

TRIPURA



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**FOREST DEPARTMENT
GOVERNMENT OF TRIPURA**

→ No F 7 (44)/For-FP/01/P-III/5707-807

Dated Agartala, the 17th June, 2004

**DETAILED PROCEDURE FOR EXTRACTION OF TREES FROM
PRIVATE LAND**

10 Registration of tree plantation

11 Application for registration of tree plantation shall be made to the concerned Divisional Forest Officer in the prescribed application Form

12 On receipt of the application as in Para-2 1 above, the Divisional Forest Officer shall take necessary action for verification of the land in accordance with the procedure laid down vide Notification No. F 4 (52)/RCC/86, dated 6th September 1990 of Revenue Department (LR Cell), the operative part of which is reproduced below:

a) All applications for verification/demarcation pertaining to trees shall be submitted in writing by the owner of the land to the Divisional Forest Officer concerned.

b) The application, if any, submitted by any other person, on behalf of the owner of such private lands, shall not be entertained.

c) The Divisional Forest Officer concerned in turn shall send such application with his comments if any, to the Sub Divisional Officer (SDO) concerned along with the name of forest official who will be entrusted with the verification/demarcation.

d) The SDO after receiving such application from the Divisional Forest Officer shall pass an order entrusting the work for demarcation/joint verification to the Revenue Officer, as the considers suitable.

e) Only after the applicant has deposited the amount as worked out by the SDO, the Revenue Officer entrusted with the work shall conduct the demarcation/joint verification along with the staff of Forest Department.

f) Joint verification/demarcation report duly signed by the staff of Forest Department and revenue department shall be submitted to the SDO.

g) The joint verification report shall be scrutinized in the office of the SDO and after scrutiny one copy shall be forwarded to the concerned Divisional Forest Officer. The SDO or any other officer assigned by him may conduct some test checks of the reports as and when considered necessary.

h) Issue of registration certificates/ permits for extraction of trees from the private lands shall be based on such report as forwarded by the SDO to the Divisional Forest Officer.

1.3. The verification of non-forest areas shall be completed within a maximum period of 75 (seventy five) days positively.

1.4. The registration certificate shall be issued by the Divisional Forest Officer in the prescribed form (Tree Form-2). The verification of the plantation area and issue of registration certificate shall be completed within overall period of 90 (ninety) days

1.5. The Divisional Forest Officer shall also issue a Pass Book in the prescribed Form (Tree Form-3), to the person/persons in whose name the plantations are registered

1.6. The isolated trees grown in homestead land shall not require registration. However, all other provisions of Indian Forest Act, 1927 and amendments made thereunder from time to time shall be applicable. Transit pass is to be issued if the owner desires to transport timber from felling site to anywhere else as per relevant rules

1.7 The trees of following species shall be exempted from various provisions of Indian Forest Act, 1927 and amendments made thereunder from time to time

- * Bari bamboo (*Bambusa polymorpha*)
- * Barak bamboo (*Bambusa balcooa*)
- * Kanakaich bamboo (*Bambusa affinis*)
- * Litchi
- * Palms
- * Other fruit plants.

2.0 Marking of trees :

2.1 Application for marking of trees shall be submitted to the concerned Forest Range Officer in the plain paper giving details of C. S. plots

2.2 The marking of trees shall be done by the concerned Forest Range Officer or other staff authorized to do so subject to the provision of Tripura Forest (Timber Marking) Rules, 1985 and amendments made thereto from time to time

2.3 An application seeking permission for felling of trees shall be treated to have been submitted, to the Divisional Forest Officer only from the date the application is received by the Divisional Forest Officer in a complete shape.

2. The marking shall be done by the Forest Department as in Para -2.2 above after receipt of the service charges at the rates prescribed for this purpose

3.0 Permit for felling of trees and extension of time

3.1 (i) The permit for felling of trees from private land shall be issued by the concerned Divisional Forest Officer within his Division on receipt of application in the prescribed Form (Tree Form- 4)

(ii) Not more than 30 (thirty) trees shall be permitted against one permit at a time except in case of thinning of a plantation on silvicultural consideration

(iii) Maximum time allowed for operation of one such permit shall not be more than 60 (sixty) days.

3.2 (i) Whenever an application for extension of time is received by the Divisional Forest Officer, it is to be verified in the field if the trees still continue to stand on the private land awaiting felling or those are some other trees either located on the said private land or in the marginally located Khas/forest land.

(ii) After inquiry, if it is found that the trees for which time extension has been applied are the same trees, felling and disposal of which was allowed earlier by a permit, the extension of time may be allowed by the Divisional Forest Officer for a period of one month on payment of Rs. 10/- per tree.

(iii) For extension of time beyond 1 (one) month the application shall be made to the Conservator of Forests of the Circle through the concerned Divisional Forest Officer before the expiry of the period already allowed including the period of extension. The Conservator of Forests, after fully satisfying himself about the circumstances under which felling of trees could not be completed in time, may allow further extension of time for a period not exceeding 1 (one) month on payment of extension fee @ Rs. 15/- per tree.

Provided that in case of thinning of a plantation, the time extension fee @ Rs. 25.00 per hectare shall be realized while allowing extension by the Divisional Forest Officer and @ Rs. 40.00 per hectare shall be realized while allowing extension by the Conservator of Forests.

(iv) No fresh permit shall be issued until the trees permitted earlier are felled and remove from the stump size under cover of prescribed T.P. issued by a Forest Officer authorized to issue the same

3.3 The Principal Chief Conservator of Forests may, in exceptional circumstances, approve the issuance of permit for more than 30 (thirty) trees at a time. He may also allow, for reasons to be recorded in writing, further time extension as he may consider necessary for felling and disposal of the trees beyond the period already allowed by the Divisional Forest Officer and Conservator of Forests and on payment of time extension fee of Rs. 200/- against each permit.

3.4. No time extension fee shall be realized in respect of permits issued for felling of trees from homestead lands.

4.0 Service Charge

4.1 Service charge shall be realized by the Forest Department from the owners of the trees for rendering the service on account of verification of the land, issue of permit, marking of trees namely stand marking, log marking and sale marking, issue of transit pass, etc. at the following rates

	Rate of Service tax (Rs.)
(i) For timber Trees :	
(a) Below 90 cm. girth over bark	15/- per tree
(b) 150 cm girth at breast height (under bark)	20/- per tree
(c) 150 cm. girth and above at breast height (under bark)	30/- per tree
(ii) For Fire wood :	
(a) Per truck	20/-
(b) Per jeep trailer load	10/-
(c) Per rickshaw	2/-
(iii) For Ballies/posts	
(a) Below 30 cm. girth at breast height (over bark)	5/- each
(b) 30 cm girth and above at breast height up to 89 cm (over bark)	10/- each

5.0 Realization of Sales Tax/ Income Tax :

(i) The Sales Tax on timber shall be realized after assessment of felled timber calculated at the rate of royalty notified by the Government from time to time for Government timber/forest produce. The Sales Tax on such timber shall be realized at the rate as notified by the State Government from time to time under Tripura Sales Tax Act 1976

(ii) The Sales Tax shall be realized by the forest officials in charge of Ranges/Beats who realize the Forest Revenue and at the rates as stipulated above

(iii) Out of the total Sales Tax so realized in each case 15% of the amount shall be counted towards service charge of the Forest Department and such amount realized against service charge shall be deposited in the Treasury/Sub-Treasury as forest revenue under the appropriate head of account. The balance 85% of the Sales Tax realized in each case shall be deposited in the Treasury/ Sub-Treasury under the appropriate head of account as required for depositing the Sales Tax.

5.1 The process of realization of income tax will continue with any amendment made by appropriate authority from time to time.

→ 10 Permission for felling of trees from allotted land :

6.1 Permission for felling of trees from forest land allotted to a private individual prior to 25.10.1980 shall be regulated in accordance with the above guidelines. The market value of the trees or any part thereof payable to the Government by an allottee under Tripura Land Revenue and Land Reforms (Allotment of Land) Rules, 1980, if remained unpaid at the commencement of the said Rule, shall be deemed to have been remitted. This is in accordance with the Notification No. F. 38(85)/REV/75, dated 21.09.81 of Revenue Department.

6.2 No application for registration of plantation and felling of trees from forest land shall be entertained in any case from any forest land allotted after 24.10.1980 without prior approval of the Central Government under Section 2 of Forest (Conservation) Act, 1980.

7.0 The guidelines, being the detailed procedure for extraction of trees from private land in the State of Tripura, will take immediate effect.

By order of the Governor,

Sd/- Illegible
Joint Secretary to the Government of Tripura
(Forest Deptt).