

Indira Parvavaran Bhawan,
Vayu Wing, 6th Floor,
Jor Bagh Road, Aliganj,
New Delhi-110003
Dated: 06th October, 2017The Chief Secretary
All State/ UT Governments**Subject: Guidelines for felling and Transit Regulation for Tree Species Grown on Non-Forest/ Private Lands.**

Sir

This is to inform that the "Guidelines for Felling and Transit Regulations for Tree Species Grown on Non-Forest Private Lands" was issued to all State/Union Territory (UT) Governments vide this Ministry's letter No. 8-14/2004-FP dated 18th November, 2014 for facilitating the promotion of cultivation and utilization of commonly used agro-forestry tree species grown by farmers in their agricultural fields.

2. In response to the advisory issued dated 18th November, 2014, 24 States/UTs have liberalized the Felling and Transit Regime to a great extent. In this context, the States are advised to consider that commonly grown agro-forestry tree species may be exempted from the requirement of the felling and transit permits. Some of the commonly grown species are: (i) Eucalyptus, (ii) Poplar (iii) Casuarina (iv) Subabul (v) Silver oak (vi) Acacia Mangium (vii) Melia Dubia (Malabar Neem) (viii) Khejri (Prosopis spp.) (ix) Indian willow (Salix alba) and (x) Gamari (Gmelina Arborea), etc. The list is indicative and not exhaustive.

3. Liberalization of transit and felling regime in respect of Agroforestry species will help cultivation of these species in the agriculture fields and areas outside forests. Growing of trees outside forests will provide a boost to rural economy, local job creation and help country to achieve the national and global commitments.

4. The action taken in this regard may be communicated to this Ministry at the earliest.

Encl: As above

Yours faithfully,

(Noyal Thomas)

Deputy Inspector General of Forests (Forest Policy)

Tele fax: 011-24695323

Copy to:

1. The Principal Secretary (Forests), All States/UTs.
2. The Principal Chief Conservation of Forests & HoFFs' All States/UTs.
3. Guard File

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F. No. 8-14/2004-FP (Vol. 2)
Government of India
Ministry of Environment, Forests and Climate Change
Forest Policy Division

6th Floor, Vayu Wing
Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj

Date: 18th November, 2014

To

The Chief Secretary
All State /UT Governments

Sub: **Guidelines for Felling and Transit Regulations for Tree Species Grown on Non-Forest/ Private Lands.**

Sir,

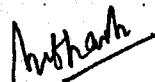
This is to inform that the 'Guidelines for Felling and Transit Regulations for Tree Species Grown on Non-Forest Private Lands' was issued to all State/ Union Territory (UT) Governments vide this Ministry's letter No. 8-14/2004-FP dated 15.12.2004 for augmenting the pace of tree plantation on private land. It was expected that the respective State/ UT Governments would take necessary steps for the implementation of the guidelines in order to achieve the target of National Forest Policy, 1988 to promote partnership of industry, voluntary organizations, institutions and individuals etc. in tree plantations. However, it is felt that required degree of simplification in felling and transit rules has not taken place.

Further, keeping in view the objectives of the National Forest Policy, 1988 which envisages that one-third of the total land area of the country should be under forest or tree cover and problems faced by the farmers and agroforesters in getting felling and transit permits for trees grown on private land, the Ministry of Environment and Forests had constituted a committee in July, 2011 to study the regulatory regime regarding felling and transit regulations for tree species grown on non-forest/ private land. The Committee had submitted its report to the Ministry in November, 2012, which was posted on the website of this Ministry for wider consultation and also circulated to State/ UTs for obtaining their comments/ suggestions.

After examination of the report, comments received in the matter and consultations with the stakeholder, the Ministry has decided to issue fresh guidelines to all State/UT Governments for simplification of felling and transit regulation of tree species grown on non-forest/private land, which is enclosed herewith for information and necessary action. It is requested that measures taken by the State/ Union Territory (UT) Governments in response to these guidelines may be communicated to this Ministry.

Yours faithfully,

Erci: as above


(Subhash Chandra)

Dy. Inspector General of Forests (Forest Policy)

Copy to:

1. The Principal Secretary (Forests), All States/UTs
2. The Principal Chief Conservator of Forests, All States/UTs
3. The Principal Secretary for Planning, Agriculture, Rural Development & Local Self Government, All States/UTs
4. PS to MoS(IC) EF&CC/ PPS to Secretary (EF &CC)/ PPS to DGF & SS/ PPS to ADGF (FC)
5. Guard File

F. No. 8-14/2004-FP (Vol. 2)
Government of India
Ministry of Environment, Forests and Climate Change
Forest Policy Division

Date: 18th November, 2014

GUIDELINES FOR LIBERALIZING FELLING AND TRANSIT REGIME FOR TREE SPECIES GROWN ON NON-FOREST/ PRIVATE LAND

I. BACKGROUND

1. There has been a long felt need to create enabling environment for massive tree plantation outside the natural forests as is also envisaged in the National Forest Policy, 1988 for achieving the national goal of 33% of geographical area of the country under forest or tree cover and also for meeting the growing demands of wood and non wood products including fuelwood, fodder, food and renewable bio-resources in view of the increasing population and developmental needs of the country.
2. In this regard, the Ministry of Environment and Forests had earlier issued guidelines on 'Felling and Transit Regulations for Tree Species Grown on Non-Forest Private Lands' vide letter No.8-14/2004-FP, dated the 15th December, 2004. However, it was felt that these guidelines did not bring out the desired results and the apprehensions persist that people may face difficulties in disposing trees grown on their lands in view of the rigid felling and transit rules and norms. The Ministry, therefore, constituted a Committee under the Chairmanship of Shri A.K. Bansal, former Additional Director General of Forests to study the current regulatory regime regarding felling and transit rules and norms for trees species grown on non-forest as well as private lands in June, 2011. The Committee's Report was placed on the website of the Ministry for inviting comments. In addition, all the States/UTs were also requested separately to send their suggestions/comments to the Ministry.
3. Meanwhile, the National Agroforestry Policy, 2014 has been promulgated by the Ministry of Agriculture, Government of India in February, 2014, which also calls for supportive regulatory framework for felling and transit of trees grown under Agroforestry and Farm forestry systems.
4. In pursuance of the goals of National Forest Policy, 1988 and under the concurrent jurisdiction of the Central Government, to issue directions on the subject of forests listed in the Concurrent list of the Constitution of India, the Ministry of Environment, Forests and Climate Change, after careful examination and consideration of the recommendations of the Committee, and especially considering the need for facilitating Agroforestry and various suggestions/comments received in this regard, issues, herewith the following guidelines.
5. Notwithstanding the above, the Government of States/ Union Territories (UTs) however, may come back to this Ministry for addressing any specific conflict/ problem related

to implementation of these guidelines, which might come into conflict with the objective of forest/ trees conservation.

II. OBJECTIVES:

These guidelines aim to bring in sufficient clarity and long-term certainty so that private land owners, farmers, land owning agencies, financial institutions, industries and others who control, possess and or own lands other than forest land etc. are encouraged to invest in tree plantations with a long term perspective. The objective is to create an enabling environment to motivate and facilitate persons to plant trees on non forest and/or private lands which will supplement and partner the efforts of the government in increasing forest and tree cover of the country from present 24.01 percent to 33 percent of the geographical area as envisaged in the National Forest Policy, 1988. These plantation efforts outside forests will also help in meeting the growing demand of various wood and non wood products from the forests; generation of employment in plantation, harvesting, processing and value addition of these products especially in rural areas apart from reducing pressure on the forests. The large scale tree plantation outside forest areas and forest lands under Agroforestry systems will lead the country towards self sufficiency in wood based products and reduce their import apart from associated benefits of climate change mitigation and enhancement of ecosystem services.

III. GUIDELINES:

- 1. Preferred Tree and bamboo species under agro-forestry by farmers and not naturally available in neighbouring forests are to be invariably exempted from the transit permit and felling rules.**

(i)As the regulatory mechanism is not uniform across various States/UTs, there is a need for a simple uniform mechanism/procedure to regulate the transit rules of forest produce within the State, and also across various States. An indicative list (List-A), which is not exhaustive, is enclosed. The State/UT Governments may include other such species as required, based on their own local conditions.

(ii)There should not be any requirement of permission for felling of trees and transit permits in case of important timber species like Teak (*Tectona grandis*), Shisham (*Dalbergia sissoo*), Padauk (*Pterocarpus dalbergioides*) and Pines etc. in the States and Union Territories where these species are not found in natural forests, but farmers and private land owners raise plantations of such species. These species should be included in List A by all such States and Union Territories, which have no natural forests/ forest plantations of these species. Similar exemptions should be applicable in those districts of a State where there are no natural forests of such species.

(iii) The Revenue and other State Acts/ Regulations/ Rules which inhibit tree felling and free movement of timber within and across the States also need to be suitably amended and liberalized by the concerned States.

(iv) In respect of preferred trees spp. grown on private lands in urban / metropolitan areas, the respective Tree Preservation Act(s), wherever applicable, will continue to apply. But the State/ UT Governments should see that the provisions of such Act(s) do not discourage private efforts in tree planting.

2. (i) **Preferred Tree and bamboo species in areas where they are found in the neighbouring forests may be brought under the limited restrictive provisions for felling and transit to safeguard trees from such forests.** The concerned Gram Sabha or equivalent institution at the village level, may be authorized to regulate felling and transit of trees/timber grown under agro-farm forestry on private or community lands, by whatever name called, in the village in respect of such species. A Special/ Standing Committee of Gram Sabha or the Joint Forest Management Committee or other such committees by whatever name called (as the case may be) to be constituted for the purpose, which may authorize at least two office bearers to certify the origin of timber from trees felled in private non-forest lands for utilization of timber/such produce within the District. This may accordingly be recognized under the existing transit rules of the State.
 - (ii) The Forest Department should issue permits based on the certificate of origin issued by authorized representative of such Committees of Gram Sabha/ JFMC or other such committees for movement across Districts or States. The Forest Department should also initially guide the committee in technical matters and maintain an oversight mechanism. An indicative list (List-B), which is not exhaustive, is enclosed for this purpose. The State/UT Governments may include other such species as required, based on their own local conditions.
 - (iii) In respect of trees grown on non forest lands/private lands in urban/peri-urban areas, the permission for felling of trees will be issued by concerned DFO/ Tree Officer or any/ such other Authorised Officer as per the provisions of relevant Act(s) and/or Rules. However, the process needs to be simplified and well publicized to encourage private initiative in greening of cities and surrounding areas.
 - (iv) The Government of States and UTs may decide the limit for neighborhood forests as per their circumstances and may review from time to time. The neighbourhood limit should take into account the practical considerations.
3. (i) **The permission for felling and transit wherever required may be given in a time bound manner and this provision should be well publicized.** The permission involving the forest officials should be disposed of through transparent and time bound process. Such measures need to be continuously reviewed.

(ii) Reviewing and streamlining the Transit Pass system in light of above recommendations is necessary to balance the need for reducing discretion and complexity, at the same time in maintaining the utility of the document which will be an important link in the chain of custody process. Use of Information Technology should be encouraged in streamlining the process and making it more authentic and verifiable.

4. Facilitation of Interstate movement and setting up of regional coordination mechanism:

(i) Inter-state movement of timber derived from agro forestry plantations or trees from non forest lands/private lands needs to be facilitated for benefitting tree growers to get best market price. Felling and transit permits may not be required for exempted species (List A) grown on non forest/private/ farm lands and logs/ timber/ pulpwood of these species, so that the same can be transported within and across all States and Union Territories without any timber transit permits. This will help growers to get not only the best possible price for timber produced by them without any difficulty but also develop our full potential of agroforestry.

(ii) The mechanism of lieu TP or other similar arrangements may be simplified by the Regional Coordination Committee of the States concerned, which should meet at regular intervals to facilitate inter-state movement and resolve issues, if any. The produce/ timber obtained from non forest lands/private lands, which is to be transported from a State to other States may be covered under an appropriate mechanism through mutual consultation such as Nationally Valid Permit for such consignments. A database should be maintained by the agencies which are issuing such permits as well as by those who are finally receiving it in the respective state.

(iii) There is an urgent need to move towards one simple and uniform nationally adopted transit permit system on electronic format. Regional Offices of the Ministry should facilitate such coordination among the States/ UTs within their jurisdiction.

5. Recording of Agro-forestry plantations:

(i) There is no mechanism for recording of tree plantations outside forests. Transparent and simple methodology for maintenance of records of tree plantation on private land needs to be worked out by the state government or through its authorized agencies. This is important for creating and maintaining a dynamic resource inventory. Such records will help in de-centralizing issuing of transit permits and facilitate harvesting of trees planted subsequently at village level. Information Technology should be used for creation of registers/database and regular updating at the time of verification of felling requests and replanting. Registration of plantations should also be encouraged. Such database should be linked to existing forest and revenue recording system of the

respective states. Online submission of tree plantation form to a designated nodal office, preferably at the district/division level, may be tried to create plantation database.

(ii) Maintenance of Records: All the records in respect of planting of trees, felling and transit of timber may be placed on website or other such computerized public record system including revenue and forest records.

6. Preparing Manuals on Agroforestry in local and official languages of the States for public awareness.

(i) Manuals/brochures on growing preferred tree 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 meeting such as Gram Sabha meetings, and also through website.

(ii) The State Forest Departments should bring out a list of all the trees exempted from the requirements of felling and transit permission in the concerned State at the beginning of planting season for public information and publicise it through appropriate media. This should have the concurrence of the MoEF especially to confirm that such species are not threatened or come under the threatened list of any national statute including, Wildlife Protection Act, National Biodiversity Act or EXIM policy or under any International Convention or Treaty such as CITES, ITTO etc.

7. OTHER MEASURES:

- (i) State/Union Territories Governments are encouraged to have more simplified procedures than suggested above to further encourage people to take up farm/agroforestry and send a copy of rules/norms applicable within their jurisdiction, particularly after the simplification.
- (ii) State/Union Territories Governments must give effective publicity to the simplified procedures felling of trees and transit of forest produce thereof in vernacular / local languages.
- (iii) State/Union Territories Governments should facilitate felling and marketing of Teak, Shisham and other valuable timber species trees grown on the private lands of poorer sections of society including scheduled tribes and scheduled castes and encourage them to plant more Teak and other such valuable species which they will be permitted to fell and market the produce without difficulty.
- (iv) State/Union Territories Governments should strengthen technical extension services for promoting Agroforestry plantations by using powerful electronics media such as television and radio as is the case for agricultural crops.
- (v) State/Union Territories Governments should make appropriate rules or norms for registration of nurseries and certification of seed and seedlings and clonal planting

stock so that farmers get best quality planting stock of tree species to be planted in their private lands/non forest lands.

- (vi) The forest officers should reach out to persons and provide technical guidance in tree planting and maintenance through suitable extension programmes including creation and strengthening of Van Vigyan Kendras.
- (vii) States/UTs should take initiatives in Research, Development and Extension and Education with involvement of Indian Council of Forestry Research & Education (ICFRE) and other Central and State Forestry Research Institutions in following areas:
 - (a) Preparation/refinement of volume tables for preferred tree species both in irrigated/ non irrigated plantations for different bio-geographic regions,
 - (b) Preparation of suitable Agroforestry models appropriate to various bio-geographic regions with forecasting of yield(s) of various preferred species at harvestable period and likely income prospects from such planting models including study of carbon sequestration potential,
 - (c) Assisting persons/farmers in raising quality planting material and standardizing nursery stock,
 - (d) Coordinate to create viable partnerships with landowners/farmers/tree growers, wood based industries and financial institutions for expansion of trees outside forest areas/forest land. For providing good prices for privately grown timber under Agroforestry/ farm forestry it is necessary to promote Wood based Industries which primarily depend on such produce and these Wood based industries should be encouraged to tie up with the farmers for growing of raw materials and have a medium to long term forecast of their demand,
 - (e) Setting up of modern timber markets or upgrade existing timber markets in selected important towns to facilitate transparent timber trade so that farmers get competitive prices for the farm grown timber.
 - (f) Promote plantations of high value trees and other plants such as Teak, Red Sanders, Sandalwood, Shisham, Agarwood, etc. and plants of high medicinal values with active involvement of people especially local communities for creating better livelihood opportunities, income generation and helping in conservation of such species and keeping in mind national and international laws in place. A robust registration mechanism should be put in place for such high values tree species to conform to national and international laws and norms,
 - (g) Suitable incentives for promoting tree planting may be considered.

8. LIST OF PREFERRED AGRO-FORESTRY SPECIES:

List 'A' Tree species when exclusively grown on agriculture/ farm land and not naturally available in neighbouring forests:

(a) Khair (*Acacia catechu*), Babool (*Acacia nilotica*) Eucalyptus spp., Poplar spp., Subabul (*Leucaena* spp.), Casuarina spp., Ailanthus spp.; Gamari (*Gmelina arborea*), Silver Oak (*Grevillea robusta*), Mulberry (*Morus alba*), Sissoo (*Dalbergia sissoo*), Kadam (*Anthocephalus cadamba*/*Anthocephalus chinensis*) *Acacia mangium*; *Acacia lenticularis*, Sirris (*Albizia* spp.), Neem (*Azadirachta indica*), Rubber (*Hevea brasiliensis*), Toon (*Cedrela toona*), Imli (*Tamarindus indica*), *Grewia oppositifolia*, Meliadubia, Jamun, (*Syzigium cumini*), Teak (*Tectona grandis*), Khejri (*Prosopis cineraria*), Arjun (*Terminalia arjuna*), Indian willow (*Salix alba*). This list may be revised from time to time and in accordance with the suggestion by the States.

(b) Horticultural tree species like Mango, Guava, Coconut, Cashew nut, Citrus, Areca nut, Kathal (*Artocarpus* spp.), *Zyiphus* spp. This list may be revised from time to time and in accordance with the suggestion by the States.

(c) NTFPs including Bamboo species.

List 'B' Tree species grown on non forest land where they are found in the neighbouring forests

Teak (*Tectona grandis*), *Terminalia* spp., Jamun (*Syzigium cumini*), Khair (*Acacia catechu*), Pines, Semal (*Bombax ceiba*), *Schima wallichii*, Rosewood (*Dalbergia latifolia*), Shisham (*Dalbergia sissoo*), Padauk (*Pterocarpus dalbergioides*). This list may be revised from time to time and in accordance with the suggestion by the States.
