

Kerala

Pro(6) -44896/15

Forest Headquarters,
Vazhuthacaud,
Thiruvananthapuram,
email : apccf-pro.for@kerala.gov.in
Phone/Fax : 0471 2327804
Dated : 02.02.2017

From

The Additional Principal Chief Conservator of Forests
(Forest, Land & Resources)

To

The Dy. Inspector General of Forest (Forest Policy)
MoEF & CC, Forest Policy Division
Indira Paryavaran Bhavan
Vayu Wing, 6th floor
Jor Bagh Road, Aliganj
New Delhi - 110 003.

Sir,

Sub: Latest status and Action Taken Report on the Guidelines for Felling and Transit Regulation
for Tree Species grown on Non Forests / Private lands - reg.

Ref: 1) Letter F.No.8-14/2004-FP, dated 28.12.16 of MoEF & CC
2) This office letter on even number dated 03.10.15 & 04.11.16

Kind attention is invited to the references cited. The Action Taken Report on the Guidelines called
for is enclosed herewith.

Encl: As above

Yours faithfully



Additional Principal Chief Conservator of Forests
(Forest, Land & Resources)

2. Anjili (*Artocarpus hirsuta*)
3. Maruthi (*Terminalia paniculata*)
4. Chadachi (*Grewia tiliaefolia*)
5. Irul (*Xylia xylocarpa*)

which are planted by them for the housing purposes.

- iv) The Social Forestry wing had been carrying out various citizen outreach programmes in that direction.
- v) The Social Forestry wing will initiate action in this regard.
- vi) This has already been done through District Forest Extension Information Centers of Social Forestry Divisions.
- vii) Some of these have already been carried out by the Social Forestry wing. The remaining suggestions will be actively considered by the wing in the ensuing years.

Action Taken Report on Guidelines for liberalizing felling and transit regime for tree species grown on non forest / private land

1)

- i) Subabul, Casurina, Silveroak and Rubber may be included.
- ii) Mahogany, Acacia auriculiformis, Acacia mangium and Albizia falcataria can be included
- iii) Already amended
- iv) Restriction on felling and transportation is confined only to ecologically important areas with fragile ecosystems. Considering the limited distribution certain restrictions are imposed on valuable timber species like sandal.

2)

- i) The Kerala Promotion of Tree Growth in Non Forest Areas Act, 2005/ Rules 2011 through which felling and transportation of trees grown in Non Forest Areas had been liberalized considerably, does not contemplate operationalization of provisions through Participatory Forest Management methods.
- ii) List B Species
Teak, Rosewood, Acacia auriculiformis, Acacia mangium, Albizia falcataria, Ailanthus excelsa, Anjili (Artocarpus hirsuta), Jack (Artocarpus heterophyllus) can be included.
- iii) The need for imparting permission for cutting and transportation arises only in the case of 50 notified villages. There also, the procedure has been simplified and the authority for imparting permission has been delegated down to the level of Range Forest Officer.
- iv) This suggestion is not practical considering the small size of the State.

- 3)
 - i) In non notified areas, the owner of the tree can transport the timber even with a photocopy of the declaration he filed before the Range Forest Officer, provided the timber was not inspected within a period of 20 days.
 - ii) With the enactment of the Kerala Promotion of Tree Growth in Non Forest Areas Act, 2005/ Rules 2011, the case of transit permit is very minimal. Action for rendering this service through online facility is in the offing.
- 4)
 - i) Free movement of timber across the State is difficult at present because of the incompatible restrictions even in the adjoining States. It would be better to allow certified agro forestry products across the State, without any restriction on any particular species.
 - ii) A Regional Coordination Committee may be thought of.
 - iii) The suggestion is welcome.
- 5)
 - i) Online registration of agro forestry plantations may be carried out through Social Forestry wing. Issuing patta for (tree patta) trees grown in private farms may also be thought of. Unfettered permission can be given for felling and transportation of farm-grown trees.
 - ii) The suggestion is welcome.
- 6)
 - i)&ii) The Department had published an exhaustive citizens charter in this regard. Informative brochures / pamphlets etc have been brought out through Forest Information Bureau, Social Forestry Extension Divisions and District Forest Extension Information Centers of the Social Forestry Divisions.
- 7)
 - i)&ii) Already done.
 - iii) Under various Tribal Housing Scheme tribals can cut and use 1.5 Cu.m timber from certain species of trees
 1. (Plave (Jack)(Artocarpus heterophyllus)

③
106/Adc(RFS)
3/2/17
Pro(6) -39872/16

Forest Headquarters,
Vazhuthacaud,
Thiruvananthapuram,
email : apccf-pro.for@kerala.gov.in
Phone/Fax : 0471 2327804
Dated : 16.01.2017

From
Additional Principal Chief Conservator of Forests
(Forest, Land and Resources)
Thiruvananthapuram

To

The Additional Commissioner
Ministry of Agriculture and Farmers Welfare
Department of Agricultural Cooperation & Farmers Welfare (RFS Division)
Krishi Bhavan, New Delhi.

Sir,

Sub: Operationalization of 'Sub - Mission on Agroforestry' - forwarding notifications -
regarding

- Ref: 1. Letter 7-4/2016- CC dated 03.08.2016 of Ministry of Agriculture and Farmers Welfare, Government of India.
2. Kerala Gazette G.O.(MS) - 179/81/Forest dated 20.06.1981.
3. Kerala Gazette G.O.(MS) - 30/92/Forest dated 23.07.1992.
4. G.O.(MS)-3/2008/F&WLD dated 04.01.2008.
5. G.O.(P) No. 56/2011/F&WLD, dated 07.12.11.

Kind attention is invited to the references cited. The transit regulations for transport of timber are regulated under two major Acts, viz, The Kerala Essential Articles (Control) Act, 1986 and The Kerala Promotion of Tree Growth in Non Forest Area Act, 2005. These Acts have been promulgated with a view to liberalize transit rules and simultaneously to ensure adequate supply of raw materials for various wood-based Industries. The details are as follows.

- I. In exercise of the powers conferred by the Kerala Essential Articles Control (Temp. Powers) Act, 1961, Government of Kerala as per the Gazette cited 2nd, declared certain species of Plywood, Matchwood, Bobbinwood, Pencilwood and Packing case wood as essential articles for the purpose of the said Act (Copy is enclosed for ready reference).

Subsequently as per the powers conferred by the Kerala Essential Articles (Control) Act, 1986, Govt. of Kerala vide G.O(MS)- 30/92/Forest dated 23.07.1992 amended the order and brought about the following changes. The species (Anathondi, Sterculia alata) was excluded from the title 'Plywood' and two new species Murukku (Erithrina species) and Vaka (Albizzia falcataria) were included under the title 'Matchwood'. One more title VI Firewood (any species of wood) was included (only Malayalam version of this G.O. is available).

Subsequently vide G.O.(MS)-3/2008/F&WLD dated 04.01.2008, certain species were excluded from the list (copy enclosed). Vide G.O.(MS) 61/2003/Forest dated 28.11.2003 Rubber (Hevea braziliensis) was excluded from the list (only Malayalam copy of the G.O is available).

Incorporating the above mentioned changes, at present the following species are included in the schedule, categorized under different titles.

SCHEDULE

I. Species of Plywood

Sl. No	Local Name	Botanical Name
1	Vellapine	Veteria indica
2	Kurangadi/Narivenga/Mundani	Acrocarpus fraxinifolius
3	Karajily/ Kalpine	Dipterocarpus bordilloni
4	Kulamavu/ Kulirmavu/ Ooravu	Machilus macrantha
5	Pali/ Palvendingan	Palaquium ellipticum
6	Thellipine/Undapine	Caranium strictum
7	Kulavu	Hardwickia pinnata
8	Red Cedar	Cedrela toona
9	Poon/Punna/ Punnappa	Calophyllum elatum
10	Vediplavu/Mullampali	Cullenia excelsa
11	Charu	Holigarna arnotiana
12	Pothundi/ Perunthondi	Sterculia alata
13	Cheeni	Tetrameles nudiflora
14	Nedunar	Polyalthia fragrans
15	Vallabham/ Varangu	Carallia integerrima

16	Chorapine	<i>Myristica attenuata</i>
17	Chemmaram	<i>Amoora rohituka</i>
18	Champakam	<i>Michelia champaca</i>
19	Cherukonna	<i>Pterospermum acerifolium</i>
20	Mullilam	<i>Xanthoxylum rhetsa</i>
21	Neermaruthu	<i>Terminalia arjuna</i>
22	Peenary	<i>Sterculia foetida</i>
23	Kumbil	<i>Gmelina arborea</i>
24	Veembu	<i>Kydia calycina</i>
25	Gnaval	<i>Eugenia jambolana</i>
26	Kattunelli	<i>Garuga pinnata</i>
27	Vakka	<i>Sterculia villosa</i>
28	Thavala	<i>Trewia nudiflora</i>

II. Species of Matchwood

Sl. No	Local Name	Botanical Name
1	Aspin/ Kanala/ Nasakam	<i>Evodia lunu ankenda</i>
2	Elavu /Poola	<i>Bombax malabaricum</i>
3	Pala/ Mukkampala	<i>Alstonia scholaris</i>

III. Species of Bobbin wood

Sl. No	Local Name	Botanical Name
1	Vellakil	<i>Dysoxylum malabaricum</i>
2	Manjakadambu	<i>Adina cordifolia</i>

IV. Species of Pencil wood

Sl. No	Local Name	Botanical Name
1	Venkotta	<i>Lophopetalum wighteanum</i>
2	Peruntholi/ Poochakadambu	<i>Hymenodictyon excesum</i>
3	Attuthekku/ Cadambu	<i>Anthocephalus cadamba</i>

V. Species of Packing wood

Sl. No	Local Name	Botanical Name
1	Kara / Bhadraksham	Elaeocarpus serratus
2	Ambazham	Spondias pinnata
3	Aval	Holopteli integrifolia
4	Arayanjili	Antiaris toxicaria
5	Kalaveppu/ Malaveppu	Melia dubia
6	Vatta/ Uppathi	Macaranga pelatata

VI. Fire wood

(Any type of firewood other than the firewood from the following species)

Sl. No	Local Name	Botanical Name
1	Plavu (Jack)	Artocarpus heterophyllus
2	Parankimavu (Cashew)	Anacardium occidentale
3	Kattadi(casuarina)	<i>Casuarina</i> spp.
4	Poovarasu (Poovarasu)	Thespesia populnea
5	Mavu (Mango tree)	Magnifera indica
6	Puli (Tamarind tree)	<i>Tamarindus indica</i>
7	Nattupunna (Nattupunna)	Calophyllum inophyllum
8	Aanjili (Aanjili)	Artocarpus hirsuta
9	Vaka (Vaha-species)	Albizzia lebbeck
10	Poovam (Poovam)	Schleichera oleosa
11	Konna (Konna)	Gliricidia immaculate
12	Thanni (Thanni)	Terminalia bellerica
13	Uthi (Uthi)	Lannea grandis
14	Aal jatikal (Ficus Species)	Ficus spp.
15	Matti (Matti)	Ailanthus triplhyza
16	Murukku (Murukku)	Erythrina variegata
17	Elappu (Ilipia)	Madhuca latifolia
18	Kodampuli (Kodampuli)	Garcinia gummi-gutta

The above mentioned species of soft wood in the State have been declared essential articles under the Kerala Essential Articles (Control) Act, 1986. As these species were indiscriminately moved out of Kerala, the wood based industries were finding it increasingly difficult to find adequate raw materials and the cost thereof went up leading to industrial recession. It was therefore considered necessary to regulate the movement of these species of timber out of Kerala. However, there is no restriction for transportation of these species within the State.

II. It is also informed that the norms for tree felling and transit of trees grown in private land has been simplified by the Kerala Promotion of Tree Growth in Non Forest Areas Act, 2005. A copy of the Acts and related Rules 2011 are enclosed for ready reference.

This is for favour of information.

Yours faithfully



18/01/17

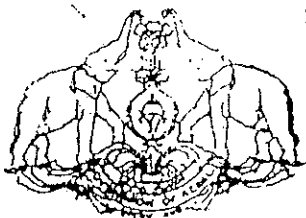
Additional Principal Chief Conservator of Forests
(Forest, Land & Resources)

1/1

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Government of Kerala
1981

Reg. No. KL/T/12/11



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVI) Trivandrum, Saturday, 20th June 1981 (No. 460)
30th Jyaistha 1903

GOVERNMENT OF KERALA
Agriculture (Forest) Department

ORDERS

I

G.O. (Ms., No. 179/81/Forest(I). Dated, Trivandrum, 20th June, 1981

S. R. O. No. 721/81.—In exercise of the powers conferred by clause (a) of section 2 of the Kerala Essential Articles Control (Temporary Powers) Act, 1961 (3 of 1962), the Government of Kerala hereby declare the species of Plywood, Matchwood, Bobbinwood, Pencilwood and packing case wood specified in the Schedule below to be essential articles for the purpose of the said Act, namely:—

SCHEDULE

I Species of Plywood

Serial No.	Local Name	Botanical Name
1.	Vellapine	Vateria Indica
2.	Kurangadi/Narivenga/Mundani	Acrocarpus fraxinifolius
3.	Karanjity/Kalpine	Dipterocarpus bon-dilloni
4.	Kulamavu/Kulirmavu/Ooravu	Machilus macrantha
5.	Pali/Palvendinjan	Palaquium ellipticum
u.	Thellipine/Pondapine	Canarium strictum

GPI. 33/2104/MC

Serial No.	Local Name	Botanical Name
7.	Kulaxu	Hardwickia pinnata
8.	Mavu	Mangifera indica
9.	Redcedar	Cedrela toona
10.	Poon/Purna/Punnappa	Calophyllum tonetto
11.	Vedipala/Mulhanipali	Callenia excelsa
12.	Cheru	Holopternis arnottiana
13.	Pothundi/Perunthondi	Sterculia alata
14.	Cherui	Tetrameles nudiflora
15.	Nedunar	Polyalthia fragrans
16.	Vallabhani/Varangu	Carallia integrifolia
17.	Chorapayne	Myrsine attenuata
18.	Nenmuvaha	Albizia lebbek
19.	Chinnaram	Amoora rostrata
20.	Champakam	Mitchella chadipara
21.	Cherukonna	Pterospermum acerifolium
22.	Mulliam	Santhoxylum thicus
23.	Necmaruthu	Leemania angusta
24.	Anathodi	Sterculia alata
25.	Pechary	Sterculia foetida
26.	Kumbil	Cinchona arborea
27.	Veeambu	Kydia calycina
28.	Gnawal	Eugenia jambolana
29.	Kattunelli	Garuga pinnata
30.	Vakka	Sterculia villosa
31.	Thayala	Trewia nudiflora

II Species of Matchwood

1.	Aspin/Kanala/Nasakam	Evoilia roxburghiana
2.	Flayal/Boola	Bombax malabaricum
3.	Mattu/Matli, Perumaram	Ailanthus malabarica
4.	Pala/Mukkampala	Alstonia scholaris

III Species of Bobbin wood

1.	Vellakiel	Dysoxylum malabaricum
2.	Manjakadatulu	Adina cordifolia

IV Species of Pencil wood

1.	Venkotta	Lophopetalum wightianum
2.	Perunaholi/Poochakadampu	Hymenodictyon excelsum
3.	Aittheekku/Catambu	Anthocephalus catamba

845

V Species of Packing case wood

Serial No	Local Name	Botanical Name
1	Kataikkattu (Sham)	Elaeocarpus serratus
2	Ambazham	Spondias pinnata
3	Aval	Holoptelea integrifolia
4	Uthi	Lannea grandis
5	Arayanjili	Antiaris toxicaria
6	Kalavaypu/Malavaypu	Melia dubia
7	Vatta/Kippattu	Macaranga peltata
8	Rubber	Hevea brasiliensis

By order of the Governor,

K. L. N. Rao,
Special Secretary to Government.

Explanatory Note

This does not form part of the notification, but is intended to indicate the main purport.

Some species of wood enumerated in the above notification which are used as raw material for wood based industries in Kerala are becoming scarce as these are moved out of Kerala in large quantities to neighbouring States. As a result the Indigenous Industrial Units are finding it difficult to get the required quantities of timber for them at reasonable prices. With a view to ensuring availability of essential raw materials to the industry in the state it has become necessary to declare these species of wood as essential articles under the Kerala Essential Articles Control (Temporary powers) Act, 1961 (3 of 1962). This Notification is intended to achieve the above object.

II

G.O.(Ms). No.179/81/Forest(II).

Dated, Trivandrum, 20th, June 1981

S. R. O. No. 722/81.—Whereas the Government of Kerala are of opinion that for assuring the supply of articles such as the species of Plywood, Matchwood, Bobbinwood, Pencilwood, and packing case wood for the various industries located in the State of Kerala it is necessary and expedient to provide for regulating the transport of such wood;

And Whereas, the said species of wood have been declared to be essential articles under section 2 of the Kerala Essential Article Control (Temporary Powers) Act, 1961 (3 of 1962);

Now, therefore, in exercise of the powers conferred by section 3 of the Kerala Essential Articles Control (Temporary Powers) Act, 1961 (3 of 1962), the Government of Kerala hereby make the following order, namely:—

ORDER

1. *Short Title, Extent and commencement.*—(1) This Order may be called the Kerala Essential Articles (Movement Control) Order, 1981.

(2) It extends to the whole of the State of Kerala.

(3) It shall come into force at once.

2. *Definition.*—In this Order, unless the context otherwise requires,—

(a) 'Competent authority' means the Government or an Officer authorised by the Government to grant permit under this order;

(b) 'Essential articles' mean article declared as such by Government as per Order G. O. (Ms.) No. 179/81/Forest(I) dated 20th June 1981 and published as S. R. O. No. 721/81 in the Kerala Gazette Extraordinary No. 180 dated the 20th June 1981.

(c) 'Form' means a Form appended to this order;

(d) 'Permit' means a permit referred to in clause 3;

(e) 'person' includes a body corporate; a Company, a firm, an association of individuals or a co-operative society registered or deemed to be registered under the Kerala Co-operative Societies Act, 1969 (21 of 1969);

(f) 'State' means the State of Kerala.

3. *Restriction on transport of essential articles.*—No person shall transport, move or otherwise carry or prepare or attempt to transport, or aid or abet in the transport, movement or carrying of essential articles from any place within the State to any place outside the State except under and in accordance with the terms and conditions of a permit issued in that behalf by the competent authority.

Provided that nothing in this clause shall apply to the transport or movement of the essential articles from one place within the State to another place within the State passing through regions outside the State or to permits issued in respect of timber under the Kerala Forest Produce Transit Rules 1975.

Provided further that nothing in this clause shall apply to finished wood products and veneers.

4. *Form of application and permit.*—(1) An application for a permit shall be in Form 'A' and shall be affixed with a Court fee stamp of the value of Rs. 2.

(2) The permit shall be in Form 'B'.

5. *Power to refuse permit.*—The competent authority may, after giving the applicant for a permit an opportunity for stating his case and for reasons to be recorded in writing, refuse to grant the permit.

6. *Cancellation of permit.*—Where the competent authority is satisfied that an applicant or a permit issued by it has furnished incorrect information or that he has, after the issue of the permit, contravened any of the provisions of this Order or any of the terms and conditions of the permit, it may, without prejudice of any other action, by order, cancel the permit:

Provided that no permit shall be cancelled without giving the holder thereof a reasonable opportunity for showing cause against such cancellation.

7. *Powers of entry, seizure, etc.*—The competent authority or any officer of the Department of Industries and Commerce not below the rank of District Industries Officer or any officer of the Forest Department not below the rank of Range Officer or any officer of the Revenue Department not below the rank of Tahsildar or any officer of the Agricultural Income tax and Sales tax Department not below the rank of Sales Tax Inspector or any officer of the Civil Supplies Department not below the rank of Rationing Officer or any Police Officer not below the rank of sub-Inspector or any other officer authorised by the Government in this behalf may, with a view to securing compliance with the provisions of this order or to satisfying itself or himself that the said provisions have been complied with—

- (a) enter and search any premises;
- (b) inspect any books, accounts or other documents maintained in the course of business or any stock of rubber wood in the possession or under the control of any person;
- (c) seize any such books, accounts or other documents which in its or his opinion would be useful for or relevant to any proceedings under this order;
- (d) search any vessel, vehicle or other conveyance which has been used, or is being used or is about to be used, for the transport of rubber wood;
- (e) seize any rubber wood in respect of which it or he has reason to believe that a contravention of this order has been, is being, or is about to be committed.

Returned to
Tappal
K.B. [Signature]

B. *Power of Court to direct forfeiture.* Any Court trying a contravention of this order may direct that any rubber wood in respect of which the Court is satisfied that this Order has been contravened shall be forfeited to the Government.

By order of the Governor,

K. L. N. RAO,
Special Secretary to Government.

Explanatory Note

Certain species of softwood in the State have been declared 'essential' articles under the Kerala Essential Articles Control (Temporary Powers) Act, 1961, as per Government Notification No. G.O. (Ms.) 179/81/Forest dated 20th June, 1981. As these species are indiscriminately moved out of Kerala the wood based industries are finding it increasingly difficult to find adequate raw material and the cost thereof is going up, leading to industrial recession. It is therefore, considered necessary to regulate the movement of certain species of timber out of Kerala. The Notification is intended to achieve the above purpose.



GOVERNMENT OF KERALA
Forest & Wildlife (B) Department

NOTIFICATION

G.O. (Ms.) No. 3/08/F & WLD

Dated, Thiruvananthapuram, 4th January 2008

S. R. O. No. 450/2008.—In exercise of the powers conferred by clause (a) of section 2 of the Kerala Essential Articles (Control) Act, 1986 (13 of 1986) the Government of Kerala hereby make the following amendment to the order issued under G.O. (Ms.) No. 30/92/F & WLD dated 23rd July, 1992 and published as S.R.O. No. 243/93 in the Kerala Gazette No. 6 dated 9th February 1993, namely—

AMENDMENT

In the Schedule to the said Order:—

- (1) under the heading "I plywood species", Serial Nos. 8 and 18 in column (1) and the entries against them in columns (2) and (3), shall be omitted;
- (2) under the heading "II Matchwood species", Serial Nos. 3, 5 and 6 in column (1) and the entries against them in columns (2) and (3), shall be omitted;
- (3) under the heading "V Packing case wood species", Serial Nos. 4 and 8 in column (1) and the entries against them in column (2) and (3), shall be omitted.

G. 213 (6)/2008/DTP

(4) under the title "VI Firewood" for the words, "any type of firewood" the words, "any type of firewood other than the firewood from Playu (Jack), Paramgimavu (Cashew), Kattadi (Casuarina), Poovarasu (Poovarasu), Mavu (Mango tree), Pulli (Tamarind tree), Natupunna (Natupunna), Aanjili (Aanjil), Yaka (Yaka species), Poovam (Poovam), Konna (Konna), Thanni (Thanni), Uthi (Uthi), Aaladhikal (Ficus species), Matti (Matti), Murukku (Murukku), Elappu (Ilapa), Kodampuli (Kodampuli)" shall be substituted.

By order of the Governor
 P. K. MOHANTY
 Principal Secretary to Government

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport)

As per the orders issued in exercise of the powers conferred under section 2 (a) of the Kerala Essential Articles (Control) Act, 1986 under G.O.(Ms.) No. 30/92/F & WLD dated 23-7-1992, 49 species of trees were declared as essential articles in order to make wood available at reasonable rate to the local industrial units in Kerala. However, as regards certain species of trees, it was convinced that this control is adversely affecting the high range farmers and small scale industrialists to a great extent and in the circumstances Government have decided to exempt the said trees from the purview of control.

This notification is intended to achieve the above purpose.

f Kerala
ഗവൺമെന്റ്



Reg. No. 2348
KL/IV(NY)/2009-2011

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണ

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

Thiruvananthapuram, Wednesday	14th December 2011 2011 ഡിസംബർ 14	No. 2348
തിരുവനന്തപുരം, ബുധൻ	23rd December 2011 2011 ഡിസംബർ 23	നമ്പർ 2348

GOVERNMENT OF KERALA

Forest and Wildlife (B) Department

NOTIFICATION

786/2011/F&WLD. Dated, Thiruvananthapuram, 7th December, 2011.

No. 786/2011. In exercise of the powers conferred by section 15 of the Kerala Promotion of Tree Growth in Non-forest Areas Act, 2005 (46 of 2005), the Government of Kerala hereby make the following rules, namely:--

RULES

title and commencement. (1) These rules may be called the Kerala Promotion of Tree Growth in Non-forest Areas Rules, 2011.

They shall come into force at once.

PRINTED AND PUBLISHED BY THE SUPERINTENDENT OF GOVERNMENT PRESSSES
AT THE GOVERNMENT CENTRAL PRESS, THIRUVANANTHAPURAM, 2011.

2. *Definitions.*—In these rules unless the context otherwise requires,

- (a) 'Act' means the Kerala Promotion of Tree Growth in Non-forest Areas Act, 2005 (46 of 2005);
- (b) 'Authorised Officer' means an officer not below the rank of Forest Range Officer appointed to be authorised officer under sub-section (2) of the section 6 of the Act;
- (c) 'Cardamom Plantation' means an area registered as Cardamom Plantation and predominantly cultivated with cardamom and properly maintained as cardamom plantation;
- (d) 'Coffee Plantation' means an area registered as Coffee Plantation and predominantly cultivated with coffee and properly maintained as Coffee Plantation;
- (e) 'Form' means form appended to these rules;
- (f) 'Mangrove area' means a wetland which predominantly supports mangrove species;
- (g) 'Notified area' means any non-forest land notified under sub-section (3) of section 6 of the Act and includes all the mangrove areas, cardamom or coffee plantations which are deemed to be notified under the said sub-section;
- (h) 'Plantation' means an aggregate of artificially regenerated tree species in a block of not less than 0.1 hectare in extent;
- (i) 'Section' means section of the Act;
- (j) 'Timber' means timber as defined in the Kerala Forest Act, 1961 (Act 1 of 1962) and shall include firewood.

3. *Declaration to be filed for cutting a specified tree or transportation of timber of a specified tree from any non-forest land to any other place.*—

- (1) Where a specified tree, other than sandalwood, standing on a non-forest land is to be cut or any timber of any such tree is to be transported, the owner of such tree shall, before cutting the tree or

the timber, as the case may be, file before the Authorized Officer having jurisdiction over the area, a declaration in Form No. I either directly or by registered post with acknowledgement due.

A declaration filed as per sub-rule (1) shall be dealt with in accordance with the provision of sub-section (6) of section 6 of the Act.

On receipt of a declaration filed under sub-rule (1), the Authorized Officer shall forthwith issue a copy of the declaration to the applicant by him under his signature and seal.

The acknowledged copy shall accompany the timber during

Procedure for obtaining prior permission for cutting and transporting timber from a notified area.—(1) An Application for permission to fell, uproot or burn any such tree for which permission is required under section 6 of the Act or for transport of any such specified species shall be made in duplicate in Form No. II in accordance with these rules to the Authorized Officer having jurisdiction over the area.

On receipt of an application under sub-rule (1), the Authorized Officer shall inspect the area and cause necessary enquiries and satisfy himself that the facts mentioned in the application are genuine.

If the Authorized Officer after conducting the inspection is satisfied that the applicant is entitled to get permission, he shall issue permission for the specified tree in Form No. II itself.

Where the timber of a specified tree cut under sub-section (3) of section 6 is to be transported from a non-forest land within the notified area, the applicant shall file a declaration in duplicate, in Form No. II either directly or by registered post with acknowledgement due, to the Authorized Officer having jurisdiction over the area.

On receipt of the declaration, the Authorized Officer shall duly inspect the timber and shall conduct necessary inspection of the same and also conduct necessary enquiry on the information furnished by the applicant in the declaration and record his opinion thereon.

(6) The Authorized Officer upon being satisfied on the genuineness of the contents in the declaration, if found permissible, may issue a permit for the transportation of the timber to the owner in writing in Form No. III, which shall accompany the timber during its transportation.

(7) An application seeking prior permission for cutting as well as transport of the trees under this rule shall be disposed of within twenty days from the date of receipt of the application.

5. *Conditions for granting permission for cutting of trees under sub-section (3) of section 6 of the Act.* In deciding whether permission under sub-section (3) of section 6 of the Act, may be issued to fell, uproot or prune any specified tree, the Authorized Officer shall have due regard to the following matters, namely:—

- (i) plantations of fast growing species like Eucalyptus, Casuarina, Bamboo, Reed etc., shall be allowed to be cut after they attain a minimum age of five years;
- (ii) plantations of other forest tree species shall be allowed to be cut or fallen after they attain a minimum age of ten years;
- (iii) thinning in plantations of forest tree species shall be allowed as per the silvicultural requirements of the species;
- (iv) rosewood trees shall be allowed to be cut or fallen after attaining a minimum girth of 150 cms. at 1.4 meters above ground level;
- (v) teak trees wherever grown, other than in plantations, shall be allowed to be cut or fallen after attaining a minimum girth of 60 cms. at 1.4 meters above ground level;
- (vi) trees of other forest trees species wherever grown, other than in plantations, shall be allowed to be cut after attaining a minimum girth of 75 cms. at 1.4 meters above ground level;
- (vii) all dead trees may be permitted to be cut or converted;
- (viii) all trees which constitute a danger to life or property, buildings, telephone lines, electric lines or any other structure shall be permitted to be felled irrespective of their girth or maturity;

All trees causing obstruction to any permanent building or to the formation of any public road shall be permitted to be felled;

Felling of trees required for agricultural operations shall be allowed in deserving cases on condition that the girth of the tree to be cut shall not exceed thirty cms. at the biggest diameter and the main stem of the trees shall not be damaged by lopping or pruning;

Where the number of trees of the same species or those of other suitable species shall be required to be regenerated by the applicant;

No permission for felling shall not be refused if the tree constitutes a danger to life or property or if the tree is wind fallen or for the bonafide construction of a residential house thereon.

Procedure for cutting, removal and disposal of sandalwood trees in non-forest areas.—Cutting, removal and disposal of sandalwood trees shall be done in the manner given below:—

Trees which are dead, fallen or constitute danger to life and property shall be extracted by the Forest Department at the request of the owner of the non-forest land;

All trees causing obstruction to any permanent building or to the formation of any public road shall be extracted by the Forest Department;

Application for extraction of such trees shall be made in Form No. IV to the Authorized Officer having jurisdiction over the area;

The Authorized Officer if satisfied with the contents of the application shall cause the tree to be extracted, transported and sold as per the procedure in chapter VI A of the Forest Act, 1961 and the rules issued thereunder.

The entire sale proceeds, after deducting the actual expenses incurred for cutting, removal, extraction and sale of the sandalwood shall be paid to the owner of the sandalwood tree within one month from the date of realization of sale value.

(v) Five times the number of sandalwood trees cut or fallen shall be regenerated and nurtured by the owner of the non-forest land.

7. Procedure for cutting, removal and disposal of specified trees standing on non-forest areas, owned, controlled or vested in Local Self Government institutions.--(1) The custodian of the non-forest areas owned, controlled or vested in Local Self Government institutions, shall submit to the Authorized Officer an application in Form No. V for felling and transportation of specified trees proposed to be cut or fallen therefrom, giving full particulars of the land such as location sketch and survey sketch and details of the trees.

(2) On receipt of such application, the Authorized Officer shall, within seven days from the date of receipt of the application, refer the same to an Advisory Committee consisting of the following members, namely:--

- (a) The Mayor of a Municipal Corporation or a Chairperson of a Municipality or the President of a Grama Panchayat in whose jurisdiction the trees proposed to be felled is standing;
- (b) The Authorized Officer having jurisdiction over the area;
- (c) One or more representatives of reputed Non-governmental Organizations nominated by the Government for each district;
- (d) One representative of the Department of Agriculture not below the rank of Assistant Director of Agriculture nominated by the Principal Agriculture Officer in-charge of the district.

(3) The Committee shall inspect the trees proposed to be cut or fallen and the land on which the trees are standing and shall take a decision on the application submitted by the custodian of the land and record the reasons thereof.

(4) The decision of the Committee shall be taken as far as possible unanimously or by majority of the members inspecting the field and shall be communicated to all the members irrespective of the fact that whether they were present or not during the inspection.

Three members will constitute the quorum of the Advisory

The Authorized Officer shall communicate the decision of the to the applicant within a week from the date of inspection or rejecting the permission to fell the tree or transport the

The Advisory Committee shall insist the custodian of the and nurture at least equal number of saplings of local tree the same or nearby locality.

The timber and firewood obtained from the felling of such be disposed of by the custodian of the land after having got statement prepared by the Authorized Officer who shall assess taking into account the seigniorage rate of such trees Government from time to time.

7/-(1) An appeal to under sub-section (8) of section 6 of the Act erred before the Divisional Forest Officer/Wildlife Warden having over the area, within thirty days of the order of the Authorized g reasons for preferring the appeal along with a copy of the order the appeal is preferred.

The Divisional Forest Officer/Wildlife Warden shall cause enquires and after hearing all the parties pass appropriate n thirty days from the date of receipt of the appeal and the rean shall be final.

By order of the Governor,

SAJEN PETER,
Principal Secretary to Government.

Explanatory Note

is not form part of the notification, but is intended to indicate its general

1(1) of the Kerala Promotion of Tree Growth in Non-forest Areas Act, 05 enables the Government to make rules for carrying out the purpose

cation is intended to achieve the above object.

Form 1

[See Rule 3]

Declaration to be filed for cutting a specified tree or transporting timber of a specified tree from a non-forest land and non-pollified area

1. Name and address of the applicant
2. Sy. No. and extent of the field or fields on which the tree or trees proposed to be cut, uprooted or burnt stand
3. Name of the Village/Taluk/Block and District where the land on which the trees stand or the timber lie
4. Proof of ownership of the trees/ timber
5. Number of trees to be cut
6. List showing the species of trees proposed to be cut or list of logs to be transported, as the case may be, with Girth, Breadth, Height of the tree/s (1.4 m from ground level)
7. Quantity of timber
8. Reasons for seeking permission to cut the tree/s
9. Place to which timber to be transported and purpose

Place:

Signature of the Declarant.

Date:

DECLARATION

I hereby declare that the information furnished above is true to the best of my knowledge and belief. I also undertake to comply with the conditions subject to which the permission may be granted by the Authorized Officer.

Signature of the Declarant.

For Office use only

1. Date of receipt of the declaration by the Authorized Officer
2. Opinion of the Authorized Officer
3. Orders of the Authorized Officer

Place:

Date:

No.

Date:

Authorized Officer.

FORM II

[See Rule 4 (1) and (4)]

Application to be filed for obtaining permit for transporting timber and trees cut under Section 6 (3) of the Act from a non-forest land within the notified areas'

address of the applicant :
 extent of the field/s on which :
 proposed to be cut, uprooted or :
 d :
 Village/Taluk/Block and District :
 ownership of the timber :
 ing the logs to be transported :
 (numbered serially) :
 r which the timber is proposed to be :
 d :
 hich timber to be transported :
 the order passed by the Authorized :
 r cutting the trees under section 6(3) :
 rder to be produced)

Signature of the Declarant.

DECLARATION

I declare that the information furnished above is true to the best of my belief. I also undertake to comply with the conditions subject to which may be granted by the Authorized Officer.

Signature of the Declarant.

For Office use only

of receipt of the declaration by the Authorized Officer
 ion of the Authorized Officer
 rs of the Authorized Officer

No.

Date

Authorized Officer.

FORM III

[See Rule 4 (6)]

(Duplicate to be retained by the issuing officer)

Permit No. _____ Forest Division _____

Transport Permit for the Transport of timber of specified trees within the notified area in non-forest land

1. Name and residence of the person in whom permit is issued
2. Description of produce
3. Quantity
4. Marks
5. When obtained
6. Destination
7. Route (specify the name of Forest Watch Station/ Checking Station on the route)
8. Period or time of validity
9. Remarks

*Signature of the Authorized Officer**Name:**Designation:**(Office Seal)*

FORM IV

[See Clause (iii) of Rule 6]

to be filed for cutting, removal and disposal of sandalwood trees in non-forest areas

and address of the applicant

and extent of the field/s on which sandalwood tree/s proposed to be felled or cut stand

of the Village/Taluk/Block and District where located on which the tree/s stand or the wood/lie

of ownership of the trees sandalwood

of tree/s to be cut

owing the sandalwood trees proposed to be cut (to Girth, Breadth, Height of the tree from ground level)

ity of sandalwood

is for seeking permission to cut the tree/s

Signature of the Declarant

DECLARATION

I declare that the information furnished above is true to the best of my knowledge and belief. I also undertake to comply with the conditions subject to which permission may be granted by the Authorized Officer.

Signature of the Declarant

For Office use only

Date of receipt of the declaration by the Authorized Officer

Signature of the Authorized Officer

Address of the Authorized Officer

No.

Date:

Authorized Officer.

[See Rule 7 (1)]

Declaration to be filed for felling or transporting timber of specified trees from a non-forest area owned, controlled or vested in Local Self Government Institutions

1. Name and address of the Institution
2. Sr. No. and extent of the field/s on which the trees proposed to be cut, uprooted or burnt stand
3. Name of the Village/Taluk/Block and District where the land on which the trees stand or the timber lie
4. Proof of ownership of the trees/timber
5. Number of trees to be cut
6. List showing the species of trees proposed to be cut or list of logs to be transported, as the case may be with Girth, Breadth, Height of the tree/s (1.4 m from ground level)
7. Quantity of timber
8. Reason/s for seeking permission to cut the tree/s
9. Place to which to be transported.

Place:

Date:

Signature of Head of Institution.

DECLARATION

I hereby declare that the information furnished above is true to the best of my knowledge and belief. I also undertake to comply with the conditions subject to which the permission may be granted by the Authorized Officer.

Signature of Head of Institution.

For Office use only

10. Date of receipt of the declaration by the Authorized Officer
11. Opinion of the Authorized Officer
12. Orders of the Authorized Officer

Place:

Date:

No.

Date:

Authorized Officer.