

F. No.8-14/2004-FP
Government of India
Ministry of Environment & Forests
Forest Policy Division

Paryavaran Bhawan,
CGO complex,
Lodhi Road,
New Delhi-110003

Dated: 27th December 2012

To

All The State Forest Departments and other Concerned Persons

Sub: Report of the Committee constituted to study the regulatory regime regarding felling and transit regulations for tree species grown on private land-reg.

Sir,

This is informed to all concerned members of the Committee, State Forest Departments including agro-foresters, local communities and NGOs, that the Ministry of Environment & Forests constituted a Committee in July 2011 to study the regulatory regime felling and transit regulations for tree species grown on non forest/private lands, to evaluate the experience of different States/UTs and to recommend the regulatory regime in the recently initiated Green India Mission, one of the eight Mission under National Action Plan for Climate Change.

2. The Committee has brought out the Report on the study on felling and transit regulations for tree species grown on non forest/private lands, which is the first of its kind at Central Government. The undersigned, as a Member Secretary of the Committee invite suggestions/comments, if any, on the Report to the undersigned to make the report more effective.

Yours faithfully,

Sd/-

(Subhash Chandra)

Dy. Inspector General of Forests (Forest Policy)
and Member Secretary of the Committee

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MINISTRY OF ENVIRONMENT & FORESTS,
GOVERNEMENT OF INDIA

REPORT

OF

THE COMMITTEE
HEADED BY SHRI A.K. BANSAL
ADDL. DIRECTOR GENERAL (FC)

ON

THE REGULATORY REGIME
REGARDING FELLING AND TRANSIT
REGULATIONS FOR TREE SPECIES
GROWN ON NON FORESTS/ PRIVATE
LANDS

Arun Kumar Bansal,

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Ministry of Environment & Forests
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FOREWORD

The Forest and Tree cover in India has over the years stabilized at around 23 % of geographical area, whereas the National Forest Policy, 1988 lays down the national goal of 33% of forest and tree cover for ensuring ecological security and environmental balance. Since 1990 there has been impressive growth of Indian economy leading to significantly increased demand for timber and other forest produce. As the area under natural forest is difficult to increase, the extension of forestry in non forest areas especially as agro-forestry and farm forestry has tremendous potential to increase production of timber and other wood products and reduce the pressure on natural forests.

The Ministry of Environment & Forests constituted a Committee in July 2011 to study the regulatory regime Felling and Transit regulations for tree species grown on non forest/private lands, to evaluate the experience of different States/UTs and to recommend the regulatory regime in the recently initiated Green India Mission, one of the eight Mission under National Action Plan for Climate Change. It gives me great pleasure that the Committee has brought out the Report on the study on felling and transit regulations for tree species grown on non forest/private lands, which is the first of its kind at Central Government.

The recommendations and suggestions made there under are the result of critical analysis of the various existing State legislations/Rules and Acts regarding felling and transit of tree species. Due importance has been given for the suggesting the relaxation in transit and felling permission for the species preferred by the farmers and agroforesters. This will help in active involvement of farmers and other passive landowners in afforestation also increasing the tree cover and enriching the environment. This will attract initiatives for afforestation on the wastelands lying unattended for one or the other reasons.

To expand significantly the community/ social forestry outside traditional forests requires bringing together of all stakeholders foresters, farmers, landowners, woodbased industries, scientists, financial institutions and communities. The growing of trees on private lands is driven by commercial consideration with ease in harvesting and backed by enabling market with buyback arrangements through partnership between farmers and industries. There is a need for investment in R&D for increasing availability of improved quality of planting stock of suitable clonal varieties of preferred species, processing technologies, easy access to market information. From experience it is realized that Symbiotic relationship between plantation owners and wood based industries and an appropriate regulatory framework has helped in growth of wood from non forest areas.

The whole exercise required considerable efforts in collecting desired information, and analysis of regulations, discussion with farmers and other stakeholders. I place on record my deep appreciation and gratitude to all the committee members, namely Shri K.K. Singh, Shri Piare Lal, Mohammad Ahmed, Shri Sanjay Upadhyaya, Shri B.M.S. Rathore, Dr. K. Krishna Kumar, and Shri Subhash Chandra, Member Secretary and Convener of the

Committee for their valuable contribution and sincere efforts in making this study possible. I would like to make a special mention of Shri Subhash Chandra, DIG Forest Policy in collecting and analyzing information in preparing this report. I, also place on record, the valuable support provided by Shri Amit Kumar, AIG, Forest Policy, Shri Jitesh Kumar, Research Investigator and Shri K. L. Vasishth, Private Secretary to the committee. I hope that the State Forest Department can give due attention to formulate and favourably consider necessary amendments in their rules and regulations to create enabling and people's friendly environment. The committee will welcome suggestions from State Forest Departments/ Foresters / Institutions to make recommendations more effective.

Sd/-
(A. K. Bansal)

1. Background:

1.1 India has 78.29 mha land under the forest & tree cover, which is 23.81% of the geographical area of the country (ISFR, 2011). India occupies 10th rank among the most forested countries of the World (GFRA 2010). The forest resources are represented by 16 major forest types and are unevenly distributed, mostly confined to Himalayan belt, Central India, Western Ghats, NE Region & A&N Islands. Forests support livelihood of around 200 million people in the country. National Forest Policy, 1988 strives for national goal of achieving one third of geographical area under forest cover in order to ensure ecological & environmental security. Forests are mainly government owned and as a land use is the second largest land use category after agriculture in India. The productivity of forests, in India, is among the lowest in the World, which needs to be addressed by focusing on gradual reduction on drivers of deforestation and degradation. One of the reasons for low productivity of forests may be attributable to the fact that most of the forested land in high fertility zone like plains of North India and other river valleys has given way to agriculture and habitation leading to forests mostly confined to inaccessible, hilly, arid and rocky terrains.

1.2 India has made impressive economic growth in recent times reflected in rise in income of people, which is leading to increase in consumption of wood and wood products like furniture, construction timber, paper and pulp etc. This growing demand has resulted in large gap between demand and supply of forest products, which is met partly through agro-forestry and remaining by import of timber and allied products. Globally there is increasing focus on sustainable forest management and some countries like USA, EU are developing legally binding processes for trade of certified timber from sustainably managed forests, which will have significant impact on international trade of forest products.

1.3 Participatory forestry in various forms such as Social forestry, Community forestry, Farm/ Agro forestry, JFM etc. has evolved over the years by involving farmers and other land owners in tree plantations outside forests. Agro forestry has played an important role in providing valuable wood based raw materials to industry for meeting demand for various wood based products for society. The potential of agro/ farm forestry has not been fully realized, as on one side farmers are encouraged to grow trees on their land, at the same time they face difficulties in harvesting their produce, in view of various restrictions on felling and transit of trees.

1.4 A Committee was constituted by the Ministry of Environment & Forests to study the regulatory regime regarding felling and transit regulations for tree species grown on non forest/ private lands under the chairman ship of Shri A.K. Bansal, IFS, Addl. DGF, FC. The names of the members are given below:

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|---|------------------|
| 1. Shri A.K. Bansal, Addl. DGF, FC, MoEF | Chairman |
| 2. Shri B.M.S. Rathore, JS, MoEF | Member |
| 3. Dr. N. Krishna Kumar, director, IFGTB, Coimbatore, | Member |
| 4. Shri K. K. Singh, LVKS, Bhopal | Member |
| 5. Shri Piare Lal, Agroforester, Punjab | Member |
| 6. Shri Mohammad Ahmed, Agroforester, Kerala | Member |
| 7. Shri Sanjay Upadhyaya, Advocate, Supreme Court | Member |
| 8. Shri Subhash Chandra, DIG, Forest Policy, MoEF | Member Secretary |

1.5 ToRs: The Terms of Reference of the Committee are given below:

- (i) To study the current regulatory regimes of different States / UTs regarding felling and transit for trees grown on private lands.
- (ii) To evaluate the experience of different States / UTs in agro and farm forestry.
- (iii) To recommend the regulatory regime in Mission to Green India.
- (iv) To review the Lok Vaniki Act of Madhya Pradesh.

1.6 The committee had its first meeting in July, 2011 and focused on collection of data from States. The State Forest Departments were requested to provide relevant information / materials on the subject. Information from 24 States/ UTs has been collected and analysed. The committee in its Second meeting in April, 2012 discussed various Acts/ rules and regulations and issues impacting initiatives in growing trees on non forest /private lands. The role of the committee is important in respect of linking forest policy objectives with the growth of participatory forestry to ensure sustained availability of forest produce and wood products in the country to meet growing demands of society.

1.7 The committee was of the view that expansion of community / agro or farm forestry outside the forests with support from farmers, landowners, and communities in addition to improvement of degraded forest areas, and development of around 25 mha of arable wastelands can contribute significantly to fulfill the national goal of achieving 33% of forest and tree cover, as enshrined in the National Forest Policy, 1988. There is an immense potential for agro-forestry and farm forestry considering the favourable climatic conditions, growing demand for forest produce and opportunities for creation of jobs in the rural / peri urban areas. However, successful growing of trees on private lands is to be driven primary by commercial / economic considerations. Market linkages are needed for ease in revenue realization. R&D support/ inputs for improving quality of planting stock of preferred species, processing technologies, etc. are important aspects which need focused and continuous efforts. From experience of States, like Haryana and Punjab which have made remarkable progress in agro and farm forestry, it is realized that there has to be symbiotic relationship between plantation owners and wood based industries. National institutions like ICFRE, IPIRTI are constantly working for development of better/appropriate processing technology. However, much is required to be done in the field of quality planting materials for ensured availability of good quality of planting materials and also in evolving an enabling policy/legal framework.

1.8 After detailed deliberations, the committee identified following issues to evolve an enabling policy-legal framework for boosting the growth of agro-farm forestry sector in the country:

- (i) Comparative analysis of existing regulatory regime in various States including factors that are impacting upon the private initiatives and growth of agroforestry and farm forestry,
- (ii) Policy guidelines and imperatives,
- (iii) Land availability for agro forestry & farm forestry across the country and
- (iv) Existing Institutional arrangements between farmers, industries, financial institutions, markets, incentives and identification of gaps,

- (v) Other issues like crop certifications, crop insurances, role of Forest Departments, Industries, Research Institutions, Agriculture & Forestry Universities, Tree Growers Society.

2. POLICY GUIDELINES AND IMPERATIVES:

2.1 National Forest Policy, 1988 (NFP) aims to have a minimum of one third of the total land area of the country under forest or tree cover. In the hills and in mountainous regions, the policy aims to maintain two third of the area under such cover in order to prevent erosion and land degradation and to ensure the stability of the fragile eco-system. The target of keeping one third of geographical area under forest cover is envisaged as a national imperative enunciating in the National Forest Policy 1952, reiterated in the NFP and further endorsed by the National Forest Commission to ensure ecological and environmental security of the nation. Forests are also critical for maintaining food and water security. The NFP also lays down need for a massive need based and time bound programme of afforestation and tree planting, with particular emphasis on fuelwood and fodder development, on all degraded and denuded lands in the country, whether forest or non forest land and to encourage the planting of trees alongside of roads, railway lines, rivers and streams and canals, and on other unutilized lands under State/corporate, institutional or private ownership. Green belts should be raised in urban/industrial areas as well as in arid tracts.

The relevant extracts of NFP are given below:

2.2 BASIC OBJECTIVES of NFP:

Para 2.1 and 2.2 of the NFP lay down the following basic objectives:-

- Maintenance of environmental stability through preservation and, where necessary, restoration of the ecological balance that has been adversely disturbed by serious depletion of the forests of the country.
- Conserving the natural heritage of the country by preserving the remaining natural forests with the vast variety of flora and fauna, which represent the remarkable biological diversity and genetic resources of the country.
- Checking soil erosion and denudation in the catchment areas of rivers, lakes, reservoirs in the interest of soil and water conservation, for mitigating floods and droughts and for the retardation of siltation of reservoirs.
- Checking the extension of sand-dunes in the desert areas of Rajasthan and along the coastal tracts.
- Increasing sustainability the forest/tree cover in the country through massive afforestation and social forestry programmes, especially on all denuded, degraded and unproductive lands.
- Meeting the requirements of fuel wood, fodder, minor forest produce and small timber of the rural and tribal populations.

- Increasing the productivity of forests to meet essential national needs.
- Encouraging efficient utilization of forest produce and maximizing substitution of wood.
- Creating a massive people's movement with the involvement of women, for achieving these objectives and to minimize pressure on existing forests.

2.3 Thus the principal aim of NFP is to ensure environmental stability and maintenance of ecological balance including atmosphere equilibrium which are vital for sustenance of all life forms, human, animal and plant. The derivation of direct economic benefit must be subordinated to this principal aim.

2.4 Para-4 speaks about initiating massive afforestation, social forestry and farm forestry for bringing large non forest area under forest and tree cover for meeting the policy objectives and calls for a massive need-based and time bound programme of afforestation and tree planting, with particular emphasis of fuelwood and fodder development, on all degraded and denuded lands in the country, whether forest or non-forest land, is a national imperative. It calls for necessity for encouraging the planting of trees alongside of roads, railway lines, rivers and streams and canals, and on other unutilized lands under State/Corporate, institutional or private ownership. Green belts should be raised in urban/industrial areas well as in arid tracts for helping in checking erosion and desertification as well as improve the micro-climate.

2.5 The NFP lays emphasis on development of tree crops and fodder resources on village and community lands, not required for other productive uses with technical assistance and other inputs necessary for initiating such programmes to come from the Government and sharing of revenues generated through such programmes with the panchayats and the local communities in order to provide an incentive to them. The policy also mentions the vesting, in individuals, particularly from the weaker sections (such as landless labour, small and marginal farmers, scheduled castes, tribals, women) of certain ownership rights over trees, could be considered, subject to appropriate regulations; beneficiaries would be entitled to usufruct and would in turn be responsible for their security and maintenance.

2.6 Para 4.1.2 mentions that Land laws should be so modified wherever necessary so as to facilitate and motivate individuals and institutions to undertake tree-farming and grow fodder plants, grasses and legumes on their own land. Wherever possible, degraded lands should be made available for this purpose either on lease or on the basis of a tree-patta scheme. Such leasing of the land should be subject to the land grant rules and land ceiling laws. Steps necessary to encourage them to do so must be taken. Appropriate regulations should govern the felling of trees on private holding.

2.7 Para 4.3.3 gives direction that in order to meet the growing needs for essential goods and services which the forests provide, it is necessary to enhance forest cover and productivity of the forests through the application of scientific and technical inputs. Production forestry programmes, while aiming at enhancing the forest cover in the country, and meeting national needs should also be oriented to narrowing, by the turn of the century, the increasing gap between demand and supply of fuel wood.

2.8 The Policy recognizes importance of people's support in forest conservation and calls for appropriate forest extension programmes to inculcate in the people, a direct interest in forests, their development and conservation, and to make them conscious of the value of trees, wildlife and nature in general. This can be achieved through the involvement of educational institutions, Krishi Vigyan Kendras, mass media, audio-visual aids and the extension machinery, Trainers Training Centres to learn agri-silvicultural and silvicultural techniques to ensure optimum use of their land and water resources. Short term extension courses and lectures should be organized in order to educate farmers.

2.9 Para 4.6 lays emphasis on Forestry Research indicating some broad priority areas of research and development needing special attention regarding agroforestry and farm forestry are:-

- (i) Increasing the productivity of wood and other forest produce per unit of area per unit time by the application of modern scientific and technological methods.
- (ii) Research related to social forestry for rural/tribal development.

Relevant extracts of NFP in para 4.7 specify the criteria governing setting up of Forest-based Industries and their role and responsibilities:

- As far as possible, a forest-based industry should raise the raw material needed for meeting its own requirements, preferably by establishment or a direct relationship between the factory and the individuals who can grow the raw material by supporting the individuals with inputs including credit, constant technical advice and finally harvesting and transport services.
- Forest-based industries must not only provide employment to local people on priority but also involve them fully in raising trees and raw material.
- Farmers, particularly small and marginal farmers, would be encouraged to grow, on marginal/degraded lands available with them, wood species require for industries. These also be grown along with fuel and fodder species on community lands not required for pasture purposes, and by Forest department/corporations on degraded forests, not earmarked for natural regeneration.

2.10 The Ministry on 15.12. 2004 issued guidelines to State / UTs for involving private sector in afforestation and to maintain a balance between regulation and promotion of forestry in private sector (Letter of MoEF vide F.No. 8-14/2004-FP dated 15.12.2004 at Annexure- VI)

3. STUDY OF CURRENT REGULATORY REGIME (TOR-I)

3.1 The committee analyzed existing State regulations governing felling and transit of trees grown on private lands and found that there are wide variations in the rules and regulations related to felling of trees and transportation of felled timber across various States especially in a particular region, impacting interstate boundary movement of agro forestry produces. Certain species common in agro-forestry and are exempted from transit regulations in a State, but are not so common in adjoining States and are subjected to transit regulation. There is also lack of unified approach for agroforestry species even in adjoining districts within a State. Farmers / tree planters grow trees primarily for

commercial reasons and are often discouraged due to lack of uniformity in approach and desired level of clarity in regulations. Generally, fast growing short rotation tree spp. like Eucalyptus, Poplar, Casuarina, Ailanthus, Melia, Albizzia, Acacia auriculiformis, Gamhar, Kadam and Bamboo are preferred by farmers for obvious reasons. Most of these species are exempted under Transit Rules in some States. Mulberry is preferred in some Central Indian States like Maharashtra for sericulture. Likewise, Mango is preferred as a horticulture crop in orchards of North West India. Further, agro and farm forestry has generally progressed in North Indian states like Punjab, Haryana, Uttar Pradesh and Gujarat, etc. which have relatively low forest cover coupled with high productive tracts giving quick return on short rotation crops.

3.2 Current status in some of the States which have high potential for growth of Agro / Farm Forestry is briefly given below:

- In **Tamil Nadu**, 36 species grown on farm lands are exempted from the purview of timber transit rules. Earlier, ownership of Sandal wood trees was with the Government, later on land owners were allowed to own and grow sandalwood trees on their land, with the restriction that the disposal should be through forest department. There are restrictions on felling and transportation of important timber species, mostly found in forest areas. Rose wood tree is given special status by a separate Rose wood Conservation Act. A scheme “Tree Cultivation in Private Lands” has been launched to encourage tree cultivation in uncultivable/ abandoned/ farm lands. Forest lands under private holdings are governed by the Hill Areas (Preservation of Trees) Act, 1955 primarily for ecological considerations. Silver oak spp. grown in tea plantations as cover crop has been taken out of the status of Schedule timber recently.
- In **Kerala**, 61 tree species are exempted from transit permits under Kerala Forest Produce Transit Rules, 1975. The Kerala Preservation of Trees Act, 1986 prevents felling of 10 species of trees. Kerala Promotion of Tree growth in Non- forest Areas Act, 2005” permits the owner of non-forest land to cut and transport any tree, other than Sandal wood tree and provides a list of 10 specified trees, requiring transit permit from the forest department.
- In **Punjab & Haryana**, no permission is required for felling and transport of Eucalyptus and Poplar raised under agro-forestry. The States are deficient in forest cover, and have achieved remarkable progress in agro/ farm forestry. In Haryana, it has been observed that farmers prefer tree plantation to sugar cane plantation with paddy/wheat rotation to an Agro Forestry model.
- In **Uttar Pradesh**, 19 species are exempt from transit permit in the 38 notified districts, whereas transit permit is required in districts having notified forest areas. Also, for movement of timber from exempted districts to other districts, transit pass is required.
- In **Gujarat**, transit permit is required for 29 species, out of which 5 species are reserved trees. For non reserved trees, permission to fell is required from revenue authorities. Gram Panchayats have been authorized to issue transit pass for non reserve trees. Few species like Eucalyptus, Casuarinas and Prosopis juliflora are exempt from felling permission. In the Central districts of Gujarat having low forest cover, there are significant efforts for agro and farm forestry.

- **Orissa** : In Odisha, No Transit permit required for the Species generally raised in farm forestry or forest farming are Kurum, Panas, Kasi, Sissoo, Gamhar, Amba, Champa, Sal, Teak, Asan. Species exempted are Bambusa nutan (Sundarkanai), Bambusa vulgaris (Badi baunsa), Bambusa tulda (bolangi Baunsa), Samania saman, eucalyptus Hybrid (Nilgiri/ palas), Acacia auriculiformis, Cassia siamea, Casuarina equisetifolia, Silver oak.
- **Maharashtra:** Felling of trees in private lands is regulated by following three Acts: (i) Maharashtra Felling of Tree (Act 1964) , (ii) Maharashtra (Urban Areas) Preservation of Trees Act, 1975; (iii) The Maharashtra Land Revenue Code, 1966. Permission for tree felling and transportation of forest produce is generally given by the concerned Dy. Conservator of Forests under the provisions of the Indian Forest Act.1927 and the rules made there under namely the Bombay Forest Rules, 1942. 16 species [Hirda (Terminalia chebula), Teak (Tectona grandis), Mahuwa (Madhuca latifolia), Tamarind (Tamarindus indica), Mango (Mangifera indica), Jack (Artocarpus integrifolia), Khair (Acacia catechu), Sandal (Santalum albam), Bija (Pterocarpus marsupium), Haldu (Adina cardofolia), Tiwas (Ougelnia dulbergoidies), Ain (Terminalia tomentosa), Kinjal or Kindal (Terminalia paniculata), Anjan (Harduchia binata), Jambhul (Syzigium cumini),Mangrove] are listed in schedule and permission for felling and transit is required. In addition, within the district of Sindhudurg 8 species- [Shisam (Dalbergia latifolia), Shivan (Gmelina arboria), Nana (Lagrostroemia lanceolata), Behala (Terminalia belerica), Kazra (Strychnes nuxvomica), Bhedus (Eugenia zeylanica), Pandhra ain (Terminalia arjuna), Kajoo (Anacardium occidentale)] are scheduled and covered under Transit Regulation.

Exempted species under timber transit rules are Babul, Subabul, Prosopis, Eucalyptus, Ashok, Moringa, Phoenix, Chiku, Bhendi, Acacia and Poplar.

- **Bihar:** 10 Species have been exempted from the purview of Transit Rule vide Notification No. Van Vikraya.38-2000-456 dated 27.02.2009 namely:- Poplar, Eucalyptus, Kadamb, Gumhar, Mango, Lichi, Tar, Khajoor, Semal and Bamboo except *Dendrocalamus strictus*.
- **Madhya Pradesh:** As per Gazette Notification No. F.30-40-95-X.3 dated 13.12.2000 the Madhya Pradesh Transit (Forest Produce) Rules, 2000, transit pass is to be issued by the Panchayat on the recommendations of the Panchayat Level Committee in respect of Babool, Siris, Neem, Ber, Palas, Jamun, Reunjha, Bamboo (except in the districts of Khandwa, Betul, Hoshangabad, Harda, Chhindwara, Seoni, Balaghat, Jabalpur, Katni, Mandla, Dindori, Shahdol). Transit pass for the species other than those mentioned above is to be issued by Forest Officer on recommendations of Panchayat Level Committee.
- **West Bengal:** WB Private Forest Act, 1948, WB Forest Produce Transit Rules, 1959 and WB Trees (Protection and Conservation in Non Forest Areas) Act, 2006 are in forces which regulate permission for felling and transit of trees grown on private lands. No tree spp. is exempted. No tree can be felled in non forest areas except with the procedure laid out for obtaining permission for felling of trees with obligation to plant trees in lieu of trees felled. Permission mandatory for 11 spp. Khair, Semal, Sissoo, Tendu, Gamar, Mahua, Champ, Sal, Mahogani, Teak and Mangroves.

An extract on regulatory regime in various States and UTs is given in Table-I below:

Table-I Summary of Provisions for regulating felling of trees and transit in various States

Sl. No	State	Rules and other
1.	Andhra Pradesh	<ul style="list-style-type: none"> • The Andhra Pradesh Forest Produce Transit Rules, 1970 is applicable. • AP Private Forest Rules in Agency area, 1977. The Andhra Pradesh Preservation of Private Forest Rules,1978 • The Andhra Pradesh (Protection of Trees and Timber in Public Premises) Rules,1989 • WALTA, 2000 provides for water land and tree • TP required for felled timber. • In tribal area no felling can be done without permission of the collector. • In Govt. land nobody can cut tree without permission of forest department. • Exempted species are categorized district wise. • The Andhra Pradesh Forest Produce Transit Rules,1970 is not applicable to Red sanders and Sandal wood, Orange, Tati, Casuarina, Guava, Seemathoma, Sapota, Coconut, Cashew, Eucalyptus, Neelagiri Jamaoil, Subabul, Seema Chinta, Ber, Rain tree nidraganneru, Juamun, Nallatumma, Mango, Panasa jack fruit, Bamboo, Myrobalam, Wood apple.
2.	Assam	<ul style="list-style-type: none"> • Transit of timber under Assam Forest Regulation, 1891. • Assam (Control of felling and removal of Trees from Non Forest land) Rules, 2002 vide Notification No. FRM-88/2001/77 dated 7th May, 2002 regulates felling permission and transit of timber derived from non forest areas. • 48 tree spp. have been declared Reserve- Champ (sopa), Chaulmugra, Nahar, Sia, Gugra, Kurail, Hollong , Sal, Mekai, Semal, Rata, Amari rata, Kolia, Poma, Sissoo, Ping, Khair, Moj, Kathal, Indian Rubber, Dudh Champa, Jinari, Chhamolia, Kuhir, Agar, Gamari, Bonsum, Sida, Bogi Jamuk, Hollock, etc. • Provision for registration of Tree plantation with DFO. • Permission for felling of trees for self consumption and registered plantations is to be granted within 30 days from the date of receipt of application. In such cases no transit pass is required. • Provision for penalty in the form of confiscation of felled trees when in violation of rules/ guidelines. • Permission for extraction of rubber trees shall be given by authorized officer for extraction of 30 trees at a time after ascertaining the status of land etc. verification/demarcation by Range Officer. • Seizure & confiscation of felled trees in violation of rules, which may be released on payment of penalty (50% of Govt. royalty on timber) • Trees not requiring felling permission like: Aam, Jamun, Kathal, Eucalyptus, Poplar, home grown Bamboo, Leteku, Paniol, Madhuriam need not be registered. • Provision for Service Charges to be realized by the Forest Department for

		<p>services rendered.</p> <ul style="list-style-type: none"> • Permission is granted to only the landowner of tree plantations. • Felling permission and transit permit are given by DFO as per provisions prescribed by PCCF Assam.
3.	Bihar	<ul style="list-style-type: none"> • Bihar Kashth & other Forest Produce Transit Regulations Rules, 1973. • People have right to cut and transport trees grown on their land in line with regulations as mentioned in Annexure-I • Permit from DFO or Authorized Officer is necessary. • 10 Species have been exempted from the purview of Transit Rule vide Notification No. Van Vikraya.38-2000-456 dated 27.02.2009 • The exempted spp. are: Poplar, Eucalyptus, Kadamb, Gumhar, Mango, Lichi, Tar, Khajoor, Semal and Bamboo except <i>Dendrocalamus strictus</i>. • Registration of Property Mark is necessary for export or removal of timber. Registration fee is required for property mark. • Preferred species planted are Kadam, Semal, Teak, Gamar are preferred alongwith horticulture spp. like Mango & Litchi. Poplar is also getting acceptance. Due to root fungal disease, Shisham is not preferred. • Panchayat has been empowered through Bihar Panchayat Raj Adhiniyam, 1993 vide Notification No. Van Vikray/ 2000-2117 dated 01.07.2002 for delegation of powers for transit within the District by Head of Gram Panchayat • For transit outside District boundaries permit from DFO is required.
4.	Chhattisgarh	<ul style="list-style-type: none"> • The Chhattisgarh Govt. Revenue Department Land Revenue Code and letter dated F.8-31/ Revenue/2003 dated 22.07.2003 & No. F.8-31/ Revenue 2006 dated 27/02/2006 govern tree felling on non forestry land. • Chhattisgarh Transit (Forest produce) Rule, 2001, Gazette Notification dated 25. 08.2011 & 27.10.2004 regulate transit of Forest produce. • Chhattisgarh Adim Janjati Ka Sarankshan (Vrikshon Me Hit) Adhinium , 1999 & Rule, 2000. • Permission for tree felling is required in respect of restricted lands. • No permission required for cutting of trees for commercial purposes from private land. • In respect of the above NOC is to be issued by the Tehsildar/ Naib Tehsildar for species other than 9 restricted spp. Forest department will issue transit pass on receipt of NOC within 15 days. • Following Species exempted from transit regulations, Casuarinas, Subabul, Poplar, Israeli Babul (<i>Acacia tortilis</i>), Vilayati Babul (<i>Prosopis juliflora</i>), Manzium <i>Acacia manzium</i>, <i>Acacia nilotica</i>. • Power to issue transit pass for Siris, Neem, Ber, Palas, Jamun, Reunjha (<i>Acacia leucophloea</i>), Nilgiri Eucalyptus obtained from plantation older than 10 years given to Gram Panchayat for transit within district. • Transit pass for Species other than mentioned above will be issued by a forest officer on the recommendation of Panchayat level committee. • Restriction on felling of specified species standing on the holding of the Bhumi Swami belonging to aboriginal tribe. • Permission of Collector is required, who may obtain report from SDM (Revenue) & DFO before grant of permission.

		<ul style="list-style-type: none"> • Permission will be restricted to such number of trees to fetch the Bhumi Swami an amount not exceeding Rs. 50,000/= in a year to meet the specified purpose. • The Collector will endorse a copy of the permission to DFO, who will be responsible for cutting, stacking, sale of timber and remit the sale proceeds into the joint account of Bhumi swami & the Collector in the prescribed manner. • List of specified Tree pp. are Sagwan, Buham, Shisham, Sal, Tinsa, Saja, Mahua, Bhirra, Karanj, Tendu, Lendia, Dhawra, Khair, Khamar, Chandan, Haldu, Aam, Jamun, Imli, Arjun. • The Collector shall register the application submitted by Bhumiswami to cut the trees and send one copy of application to SDO (Revenue). In the case where the khasra No. is adjoining reserve or protected forests or village forest, it shall be mandatory for the SDO to make local enquiries after spot inspection and to ensure that the government or village forest has not been included in the demarcation.
5.	Dadra & Nagar Haveli	<ul style="list-style-type: none"> • Ministry of Home Affairs' Notification No. 277(E) dated 21.04.1999 extends to the Union territory of Dadra and Nagar Haveli, the Goa, Daman and Diu Preservation of Trees Act, 1984 (Act No. 6 of 1984). The Goa, Daman and Diu preservation of Trees Act, 1984 extends to the Union Territory of Dadra and Nagar Haveli (An act No. 6 of 1984). • No tree species are exempted under timber transit rules or similar rules • Every person who is granted permission under this Act to fell or dispose of any tree is bound to plant such number and kind of trees in the area from which the tree is felled or disposed by him. • The preferred tree species by farmers/ land owners for planting on private land are Teak, Babool, Casuarina, Eucalyptus, Amla, Sitafal, Jackfruit, Sebabul, Amli etc.
6.	Delhi	<ul style="list-style-type: none"> • Delhi Tree Preservation Act, 1994 is in force. • No transit Rules have been framed. Permission granted for felling / pruning of trees is usually supporting document for transit of such timber. • Compensatory tree plantation in lieu of tree felled.
7.	Goa Daman & Diu	<ul style="list-style-type: none"> • Goa, Daman & Diu Preservation of Tree Act, 1984 • Establishment of tree Authority & Tree Officer • Duty of Tree authority include tree census, planting and transplanting, preservation and conservation • No felling of trees without permission from tree officer • Obligation to plant trees in lieu of tree being felled • Penalties for violating the procedure.
8.	Gujarat	<ul style="list-style-type: none"> • Permission to cut trees regulated by Saurashtra Felling of Trees (Infliction of Punishment) Act, 1951. Rules framed under the Act in 1961. • Permission required from cutting trees by Revenue Office as empowered by the Act not below the rank of Tehsildar. Revenue officer can inflict fine for violation. • Permission is required for felling of Teak, Black wood, Sandal wood, Khair, Mahuda, Timru, Simla, Sadad, Kanaj, Kanaji, Seven, Bio, Rohan, Ebony, Kadao, Kalam, Baldervo, Harde, Dhavada, Mango, Palmyra

		<p>palm, Date tree and Jamun.</p> <ul style="list-style-type: none"> • The State has relaxed felling of some species Neem, Kasia, Kanji, Khijdo, Mango and Amla under the Act.
9.	Haryana	<ul style="list-style-type: none"> • Punjab land preservation Act, 1900 is applicable in Aravalli and Shivalik. • No transit rules for agro forestry spp. in remaining area • Tree felling is banned without permission from Forest Department. • Spp. exempted eucalyptus and Poplar, Ailanthus, Melia azadirach and M. composata, bamboo and mulberry Saw Milling Rules as per direction of Hon'ble Supreme Court applicable since, 2006. • No TP required for Eucalyptus, Poplar, Mango etc. • Forest Corporation revises rates every six months for minimum support price. Market rates are better for farmers. • No registration of tree plantations of farmers is required.
10.	Himachal Pradesh	<ul style="list-style-type: none"> • HP Land Preservation Act, 1978 governs felling of trees on private land. • HP timber transit rules govern movement of all timber and forest produce. • On private land having forests with 16 nationalized spp. (conifers and oaks) only Forest Corporation can fell, convert and sell timber as per felling cycle (usually of 10 years.) • 6 spp. namely Eucalyptus, Poplar, Albizzia, Bauhunia, Mulberry, Salix etc. have been exempted from the LPA and also from the Transit rules. • 3 plants are to be planted with respect to the number of trees felled. • For bonafide consumption, 5 trees can be felled with the permission of Range Officer.
11.	Jharkhand	<ul style="list-style-type: none"> • Jharkhand Timber and Other Forest Produce (Transit and Regulation) Rules, 2004. New amendments proposed in 2010. • Gram Sabha to give certificate of ownership of trees on private land • No transit permission required for transport within village limits for bonafide use. • Bambusa bamboo, Bambusa tulda, B. vulgaris, B. balcoa & canes proposed to be exempted from transit rules. Also Sabai Grass, Gum, Ral, Seeds & fruits are proposed for exemption from transit. • Sal, Sagwan, Bija Sal, karam, Asan, Khair, rosewood, salai to be removed after obtaining permission from DFO or authorized ACF. Permission is also required for Aam, Mahua, Gamar, Shisham, Kathal, Jamun etc. • Removal of roots of Ashwagandha from the definition of roots • Removal on transit of babul and subabul for promoting their plantation under agro-forestry. • Penalty for violation of the regulation specified.
12.	Karnataka	<ul style="list-style-type: none"> • Karnataka Preservation of Tree Act, 1976 and Karnataka Preservation of Tree Rules, 1977. • Establishment of Tree authority and Appointment of Tree Officer, • Restriction of felling of trees • Provision for compulsory planting trees in place of tree felled. • Exemption for 11 spp. from transit rules- Eucalyptus Casuarina, Subabul, Rubber, Coconut, Arecanut, orange, Erythrina, Glaricidia, Sesbania, Silver oak.

13.	Kerala	<ul style="list-style-type: none"> • The Kerala Private Forests (Vesting and Assignment) Act, 1971 • The Kerala Preservation of Trees Act 1986 is applicable to private forest. • The Kerala Promotion of Tree Growth in Non Forest Areas (Amendment) Act, 2007. • Every owner of non-forest land in a non-notified area shall have Right to cut and transport any tree except sandal wood tree standing on his land • No tree standing in any area of non forest land specified in the notification shall be cut.
14.	Madhya Pradesh	<ul style="list-style-type: none"> • Vide Gazette Notification No. F.30-40-95-X.3 dated 13.12.2000 the Madhya Pradesh Transit (Forest Produce) Rules, 2000 • The transit pass will be issued by the Panchayat on the recommendations of the Panchayat Level Committee for the species Babool, Siris, Neem, Ber, Palas, Jamun, Reunjha, Bamboo (except in the districts of Khandwa, Betul, Hoshangabad, Harda, Chhindwara, Seoni, Balaghat, Jabalpur, Katni, Mandla, Dindori, Shahdol). • Transit pass for the species other than those mentioned above is to be issued by Forest Officer on recommendations of Panchayat Level Committee. • Transport of privately owned timber under the Lok Vaniki Mission requires the procedures mentioned above. • Registration in the office of DFO is required for the forest produce is to be transported. • Gram Panchayat will issue the transit pass for transporting the forest produce within district and the adjoining districts and for the other destination the transit pass is required to be issued by a Forest Officer. • The tree species exempted from transit pass for transport are Neelgiri, Casuarina, Subabul, Poplar, Israili Babul, Vilayati Babul. • No transit pass shall be required for the removal of any forest produce for bonafide domestic consumption by any person and such forest produce which is exempted by the State Government from the operation of these Rules. • No transit pass is required for removal of mineral from forest for which transit pass is not compulsory under these Rules.
15.	Maharashtra	<ul style="list-style-type: none"> • Felling of trees in private lands is regulated by following three Acts: <ul style="list-style-type: none"> • Maharashtra Felling of Tree (Act 1964) • Maharashtra (Urban Areas) Preservation of Trees Act, 1975 • The Maharashtra Land Revenue Code, 1966 • Permission for transportation of forest produce, so obtained after receipt of felling permission from the Tree Officer, is generally given by the concerned Dy. Conservator of Forests under the provisions of the Indian Forest Act, 1927 and the rules made there under namely the Bombay Forest Rules, 1942. • Presently 16 species are included in the Schedule which are: <ol style="list-style-type: none"> 1. Hirda (<i>Termanalia chebula</i>) 2. Teak (<i>Tectona grandis</i>) 3. Mahuwa (<i>Madhuca latifolia</i>) 4. Tamarind (<i>Tamarindus indica</i>) 5. Mango (<i>Mangifera indica</i>) 6. Jack (<i>Artocarpus integrifolia</i>)

		<p>7. Khair (<i>Acacia catechu</i>) 8. Sandal (<i>Santalum albam</i>) 9. Bija (<i>Pterocarpus marsupium</i>) 10. Haldu (<i>Adina cardofolia</i>) 11. Tiwas (<i>Ougelnia dulbergoidies</i>) 12. Ain (<i>Terminalia tomentosa</i>) 13. Kinjal or Kindal (<i>Terminalia paniculata</i>) 14. Anjan (<i>Harduchia binata</i>) 15. Jambhul (<i>Syzigium cumini</i>) 16. Mangrove Within the district of Sindhudurg only 17. Shisam (<i>Dalbergia latifolia</i>) 18. Shivan (<i>Gmelina arboria</i>) 19. Nana (<i>Lagstroemia lanceolata</i>) 20. Behala (<i>Terminalia belerica</i>) 21. Kazra (<i>Strychnes nux-vomica</i>) 22. Bhedus (<i>Euginia zeylanica</i>) 23. Pandhra ain (<i>Terminalia arjuna</i>) 24. Kajoo (<i>Anacardium occidentale</i>)</p> <ul style="list-style-type: none"> • Exempted species under timber transit rules: Babhul, Subabhul, Prosopis, Eucalyptus, Ashok, Moringa, Phoenix, Chiku, Bhendi, Acacia and Poplar. • The Maharashtra (Urban Areas) Preservation of Trees Act, 1975 is for regulating felling of any tree in Urban Area. Felling permission is granted by the "Tree Officer" appointed by the Tree Authority. This being the local area, provisions of Bombay Forest Rules, 1942 regarding transportation of forest produce are not applicable, hence no transit pass is required for local limits. • The Maharashtra Land Revenue Code, 1966 regulates the felling in the non-forest areas other than Urban Areas and for the species which are not included in the Schedule attached with above mentioned Act of 1964. Permission for felling of trees is granted by the Revenue Officer i.e. Sub Divisional Officer (Dy. Collector). So far as transportation of forest produce is concerned it is regulated by Forest Officers under Bombay Forest Rules 1942 in respect of timber and other forest produce.
16.	Manipur	<ul style="list-style-type: none"> • Guidelines for the felling of tree in non forest areas under the direction of Supreme Court notified in 2003. • Felling and transportation of bamboo shall be as per provisions of Manipur Forest Rules, 1971. • Plantation raised on non-forest area by an individual / NGO shall be registered with DFO. • No felling permission is required for Yongchak (<i>Parkia roxburghii</i>) and Theibong (<i>Artocarpus integrifolia</i>). • Permission for felling of trees for non commercial purposes in respect of registered plantations to be with DFO. DFO may accord permission within 60 days from the date of receipt for felling of trees and in respect of plantation registered for more than 3 years the felling permission will

		<p>be given within 30 days.</p> <ul style="list-style-type: none"> • Permission for felling of trees for commercial purposes from non-forest area in respect of registered plantations shall be made by the person to DFO. • Transit permit required for removal of felled trees. Provision for confiscation of material felled in violation of these guidelines.
17.	Meghalaya	<ul style="list-style-type: none"> • The Meghalaya Forest (Removal of Timber (Regulation) Acts and Rules 1981 and 1982 • United Khasi & Jaintia Hills Autonomous District Amendment & control (Forest) Act, 1958 • The Meghalaya Forest (Removal of Timber (Regulation)Acts & Rules 1981& 1982 • The Meghalaya Tree (Preservation) Act, 1976 • The Meghalaya Tree Felling (Non Forest Areas) Rules Acts & Rules. • As per Meghalaya Tree Felling (Non-Forest Areas) Rules, 2006 • Felled trees are allowed to be transported on transit passes after realization of forest royalty and tax as applicable. • Registration of tree plantations with DFO is required. • Government approval is required for working scheme. • Procedure for permission of felling of trees prescribed. • Special authorized officer in the Autonomous Hill Council areas. • Tree spp. not requiring felling permission: all horticulture tree spp. excluding Aam & Wild apple. Guava, jackfruit, Carambula, Plum, Peach, pear, Coconut, Arecanut, litchi, Cashewnut, Citrus spp do not require felling permission. • Permission not to be granted when trees are less than 5 years old.
18.	Mizoram	<ul style="list-style-type: none"> • In compliance of Supreme Court's order dated 12.05.2001in W.P. No. 202/1995 the Government of Mizoram has framed the guidelines for felling of trees from non-forest areas. • Application for permission for felling of trees for non-commercial purposes including registered plantations shall be made to the DFO. • Request for permission for felling of trees from non-forest area for commercial purposes other than in respect of registered plantations to be made to the DFO. • Trees species not requiring felling permissions from non-forest areas are Aam, Jamun, Kothal and all species of bamboo, Leteku, Paniol and Madhuriam. • The transit of timber from the non-forest land shall be regulated as per provisions of relevant Acts/Rules/regulations/guidelines regarding movement of timber or timber products.
19.	Nagaland	<ul style="list-style-type: none"> • Felling of trees from privately owned forests as per approved working schemes • Felling of isolated trees and plantations carried out as per the provisions of Nagaland Tree Felling regulations 2002 amended in 2006. • Transit pass required for removal of felled trees. • Provision for seizure and penalty for violation.
20.	Odisha/ Orissa	<ul style="list-style-type: none"> • Orissa Timber and other Transit Rules 1980. • Village Forest Rules,1985

		<ul style="list-style-type: none"> • Orissa Timber & other Forest Produce Transit Amendment Rules, 2006: • Exempted spp under Orissa Timber transit Rules,1980 Notification No.2013 dated 8.2.99. • Permit to be taken from the committee for felling of trees and transit. • Management of village forest by drawing of management plans. • Transit permit shall be issued free of cost by DFO for all forest produce in transit by land, rail or water. • No transit permit for transport of minor forest produce within district except lac, tassar, myrabolans, gums and resin, root or Patalagaruda, Sal seed, tamarind and hill broom. • Species to which provisions regarding farm forestry and forestry farming for the rural poor plantation are not applicable are kurum, panas, kasi, sissoo, gamhar, amba, champa, sal, teak, asan. • Species exempted Bambusa nutan (Sundarkanai), Bambusa vulgaris (Badi baunsa), Bambusa tulda (bolangi Baunsa), Samania saman, eucalyptus Hybrid (Nilgiri/ palas), Acacia auriculiformis, Cassia siamea, Casuarina equisetifolia, Silver oak, • No transit permit for timbers grown outside India.
21.	Puducherry/ Pondicherry	<ul style="list-style-type: none"> • Pondicherry Timber Transit Rules, 1983 • Issue of permit for the transportation of timber and registration is to DFO. • Teak, Rosewood, Sandalwood and Red Sanders are protected wood and such species cannot kept be in possession or transported by any individual/farm without special permit.
22.	Punjab	<ul style="list-style-type: none"> • Punjab Land Preservation Act, 1900 applicable. • Agro forestry/ farm forestry crops have no requirement for transit pass like Poplar, Eucalyptus and Melia composita. • Transit Rules applicable in 5 Districts covering the area closed under Punjab Land Preservation Act, 1900 in Ropar, Mohali, Hoshiarpur, Pathankot and Nawashahar (Shaheed Bhagat Singh Nagar. In closed are which cover private forests closed under Section-4 & 5 of PLPA, management is done by Forest Department and 100% revenue is given to Farmers. Marking Fee is charged by the Dept. plantation is also done by Forest Department and normally Khair, Amla and bamboo is planted. TP is required in such cases as felling permit. Initially 10 year cycle has now reduced to 5 year cycle to increase people's participation and management plans is prepared. • In 2000, Tree Apportionment Rules, 2000 were framed a Govt. Notification sharing revenue with farmers for raising roadside trees on Govt. land covering road side trees like NH and State Highways and Link Road.
23.	Rajasthan	<ul style="list-style-type: none"> • Rajasthan Forest Produce Transit Rules, 1957 • Transit Pass mandatory for movement of forest produce.
24.	Tamil Nadu	<ul style="list-style-type: none"> • Tamil Nadu Preservation of Private Forest Act,1949. • The rules not to be applied for the cutting of sandal wood trees or thinning of private plantation to teak, Casuarinas and eucalyptus manifested for the silvicultural improvement of the crop and the cutting and removal of fuel small timber reeds and green manure leaf for

		<p>bonafide agricultural or domestic purposes.</p> <ul style="list-style-type: none"> • The cutting of sandalwood trees in a forest and their transport outside are to be governed by the Madras Forest Act, 1882. • In granting permission for the cutting of trees by the selection method in case of private forest, the minimum girth height has been specified for the trees like Casuarinas, Eucalyptus, Wattle, Silver oak, Pines, etc. • Trees shall be permitted to cut only in one coupe in each block during a specified year.
25.	Tripura	<ul style="list-style-type: none"> • Procedure for extraction of trees for non forest area revised & notified in 2010. • Special provision for extractions of Rubber trees. • Registration of trees standing on non forest land to be done with authorized Officers with prescribed registration fee. Only owner can submit application for registration. • The Range Officer forwards application to authorized officer who in turn after satisfying that application meets necessary requirements sends application to SDM for joint verification and demarcation of land with revenue officials. The authorized officer will issue Tree registration Certificate (TRC) based upon joint verification report usually within 45 days. Validity of TRC is 7 years or the date of removal of trees whichever is earlier. • For obtaining felling permission the tree owner is required to submit registration certificate, details of species, no & measurement of trees to be felled. Maximum trees permitted for felling not to exceed 30. Time limit of operation of permit for tree felling is 90 days. No fresh permit is given until the trees permitted to be felled and removed against earlier permission. • Registration Certificate and extraction permission not required for Mango, Lichi, Moringa, and Guava. Prescription of manner in which violation is guidelines are to be dealt with. • Transit Pass required for movement of extracted material. • Fallen trees due to natural causes can be removed; owner can remove after intimating authorized officer. • One time permission for felling of 5 trees for domestic use from non forest land not contiguous to forest land is given in 20 days.
26.	Uttar Pradesh	<ul style="list-style-type: none"> • Uttar Pradesh timber and other forest produce transit rules, 1976. • Total 20 spp. are exempted from transit pass like eucalyptus, poplar in various district state • District wise spp. are exempted from transit where reserve forest or etc. • Farmers are encouraged to plant exempted spp. • Private forests are also governed by these rules. The department can assist in preparation of management plans of private forests. • Forest department facilitates individual farmers in growing private agro-forestry/ farm forestry by taking up plantation activities at their cost. Promotion of Kisan nurseries in western UP. • UP Govt. has suggested that exotic species grown by farmers on large scale should be fully exempted from regulatory regime of felling permits and timer transit in States such as Poplars, Eucalyptus, Subabul(Leucaena sp.), Casuarinas, Ailanthus sp; Gmelina sp; Silver oak

		(Grevillea robusta) Mulberry (Morus alba), Kadam (Anthocephalus cadamba) Melia sp; Acacia arabica, Acacia auriculiformis, Acacia mangium; Acacia lenticularis, Albizza sp, Azadirachta india, Borassus flabeliformis, Hovea brasiliensis, Prosopis spp; Butea monosperma, Cedrela toona, Tamarindus india, Grewia oppositifolia, etc.
27.	West Bengal	<ul style="list-style-type: none"> • WB Private Forest Act, 1948 is in force which regulates permission for felling and transit of trees grown on private lands. • WB Forest Produce Transit Rules, 1959. • WB Trees (Protection and Conservation in Non Forest Areas) Act, 2006. • The West Bengal Trees (Protection and Conservation in Non Forest Areas) act, 2006. • Provision for Tree Card for individual farmers. • Provision for penalty and confiscation of materials felled and transported in violation of such rules. • No tree exempted. • No tree can be felled in non forest areas except with the procedure laid out for obtaining permission for felling of trees with obligation to plant trees in lieu of trees felled. • Compulsory tree plantation in certain areas including high rise multi unit buildings for residential, commercial, industrial or institutional use. • No owner of a private forest in a notified area or other person shall fell or remove tree from such forests until the working plan in respect of such forest has been approved. • Permission mandatory for 11 spp.:- Khair, Semal, Sissoo, Tendu, Gamar, Mahua, Champ, Sal, Mahogani, Teak and Mangroves. Remaining exempted. • Permission for felling of a tree outside forest areas is required from competent authority with obligation to plant trees as prescribed. Compulsory plantation of trees in respect of development works. • Appropriate forms prescribed for obtaining permission for felling of trees.

4. TOR-II: REVIEW OF LOK VANIKI ACT, 2001

- 4.1 Madhya Pradesh Lok Vaniki Adhiniyam, 2001:** In Madhya Pradesh, Lok Vaniki Adhiniyam covers private forests and has laid down procedure for harvesting of timber from such areas. The Act specifies safeguards for protection of Government Forests adjoining to such tree clad lands and applies to such private and revenue areas which the Bhoomiswami, the Gram Panchayat or the Gram Sabha intends to manage as tree-clad area. There is a provision for scientific management of tree clad area as per approved Management Plan. The Act lays down the procedure for management and harvesting of such tree clad area.
- 4.2** No permission is required under any other Act or Rules for felling of tree in the revenue or private tree clad areas in which such felling has been permitted under the approved Management Plan under this Act. Authorized officer for approving Management Plan for tree clad area less than 10 hectares is the concerned DFO. However, if area is more than 10 hectares, authorized authority is Ministry of Environment & Forests, Government of India. Penalty prescribed for contravention of this Act is upto twice the value of trees involved not exceeding one lakh Rupees. Authorized Officer in this case is Sub-Divisional Officer, Revenue. The Rules provide for detailed procedure for preparation of Management Plan and its verification, approval and implementation.
- 4.3** The Act primarily aims at to remove middlemen in disposal of trees on private land. There was provision of Chartered Foresters, for preparation of working/ Management Plan. The objectives of the Act are good, but experience of implementation suggests that the Act has not been able to meet the objectives to desired extent. There is a need to have a consultative process with the beneficiaries, official functionaries to address the gaps in execution. The provision may be reviewed and appropriate measures may be introduced to make the Act more effective to achieve the intended results.

5. TOR-III: TO RECOMMEND THE REGULATORY REGIME IN “MISSION TO GREEN INDIA:

- 5.1** Green India Mission focuses on landscape approach, and among other things, also have provision for afforestation on non-forest lands, included fallow land (both current and permanent fallow), which provides ample opportunity to increase forest cover, meet the needs for forest produce and create carbon sink. The Mission envisages support for a massive programme of forestry on non-forest lands with participation of the community, farmers, NGOs, private sector, institutions, government agencies and the Forest Department. The species selection for agro-forestry/social forestry is to be centered around farmers preference for multipurpose species.
- 5.2** There are noticeable variations in productivity of plantations of agro-forestry species in the country and productivity of tree crops on agricultural lands in India is lower than many other countries, for example Brasil and Indonesia. Due to low productivity of trees grown on farm land, it has not been possible to harness true potential of the Agro / Farm Forestry Section in India. The Mission, therefore incorporates a program of nurseries for raising of “quality seedlings” to meet the demands of farmers.

5.3 The adoption of recommendation of the Committee on regulatory regime will remove many impediments and will thus help facilitate, adoption of agro-forestry in GIM areas in a big way. In nut-shell, there is a need for documentation of plantations in the non-forest land with clear boundary demarcation to identify the source of wood at the time of harvesting. Developing suitable agroforestry/ farm forestry models and working out of a suitable rotation period, keeping in view the species and site quality of the land. Since there is a wide variation of edaphic conditions, this harvesting period may be fixed district wise by the State Forest Department in consultation with farmers and industries. These plantations can be harvested on completion of the non-harvesting period with permission of Gram Panchayat. The requirement of replanting the area post harvesting for the subsequent cycle may also be thought off.

6. DISCUSSION:

6.1 The Committee in its first meeting deliberated upon the scenario of agro-forestry, farm forestry and community participation in plantation forestry and the Regional /State level initiatives in afforestation by farmers and other institutions. It was observed that the Northern States which have forest cover lower than the country average have done well in agro-forestry and farm forestry. The factors which have contributed towards success of Haryana, Punjab and Western Uttar Pradesh are:-

- Willingness of farmers to experiment with tree crops.
- Facilitative role played by Forest Department and the Industries.
- Enabling policies regarding felling & transit of timber from farm-grown trees.
- Fertile soil coupled with potential of irrigation and ground water availability.

6.2 The Committee deliberated about availability of land with various institutions, Government as well as private and their willingness for taking up tree plantation on their land. It was observed that presence of wood based industries and market helped extension of farm forestry. The industries have played a critical/ catalytic role in expanding agro-forestry in some States.

6.3 It was highlighted that good agriculture land should not be used for raising block plantation as it may adversely impact the food security. However, planting of few trees of appropriate species will help in maintaining the fertility of land and at the same time will provide additional income to the farmers as an insurance against poor agricultural crop yield, which does take place frequently.

6.4 With action oriented research relating to wood processing, by R&D institutions like IPIRTI and ICFRE, appropriate processing technologies including sawing, finger jointing, preservative treatment, seasoning, plywood / block board making are now available for fast growing tree species generally preferred in agro-Forestry. This has resulted in growth of wood processing industry, as also demand for farm grown timber spp. The agro-forestry and farm forestry has the potential for meeting this demand if supported by policies, incentives and technological back up. This will also decrease dependence on import. Wood-based Industries need to play a greater role in forging partnership with the farmers, creating institutional mechanism with Forest Department and research institutions including agriculture universities for supply of

good quality planting material, investment in irrigation inputs, harvesting and wood processing and research.

- 6.5 The Committee observed that the States which have least restrictions on tree felling and transit specially of preferred agro-forestry spp. by farmers have succeeded in large scale agro-forestry and farm forestry. At times farmers face problem in obtaining good price for tree crops in view of market uncertainties and lack of organized market. The agro-forestry potential has been limited to selected species of Eucalyptus, Poplar, Casuarinas, Mango (as a horticulture crop), Gamar, Kadamb. These crops are fast growing and short period crops which are ready for harvesting in 7 to 10 years. In addition, spp. like Shisham and teak are preferred in Eastern Uttar Pradesh and Bihar, whereas Teak, Casuarina, Eucalyptus are preferred in South India.
- 6.6 The rising input costs of the agricultural crops and shortage of labour works in favour of growing trees. In fact the scattered plantations of trees in the Agriculture fields of Western Uttar Pradesh, Haryana, Punjab, parts of Utrakhand such as in the districts of Ludhiana, Ferozepur, Amritsar, Bhatinda, Karnal, Kurukshetra, Hoshiarpur Yamunanagar, Ambala, and Saharanpur, etc., the rural landscape has significantly changed due to shift in preference for agro-forestry. It is estimated that around 50-60% farmers are engaged in agro-forestry. These states now hold 30-40% of the plywood market and are home to wood-based businesses like paper making and furniture. Farmers are taking to agro-forestry as small three-four years term to longer six-seven years term investment options in Haryana and Punjab. With clonal varieties of eucalyptus and poplar almost 25% taller than the ordinary ones, farmers have the option of harvesting trees from the third year. Remuneration from agro-forestry at times exceeds that from traditional crops.
- 6.7 The Committee identified some important issues, which are discussed below:

6.7.1 Mandate on Agro-forestry:

Agriculture is a State Subject, whereas Forestry is in the concurrent list. Agro Forestry is with the Ministry of Agriculture as per the rules of business. There is a need for better Centre- State coordination on agro forestry. Agriculture lands belong to farmers. The farm lands activities are generally supervised/ facilitated by revenue or agriculture/ horticulture departments of the State Governments. The forest departments takes up extension activity in the form of social forestry, generally limited to supply of free saplings or saplings of desirable species (either free or at a nominal cost) and providing technical support to farmers. Similarly, research into agro-forestry systems is taken up by ICFRE institutes and also R&D institutes under the Ministry of Agriculture. A more effective coordinating mechanism between forest and agriculture departments both at the national and state levels is required for which establishment of an apex coordinating body or institutional support mechanism at inter-ministerial level to take policy decisions on agro-forestry with an overarching mandate to deal with policy and implementation issues, is worth serious consideration.

6.7.2 Availability of Land for agro-forestry:

While intensification of forestry activities in degraded forest land is important, it will not be able to achieve the national goal of 33% forest and tree cover. Achieving

of this target will require additional 10% of the geographical area of the country to be brought under forest/tree cover which would not be possible without bringing non-forest lands under tree cover. Additional land for afforestation would be difficult to obtain in view of competing land use for agriculture, industrial and infrastructure development, urbanization etc., and also encroachments and fragmentation. Therefore, multiple land use with an important component of tree growth on non-forest lands holds the key for achieving the national goal for forest and tree cover. The Committee felt that there is a need to facilitate and motivate individuals and institutions through evolving an enabling policy / legal environment and other support system, like processing industries, finance, technical information, quality planting materials and appropriate market mechanism, to undertake tree farming and grow fodder plants, grasses and legumes on their own lands. Degraded/fallow lands (currently non-forest waste lands) may be made available for afforestation purpose through appropriate mechanism on lease or on the basis of a tree-patta scheme. There should also be complete clarity on what constitutes a waste land and what can be done to bring them to more productive use. Today, it is largely confused with wasted lands, or common lands and it needs clarity to promote tree farming with clear title to usufructs and benefit sharing commensurate with efforts.

6.7.3 Quality Planting Material

The need to create the supply chain for quality certified planting material especially for the major / preferred agro-forestry tree species at reasonable price was felt by the Committee. Farmers need also be trained and supported, to raise good clonal seedling themselves under technical supervision, for their own use and also to provide to others. This would entail both public and private engagement, capacity and capability enhancement and use of the currently available technology of tree improvement and propagation. The use of decentralized institutions such as Gram Sabha, JFMCs, EDCs or other participating institutions such as those under FRA should be encouraged in this regard.

As the foundations of green revolution in agriculture in India were laid with the development of new high yielding varieties of cereals and other crops, same way genetically improved and high quality planting stock of all important species must be used in various states under the Green India Mission and other programmes. High quality planting stock including clonal planting stock supported with improved silvicultural management practices can usher in a second green revolution in India this time in respect of tree crops for timber and fuel-wood / fodder production. This critical requirement of genetically improved high quality planting stock should not be neglected, which will impact productivity and quality improvements. Private sector can play a very important role in augmenting supplies of genetically improved planting stock as demonstrated amply in case of poplars and clonal eucalyptus plantations. Hence, State and Central governments should facilitate full participation of private sector in production and supply of high quality planting stock for various projects / programmes. A word of caution should however be on a safe and robust trial of genetically modified species so that the ill effects of the same can be avoided. The incentive to more production cannot be at the risk of compromising biodiversity and as far as possible naturally occurring species need to be encouraged.

6.7.4 Facilitative Role by the Government

- (i) State Forest Departments/ Forest Development Corporations are required to play a facilitative role by working out modalities for (i) technical support and assured supply of good quality planting materials, (ii) in making buy back arrangements (for timber) with industries and (iii) in creating organized timber markets (mandies), where farmers/ tree growers can bring their produce for selling. The mechanism of minimum support price as implemented by Haryana Forest Development Corporation in respect of preferred species including bamboo may also be considered. People will themselves take up tree plantations when enabling environment and financial incentives exist, which not only lead to increase in tree cover outside forests but also substantially enhance supply of forest produces, and also remunerative to the tree growers.
- (ii) The issues like whether the timber of such preferred tree spp. is to be covered by transit permit or not is to be considered based on availability of similar tree spp. in adjoining forests as well ground situation like local market. Norms must be relaxed in respect of species generally grown on non-forest/private land. If there is a need of issuance of transit permit then the question is whether the Forest Department or Gram Sabha / JFMC will issue the transit permit and also whether permit is to be issued for raw material as round timber / forest produce or for finished products. The process of issuance of permit should be quick, fair and transparent and should not become a measure to harass tree growers.
- (iii) The requirement of a regulatory mechanism for interstate movement was also discussed. There are tree species, which are exempted in some states but are banned in adjoining State(s). There is lack of coordination mechanism among neighbouring States. The transit rules are varying from State to State. While it was felt that it might be difficult to identify the source of timber in-transit in absence of Transit Permits, the Committee agreed that in such circumstances a regulatory mechanism should facilitate the inter-state movement but not be cumbersome to create bottlenecks in the movement of timber/ forest produce to other States for farmers looking for remunerative prices.

6.7.5 Preferred Agro-forestry Species:

- (i) Plantations of preferred species like Eucalyptus, Poplar etc. are one of the main contributors of timber from non-forestry areas. There is a case for full exemption from regulatory regime of felling permits and timber transit in all States of such exotic species not found in natural forests or species with very sporadic distribution in forests but grown by farmers on large scale. Examples of important other species under this category are:

(a) Subabul (*Leucaena sp.*), Casuarinas, *Ailanthus sp.*; *Gmelina sp.*; Silver oak (*Grevillea robusta*) Mulberry (*Morus alba*), Kadam (*Anthocephalus cadamba*) *Melia sp.*; *Acacia arabica*, *Acacia auriculiformis*, *Acacia mangium*; *Acacia lenticularis*, *Albizia sp.*; *Azadirachta india*, *Borassus flabelliformis*, *Hovea brasiliensis*, *Prosopis sp.*; *Butea monosperma*, *Cedrela toona*, *Tamarindus india*, *Grewia oppositifolia*, etc. melia dusra.

(b) Horticultural trees species like Mango, Guava, Coconut, Cashew nut, Citrus, Areca nut, *Artocarpus sp.*, *Zyiphus sp.*; Ashok, Gulmohar (*Delonix regia*), *Cassia fistula*.

- (ii) In addition, there should be no restrictions in respect of felling permits and transit of valuable timber species that farmers can grow in the States that do not have such species in their natural forests or those districts of any State where such tree species are not natural to the local forests. e.g. Teak should be freed of all restrictive regime regulations in all states having no teak forests, and selected districts not having teak forests in states with natural teak forests in other districts. Thus restrictions should apply only in those districts that have natural teak forests. Species that could be exempted from regulatory regime under this category as above are as follows:

Teak (*Tectona grandis*), *Terminalia sp.*; *Syzigium cumini*, *Acacia catechu*, Pines, *Bombax ceiba*, *Schima wallichii*, *Dalbergia latifolia*, Sandal (*Santalum album*), *Dalbergia sissoo*, Padauk (*Pterocarpus dalbergioides*) etc.

6.7.6 Opportunity to engage industries for creation of buffer plantations in non-forest areas:

The Committee observed that the large demand for diversion of forest land by ‘the Industry’ could be utilized to create buffer stock of plantations by these industries. It was agreed that afforestation need not be only departmental activity or initiative; it should evolve into a wider national programme involving everyone to contribute in the greening of the nation including those agencies that require forest land for non-forestry purposes. This calls for large scale consultations, participation, collaboration, multi-stakeholders involvement and evolving a suitable incentivized program to encourage the industry for utilizing non-forest waste land, and for promoting agro-forestry.

6.7.7 Bridging the gap for Fuel and fodder needs

Demand for woodfuel and fodder is also very high in rural areas, which calls for dedicated tree plantation of desirable species on non-forest community lands. If dedicated energy and fodder plantations are created for meeting daily needs of the society, the natural forests will regenerate faster once free from over-exploitation and will be able to meet their objectives of ecological security and biodiversity conservation. Several revenue codes especially those in Central and Eastern India have specific provisions for assigning common areas for such plantations, but have hardly been used / operationalized. These need to be revisited and ensured by a joint effort of the forest and revenue departments to ensure that such intermediate areas are replanted to ensure sustained wood supply for both subsistence and for industrial needs. Recently enacted Forest Rights Act may also be used to support practicing agro-forestry on the lands where rights have been given to the tribals and other forest dwellers.

6.7.8 Flexibility in schemes for planting trees

Usually the lands made available for afforestation are refractory and unproductive which require significant investment and inputs before undertaking afforestation. It is

also relevant to point out that afforestation / tree plantation should not only focus on large chunk of land but should have the flexibility to plant few trees in small areas wherever available in collaboration with other land owning agencies. The scheme should therefore be flexible to address these issues. The technological and material support in problem areas has to be provided for in afforestation schemes with built in flexibility. A number of experiments such as homestead plantations are being carried out and there are lessons from such experiences around the world. These need to be integrated in various tree planting programmes.

6.7.9 Role of wood based industries

There is strong symbiotic relationship between development of agroforestry and wood based industries that provide domestic markets for farm grown timber. For example Punjab, Haryana, western Uttar Pradesh and plains areas of Uttarakhand with little forest area now have more than 1900 plywood and veneer making units thanks to large scale agroforestry plantations of poplars and eucalypts raised since 1984 onwards. Expanding capacity of existing Woodbased Industries and establishment of new units based on wood derived from agroforestry plantations should be liberalized for holistic growth of agroforestry subject to assessment of production capacities.

The wood based industries have important role to play in development of agroforestry. They should consider making appropriate arrangements with farmers and play a facilitative role in arranging quality planting material and enter into buy back arrangements. There is also a question of R&D and use of ‘technology’ in raising plantations. The Wood-based industries should create market information system for a fair environment by forecasting demand for next 5-10 years period with approximate price range to encourage farmers for planting suitable / appropriate tree species. There is also a need to shift strategy from purely agriculture and forestry enterprises towards “Agro-Forestry enterprise” for optimal land management. A word of caution here would be the numerous orders that have been passed with regard to wood based industries which may or may not necessarily instill confidence in wood based industries and the now lengthy procedure of getting permissions for setting up such units. The definition of wood based industries, the wood balance study requirements, the number of units that may be established, the proximity to forest areas and more importantly its regulation are some of the important factors that need to be considered / addressed in this regard.

6.7.10 Relevance of Tree Growers Society

Creation of Tree Growers Society has certain advantages. Tree grower’s societies at the block level or in the district level may become a viable solution as it will provide bargaining power to tree growers. Marketing strategy, issue of permits for cutting and transport, encouraging entrepreneurial activities such as small level power mill or saw mill among the tree growers, strengthening of the collective bargaining, etc, are possible when farmers are united as cooperatives. These organizations may keep all the land records and crop details and act as a single unified agency in dealing with the tree crop and farmers and tree growers can act even more independently. Subsequently, the authority for issue of permit for harvested produce may also be vested with the society, regulated by DFO wherever needed, so that it will empower the farming community. Projects to be conceived under **Green India Mission** should

provide room for starting such organizations so that it will have much more impact than any other mechanism in disseminating the objectives among the public.

6.7.11 Certification of timber originating from non-forest areas / agro forestry

There are international standards being developed for forest certification which comprise three categories reserved forests, plantations outside notified forests and NTFPs. The legality of timber and source has to be certified for Sustainable Management Forest. Certification will be a good tool for promoting agro-forestry for value added products which have the potential for export, especially in view of the global movement towards Sustainable Forest Management.

In some states tree *patta* scheme is in implementation. On the other hand in many states like Punjab, Haryana, Uttar Pradesh no record is maintained for agro forestry/ farm forestry plantations. Therefore as a general rule, data on number of trees planted/ harvested and quantity of timber produced in these cases is not available. As the demand for wood products is going to increase due to economic growth and rising population, it is necessary that appropriate record of such plantations, and production of timber & other value added products is maintained which will help in measuring their contribution in GDP, and carbon value, etc. This will also be an important first step toward forest certification in the country. The Indian forest certification system for both Forestry Management Units (FMUs) or Farmers Forestry Management Units (FFMUs) as well as chain of custody (COC) certification is to be put in place. What is equally important is that such certifications may become important due to the amendments in the Lacey Act and the FLEGT regime that will soon be enforced by the United States, and the European Union respectively.

The involvement of the Gram Sabhas and the local self government in general with the help of the Forest Department should be considered in this regard, where the FD should also engage with other departments in sourcing data or creating formats for inventory for other departments so that a more uniform data base may be created for realistic assessments.

7. RECOMMENDATIONS REGARDING TRANSIT REGIME:

Main recommendations of the Committee are as given below:

- 7.1. Preferred Tree and bamboo species under agro forestry by farmers and not naturally available in neighbouring forests may be exempted from the transit permit and felling regulations.** As the regulatory mechanism is not uniform across various States/UTs, there is a need for simple uniform mechanism/ procedure to regulate the transit rules of forest produce within the State, and also in various States forming a region. States in a region should work out common strategy in this regard.
- 7.2. Preferred Tree and bamboo spp. in areas where they are found in the natural forests/forests may be kept under the limited provisions for felling and transit.** The local Gram Sabha may be authorized to regulate felling and transit of trees/ timber grown under agro-farm forestry or private lands in the village in respect of such species. A Special Committee or Standing Committee of Gram Sabha or the Joint Forest Management Committee (as the case may be) to be constituted for the

purpose. The forest department may initially guide the committee in technical matters.

- 7.3. The permission for felling and transit wherever required may be given in a time bound manner, which should be well publicized.** There is a need to simplify procedure for granting permission for felling and transit of restricted species which are grown by farmers and others on their land. The permission for such cases should be through transparent and time bound process.
- 7.4. Facilitation of Interstate movement and setting up of regional coordination mechanism:** Interstate movement of timber derived from agro forestry plantations needs to be facilitated for benefitting tree growers to get best market prices. Lieu TP or other arrangements can be simplified by the Regional Coordination Committee of the States concerned, which should meet at regular intervals to facilitate interstate movement and sort out issues, if any.
- 7.5. Recording of Agro-forestry plantations:** There is no mechanism for recording of tree plantations outside forests. Transparent and simple methodology for maintenance of records of tree plantation on private lands need to be worked out. This is important for maintaining a dynamic resource inventory. Such records will help in decentralizing issuing of transit permits and cutting permissions subsequently at village level. Ministry of Environment and Forests may suggest working guidelines so that there is uniformity across the country. Information technology can be used for creation of registers / database and regular updating at the time of verification of felling requests and replanting.
- 7.6. Preparing manuals on agro-forestry in local and official languages of the States for public awareness.** Manuals/ brochures on growing preferred tree and bamboo species alongwith relevant information on procedure for harvesting, transporting and marketing in simple local language may be prepared and made available to farmers/ peoples in meetings such as Gram Sabha meetings, and also through website.

8. GENERAL SUGGESTIONS:

The Committee after having identified the main issues which effect the growth of the agro-forestry, made the following general suggestions for thrust areas of the sector.

8.1 Action required at policy level:

There is a need to create a positive environment towards tree plantation in the country by creating partnerships with people particularly farmers, landowners and institutions. People should not feel threatened about losing their land after tree plantation due to apprehension of various restrictions in view of multiplicity of rules and regulations. Following policy measures are suggested:

- (i) The mandate of agro-forestry should vest with MoEF which as the Nodal Ministry must work with Agriculture and other concerned Ministries and Departments in formulating enabling policies for continuous growth of this important sector. .

- (ii) There is an urgent Need for coordinated action at Government of India and State / UT Govt. level on agro forestry/ farm forestry with cross sectoral involvement including the private (industries) sector.
- (iii) Major emphasis should be on local species of fuel wood, fodder and timber including bamboo with a view to meeting demand of forestry products as well as having export oriented products.
- (iv) Rationalize and liberalize tree felling and timber transit regulations in respect of all important timber species grown by farmers, including facilitating interstate movement.
- (v) To create policy initiative for promoting wood based industries utilizing Agro-Farm Forestry grown small timber with appropriate/ advance technologies to encourage short rotation tree crops.
- (vi) After Hon'ble Supreme Court's interventions, the regulations governing industries have become stringent impacting natural growth of wood based industries. On the other hand, in view of growing demands for wood products industry can play their positive role in afforestation especially agro-forestry. The industries therefore need to respond positively and work out joint futuristic strategies with farmers cooperatives supported by States for raising tree plantations outside notified forest area.

8.2. Strengthening / Building Institutional Mechanism:

- (i) Setting up of a dedicated National Board/ Mission on Agro-forestry and Farm Forestry within the Ministry of Environment & Forests (MoEF) as the nodal point for promoting and comprehensively addressing all related issues, with nodal officers in the States/UTs.
- (ii) Assisting creation of private nurseries with technology transfer from research institutions. Statutory support for registration of nurseries and certification of seed/ clonal planting stock.
- (iii) Establishment of timber/ forest produce markets with appropriate/dynamic MIS for fair and transparent trade in farm grown timber to prevent exploitation of farmers. A helpline/ facilitation centre may be created at national level.
- (iv) Creating industry farmers interface through institutions such as Krishi Vigyan Kendra and Van Vigyan Kendra. Promoting Wood based industries based on appropriate and efficient modern technology for processing of wood. The cluster based approach like Saharanpur, Yamuna Nagar etc. may be encouraged.
- (v) Export of finished product may be considered for supporting agro-forestry as certified forest product.
- (vi) Region based coordinated efforts needed for promoting fast growing tree species such as in Haryana/ Punjab/ West UP, Uttarakhand, HP, Rajasthan, Gujarat.
- (vii) Strengthening technical extension services for agro-forestry through well planned publicity and awareness campaign including optimum use of electronic media. Just as programmes for the farmers related to scientific agriculture are telecast on TV and broadcast on radio every day, similar programmes should be organized to promote scientific agro-forestry practices. Well known experts from the private sector including pioneering farmers should also be invited in such programmes for sharing their experiences.
- (viii) Establishment of regulated timber market yards in important towns to ensure transparent and competitive bidding transactions to prevent exploitation of farmers.

- (ix) Financial support: banking support through facilitating easy access to credit for eligible farmers and rationalization of cumbersome and lengthy procedures for sanction and disbursement of bank loans for agro forestry plantations.

8.3. Research, Development & Extension:

R&D initiatives are required in following areas:

- (i) Volume tables may be refined (for inclusion of total carbon with its major components) for both irrigated and non-irrigated plantations.
- (ii) Preparation of varying Agro-forestry models suited to reclaim different types of wastelands and requirement of farmers with expected economic returns from such diversified models.
- (iii) Study of Carbon sequestration potential of different models.
- (iv) Provide strong R & D support for agro-forestry development in following areas:
 - a. Life cycle analysis of wood based products vis-à-vis their substitution for other materials (metals / plastics) and impact on the energy, GHG emission, etc.
 - b. Development of appropriate processing technologies for manufacturing wood-products/substitutes using fast growing / small girth farm grown plantation timber. This need to include saw mills, panel products, finger jointing, and down-stream processing into customized products.
 - c. Emphasis on developing simple workable model for bio-products-based energy for meeting rural / local energy needs.
 - d. Integrated management and control of insects and pests through biological control.
 - e. Management of soil fertility and addressing nutritional deficiencies, with focus on bio fertilizer.
 - f. Improved package of practices for silviculture management of plantations covering the total life span.
 - g. Tree breeding and genetic improvement of seeds and clones of tree species of preferred tree species in different States / region.

8.4. Role of Wood-based Industries:

- (i) Creating viable partnership with tree growers/farmers and landowners.
- (ii) Making arrangements for assured supply of the certified quality planting stock at affordable prices with tie ups with Research institutions/ universities and private nurseries.
- (iii) Creating awareness among farmers about future trends in demand and share information about industries' procurement needs of timber from particular area based on their short term to medium term projections.
- (iv) Industry should participate in extension services.

Forest/ tree cover of State/UTs leading in agro forestry:

Haryana

Category	Area (in Km ²)	% of G.A
Geographical Area	44,212	100
Forest Cover	1608	3.64
Tree Cover	1395	3.16
Forest and Tree Cover	3003	6.80
Growing Stock in Forest	4.893 ml cum	
Growing Stock in TOF	15.268 ml cum	

Punjab

Category	Area (in Km ²)	% of G.A
Geographical Area	50362	100
Forest Cover	1,764	3.50
Tree Cover	1,699	3.37
Forest and Tree Cover	3,463	6.87
Growing Stock in Forest	15.710 ml cum	
Growing Stock in TOF	19.305 ml cum	

Chandigarh

Category	Area (in Km ²)	% of G.A
Geographical Area	114	100
Forest Cover	16.78	14.72
Tree Cover	10.00	8.93
Forest and Tree Cover	26.78	23.65
Growing Stock in Forest		
Growing Stock in TOF		

Rajasthan

Category	Area (in Km ²)	% of G.A
Geographical Area	3,42,239	100
Forest Cover	16,087	4.70
Tree Cover	8,272	2.42
Forest and Tree Cover	24,359	7.12
Growing Stock in Forest	34.385 ml cum	
Growing Stock in TOF	81.560 ml cum	

Uttar Pradesh

Category	Area (in Km ²)	% of G.A
Geographical Area	240928	100
Forest Cover	14338	5.95
Tree Cover	7382	3.06
Forest and Tree Cover	21720	9.01
Growing Stock in Forest	123.400 ml cum	
Growing Stock in TOF	81.683 ml cum	

Andhra Pradesh

Category	Area (in Km ²)	% of G.A
Geographical Area	275069	100
Forest Cover	46389	16.86
Tree Cover	7152	2.60
Forest and Tree Cover	53541	19.46
Growing Stock in Forest	255.082 ml cum	
Growing Stock in TOF	115.683 ml cum	

Kerala

Category	Area (in Km ²)	% of G.A
Geographical Area	38863	100
Forest Cover	17300	44.52
Tree Cover	2755	7.09
Forest and Tree Cover	20055	51.61
Growing Stock in Forest	142.582 ml cum	
Growing Stock in TOF	49.059 ml cum	

Tamil Nadu

Category	Area (in Km ²)	% of G.A
Geographical Area	130058	100
Forest Cover	23625	18.16
Tree Cover	4718	3.63
Forest and Tree Cover	28343	21.79
Growing Stock in Forest	144.404 ml cum	
Growing Stock in TOF	70.328 ml cum	

Orissa

Category	Area (in Km ²)	% of G.A
Geographical Area	155707	100
Forest Cover	48903	31.41
Tree Cover	4301	2.76
Forest and Tree Cover	53204	34.17
Growing Stock in Forest	285.191 ml cum	
Growing Stock in TOF	73.624 ml cum	

Minutes of the first meeting of the Committee regarding transit and felling of trees species grown on non-forest government and / or private land held on 9.8.2011 in Paryavaran Bhawan, MoEF, New Delhi.

List of the participants is at Annex-I

Welcoming the Committee Members, the Chairman, Shri A. K. Bansal, Addl. Director General of Forests (FC), Ministry of Environment & Forests (MoEF) informed that there is increasing demand of wood and wood products in the country for meeting industrial as well as domestic needs for growing population. Therefore the role of the Forest Department should not only remain as regulatory one but also should become facilitative if the support of farmers and local communities is to be obtained for production of timber through agro-forestry / farm forestry, social forestry etc to bridge the demand supply gap while contributing lower achievement of national goal of enhancing tree cover. He stressed the need for evolving a policy which creates enabling and supportive environment and removing hindrances both perceived and real for large scale participation of people in tree plantation. People will plant trees only when it is financially beneficial to them instead of them being solely guided by the state policy of forests/ trees for ecological benefits. He reiterated the Terms of Reference of the Committee:-

1. To study the current regulatory regimes of different States / UTs regarding felling and transit for trees grown on private lands.
2. To evaluate the experience of different States / UTs in agro and farm forestry.
3. To recommend the regulatory regime in Mission to Green India.
4. To review the Lok Vaniki Act of Madhya Pradesh.

Shri B. M. S. Rathore, Joint Secretary, MoEF apprised the members about initiatives of Madhya Pradesh Govt like Lok Vaniki in private forestry and suggested that there is a need to evolve innovative approach for people's participation in farm forestry and agro forestry.

Shri Sanjay Upadhyay, Advocate, Supreme Court of India elaborated the classification of lands need to be analyzed for formulation of policy initiatives accordingly. Non uniformity of transit rules across the country is an important issue. The policy should also be region specific, based on variation in geographical and socio economic conditions including North Eastern states as well. Various types of land are identified which can be categorized as:

- (i) Non-forest government land which include revenue government land which are not notified as forests, land assigned to any government agency or Panchayati Raj Institutions, land with community ownership, Govt. land assigned to others/ private agency on lease/ paper mills,
- (ii) Forest/ notified Forest/ Deemed forest as per Supreme Court's order for definition of forest,
- (iii) Tea and coffee estate,
- (iv) Non-forest government lands.

However, after detailed deliberations, it was decided that the committee will confine to trees grown on non forest private land. The Committee has to undertake study of different Rules/Acts existing in the different states regulating felling and transit of trees grown on non forest Government and private lands for formulating recommendations and appropriate policy initiatives for creating enabling environment to ensure active participation of people in tree plantation through agro forestry/ farm forestry, and active involvement of land owning agencies including non- Governmental bodies.

Convener of the Committee Shri Subhash Chandra, DIG(FP) expressed that in the context of National Forest Policy 1988 it is necessary to encourage the planting of trees outside forests such as along the roads, railway lines, canals, rivers, unutilized lands under State/ corporate, institutional campuses, and land under private ownership, etc. and the felling of trees on private ownership should be regulated through appropriate mechanism so that people get commercial benefits also from tree plantation periodically.

Shri K. K. Singh, shared the experience of Lok Vaniki in Madhya Pradesh. It was also emphasized that good agriculture land should not be encouraged to be brought under tree plantation, as it may adversely affect food security. Any private forest having area above 10 ha requires approved management plan from the Central Govt. the Plan should be based on principles of sustainable management with regeneration scheme. He, therefore, suggested a limit of 10 ha may be prescribed for a mandatory working scheme.

Shri Piare Lal, Agro forester apprised the committee about various issues of agro forestry and farm forestry in northern India and emphasized a proactive and facilitative role of the Government. The regulation should not be on species planted under agro-forestry which are different from local forest tree spp.

It was agreed that in order to have a national perspective on the issue of private efforts in afforestation, the conditions prevailing in States are required to be studied in detail to know the hindrances and negative factors which discourage private initiatives in tree planting. The State Forest departments are to be requested to provide relevant information on the subject such as updated copies of (i) Acts/rules regulating permission for felling of trees on non-forest and / or private land; (ii) Trees Preservation Acts, applicable in the State/ Districts/ Urban/ Rural areas; (iii) List of restricted and exempted species; (iv) Transit rules governing transportation of felled timber with special reference to trees grown on non-forest government and/ or private land. Also information on Working / management plan if any prescribed for private forests or plantations and preferred tree species by the farmers / land owners for planting on private land is to be obtained from states. It was agreed that members will also pursue with the State Forest departments, wherever they have contacts under their other works/ activities for obtaining required information and also could think over the substance of above discussion and put their considered views in the next meeting.

The meeting ended with thanks to Chair.

Government of India
Ministry of Environment and Forests
Forest policy division

Sub: Minutes of the 2nd Meeting of the Committee to study the regulatory regime regarding felling and transit regulations for trees species grown on private lands held on 24.04.2012.

The 2nd Meeting of the Committee to study the regulatory regime regarding felling and transit regulations for trees species grown on private lands was held on 24.02.2012 in the ministry in Room No.402. The list of participants enclosed at Annexure-I.

Record of Discussion:

5. While welcoming the Committee Members, the Chairman, Shri A. K. Bansal, Addl. Director General of Forests (FC), informed that the meeting is being held after a long interval as lot of time was spent in obtaining the response from many States. However, lot of valuable information has been collected which needs to be studied and analysed. He urged members of the Committee to study these Acts, Rules and Regulations of various States and comment as regard to their nature of impact on expansion of tree plantation outside forests like agro forestry/ farm forestry and make note of the steps which are hindering progress of tree plantation in the country. The Chairman mentioned that the committee is to see that how the timber transit regime is more facilitated with due safeguards from illicit felling.
6. The Committee has following Terms of Reference:-
 - (i) To study the current regulatory regimes of different States / UTs regarding felling and transit for trees grown on private lands.
 - (ii) To evaluate the experience of different States / UTs in agro and farm forestry.
 - (iii) To recommend the regulatory regime in Mission to Green India.
 - (iv) To review the Lok Vaniki Act of Madhya Pradesh.
7. The Committee placed on record its appreciation for the efforts made and hard work done by the Forest Policy Division particularly Shri Amit Kumar, AIG, FP and Shri Jitesh Kumar, RI in collecting and analyzing the data from various States. The following issues were discussed.
 - (i) Comparative position of regulatory control on preferred spp. in various States.
 - (ii) Facilitation: Role of Forest department/ Govt. agencies and other institutions.
 - (iii) Inter State Movement: Requirement of TP or Regulatory Mechanism or not.
 - (iv) Certification issues: source of origin, chain of custody for value addition and finished products.
 - (v) Maintenance of Record of planting/ Agro forestry/ farm forestry etc.
8. Shri Piyare Lal mentioned that farmers grow trees for commercial interests and plant only few species which have demand in the market, therefore the transit regulations should not be there in respect of these species. However only those species which are found in natural forests in some Districts, appropriate safeguards in the form of felling permission and transit permit may be applied. He cited example of Haryana, Punjab

and Western UP where farmers are growing Eucalyptus, Poplar, Ailanthus, Melia etc., which attract good price in the market. These States are deficient in natural forest resources, but have made tremendous progress in agro and farm forestry.

9. Shri K.K. Singh mentioned that Lok Vaniki is a good concept and it needs to be reviewed to see its applicability in other States. However, Lok Vaniki is for natural forests and not for private plantations. The main objective is to encourage tree plantation outside forest areas, to promote agro-forestry which will not only provide source of income to farmers or tree growers, meet demand of society for wood products, but also improve environment. He stressed the need for including more species in the exemption list for transit rules.
10. Shri Sanjay Upadhyay mentioned that we have to see over all contexts of the tree plantation, cutting, transportation, value addition as products by the industries which is interlinked to market demand. This will only be possible if the licensing regime to wood based industries is also studied as industries have a great role in creating demand for tree plantation and can have buy back arrangements with farmers for assured returns. He mentioned about requirement of wood balance study as a prerequisite for licensing of WBI.
11. Shri B.M.S. Rathore also mentioned issues regarding forward linkages and symbiotic relationship between Industries and Agro forestry/ trees grown on private land. The Chairman clarified that the committee will stick to its ToRs and may suggest if any further study is required to be carried out.
12. Mr. Mohammed Ahmed informed about developments of agro forestry in Kerala and other Sothern States. He mentioned various provisions of Kerala Preservation of Tree Act and suggested that the hindrances in obtaining permission to cut trees and transport timber outside forest area needs to be addressed appropriately and the whole process needs to be simplified.
13. Shri A.M. Singh, DIG, SU, Special Invitee for the meeting informed the committee about present status of mechanism of forest certification including certified source of origin and chain of custody. He said that the certification is inevitable. Shri B.M.S. Rathore mentioned that Lok Vaniki can be a fit case for group certification. The certification process will require confirming source of forest produce and transit passes can be good tool to ascertain source and chain of custody. However there is a need to simplify the process of issuance of T.P. to eliminate harassment of tree growers.

14. **Conclusion:**

It was decided that:

- (i) The Non Official Members who have good expertise on agro and farm forestry matters to look into various aspects of regulatory regime and give their comments/ report on specific issues of ToRs and analyse issues such as (i) species which are exempted in States, (ii) Species which are exempted in some districts and not in others, (iii) Multiple permissions required for different species and also from different

authorities, (iv) additional species which can be exempted from felling and transit regulations.

- (ii) The Members in consultation through emails or telephonically to work out and finalize appropriate format for recording information and also to see if more information from any State is required.
- (iii) Deliberate and analyze requirement of maintaining record of plantations in any form as will be appropriate for resource assessment like Plantation forms, registration etc. The agency which will maintain the records and how to maintain.
- (iv) Deliberate and analyze requirement of Working Plan/ Management Plan/ Micro-plan for private forests/ plantation.
- (v) The members are requested to collect additional relevant information from FP Division or from the States for quick study. For better results it is advisable that each member may choose 4-5 States. The members can exchange information through email.

This exercise should complete by 5th of May, 2012. Next Meeting will be arranged after the formats are ready for further discussion and finalization of Report.

The meeting ended with thanks to Chair.

GUIDELINES FOR FELLING AND TRANSIT REGULATIONS FOR TREE SPECIES GROWN ON NON-FOREST PRIVATE LANDS.

The National Forest Policy, 1988 lays down that one third of the geographical area of the country should be under forest tree cover. The tenth Five Year Plan mandate is to increase the forest and tree cover in the country to 33% of the geographical area by 2012. This target requires additional 9.97% of the geographical area of the country, i.e. 33.60 million hectare to be brought under forest and tree cover. Since almost 85% of the potential lands for additional tree planting would fall outside the notified forestland, the involvement of non-government sector, including private individuals, is most crucial for achieving the objective. A balance is also needed between regulation and promotion of forestry in private sector. In view of the necessity and importance of Government the targets the matter has been considered by the Central Government and a copy of the guidelines for the simplification of felling and transit regulations of trees grown on Non-Forest private lands is enclosed. The State/UT government is requested to consider the guidelines for augmenting the pace of the tree plantation on private land.

GUIDELINES FOR FELLING AND TRANSIT REGULATIONS FOR TREE SPECIES GROWN ON NON FOREST PRIVATE LANDS

OBJECTIVE

The objective is to increase forest and tree cover of the country from present 23.03 per cent to 33 per cent of the geographical area as envisaged in the National Forest Policy, 1988 through the promotion of plantation of tree species on non-forest private lands.

STRATEGY

To request the State Governments to prepare an enabling environment for private plantation by simplifying the procedures for obtaining the permission for felling/transit of tree species /produce thereof grown on private non-forest land so that people are encouraged to adopt Farm/Agro/Homestead Forestry in a major way. In the absence of an enabling environment, private individuals do not have sufficient incentives for forestry, leading to inadequate tree planting on private lands.

APPLICABILITY

These guidelines are not meant for North Eastern State where guidelines have already been issued earlier in compliance of the orders of the Supreme Court. Other State Governments shall also take note of directions of various courts in this context.

TERMINOLOGY

Following are the meaning of some of the important terms used in these guidelines:-
“Highly Restricted Tree Species” means such valuable tree species which are ... found/planted in forest areas in the State/UT concerned. A specific unambiguous list should be prepared and notified by the State/UT. Some examples are Sandalwood, Red Sanders, Rose wood, Khair, Sal, and Deodar.

“Restricted Tree Species” means such species which are found/planted both forest areas and non-forest private lands in the State/UT concerned. A species unambiguous list should be prepared and notified by the State/UT two examples are Teak and Sissoo.

“Other Tree Species” means all tree species which do not come under the categories “Highly Restricted Tree Species” and “Restricted Tree Species”

“Very Sensitive Areas” means Mangrove, CRZ, notified Eco-sensitive and Urban areas.

“Sensitive Area” means areas which do not come under the categories of “Very sensitive areas” and “Sensitive Area”.

“Category A Tree Species” means “Highly Restricted Tree Species” and all tree species found/planted on “Very Sensitive Areas”.

Category C Tree Species” means all Tree Species which do not come under the category A and Category B Tree species.

“Prescribed Authority” means the authority designated by the State/UT Governments to carry out identified under rules and regulations for felling/transit of trees grown on non forest private lands.

PRESCRIBED AUTHORITY (PA)

Prescribed Authorities for authorizing various activities are suggested in the following table.

Category and Tree Species	PA for Issuing felling permission	PA for Issuing transit permission	PA for Issuing transit pass	PA for Issuing exchange/in lieu transit passes
A	Not below DCF/DFO	RFO	Forester/Dy. Ranger	Trader registered with Forest Department
	Not above RFO	RFO	-do-	-do-
	Permission not required	Permission not required	Pass required	Pass not required

OTHER CONDITIONS

Following are the other suggestions while framing new or modifying existing felling and transit rules and regulations.

1. A time limit may be fixed within which a decision shall be taken by the PA on an application for felling /transit.
2. No permission should be required for felling or transit of tree for bon-fide domestic use of the owner of the trees in the rural areas within the boundary limit of the Gram Sabha.
3. Individual may be encouraged to plant more trees than permitted for felling but should not be conditionally.

GENERAL

- (i) State/UT Governance are free to have more simplified procedures than suggested above, provided that they enhance the incentive to take up farm/agro-forestry household.
- (ii) If any State/UT already have simpler procedures they may continue with them and further simplify the same to enhance the incentive to take up farm/agro-forestry,
- (iii) State/UT Governments are requested to send a copy of rules is regulations applicable in their jurisdiction, particularly after the implication done.
- (iv) State/UTs must give effective publicity to the simplified procedures felling of trees and transit of forest produce thereof.
- (v) State/UT Governments may try to limit to limit the number of category A ... category B species to (say) five in each category.

MISSION AND VISION:

Keeping in view the objective and strategy stated above and without compromising the interest of the forest and tree conservation the mission and vision of the guidelines are as under:

MISSION (SHORT TERM GOAL)

To create a conducive environment which encourages individuals to adopt farm/agro/homestead forestry. (The ideal would be a list of not more than 3-5 category A species and no category B species at all.)

MISSION (LONG TERM GOAL)

Felling and transit restrictions with respect to trees planted on non forest private lands are completely removed.