

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

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New Delhi: 110003  
Dated 11.07.2014

**OFFICE MEMORANDUM**

Sub: **Draft** Guidelines for Liberalizing Felling and Transit Regime For Tree Species Grown on Non-Forest/ Private Land

The undersigned is directed to refer to this Ministry's letter No. 8-14/2014-FP dated 27.12.2012 vide which the "Report of the Committee constituted to study the regulatory regime regarding felling and transit regulations for trees species grown on private land" had been put on the MoEF website for inviting comments/suggestions of the State Forest Departments, local communities and other stakeholders, etc.

2. After careful examination and consideration of the recommendations of the Committee and the various suggestions/ comments received in this regard, a "draft Guidelines For Liberalizing Felling and Transit Regime For Tree Species Grown on Non-Forest/ Private Land" has been prepared for the simplification of felling and transit regulation of tree species grown on non-forest/private lands. The draft Guidelines are enclosed herewith.

3. Before placing the final version of the Guidelines in this regard, the Ministry has decided to consult the all State/UT Governments. Accordingly, all State/UT Governments, concerned Ministries/Departments, forestry institutions and other stakeholders including Agroforesters/individuals are requested to kindly provide their comments on the draft Guidelines by 25.07.2014. In case no comments are received by this date, it will be presumed that the State/UT Governments have nothing to offer in this regard, and it will be taken as if States/UTs have given their consent.

4. The comments may kindly be sent through hard copy as well as soft copy at e-mail: [subhaash.chandra@gmail.com](mailto:subhaash.chandra@gmail.com) / [jitesh.kumar@nic.in](mailto:jitesh.kumar@nic.in) or Telefax:011-24695278.

Encl: as above.



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1. All concerned Ministries/Departments
2. The PCCFs of all States/UTs.
3. All other stakeholders/Agroforesters/NGOs/Individual
4. Guard file

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**Date July, 2014**

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

**BACKGROUND**

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.

In this regard, the Ministry of Environment & 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 15<sup>th</sup> December, 2004. However, it is 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 regulations. 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 regulations for trees species grown on non-forest/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. After careful examination and consideration of the recommendations of the Committee and various suggestions/comments received in this regard, following guidelines are being issues.

**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 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 people to plant trees on non forest/ private lands which will supplement and partner the efforts of the government in increasing forest and tree cover of the country from present 23.81 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 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.

## 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 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 across various States. An indicative list (List-A), which is not exhaustive is enclosed. The State/UT Governments may include other species as required based on the local conditions.
  
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 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/ Standing Committee of Gram Sabha or the Joint Forest Management Committee by whatever names called (as the case may be) to be constituted for the purpose which may authorize an office bearer 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 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 species as required based on their conditions.  
  
(iii) In respect of trees grown on non forest 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). However, the process needs to be simplified and well publicized to encourage private initiative in greening of cities and surrounding areas.
  
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 to maintain 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 verifiable.

4. **Facilitation of Interstate movement and setting up of regional coordination mechanism:** Interstate movement of timber derived from agro forestry plantations or trees from non forest lands needs to be facilitated for benefitting tree growers to get best market price. The mechanism of 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 resolve issues, if any. The produce/ timber obtained from non forest 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. Regional Offices of the Ministry may facilitate such coordination.
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 land need to be worked out. This is important for 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 may be tried to create plantation database.
6. **Preparing Manuals on agro-forestry 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.
7. All the records in respect of felling and transit of timber may be placed on website or other such public record system.
8. **OTHER MEASURES:**
  - (i) State/UT Governments are encouraged to have more simplified procedures than suggested above to further encourage people to take up farm/agro-forestry and send a copy of rules/regulations applicable within their jurisdiction, particularly after the simplification.

- (ii) States/UTs must give effective publicity to the simplified procedures felling of trees and transit of forest produce thereof.
- (iii) The forest officers should reach out to people and provide technical guidance in tree planting and maintenance.
- (iv) States/UTs are requested to take initiatives in Research, Development and Extension and Education in following areas:
  - (a) Preparation/refinement of volume tables for preferred tree species both in irrigated/ non irrigated plantations,
  - (b) Preparation of suitable Agroforestry models including study of carbon sequestration potential,
  - (c) Assisting people/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 forests,
  - (e) Promote plantations of high value trees and other plants such as Red Sanders, Sandalwood, 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 norms.
  - (f) Suitable incentives for promoting tree planting may be considered.

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## LIST OF PREFERRED AGRO-FORESTRY SPECIES:

### List 'A'

(a) Eucalyptus, Poplar, Subabul (*Leucaena* spp.), Casuarinas, *Ailanthus* spp.; Gamari (*Gmelina* spp.), Silver Oak (*Grevillea robusta*), Mulberry (*Morus alba*), Kadam (*Anthocephalus cadamba/ A.chinensis*), Babool (*Acacia nelotica*) *A. mangium*; *Acacia lenticularis*, *Sirris* (*Albizzia* spp.), *Neem* (*Azadirachta indica*), Rubber (*Hevea brasiliensis*), Toon (*Cedrela toona*), Imli (*Tamarindus indica*), *Grewia oppositifolia*, *Melia dubia*, Jamun, (*Syzigium cumini*). 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'

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.