमाणित - In exercise of the powers conferred by sub-section (1) and clause (LXI) of sub-section (2) of Section 241 read with sub-section (1) of Section 241 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959), the State Government hereby, in the following rules, the same having been duly published as required by sub-section (2) of Section 241 of the said Code namely

B.P.R. 25

प्रमाणित वृक्षारोपण हेतु वीथी को संलग्न और प्रमाणित - (1) These rules are called the Madhya Pradesh Regulation of the Revenue of Timber in Villages, 2007.

These shall come into force with effect from the date of publication in the "Madhya Pradesh Gazette".

The order published in the Gazette under sub-section (2) of Section 241 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) shall be translated in Hindi and a copy of such translation shall be affixed at public notice board of each village or are comprised in the notified area. A copy of it shall be affixed to the notice board of the Gram Panchayat and Gram Sabha and shall also be displayed by board of trees in the villages concerned and in the weekly market, if any.

There shall be a Gram Panchayat Level Committee for Gram Panchayat. All members of the General Committee of such Gram Panchayat and the Gram Sabha and Patwari shall be the members of the Committee. Chairperson of the General Committee shall be the Chairman and Secretary of such Committee shall be the Member Secretary of such Committee.

4. When an order has been proclaimed in any village under sub-section (2) of Section 241 any person desirous of felling any nationalised timber tree in his holding, for sale, or for purpose of trade, or business shall submit in writing to the Tahsildar an application in triplicate in Form-A appended to these rules:

Provided that no permission for cutting or felling of trees shall be required if the cutting or felling of trees is in accordance with the Madhya Pradesh Lok Vansh Adhiniyam, 2001 (No. 10 of 2001):

Provided further that subject to the provisions of the Madhya Pradesh Van-Upaj (Vyapar Viniyaman) Adhiniyam, 1969 and the Madhya Pradesh Transit (Forest Produce) Rules, 2000 framed under the Indian Forest Act, 1927, no permission for felling and transit of nationalised timber trees in the holding of any Bhumiswami shall be required if he himself has planted these trees, including commercial plantation if such felling is not in contravention of the provisions of the Code:

Provided also that, in respect of any plantation, the Bhumiswami shall give information in Form-B to the Tahsildar and Forest Range Officer in advance and such plantation shall be duly recorded in the relevant revenue records including the Khassra.

Explanation (1) For the purpose of this rule, 'Commercial Plantation' shall include planting of trees, their raising and harvesting as a commercial crop subject to its recording in revenue records as provided in this rule.

(2) Nationalised timber trees means the specified species under the Madhya Pradesh, Van Upaj (Vyapar Viniyaman) Adhiniyam, 1969.



10/11/2007

भारत सरकार, दि. 11/11/2007

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On the receipt of the application, The Tahsildar shall immediately send the duplicate copy to the Sub-Divisional Officer, Forest and the third copy to the Gram Panchayat Level Committee for consideration. After receiving the recommendation from Gram Panchayat Level Committee and Sub-Divisional Officer, he shall ascertain which timber trees from among those applied for to be cut, require to be retained in the forest or which are required for preventing erosion or for any other purpose the cutting of timber trees from holding other than those, which he orders to be retained.

Provided that in the case of a Bhumiwami belonging to a village which has been declared to be an aboriginal village under section (6) of Section 165 of the Madhya Pradesh Land Revenue Code, 1959 the provisions of the Madhya Pradesh Protection of Aboriginal Tribes (Interest in Land) Act, 1957, shall apply.

The permission granted in writing to a Bhumiwami shall hold good for one Revenue year.

The timber trees to be retained shall be marked in the following manner:-

(a) Such trees shall be marked for retention by village Panchayat or by any other person authorised by the Collector.

(b) The trees shall be marked at least at least height of 1.3 meter from the ground level and shall be serially numbered.

It shall be the duty of the Patwari of the village to ensure that such trees as are ordered to be preserved, are not cut.

9. (1) The Madhya Pradesh Transit (Forest Produce) Rules, 2000 shall apply for transporting the forest produce received from cutting the trees.

(2) Any person in-charge of the forest produce in transit, shall, whenever called upon to do so, by any Forest Officer, Revenue Officer or Police Officer, produce for inspection the pass or passes in respect of forest produce in his charge.

10. (1) Where a Revenue Officer has reason to believe that a tree has been cut in contravention of the provisions of these rules, wood or corpus of such tree may be seized by or under the order of the Revenue Officer.

(2) Where the Revenue Officer is an Officer other than the Sub-Divisional Officer, a report of such seizure shall, within fifteen days, be made by him to the Sub-Divisional Officer, for such action, as he may deem fit under Section 253 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959).

11. The Madhya Pradesh Regulation of the Felling and Removal of timber in village adjoining Government Forests Rules, 2002 are hereby repealed.

Provided that any action taken or order passed under the provisions of the rules so repealed shall be deemed to have been taken or passed under these rules.

By order and in the name of the Governor of  
Madhya Pradesh,  
DEVENDRA SINGHAL, Principal Secy.

FORM-A  
(See rule 4)

(in triplicate)

- (1) Name of applicant with percentage and Address .....
- (2) Name of the Bhumiwami over whose holding and the Village with Patwari hatta Number in which felling is to be done. ....
- (3) Survey Number/Plot Number with area over which felling is to be done. ....
- (4) Total Number of trees standing in the aforesaid survey number/plot number species-wise and girthwise. ....
- (5) Number to be felled girth-wise and serial number of trees to be felled. ....

मध्य प्रदेश, दिनांक ७ दिसम्बर २००७

सिद्धा

अग्रणी

फॉर्म ४ (३)

1. Name full particulars and address of the purchaser

2. Location and consideration of sale

3. Destination to which felled material is to be transported either personally or by the purchaser

4. Name of Transport

Signature of applicant

FORM-D  
(See rule 4)

Form-D is for recording the entries of natural tree plantation in revenue records including khasra.

The Tahsildar,  
Taluk  
District  
Madhya Pradesh

Name/Father's Name and address of the applicant

1. Survey number and area Patwar haker number and Village in which the plantation is proposed.

2. Particulars regarding the character of the land

3. Number of trees existing/proposed in each survey number.

Khasra Number	Number of existing trees and name of species (3)	Number of plants for proposed plantation and name of species (4)

Signature of applicant.

By order and in the name of the Governor of Madhya Pradesh,  
DEVENDRA SINGHAI, Principal Secy.



Government of Jammu and Kashmir  
Office of the Pr. Chief Conservator of Forests (HoFF) Jammu

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### Notification

Sub: MANAGEMENT PLAN FOR KHAIR GROWING ON Non-FOREST LAND IN J&K STATE

Ref: SRO 111 dated 31-03-2016 issued by Revenue department under Endstt. No. Rev/Lit/14/2014 dated 31-03-2016 &

Adm. Department letter No: FST/Land/27/2016 dated: 22-04-2016

Whereas on the recommendations of the Central Empowered Committee (CEC) the Hon'ble Supreme court vide its judgment dated 26-09-2013 passed in IA Nos.2, 9, 11 of 1996, 16, 17, 19 of 1998, 33-34/2005, 37/2009 and Suo Motu contempt petition Nos. 290-292 of 1998 issued an order, the operative part of which reads as under:-

"The felling of khair trees in the state of Jammu and Kashmir is, therefore, allowed subject to the conditions stipulated in Para 45 of the report of Central empowered Committee. The extract of Para 45 of Central Empowered Committee (CEC) constituted by the Hon'ble Supreme Court Order is reflected here under:-

"In the above background the following recommendations are submitted for the consideration of this Hon'ble Court:-

- i. In modification of this Hon'ble court's order dated 10-05-1996; in WP (C) No. 171 of 1996 and the order dated 12-12-1996 in WP(C) No. 202 of 1996, felling of khair trees from the private lands in the state of Jammu and Kashmir may be permitted to be undertaken subject to the following conditions:-
  - i. The state of Jammu & Kashmir will notify the draft "The Jammu & Kashmir Non-Forest Land Khair trees 'Acacia catechu' (Management Plan) Rules 2012" as modified by the CEC and enclosed as Annexure R to this report.
  - ii. The state of Jammu & Kashmir will notify the draft "Management Plan for khair growing trees on non-forest lands in J&K state" as modified by CEC and enclosed at Annexure-7 to this report.
  - iii. The Annual felling of Khair trees from the Private land in the State of Jammu & Kashmir will not exceed 20,970 cubic metre of volume, including firewood and lops and tops and will be regulated as per the division-wise details as given in Table 4 of this Report;
  - iv. The notification of Form 'A' as provided in the draft Rules, giving year wise details of the villages identified for permitting felling of Khair trees during the year will be issued within two weeks and a copy thereof will

1 of 2



be filed before the Hon'ble court. The felling of Khair trees during a year will be permitted /undertaken accordingly.

- v. No modification in the notified "The Jammu & Kashmir Non-Forest Land Khair Trees *Acacia catechu*" (Management Plan) Rules, 2012 and /or the Management Plan for Khair Growing in the Non-Forest Lands in J&K State" and /or the notified Form 'A' will be made without obtaining the prior permission from this Hon'ble court, and
  - vi. The marking of trees for felling, the permission for the felling of trees, the inspection of felled trees, the permission for the transportation of the trees and the issue of transit passes will be strictly regarded as per the notified Rules, the Management Plan and Form 'A'.
- II. The felling of Khair trees from the non-forest areas associated with the development projects undertaken in the State of Jammu & Kashmir and also from the forest areas for which necessary approvals under the Jammu & Kashmir Forest (Conservation) Act, 1990 have been accorded by the competent authority will be permissible.

Whereas in compliance to the above mentioned Hon'ble court orders the government issued SRO 111 dated 31-03-2016 through Revenue Department notifying "The Jammu & Kashmir Non-Forest Land Khair trees '*Acacia catechu*' (Management Plan) Rules 2016".

Whereas sub section 2 of section 4 of SRO 111 dated 31-03-2016 provides that on the basis of assessment report prepared after survey, a management plan shall be prepared by the Forest Department covering all management units and the same shall be submitted to the Pr. Chief Conservator of Forests for approval by the end of assessment year.

Whereas the Government of Jammu & Kashmir had already entrusted the assessment of khair trees growing on private lands in the year 2010-11 to the "Himalayan Forest Research Institute", Shimla-A Regional Research Institute of ICFRE under the Ministry of Environment & Forests, GoI, following standard sample survey techniques backed by scientific technology and statistical Validations. The HFRI completed the survey in all khair growing areas of J&K state (Jammu Province).

Whereas the aforementioned report of HFRI was filed before the CEC (constituted by the Hon'ble supreme court), by the J&K Forest Department and requested for lifting of ban on felling of khair trees from private lands. On the directions of Hon'ble Supreme Court the members of CEC visited the state of Jammu & Kashmir on 14<sup>th</sup> & 19<sup>th</sup> May 2011 and assessed the ground situation, interacted with the farmers and other stakeholders. The committee finally recommended to the Hon'ble Supreme Court for lifting of ban on felling of khair trees from private lands.

Whereas the Hon'ble Supreme court vide its judgment dated 26-09-2013 passed in IA Nos.2, 9, 11 of 1996, 16, 17, 19 of 1998, 33-34/2005,



37/2009 and Suo Motu contempt petition Nos. 290-292 of 1998 lifted the ban on felling of khair trees growing on the private lands on the recommendations of the Central Empowered Committee (CEC).

Now, therefore, in view of the above and in pursuance of the powers vested with undersigned under sub section 2 of Section 4 of SRO 111 dated 31-03-2016 the "Management Plan for khair growing on non-forest lands in J&K State" as modified by the Central Empowered Committee (CEC) forming Annexure "A" to this notification is hereby approved and notified accordingly.

Encl. Annexure "A"

Sd/-

(A.K.Singh) IFS

Pr. Chief Conservator of Forests (HoFF)  
Jammu & Kashmir

No. PCCF/Coord/Khair/Management Plan/2016/2608-78 Dated 26/04/2016

Copy for information and necessary action to the:-

1. Financial Commissioner Revenue, J&K, Jammu
2. Pr. Secretary to Government Forest, Ecology & Environment Department.
3. Pr. Secretary to the Hon'ble Governor
4. Divisional Commissioner Jammu/Kashmir
5. Commissioner/Secretary to government, General administration department
6. Commissioner/Secretary to government, Department of Law, Justice & Parliamentary Affairs.
7. All HoDs of Forest Department.
8. Secretary to Government, Revenue Department.
9. Chief Conservator of Forests, Jammu.
10. Chief Conservator of Forests, Kashmir.
11. Director General Information.
12. All Conservators of Forests.
13. All Deputy Commissioners.
14. All DFOs of Forest Department
15. Manager Government Press, Jammu/Srinagar for publication in the government Gazette.
16. Notification file/Stock file.

(Abdul Gani) IFS  
Conservator of Forests  
(CAMPA)

26/4/16

34/3



Maple Grove, 2000-2001, 1000 Spr 1775  
 Phone: (714) 242-0227, Fax: (714) 242-0227  
 Riverside in San Juan, 2000-2001, 1000 Spr 1775  
 Phone: (714) 242-0227, Fax: (714) 242-0227

※※※

MANAGEMENT PLAN  
FOR  
KHAIR (Acacia Catechu)  
GROWING ON NON-FOREST LAND  
IN  
JAMMU AND KASHMIR STATE (JAMMU PROVINCE).

Khair (*Acacia catechu*) grows in sub-tropical areas of Jammu region of this state. It is an important cash crop for the farmers of the area especially in Kandi zone. It comes profusely in non-irrigated lands and thus plays important role in compensating the farmers of the area for their less productive land. Khair exists in the nine territorial divisions viz; Reasi, Mohare, Udhampur, Ramnagar, Rajouri, Nowshera, Jammu, Kathua and Biliawar Forest Divisions of the state. These divisions are spread over six Districts viz; Reasi, Rajouri, Jammu, Samba, Kathua Udhampur.

18K State issued SRO-194 on 3<sup>rd</sup> August 1995 where under notified "The Jammu and Kashmir Khair trees "Acacia Catechu"(Regeneration and Utilization) Rules, 1995"for regulation of felling of Khair trees standing on State land or private Land. However, in 1998 the Hon'ble Supreme Court banned the felling of Khair trees growing on forest as well as private lands. Since then the case was sub- judice before the Hon'ble Supreme Court. The Central Empowered Committee (CEC) examined the issue of permission for felling of Khair trees and desired to have the assessment of the availability of Khair trees growing on private lands in the state. Accordingly, an assessment survey was got conducted through the Himalayan Forest Research Institute, Shimla. The assessment survey report has dealt with khair growing on non-forest lands giving the estimate of trees private lands and those growing on non-forest areas (other than private areas).

Based on assessment survey report submitted by Himalayan Forest Research Institute (HFRI), Shimla and as per suggestions given by Central

$$P \in \text{int}(R)$$



Empowered Committee during their visit to the different Khair sites in Jammu on 18<sup>th</sup> and 19<sup>th</sup> May 2011, the SRO 194 of 3<sup>rd</sup> August of 1995 has been proposed to be revised. As per the proposed revised SRO, under the rule 4, the management plan of Khair trees growing on private lands has been prepared after taking the assessment report of Himalayan Research Institute as basis.

**B. Silvicultural System:-**

On non-forest lands, Khair often occur in small patches. Normally, it grows on bunds of the fields, backyards and grazing areas of private land owners. Thus, in view of sustainable removal of Khair from private lands selection types of fellings are prescribed. Only those trees which are above exploitable diameter and are silviculturally available are to be removed in the annual coupes.

The assessment survey report of HFRJ has observed that the recruitment dia-classes of Khair trees are higher in number in private lands in comparison to the remaining non-forest lands. Thus, the systematic/ scientific regulations for harvesting can ensure long term sustained yield. In view of that as prescribed in rule 5 (b) (1), no felling will be permitted from non forest area other than private land except removal of dry and dead trees.

**C. Demarcation:** - the demarcation of the areas to be taken up for felling shall be done as provided in rule 6(2).

**D. Exploitable Diameter, Rotation and Felling Cycle.**

The exploitable diameter for Khair is 20 cms dbh (ob), rotation period is of 33 years and the felling cycle of 11 years.

As per rule 4(I), the felling will not be permitted in the 11<sup>th</sup> year which has been defined as assessment year.

Accordingly, the Management unit wise ten year felling programmes have been prepared taking the territorial Divisions as Management Units.

**E. Growing Stock and Yield from the private land (non forest).**

It has been decided that for the purpose of fixing for maximum permissible volume of Khair that will be allowed to be felled/ extracted from private land(non Forest) in a year, the Khair trees of 20 cm dbh and above will be taken into consideration. As per the assessment report, there are total 3511169 Khair trees on 3,21,629 ha out of which 15,31,011 trees are of 20 cm dbh and above. The growing stock corresponding to the trees of 20 dbh and above works out to be 7, 66,156 cubic meter. On prorata basis, the number of trees in 144614.7 ha of private (non forest) land works out to be 6, 73,901 trees.

(2.44)



The details of number of Khair trees 20 Cm dia class and above in different divisions are as below in table 1.

Table 1: Total no of trees of 20 Cm dbh and above in Non forest land  
(Dia Class in cm)

(Vol in Cumbs)

Division	20-30	30-40	40-50	50-60	60-70 above	Total
Amroha	849	548	492	174	0	1771
Bilawal	10952	16170	1158	23	0	54901
Jamun	346109	127355	48491	26213	0	548168
Jaunpur	112013	67065	25691	2935	0	207704
Mawshera	78020	34692	4962	12	4	117888
Rasool	70394	23161	3768	908	669	98700
Ramnagar	8783	5122	975	8	0	14888
Reasi	334271	134774	7845	151	8	477049
Udhampur	4166	4168	1994	211	0	10539
Total	991155	413268	95276	30635	681	1531015

The details of the growing stock corresponding to Khair trees of 20 cm dbh and above in different divisions are as below in Table. 2

Table 2:- Growing stock of Khair Trees on 20 dbh and above (Vol in Cumbs)

Division	20-30	30-40	40-50	50-60	60-70 above	Total
Amroha	201	375	487	328	0	1391
Bilawal	11463	11096	1404	44	0	24007
Jamun	107378	87400	58737	49445	0	302960
Jaunpur	34751	46021	311127	5536	0	117435
Mawshera	24205	23947	6012	23	11	54198
Jaunpur	21777	15894	4566	1712	1813	45762
Ramnagar	2725	3515	1181	16	0	7437
Reasi	103705	92464	9504	285	23	206001
Udhampur	1293	2860	2415	297		6865
Total	367493	283592	115433	57786	1847	766156

The division wise/ diameter class wise details of the growing stocks corresponding to Khair trees of 20 cm dbh and above in private lands (non forests) on pro-rata basis i.e (Growing stock in given dia/total non forest area) X private area in different divisions are as below in Table 3:

(Part 8)



Table 3: Growing stock of Khair trees of 20 cm dbh and above in private land (Non Forest)

(Vol. in Cu.mts)

Division	Total area	Total private area	No of trees in Private land on prorata basis	Growing stock of Khair trees of 20 cm dbh and above in private land (Non Forest)					Total	Annual yield
				20-30	30-40	40-50	50-60	60-70 above		
Bahore	4826.08	161.6	59.30	8.73	12.56	15.31	18.98	1.30	56.88	2.82
Billawar	28077.7	22659.55	43822.48	8250.97	8954.73	1133.07	15.2	8.36	9171.34	1174.20
Jammu	104578	60582.53	317555.68	52294.46	50831.13	34826.55	23540.7	0.00	175505.8	10536.72
Kathua	63883	34832.4	113251.35	18548.11	25084.12	18072.11	3618.52	0.00	64031.85	3880.72
Nawshera	36724.1	1846.38	5927.42	1216.84	1203.99	307.27	1.15	0.55	2771.92	65.11
Ramgarh	12767.2	8407.43	9804.03	607.53	443.46	127.38	47.26	50.56	1276.65	77.37
Riasi	40026.6	15124.24	180255.26	4754.30	2124.61	772.71	10.54	0.00	4837.41	295.51
Udhampur	8453.08	378.59	472.01	57.91	128.00	188.16	107.53	6.69	77838.47	4717.49
Total	321629	144614.7	673901.03	133272.6	123727.30	57054.69	31893.6	59.52	346008.0	20970.2

#### F. Annual Sustained Yield.

Based on details of growing stock assessed in different forest divisions as given in table -3, annual sustained yield for different divisions in respect of private land (non forest) are to be as under.

(Vol. in Cu.mts)

Forest Div	Total area	Total Private area	No of trees in Private land on prorata basis	Total Growing stock	Annual Yield
Bahore	4826.08	161.6	59.30	46.88	2.82
Billawar	28077.7	22659.55	43822.48	19374.34	1174.20
Jammu	104578	60582.53	317555.68	175505.8	10536.72
Kathua	63883	34832.4	113251.35	64031.85	3880.72
Nawshera	36724.1	1846.38	5927.42	2724.92	165.15
Ramgarh	12767.2	8407.43	2753.49	1276.65	77.37
Riasi	40026.6	15124.24	9804.03	4837.41	295.51
Udhampur	8453.08	378.59	472.01	77838.47	4717.49
Total	321629	144614.7	673901.03	346008.0	20970.2

Accordingly, the maximum permissible annual volume of Khair wood that may be permitted to be felled/extracted including firewood, lop and top, has been decided to be 20970.2 cubic meter per year from the private land (non forest). The division wise break up is as under:

(4 of 8)



(Vol. in cu.mts)

Forest Div	Maximum permissible annual volume of Khair trees (including lop & top and firewood) from private lands ( non Forest )
Mandla	2.82
Chandigarh	1174.20
Jamru	10536.72
Kashua	3880.72
Amarsarg	165.15
Bagpur	77.37
Ramprasad	296.81
Seoni	4717.48
Uchampur	18.91
Total	20970.2

#### 6. Procedure for marking the exploitable trees.

- i. Every year in the month of April, the territorial Divisional Forest Officer shall give advertisement in print and electronic media, notifying the villages to be taken up for felling of exploitable Khair trees in the said year and total volume of the Khair trees including lops and tops and firewood from all villages for which the felling programme can be granted during the year. Selection of villages during a year will be one tenth of villages in every stratum of villages having 0-1 tree, 1-10 tree, 10-50 tree, 50-100 tree and 100 trees above. This will result in selection of every village at least once in every 10 year felling programme with representation of every stratum every year.
- ii. The Interested land owners shall, accordingly, apply to the Divisional forest Officer within prescribed time concerned on prescribed proforma alongwith copies of land Ownership papers for permissions for felling of exploitable Khair trees growing on their private lands.
- iii. The processing of the application for felling permission shall be done in accordance with the procedure laid down in the SRO issued for the purpose by the Government.
- iv. The Block Forest Officer alongwith Forest Guard of the area shall enumerate the exploitable Khair trees on the private land upon which Nishandehi and demarcation has been done as per the SRO in this regard. During enumeration, numbering of the trees shall be done with red paint after shaving of bark at dbh. The numbering will be done giving serial number starting from 1 with oblique khasra No and year. Thus, tree No 6 in Khasra No. 715 enumerated in 2012 shall be marked as 6/715/2012. The enumeration of all the exploitable trees sought to be felled shall be done.
- v. There shall be a remarks column in the enumeration of list for any comments with regard to status of the tree like dead/diseased, its location or any special feature. The enumeration list shall be signed by the land owner besides the Block Forest Officer and Forest Guard concerned. The enumeration list

(Contd.)



alongwith verification certificate countersigned by the Range Officer shall be submitted to the Divisional Forest Officer.

- vi. On receipt of Mithandehi and Demarcation report along with the prescribed certificate from Tehsildar and verification report alongwith enumeration list of silviculturally available trees from the Range Officer, the Divisional Forest Officer shall issue marking and felling permission. If the total volume of trees enumerated in respect of all applications received for felling of trees during a year is found to exceed the maximum permissible volume of khair tree that can be permitted to be exploited from all villages in the forest division during the year, the Divisional Forest Officer shall restrict the permission for marking to such number of trees on pro-rata basis, whose volume does not exceed the permissible volume for the year. For this purpose, preference should be given to trees of higher girth classes. The permission for all the applications for all the notified villages shall be granted in one go. The marking shall be done as under:

1. Marking shall be done personally by a Block Forest Officer level officer.
2. All the dead, diseased, dying and dry trees shall be marked.
3. At least 10% healthy trees, tick marked with red ink, by the Divisional Forest Officer on the enumeration list shall not be marked and retained as mother trees and for environmental considerations.
4. Marking number should be carved at 6" above ground level and facsimile of marking hammer must be discernible.
5. The trees with special features may also be retained.

vi. At least 10% of the cases for marking of trees will be verified by the Assistant Conservator of Forest and above level officer.

#### g. Procedure for Felling and Conversion:-

The Divisional Forest Officer shall accord felling permission on prescribed proforma. The copy of felling permission shall also be endorsed to the Tehsildar concerned. These felling, conversion and transportation shall be done under the strict supervision of a Forest officer not below the rank of Block Forest Officer. Felling of the marked trees shall be done as under:-

1. The tree shall be cut and felled at 6" height above the ground level on uphill side in a slanting manner in order to ensure emergence of coppice and preservation of marking the number and hammer facsimile for future verification.
2. The felled trees shall be converted into billets of standard one meter length except the terminal billets which may be length of 0.5 mtr to 1.5 mtr.
3. Standard 1 meter length billets would be further sorted out and stacked in following mid girth classes i.e;
  - 20.1 Cm to 30 cm
  - 30.1 Cm to 40 cm
  - 40.1 cm to 50 cm
  - 50.1 cm to 60 cm and so on upto 90.1 cm and up girth classes.



4. All the non standard size billets i.e. remaining billets shall be stocked in one lot after actual measurement.
5. On each billet, on one face, felling permission No. and tree No. shall be written.
6. All the lops, tops and branches which are not convertible into billets of minimum 20 cm mid girth under bark are to be stacked as fuel wood.
7. Time frame for various operations:-

S.N	Operation	Time Schedule
1	Notification of villages by the DFO	April.
2	Invitation and processing of applications	April to August
3	Misandeh/Demarcation/ Enumeration of private land and trees therein	September to October
4	Issuance of marking and felling permission by the divisional forest Officer	November
5	Felling and conversion	November to December
6	Transportation	January to February

These time period for different operations shall be followed except in case of natural calamities/ unforeseen natural problems.

**7. Uprooting of Khair Trees/ Stumps.**

Uprooting of Khair Trees as well as standing stumps shall not be done unless permitted by the Empowered officer as designated in the SRD. This is required as the khair is good coppicer and uprooting or grubbing shall effect its re-generation.

**8. Compensatory Plantation:**

The applicant (owner) shall be required to plant, protect and maintain at least three Khair seedlings in lieu of the each tree to be felled by him. These seedlings can be obtained by him from the Social Forestry Department or the territorial Forest Division at the available rates of the Department for the purpose.

(1) The owner shall have to deposit Rs 20/- (or as fixed by the Empowered Officer) per plant to be planted for carrying out compensatory planting. The Divisional Forest Officer concerned shall issue the marking/ felling permission on receipt amount including the compensatory plantation deposit.

(2) A certificate by the concerned Range Officer shall be furnished certifying the compensatory planting by the owner in whose favour felling permission was granted. The certificate shall be furnished within six months from the



date of issuance of felling permission. Upon receipt of such certificate, the deposit amount on account of compensatory plantation shall be released.

- (3) In case of non receipt of compensatory planting certificate within prescribed period, the amount deposited with the Divisional Forest Officer shall be forfeited and the compensatory plantation shall be carried out by the department.

#### K. Reporting:

With a view to have information about the total removal of khair trees an abstract of all the felling permissions given by the territorial Divisional Forest Officer will be sent to concerned Conservator of Forests immediately after the closing of prescribed year of felling as prescribed in the rule. The conservator of Forests will forward the same in a consolidated form for the whole circle to the Chief Conservator of Forest, Jammu.

CONSERVATOR OF FORESTS, EAST CIRCLE MEMBER SECRETARY	CONSERVATOR OF FORESTS, WEST CIRCLE	CHIEF CONSERVATOR OF FORESTS, WORKING PLAN, J&K CHAIRMAN
--	--	---

(A.K.Singh)IFS  
Pt. Chief Conservator of Forests (HoFF)  
J&K Forest Department.

26/4/16

(8 of 8)

ITEM NO.301 &amp; 302

CIVIL PET.

SECTION FIL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A.No.2370 in WP(C)No.202/1995

T.N.GODAVARMAN CHIRUMALAIAD

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS

Respondent(s)

(For appln. for accepting of Report of Export Committee)

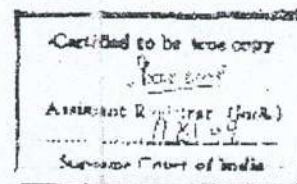
AND I.A.No.2651 and 2652 in W.P.(C)No.202/1995  
(For permission)AND I.A.No.2619-2621 in W.P.(C)No.202/1995  
(For implementation, directions and exemption from filing O.T.)AND I.A.No.2660-2661 in I.A.1972 in I.A.197 in W.P.(C)No.202/1995  
(For directions, implementation, stay exemption from filing O.T. And recommendation of CEC)AND I.A.No.2702 in W.P.(C)No.202/1995  
(For permission)AND I.A.No.2670 in W.P.(C)No.202/1995  
(Report of CEC in Appln. NO.985-A)AND I.A.No.2670 in W.P.(C)No.202/1995  
(Report of CEC in Appln. no.985-B)

AND  
SOP(C) NO.26325/2009  
(With appln. for permission to file SOP and with prayer for interim relief and office record  
WITH  
I.A.No.2348-2349 in WP(C) No.202/1995  
(For implementation, directions)

Date: 10/11/2009 These Applns./Petitions were called on for  
hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE S.H. KAPADIA  
HON'BLE MR. JUSTICE APJ ABID ALAM





Mr. Harish M. Salve, Sr. Adv. (A.C.) (N.P.)  
 Mr. Uday U. Lalit, Sr. Adv. (A.C.)  
 Mr. Siddhartha Chowdhury, Adv. (A.C.)  
 Mr. A.D.N. Rao, Adv. (A.C.)

For Petitioner(s)/  
 Applicant(s)/  
 Respondent(s) :

Mr. P.K. Manchhar, Adv.

Mr. Haris Bhasin, Adv.

Mr. Nareesh Kumar Sharma, Adv.

Mr. H.S. Kumbhar, Adv.

Mr. Vikas Upadhyay, Adv.

IA 2601 IN 2202-03

Mr. Vikas Singh, Sr. Adv.

Mr. Vivek Singh, Adv.

Mr. L.R. Singh, Adv.

Mr. Anip Sachchey, Adv.

Mr. Mohit Paul, Adv.

Ms. Shagun Mehta, Adv.

Mr. H.P. Ravel, ASG

Ms. Asha G. Nair, Adv., Ms. Gunwant Dara, Adv.

Mrs. Anil Katiyar, Adv.

IA 2603-61

Mr. Shyam Divan, Sr. Adv.

Ms. Maara Mathur, Adv.

Mr. V. Shokhar, Adv.

Mr. Jamun Zaveri, Adv.

M/s. S.K. Jain, Poojit Jain

Archana Tiwari, B. Barua, Adv.

For Ms. Pratiksha Jain, Adv.

Ms. Kavita Wadia, Adv.

Mr. R. Nedumattan, Adv.

IA 2670 & 2671

Mr. U.N. Bhattacharya, Sr. Adv.

Mr. Ashok Kumar Jain, Adv.

Mr. Anup Jain, Adv.

Mr. Abhishek Said, Adv.

Mr. M.A. Krishnamoorthy, Adv.

SLP(C) 26329/08

Mr. J.S. Attari, Sr. Adv.

Ms. Harshna Mehra, Adv.

Mr. Balraj Diwan, Adv.

IN 2348-49

Ms. Anilika Shetty, Adv.  
 Ms. Manita Saxena, Adv.  
 Ms. Rashmi Nand Kumar, Adv.

UPON hearing counsel the court made the following  
 O R D E R

I.A.No. 2370 in WP/CI No. 202/1999 & SLP/CI No. 34329/2008

The High Court of Himachal Pradesh passed an order on 26.5.2008 in regard to felling of trees on private lands which came within the definition of forest land. The order was challenged both by the land owners and contractors on the one side and the State Government on the other. In view of the controversy, we referred the matter to the CEC. The CEC after considering the relevant issues in detail has filed a report. The recommendations and suggestions made by the CEC are acceptable to all the parties before us. The CEC has recommended that the order passed by this Court on 5.5.2008 in I.A. 2370 of 2008 should be extended to the felling of Khair trees on privately owned non forest areas also subject to the following conditions:-

(i) no felling of trees, including of Khair trees, from the forest area will be permissible in violation of the Hon'ble Supreme Court order dated 12.10.1993.

(ii) no deviation from the ten year tapering programme fixed by the Forest Department in accordance with the provisions of the State Preservation Act, 1978 will be permissible.

(iii) no Katha/ Kutch manufacturing unit will be permitted to be established/ allowed to operate or to expand its capacity in violation of the Hon'ble Supreme Court orders dated 29/10/1992.



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As noted above, the conditions suggested by the CEC are acceptable to all the parties. All the parties shall abide by the above conditions and shall also follow the directions issued by this Court on 12.12.1996.

This order is in continuation of the earlier order passed by this Court on 8.5.2009.

The present order is confined in application to the State of Jharkhand Pradesh.

I.A. and SLP are disposed of accordingly.

I.A.No.2591 and 2202-2203 in W.P.(C)No.202/1995

Referred to the CEC.

I.A.No.2612-2621 in W.P.(C)No.202/1995

Adjourned by four weeks.

I.A.No.2662-2661 in I.A.2/2 in I.A.357 with 749-793, 952, 955, 1242-1243, 1217-1219 and 1536-1538 in W.P.(C)No.202/1995

List after four weeks.

MoEF to file response in the meantime.

I.A.No.2702 in W.P.(C)No.202/1995

Referred to CEC for comments.

List after four weeks.

I.A.No.2670 in W.P.(C) No.202/1995

The Ranakpur Jain Temple Complex, under the management of a trust, occupies an area of 9.81 hectares that falls within a much larger area that is notified as reserved forest and also as Kumbalgarh Wild Life Sanctuary. The trust managing the temple complex approached the Court for a direction to the concerned authorities to exclude the temple area from the reserved forest and

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the wild life sanctuary. The Court referred the matter to the CEC. The CEC has examined all the relevant issues in detail and has recommended that the trust be allowed only permissive possession over the area of the temple complex, subject to certain conditions.

All the recommendations made by the CEC and the conditions stipulated by it are acceptable to the applicant Trust. A copy of the CEC report was also given to the State but no petition has been filed on its behalf raising any objection to the recommendations/conditions made by the CEC.

As recommended by the CEC the Trust may have permissive possession of 9.21 hectares of forest land over which the temple complex stands subject to the conditions stipulated in the CEC report dated 12.8.2009.

The trust shall maintain the temple complex. The trust shall also ensure that there should not be any unlawful trespass over the forest area and no tree is cut down from the forest area. In addition, the trust shall abide by all the restrictions imposed by the Wild Life (Protection) Act, 1972.

The I.A. is disposed of accordingly.

I.A.No.2671 in W.P.(C) NO.202/1295.

This application is filed by Shri Anandji Kalyanji Tri seeking the deletion of the entire area of Shri Muchhala Mahar Temple Complex from the reserved forest as well as from Kumbhari Sanctuary within which the Temple Complex is located. The Temple Complex stands over an area of 3.28 hectares and it is located within the reserved forest/ sanctuary as established by



tifications dated 4.3.1950, 13.7.1971 and Collector Pali's order dated 21.3.1998 and is part of Kumbalgarh Sanctuary. The Forest (Conservation) Act, 1980 as well as the Wild Life (Protection) Act, 1972 are applicable to the area. The matter was referred to the GED which has examined all the relevant issues and has made its recommendations as follows:

Considering that the Temple Complex has been in existence for a very long period and that long before the forest laws came into existence, that it cannot be translocated and that the complex is occupied, managed and maintained by the Trust much before it was declared as Reserved Forest or Sanctuary it will be in the fitness of thing if the applicant Trust is allowed to continue to occupy, manage and maintain the entire Temple Complex measuring 3.28 hectares in the Reserved Forest/Sanctuary within which the Applicant Trust may have "permissible possession" without excluding it from the boundary of the Reserved Forest/ Kumbalgarh Sanctuary. The repair and maintenance of the complex may be done by the Temple authorities but any new construction should be carried out by them only after obtaining the approval under the Forest (Conservation) Act, 1980 and in accordance with the provisions of the Wild Life (Protection) Act, 1972. On special occasions the pilgrims may temporarily be allowed to use the area outside the 3.28 ha. Temple Complex as in the past but without erecting any building/structure. The Rajasthan Forest Department should prescribe suitable guideline for this purpose. The Rajasthan Forest Department is agreeable to the above proposed arrangements.

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247 284

The recommendations are fully acceptable to the Applicant Trust.

The Court accepts the recommendations and the conditions stipulated by the CEC. The Trust shall approach the Rajasthan Forest Department for laying down suitable guidelines for the pilgrims and visitors to access the Temple Complex causing least adverse impact on the surrounding forest area and the wild life. It is once again made clear that the trust shall neither make any new construction nor cut any tree in the forest area. I.A. is disposed of accordingly.

I.A. NOS. 2348-2349 in W.P.(C) No. 2027/1995

Adjourned by two weeks.

(R.K. Dhawan)  
Court Master

(Madhu Poxena)  
Court Master



1  
ITEM NO. 301 COURT NO. 1 SECTION PIL

SUPREME COURT OF INDIA  
BENCH OF FIVE JUDGES

I.A.Nos. 2075-2080, 2091-2093, 2096, 2614-2615 in WP(C) No. 202/1995

Dr. SOMANATHAN THIRUMALAPAL Sall-Loner(s)

VERSUS

UNION OF INDIA & ORS Respondent(s)  
(for impleachment/direction and exemption from filing O.T.)

NITH  
N.P. (C) NO. 301/2002  
(With appln. (s) for ex-parte stay and exemption from filing O.T.)

AND I.A.No. 2068 in W.P. (C) NO. 202/1995  
(for directions)

AND I.A.No. 2223 in W.P. (C) NO. 202/1995  
(for impleachment)

AND I.A.Nos. 2257-2262 in W.P. (C) NO. 202/1995  
(for permission and exemption from filing O.T.)

AND I.A.No. 2276 in W.P. (C) NO. 202/1995  
(for modification of order dated 14.2.2000)

Dated: 05/07/2002 These Applns. were called on for hearing today.

FORAM:

HON'BLE JUDGE CHIEF JUSTICE  
HON'BLE DR. JUSTICE K. J. BHASKAR  
HON'BLE MR. JUSTICE S.B. KAPADIA

Mr. Harish M. Salve, Sr. Adv. (A.C.)  
Mr. Uday H. Lalit, Sr. Adv. (A.C.)  
Mr. Siddhartha Choudhary, Adv. (A.C.)  
Mr. A.D.N. Rao, Adv. (P.C.)

For Petitioner(s): Mr. P.K. Vachhar, Adv. (NP)

Mr. Dhruv Mehta, Adv.  
Mr. Yashraj Singh Deora, Adv.  
Mr. Mohit Abraham, Adv.

Mr. T.S. Sathish, Adv.  
for M/s. S.K. Mittal & Co., Adv.

For Respondent(s) /  
applicant(s): Mr. Harish Mehta, Adv.

Mr. Manish Pande, Adv.  
For Mr. S.K. Mittal, Adv.  
Mr. L. Nageswara Rao, Sr. Adv.  
Mr. N. Sathya, Adv.  
Mr. Sanjay V. Khare, Adv.  
Mr. Anil G. Nair, Adv.

Mr. Shriwaji K. Jadhav, Adv.

Ms. Haripriya Padmanabhan, Adv.

Mr. Dhanu Mehta, Adv.

Mr. Yashraj Singh Deora, Adv.

Mr. Mohit Khanna, Adv.

Mr. T.S. Sankarish, Adv.

Mr. R.K. Mehta & Co., Adv.

Mr. C. Mahipal, Adv.

Dr. Manish Singhvi, AAG

Mr. Kaling Kumar, Adv.

Mr. T. Harish Kumar, Adv.

Mr. R. Nedumaran, Adv.

Mr. S. Nishantha, Adv.

Mr. Vikas Unadhyay, Adv.

After hearing counsel the Court made the following  
ORDER

I.A. No. 2370:

Taken on board.

The present application has been filed by the State of Himachal Pradesh. The C.A.C. has examined the feasibility and has given the following recommendations:

1. Felling of trees from the forest area approved for non-forestry use under Section 1 of the F.C. Act may continue to be permissible.
2. Conduct wooded blocks of above five hectares, which are otherwise not notified/recorded as forest, should be treated as "forests" for the purpose of the F.C. Act. Felling of trees and non-forest use of such areas should be permissible only after obtaining approval under the F.C. Act.
3. Felling of trees in non-forest areas should be strictly regulated as per the provisions of the Land Preservation Act, 1957, and
4. No felling of trees or non-forest use of area falling within the National Parks and Wildlife Sanctuaries should be permissible unless specifically permitted by this Hon'ble Court.

The recommendation of the C.A.C. is extended to the whole of State of Himachal Pradesh except in respect of felling of trees from the non-forest areas.

I.A. is disposed of accordingly.

I.A. Nos. 2079-80, 2081-2083, 2084 & N.P. (C) NO. 301/2204:

Learned amicus has suggested the name of Shri N.N. Ramesh, J.P.S. and Director General of P.F.P. (Ptd.) as the one Member S.I.T. The State of Maharashtra has no objection to this. Mr. Ramesh, can take the assistance



of any person he desires. S.I.T. is authorized to call for any documents/records or seek personal assistance of the concerned State Officer/State Functionary in discharge of the duties. The S.I.T. will file its report to this Court at the earliest, preferably within a period of four months.

I.A.No.2614-15;

As these matters relate to the dispute regarding some service matters, we are not inclined to go into these matters on merits. Accordingly, the applications are dismissed as withdrawn with liberty to the applicant to take any other appropriate action.

I.A.No.2018;

This application has been filed by the State seeking permission for renovation/construction of five roads falling in

Varisika Tiger Reserve. C.R.C. has examined the same and made the following recommendations:

1. Four traffic barriers will be erected and maintained by the Forest Department at Kushalgadh Sharthari junction near 'Thank you board' and Chats Bandrole for restricting the traffic within the sanctuary;
2. Diversion Boards at Chats Bandrole, Kushalgadh and Sharthari junction will be installed by the P.W.D. In addition two direction boards indicating commencement of the sanctuary area will be installed by the P.W.D. at Nanni Ka Baira and near 'Thank you Board' (Km.204/01);
3. The Palla-Varisika road (State Highway 29-A) which passes through the core area of sanctuary will be closed to traffic. The existing road between Baria Tilla to Thangasi via Aishori-Ayabgarh will be repaired/renovated and used as an alternative road;
4. movement of the Government vehicles on the State Highway No. 29 between Kushalgadh Baira (Km.195/00) to near 'Thank you board' (Km.204/00) will be stopped; and
5. during the night or movement of vehicles on the above stretch will be permitted. The traffic will pass through the bye-pass road.

The recommendations are acceptable to the State. I.A. is allowed subject to fulfillment of above recommendations by the State.

I.A.No.2223;

The Tamil Nadu Electricity Board seeks permission to cut 738 trees from the reserve forest area for implementation of the Adimimalai Hydro Electric Project at Kollimalai, District Namakkal. C.R.C. has suggested the following conditions:

4) the tree felling will be done under the supervision and direction of the Forest Department;

5) the tree felling will be kept to the barest minimum possible; and

6) wherever technically feasible, instead of felling, the tree will be transplanted.

The said conditions are acceptable to the State.

I.A. is allowed

subject to fulfillment of the above conditions by the State.

I.A.No.2282-53:

Application for exemption from filing C.C. is allowed.

The State of X.P. seeks permission for construction of a High level bridge across Chambhar river. As the construction is likely to have some impact on the National Chambhar Crocodile Sanctuary, the matter was examined by the C.B.C. and subject to the following conditions, C.B.C. has recommended the project:

1. 5% of the estimated project cost of Rs.22.51 crores i.e. Rs.1.125 crores will be deposited in the Compensatory Afforestation Fund for undertaking conservation and protection measures in the sanctuary;

2. for the use of non-fuel land felling within the sanctuary, the NPV will be deposited as per this Hon'ble Court's order dated 29.3.2008 in the NPV account;

3. the conditions stipulated by the Chief Wildlife Warden will be strictly complied with;

Subject to fulfillment of the above conditions, the project is approved. I.A. is allowed accordingly.

I.A.No.2276:

The State of X.P. seeks permission to construct an inter-caste centre at Chindolha, District Raipur in the Antelope Wildlife Sanctuary. There is no involvement of felling of trees. C.B.C. has suggested that no felling of trees will take place for

implementation of the project and the directions/conditions, if any, stipulated by the Chief Wildlife Warden be strictly complied with. Subject to this, the project is approved. I.A. is allowed accordingly.



(G.V.Ramana)  
Court Master

(Madhu Saxena)  
Court Master

10

ITEM NO.MM-B COURT NO.1 SECTION PTL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A.No.2147-2148 in WP(C)No.202/1995

T.K. GODHARVAN THIRUMULPAD Petitioner(s)

VERSUS

UNION OF INDIA & ORS Respondent(s)

Date: 08/05/2009 These App'ns. were mentioned today.

ORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE RAJESH PASAYAN  
HON'BLE MR. JUSTICE C.H. KAPADIA

Mr. Rajesh N. Salve, Sr. Adv. (A.C.)  
Mr. Uday C. Lalit, Sr. Adv. (A.C.)  
Mr. Siddhartha Chowdhury, Adv. (A.C.)  
Mr. A.D.N. Rao, Adv. (A.C.)

For Petitioner(s) Mr. S.K. Manohar, Adv. (NF)

For Respondent(s)/  
Applicant(s) Mr. Ramji Gopalvasan, Sr. Adv. (Mentioned by)  
Mr. Mahesh Kumar, Adv.  
For M'm.M.V.Nirmal & Co., Adv.

ON reading counsel the Court made the following  
ORDER

DATE 24.05.2009

(G.V.Ramana)  
Court Master

(Madhu Saxena)  
Court Master

(Mentioned slip enclosed)

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ITEM NO.MM-B COURT NO.1 SECTION PTL

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

I.A.No.1352 in I.A.No.956 in I.A.1012 in WP(C)No.202/1995

T.K. GODHARVAN THIRUMULPAD Petitioner(s)

VERSUS

UNION OF INDIA & ORS Respondent(s)

Date: 23/05/2009 This App'ns. was mentioned today.

ORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE DR. JUSTICE ABHISHEK PASAYAT  
HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Salve, Sr. Adv. (A.C.)  
Mr. Uday U. Lalit, Sr. Adv. (A.C.)  
Mr. Siddhartha Chowdhury, Adv. (A.C.)  
Mr. A.D.N. Rao, Adv. (A.C.)

For Petitioner(s): Mr. P.K. Manchay, Adv. (N)

For Respondent(s)/  
Applicant(s): Mr. Altab Ahmad, Sr. Adv. (Mentioned by)  
Mr. Anil Shrivastava, Adv.

UPON hearing counsel the Court made the following  
ORDER

1. As immediately after summer vacation before the Forest Bench.

(S.V. Ramani) (Madhu Saxena)  
Court Master Court Master  
(Mentioned slip enclosed)

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1. IN NO. 1234-32 COURT NO. 1 SECTION 212

SUPREME COURT OF INDIA  
OFFICE OF THE CLERK

I.A. Nos. 1234-32 in I.A. No. 2127 in WP(C) No. 202/1953

S.R. SUBRAMANIAM INTERNATIONAL Petitioner(s)

VERSUS

UNION OF INDIA & ORS Respondent(s)

DATE: 10/01/2003 These Applns. were mentioned today.

UPON :

HON'BLE THE CHIEF JUSTICE  
HON'BLE DR. JUSTICE ABHISHEK PASAYAT  
HON'BLE MR. JUSTICE S.H. KAPADIA

Mr. Harish N. Salve, Sr. Adv. (A.C.)  
Mr. Uday U. Lalit, Sr. Adv. (A.C.)  
Mr. Siddhartha Chowdhury, Adv. (A.C.)  
Mr. A.D.N. Rao, Adv. (A.C.)

For Petitioner(s): Mr. P.K. Manchay, Adv. (N)

For Respondent(s)/  
Applicant(s): Mr. Coel, Adv. (Mentioned by)  
for Ms. Shweta Chel, Adv.

UPON hearing counsel the Court made the following  
ORDER

1. As on 24.01.2003.

(S.V. Ramani) (Madhu Saxena)  
Court Master Court Master  
(Mentioned slip enclosed)



अनु. 3(a)

भारत का संवत्सरीय अक्षांश

13

	सायाना	76°27'58.148"पू	32°31'46.43"उ
16	कुमारवाली	76°27'17.806"पू	32°32'3.185"उ
17	नया	76°27'29.626"पू	32°32'14.48"उ
18	मिरोट	76°27'10.437"पू	32°32'13.211"उ
19	भद्रा	76°28'59.784"पू	32°33'8.748"उ
20	लाज	76°25'48.403"पू	32°28'40.426"उ
21	मिडुली	76°29'40.48"पू	32°34'55.28"उ
22	भार मात	76°29'23.826"पू	32°32'12.576"उ
23	मुन्नार	76°26'30.284"पू	32°30'18.012"उ
24	दासी	76°27'39.98"पू	32°32'28.36"उ

उपसंश्लेष- V

की गई कार्यवाही सम्बन्धी रिपोर्ट का प्रसार -

1. बैठकों की संख्या और तारीख।
2. बैठकों का कार्यवृत्त (कृपया मुख्य उल्लेखनीय बिंदुओं का उल्लेख करें। बैठक के कार्यवृत्त को एक पृष्ठ पर उपसंश्लेष में उपाबद्ध करें)।
3. आन्तरिक महार्याजना की वेबसाई की साक्षिपति जिसके अधीन पर्यटन महार्याजना भी हो।
4. अनुसंधान से संबंधित सुझावों के सुधार के लिए स्वीकार किए गए मामलों का सार (पारिस्थितिकी संस्थाओं को शामिल करें)। क्योंकि उपसंश्लेष के रूप में संलग्न किए जाएंगे।
5. पर्यावरण समाधान विभाग अधिनियम, 2006 के अधीन आने वाले नियामकों की संस्था के मामलों का सार (क्योंकि एक पृष्ठ पर उपसंश्लेष के रूप में संलग्न किए जाएंगे)।
6. पर्यावरण समाधान विभाग अधिनियम, 2006 के अधीन न आने वाले नियामकों की संस्था के मामलों का सार। (क्योंकि एक पृष्ठ पर उपसंश्लेष के रूप में संलग्न किए जाएंगे)।
7. पर्यावरण (संरक्षण) अधिनियम, 1986 की धारा 19 के अधीन दर्ज की गई शिकायतों का सार।
8. कोई अन्य महत्वपूर्ण विषय।

## MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

## NOTIFICATION

New Delhi, the 1st February, 2021

S.O. 409 (F), -WHEREAS, a draft notification was published in the Gazette of India, Extraordinary on the 12th March, 2021, vide notification of the Government of India in the Ministry of Environment, Forest and Climate Change number S.O. 1195(E), dated the 12th March, 2021, inviting objections and suggestions from all persons likely to be affected thereby within the period of sixty days from the date on which copies of the Gazette containing the said notification were made available to the public.

AND WHEREAS, copies of the Gazette containing the said draft notification were made available to the public on the 12th March, 2021;

AND WHEREAS, the Tundi Wildlife Sanctuary is spread over an area of sixty-four square kilometres and is in the Chamrour sub-division of Chamrour district and falls under the administrative control of Wildlife, Chander in Himachal Pradesh. The Tundi Wildlife Sanctuary is located between 74° 24' E to 76° 28' E longitude and 32° 49' N to 32° 56' N latitude and is at a distance of seven kilometres from Dhasog on Chamrour road.

AND WHEREAS, the Wildlife Sanctuary is rich in floral diversity with species such as deciduous *Alnus*, *Salix*, fruiting *Salix purpurea*, spruce (*Picea malabarica*), hail (*Pinus roylei*), bam (*Bambusa nana*), etc. There is good intermingling of wooded area and vast expanses of pastures that forms an ideal habitat for animals as well.

AND WHEREAS, it is necessary to conserve and protect the area, the value and boundaries of Tuzigot Sanctuary which are specified in paragraph 1 as Eco-sensitive Zone from ecological, environmental and socio-economic point of view and to prohibit industries or class of industries and their operations and processes in the Eco-sensitive Zone;

and boundaries of Eco-sensitive Zone. - (1) The Eco-sensitive Zone shall lie to an extent of zero to one km around the boundary of Tundla Wildlife Sanctuary and the area of the Eco-sensitive zone is 46.74 square km and the zero extent of Eco-sensitive Zone towards Northern and North eastern side is due to presence of boundary of Lalit and Son exhibiting snow bound mountains with glaciers and inaccessible terrains.

Groups of the Terrestrial Wildlife Sanctuary designating bio-sensitive zone along with boundary details of altitudes and Longitudes are appended as Annexure-II A, Annexure-II B and Annexure-II C.

The list of villages falling in the Eco-sensitive Zone along with their geo co-ordinates at prominent point is appended as Annexure-IV.

The Zonal Master Plan for the Bio-sensitive Zone shall be prepared by the State Government in such manner as is specified in this notification and also in consonance with the relevant Central and State laws and the guidelines issued by the Central Government, if any.

- (c) Forest and Wildlife



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(iv) Agriculture;

(v) Revenue;

(vi) Urban Development;

(vii) Tourism;

(viii) Municipal;

(ix) District State Pollution Control Board.

The Zonal Master Plan shall not impose any restriction on the approved existing land use, infrastructure and activities, unless so specified in this notification and the Zonal Master Plan shall factor in improvement of infrastructure and activities to be more efficient and eco-friendly.

(75) The Zonal Master Plan shall provide for restoration of degraded areas, conservation of existing water bodies, management of catchment areas, watershed management, groundwater management, soil and moisture conservation, needs of local community and such other aspects of the ecology and environment that are pertinent.

(76) The Zonal Master Plan shall demarcate all the existing worshipping places, villages and urban settlements, types and kinds of forests, agricultural areas, fertile lands, green area, such as, parks and like places, horticultural areas, orchards, lakes and other water bodies with supporting maps giving details of existing and proposed land use features.

(77) The Zonal Master Plan shall provide mechanism for regulating developmental activities in Eco-sensitive Zone and adhere to prohibited and regulated activities listed in the Table in paragraph 4 and also ensure and promote eco-friendly development for security of local communities livelihood.

(78) The Zonal Master Plan shall be consistent with the Regional Development Plan.

(79) The Zonal Master Plan so approved by the State Government shall be the reference document for the Monitoring Committee for carrying out its functions of monitoring in accordance with the provisions of this notification.

8. Measures to be taken by the State Government.-The State Government shall take the following measures for giving effect to the provisions of this notification, namely:-

(i) Land use.- (a) Forests, non-agricultural areas, agricultural areas, parks and open spaces earmarked for recreational purposes in the Eco-sensitive Zone shall not be used or converted into areas for commercial or residential or industrial activities.

Provided that the conversion of agricultural and other lands, for the purposes other than that specified herein above, within the Eco-sensitive Zone may be permitted on the recommendation of the Monitoring Committee, and with the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of Central Government or State Government as applicable and state provisions of this notification, to meet the residential needs of the local residents and for activities such as:-

(i) widening and strengthening of existing roads and construction of new roads;

(ii) construction and renovation of infrastructure and civic amenities;

(iii) small scale industries not causing pollution;

(iv) outdoor industries including village industries, convenience stores and local amenities supporting agriculture including home stay; and

(v) promoted activities given under paragraph 4;

Provided further that no use of tribal land shall be permitted for commercial and industrial development activities without the prior approval of the competent authority under Regional Town Planning Act and other rules and regulations of the State Government and without compliance of the provisions of article 244 of the Constitution or the law for the time being in force, including the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (2 of 2006).

Provided also that any error appearing in the land records within the Eco-sensitive Zone shall be corrected by the State Government, after consulting the views of Monitoring Committee, once or each time and the correction of said error shall be intimated to the Central Government to the Ministry of Environment, Forest and Climate Change.

Provided also that the correction of error shall not include change of land use in any case except as provided under this sub-paragraph.

- (b) Efforts shall be made to reforest or reproductively agricultural area with afforestation or habitation activities.
- (c) **Natural water bodies.** The catchment areas of all natural springs shall be identified and plans for their conservation and rejuvenation shall be incorporated in the Zonal Master Plan and the guidelines shall be drawn up by the State Government in such a manner as to prohibit development activities at or near these areas which are detrimental to such areas.
- (d) **Tourism or eco-tourism.** (i) All new eco-tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be as per the Tourism Master Plan for the Eco-sensitive Zone.
- (ii) The Tourism Master Plan shall be prepared by the State Department of Tourism in consultation with the State Department of Environment and Forests.
- (iii) The Tourism Master Plan shall form a component of the Zonal Master Plan.
- (iv) The Tourism Master Plan shall be drawn based on the study of carrying capacity of the Eco-sensitive Zone.
- (v) The activities of eco-tourism shall be regulated as under, namely:-
- (A) new construction of hotels and resorts shall not be allowed within one kilometre from the boundaries of the protected area or upto the extent of the Eco-sensitive Zone, whichever is nearer;
- Provided that beyond the distance of one kilometre from the boundaries of the protected area or the extent of the Eco-sensitive Zone, the establishment of new hotels and resorts shall be allowed only in pre-defined and designated areas for eco-tourism facilities as per Tourism Master Plan.
- (B) all new tourism activities or expansion of existing tourism activities within the Eco-sensitive Zone shall be in accordance with the guidelines issued by the Central Government in the Ministry of Environment, Forest and Climate Change and the eco-tourism guidelines issued by the State Government. Nothing has amended from time to time with emphasis on eco-tourism, eco-development and eco-development.
- (C) until the Zonal Master Plan is approved, development for tourism and expansion of existing tourism activities shall be permitted by the concerned regulatory authorities based on the actual site specific scrutiny and recommendation of the Monitoring Committee and no new hotel, resort or commercial establishment construction shall be permitted within Eco-sensitive Zone area.
- (e) **Natural heritages.** All sites of valuable natural heritage in the Eco-sensitive Zone, such as the geomorphology, caves, rock formations, waterfalls, springs, gorges, groves, caves, ponds, walks, rides, cliffs, etc., shall be identified and a heritage conservation plan shall be drawn up for their preservation and conservation as a part of the Zonal Master Plan.
- (f) **Man-made heritage sites.** Buildings, structures, monuments, ruins and precincts of historical, architectural, scientific, and cultural significance shall be identified in the Eco-sensitive Zone and heritage conservation plan for their conservation shall be prepared as part of the Zonal Master Plan.
- (g) **Noise pollution.** Prevention and control of noise pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Noise Pollution (Regulation and Control) Rules, 2000 made under the Environment Act.
- (h) **Air pollution.** Prevention and control of air pollution in the Eco-sensitive Zone shall be carried out in accordance with the provisions of the Air (Prevention and Control of Pollution) Act, 1986 (14 of 1986) or any rules made thereunder.
- (i) **Discharge of effluents.** Discharge of treated effluents in the Eco-sensitive Zone shall be in accordance with the provisions of the General Standards for Discharge of Environmental Pollutants covered under the Environment Act and the rules made thereunder or standards stipulated by the State Government, whichever is more stringent.
- (j) **Solid wastes.** Disposal and Management of solid wastes shall be as under:-
- (A) the solid waste disposal and management in the Eco-sensitive Zone shall be carried out in accordance with the Solid Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change (G.O. notification number S.O. 1357 (1), dated 14.01.2017). Where the municipal waste may be disposed of in an environmental acceptable manner at site situated outside the Eco-sensitive Zone.
- (B) site and fly immediately Sound Management of Solid wastes in conformity with the existing rules and regulations using identified technologies may be allowed within the Eco-sensitive Zone.



2011-2012, 3(10)

गोपनीयता सूचक : ग/अ/प्र/प्र

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(10) **Bio-Medical Waste.** Bio-Medical Waste Management shall be as under:-

(a) The Bio-Medical Waste disposal in the Eco-sensitive Zone shall be carried out in accordance with the Bio-Medical Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 343 (E) dated the 28<sup>th</sup> March, 2016.

(b) Safe and Environmentally Sound Management of Bio-Medical Wastes in conformity with the existing rules and regulations using identified technologies may be allowed within the Eco-sensitive Zone.

(11) **Plastic waste management.** The plastic waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Plastic Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 340(E), dated the 28<sup>th</sup> March, 2016, as amended from time to time.

(12) **Construction and demolition waste management.** The construction and demolition waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the Construction and Demolition Waste Management Rules, 2016 published by the Government of India in the Ministry of Environment, Forest and Climate Change vide notification number G.S.R. 337(E), dated the 29<sup>th</sup> March, 2016, as amended from time to time.

(13) **E-waste.** The e-waste management in the Eco-sensitive Zone shall be carried out as per the provisions of the E-Waste Management Rules, 2016, published by the Government of India in the Ministry of Environment, Forest and Climate Change, as amended from time to time.

(14) **Vehicular traffic.** The vehicular movement of traffic shall be regulated in a habitat friendly manner as specific provisions in this regard shall be incorporated in the Zonal Master Plan and till such time when Zonal Master plan is prepared and approved by the competent authority in the State Government, Monitoring Committee shall ensure compliance of vehicular movement under the relevant Acts, regulations and provisions made thereunder.

(15) **Vehicular pollution.** Prevention and control of vehicular pollution shall be in compliance with applicable laws and orders shall be made for use of cleaner fuels.

(16) **Industrial units.** (a) On or after the publication of this notification in the Official Gazette, no new polluting and/or non-polluting industries shall be permitted to be set up within the Eco-sensitive Zone.

(b) Only non-polluting industries shall be allowed within Eco-sensitive Zone as per the classification of industries in the guidelines issued by the Central Pollution Control Board in February, 2016, as amended from time to time, unless as specified in this notification, and in addition the non-polluting cottage industries shall be permitted.

(17) **Protection of hill slopes.** The protection of hill slopes shall be as under:-

(a) The Zonal Master Plan shall indicate areas of hill slopes where no construction shall be permitted.

(b) Construction or existing steep hill slopes or slopes with a high degree of erosion shall not be permitted.

(18) **List of activities prohibited or to be regulated within Eco-sensitive Zone.** All activities in the Eco-sensitive Zone shall be governed by the provisions of the Environment Act and the rules made there under including the Coastal Regulation Zone, 2011 and the Environmental Impact Assessment Notification, 2006 and other applicable laws including the Forest (Conservation) Act, 1980 (69 of 1980), the Indian Forest Act, 1927 (16 of 1927), the Wildlife (Protection) Act, 1972 (53 of 1972) and amendments made therein and be regulated in the manner specified in the Table below, namely:-

TABLE

TABLE		
S. No. (1)	Activity (2)	Description (3)
		<b>A. Prohibited Activities</b>
	Commercial mining, stone quarrying and crushing units	(a) All new and existing mining (minor and major) and stone quarrying and crushing units shall be prohibited with limited exception for meeting the domestic needs of bona fide local residents including digging of earth for construction or repair of houses within Eco-sensitive Zone.
		(b) The mining operations shall be carried out in accordance with

## THE GAZETTE OF INDIA: EXTRAORDINARY

(Part II - Section 3(1)(i))

Activity	Description
(2)	(3)
Setting up of industries causing pollution (Water, Air, Soil, Noise, etc.)	<p>Order of the Hon'ble Supreme Court dated the 27<sup>th</sup> August, 2002 in the matter of J. N. Godayanma, Taramulpad Vs. UOI (W.P.(C) No.202 of 1993 and dated the 21<sup>st</sup> April, 2002 in the matter of Gita Foundation Vs. UOI in W.P.(C) No.428 of 2002.</p> <p>New industries and expansion of existing polluting industries in the Eco-sensitive Zone shall not be permitted.</p> <p>Provided that, non-polluting industries shall be allowed within the Sensitive Zone as per classification of Industries in the guidelines issued by the Central Pollution Control Board in February, 2006 and amended from time to time, unless to specification in this notification and in addition, the non-polluting cottage industries shall be permitted.</p>
Subsidence of land or hydro electric project.	Prohibited.
Use, or production or processing of any hazardous substances.	Prohibited.
Discharge of untreated effluents in natural water bodies or land area.	Prohibited.
Setting up of new saw mills.	New or expansion of existing saw mills shall not be permitted within the Eco-sensitive Zone.
Setting up of brick kilns.	Prohibited.
Use of polythene bags.	Prohibited.
Unrestricted use of fireworks.	Prohibited.
Introduction of exotic species.	Prohibited.
<b>B. Regulated Activities</b>	
Commercial establishment or hotels and resorts.	<p>No new commercial hotels and resorts shall be permitted within one kilometer of the boundary of the Protected Area or into the extent of the Eco-sensitive zone, whichever is nearer, except for small temporary structures for Eco tourism activities.</p> <p>Provided that, beyond one kilometer from the boundary of the protected Area or upto the extent of the Eco-sensitive zone, whichever is nearer, all new tourist activities or expansion of existing activities shall be in conformity with the Tourism Master Planning guidelines applicable.</p>
Construction activities.	<p>(a) New commercial construction of any kind shall not be permitted within one kilometer from the boundary of the Protected Area or upto extent of the Eco-sensitive Zone whichever is nearer.</p> <p>Provided that, local people shall be permitted to undertake construction in their land for their use including the activities listed in sub paragraph (i) of paragraph 3 as per housing survey to meet the residential needs of the local residents.</p> <p>Provide that the construction activities required in small scale activities not causing pollution shall be regulated and kept at the minimum with the prior permission from the authorities.</p>



S. No. (1)	Activity (2)	Description (3)
		authority as per applicable rules and regulations, if any.
		(iv) Beyond one Kilometer it shall be regulated as per the State Master Plan.
	Small scale non polluting industries.	Non polluting industries as per classification of industries issued by the Central Pollution Control Board in February, 2016, as amended, from time to time and non-hazardous, small-scale and cottage industry, agriculture, floriculture, horticulture or agro-based industry producing products from indigenous materials from the Eco-sensitive Zone shall be permitted by the competent Authority.
	Felling of trees	(iv) There shall be no felling of trees in the forest or Government revenue or private lands without prior permission of the competent authority in the State Government. (v) The felling of trees shall be regulated in accordance with the provisions of the concerned Central or State Act and the rules made there under.
	Collection of Forest Produce or Non-Timber Forest Product.	Regulated under applicable laws
	Erection of electrical and communication towers and laying of cables and other infrastructures	Regulated under applicable laws of underground cabling and promoted.
	Infrastructure including civic amenities.	Taking measures of mitigation, as per applicable laws, rules and regulation and available guidelines.
	Widening and strengthening of existing roads and construction of new roads	Taking measures of mitigation, as per applicable laws, rules and regulations and available guidelines.
	Undertaking other activities related to tourism like over flying over the Eco-sensitive Zone area by hot air balloon, helicopter, drones, Microlites, etc.	Regulated as per the applicable laws.
	Protection of hill slopes and river banks.	Regulated as per the applicable laws.
	Movement of vehicular traffic at night	Regulated for commercial purpose under applicable laws.
	Ongoing agriculture and horticulture practices by local communities along with dairies, dairy farming, aquaculture and fisheries.	Permitted as per the applicable laws for use of locals.
	Discharge of treated waste water/effluents in natural water bodies or land area.	The discharge of treated waste water or effluents shall be in such a manner that it does not enter into the water bodies and efforts shall be made for re-use of treated waste water. Otherwise the discharge of treated waste water/effluents shall be regulated as per the applicable laws.
	Commercial extraction of surface	Regulated under applicable laws.