APPENDIX I
Forest (Conservation) Act, 1980 with
Amendments Made in 1988

An Act to provide for the conservation of forests and for matters
connected therewith or ancillary or incidental thereto.

Be it enacted by Parliament in the Thirty-first Year of the Republic of
India as follows:

1. (1) This Act may be called the Forest (Conservation) Act, 1980.
(2) It extends to the whole of India except the State of Jammu and
Kashmir.
(3) It shall be deemed to have come into force on the 25th day of
October, 1980.

2. Notwithstanding anything contained in any other law for the time being
in force in a State, no State Government or other authority shall make,
except with the prior approval of the Central Government, any order
directing-
(i) that any reserved forest (within the meaning of the expression
"reserved forest" in any law for the time being in force in that
State) or any portion thereof, shall cease to be reserved;
(ii) that any forest land or any portion thereof may be used for any
non-forest purpose;
(iii) that any forest land or any portion thereof may be assigned by
way of lease or otherwise to any private person or to any
authority, corporation, agency or any other organisation not owned, managed or controlled by Government;

(iv) that any forest land or any portion thereof may be cleared of trees which have grown naturally in that land or portion, for the purpose of using it for reforestation.

_Explanation_ - For the purpose of this section, "non-forest purpose" means the breaking up or clearing of any forest land or portion thereof for -

(a) the cultivation of tea, coffee, spices, rubber, palms, oil-bearing plants, horticultural crops or medicinal plants;

(b) any purpose other than reforestation;

but does not include any work relating or ancillary to conservation, development and management of forests and wildlife, namely, the establishment of check-posts, fire lines, wireless communications and construction of fencing, bridges and culverts, dams, waterholes, trench marks, boundary marks, pipelines or other like purpose.

3. The Central Government may constitute a Committee consisting of such number of persons as it may deem fit to advise that Government with regard to -

(i) the grant of approval under Section 2; and

(ii) any other matter connected with the conservation of forests which may be referred to it by the Central Government.

3A. Whoever contravenes or abets the contravention of any of the provisions of Section 2, shall be punishable with simple imprisonment for a period which may extend to fifteen days.
3B. (1) Where any offence under this Act has been committed -

(a) by any department of Government the head of the department; or

(b) by any authority, every person who, at the time the offence was committed, was directly in charge of and was responsible to, the authority for the conduct of the business of the authority as well as the authority; shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render the heart of the department or any person referred to in clause (b), liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence punishable under the Act has been committed by a department of Government or any authority referred to in clause (b) of sub-section (1) and it is proved that the offence has been committed with the consent or connivance of or is attributable to any neglect on the part of any officer, other than the head of the department, or in the case of an authority, any person other
than the persons referred to in clause (b) of sub-section (1),
Such officer or persons shall also be deemed to be guilty
of that offence and shall be liable to be proceeded against
and punished accordingly.

4. (1) The Central Government may, by notification in the Official
Gazette, make rules for carrying out the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be
after it is made, before each House of Parliament, while it is in
session, for a total period of thirty days which may be comprised
in one session or in two or more successive sessions, and if,
before the expiry of the session immediately following the session
or the successive sessions aforesaid, both Houses agree in making
any modification in the rule or both Houses agree that the rule
should not be made, the rule shall thereafter have effect only in
such modified form or be of no effect, as the case may be; so,
however, that any such modification or annulment shall be without
prejudice to the validity of anything previously done under that
rule.

5. (1) The Forest (Conservation) Ordinance, 1980 is hereby replaced.

(2) Notwithstanding such repeal, anything done or any action taken
under the provisions of the said Ordinance shall be deemed to
have been done or taken under the corresponding provisions of
this Act.
Appendix II
Involvement of Village Communities & VAs in
Regeneration of Degraded Forests

Shri Mahesh Prasad, then Secretary (Environment and Forests), Government of India, wrote on 1 June 1990 (No.6.21/89/89-F.P.) to the Forest Secretaries of all States and Union Territories setting out the new Policy on "Involvement of Village Communities and VAs in the regeneration of degraded forest lands". The text of this circular is reproduced below:

1. "The National Forest Policy, 1988 envisages people's involvement in the development and protection of forests. The requirements of fuelwood, fodder and small timber such as house-building material, of the tribals and other villagers living in and near the forests, are to be treated as first charge on forest produce. The policy document envisages it as one of the essentials of forest management that the forest communities should be motivated to identify themselves with the development and protection of forests from which they derive benefits.

2. In a D.O. letter No.1/1/88-TMA dated 13th January, 1989 to the Chief Secretary of your State, the need for working out the modalities for giving to the village communities, living close to the forest land, unsufructory benefits to ensure their participation in the afforestation programme, was emphasized by Shri K.P. Geethakrishnan, the then Secretary (Environment and Forests).

3. Committed Voluntary agencies/NGOs, with proven track record, may
prove particularly well suited for motivating and organizing village communities for protection, afforestation and development of degraded forest land, especially in the vicinity of habitations. The State Forest Departments/Social Forestry organisations ought to take full advantage of their expertise and experience in this respect for building up meaningful people's participation in protection and development of degraded forest lands. The voluntary agencies/NGOs may be associated as interface between State Forest Departments and the local village communities for revival, restoration and development of degraded forests in the manner suggested below:

(i) The programme should be implemented under an arrangement between the voluntary agency/NGO, the village community (beneficiaries) and the State Forest Department.

(ii) No ownership or lease rights over the forest land should be given to the beneficiaries or to the voluntary agency/NGO. Nor should the forest land be assigned in contravention of the provisions contained in the Forest (Conservation) Act, 1980.

(iii) The beneficiaries should be entitled to a share in usufruct to the extent and subject to the conditions prescribed by the State Government in this behalf. The voluntary agency/NGO should not be entitled to usufructory benefits.

(iv) Access to forest land and usufructory benefits should be only to the beneficiaries who get organised into a village institution, especially for forest regeneration and protection. This could be the panchayat or the cooperative of the village, with no restriction on membership. It could also be a Village Forest Committee. In
(v) The beneficiaries should be given usufruct like grasses, lops and tops of branches, and minor forests produce. If they successfully protect the forests, they may be given a portion of the proceeds from the sale of trees when they mature. (The Government of West Bengal has issued orders to give 25 per cent of the sale proceeds to the village or its protection Committees. Similar norms may be adopted by other States).

(vi) Areas to be selected for the programme should be free from the claims (including existing rights, privileges, concessions) of any person who is not a beneficiary under the scheme. Alternatively, for a given site the selection of beneficiaries should be done in such a way that any one who has a claim to any forest produce from the selected site is not left out without being given full opportunity of joining.

(vii) The selected site should be worked in accordance with a working scheme, duly approved by the State Government. Such scheme may remain in operation for a period of 10 years and revised/renewed after that. The working scheme should be prepared in consultation with the beneficiaries. Apart from protection of the site, the said scheme, may prescribe requisite operations e.g. inducement to natural regeneration of existing root stock, seeding, gap filling, and wherever necessary, intensive planting, soil-moisture conservation measures etc. The working scheme should also prescribe other operations, e.g. fire-protection, maintenance of boundaries, weeding, tending, cleaning, thinning etc.
(viii) For raising nurseries, preparing land for planting and protecting the trees after planting, the beneficiaries should be paid by the Forest Department from the funds under the social forestry programme. However, the village community may obtain funds from other Government agencies and sources for undertaking these activities.

(ix) It should be ensured that there is no grazing at all in the forest land protected by the village community. Permission to cut and carry grass free of cost should be given so that stall feeding is promoted.

(x) No agriculture should be permitted on the forest land.

(xi) Along with trees for fuel, fodder and timber, the village community may be permitted to plant such fruit trees as would fit in with the overall scheme of afforestation, such as aonla, imli, mango, mahua etc. as well as shrubs, legumes and grasses which would meet local needs, help soil and water conservation, and enrich the degraded soils/land. Even indigenous medicinal plants may be grown according to the requirement and preference of beneficiaries.

(xii) Cutting of trees should not be permitted before they are ripe for harvesting. The Forest Department also should not cut the trees on the forest land being protected by the village communities except in the manner prescribed in the working scheme. In case of emergency needs, the village communities should be taken into confidence.
(xiii) The benefit of people's participation should go to the village communities and not to commercial or other interests which may try to derive benefit in their names. The selection of beneficiaries should, therefore, be done from only those families which are willing to participate through their personal efforts.

(xiv) The Forest Department should closely supervise the works. If the beneficiaries and/or the voluntary agency/NGO fail or neglect to protect the area from grazing, encroachment or do not perform the operations prescribed in the working scheme in a satisfactory manner, the usufructory benefits should be withdrawn without paying compensation to any one for any work that might have been done prior to it. Suitable provisions in the Memorandum of Understanding (MOU) for this purpose should be incorporated."
APPENDIX III

The National Forest Policy

The Government of India presented in Parliament in December 1988 the National Forest Policy, 1988. Following is the speech made by the minister concerned on the occasion.

"The issue of revision of the Forest Policy formulated in 1952 has been under the active consideration of the Government for some time. In view of social, economic and ecological importance of forests, considerable thought has to be given to the multifarious implications of the Forest Policy. Although the 1952 Forest Policy aimed at forest coverage of one-third of the total land area of the country, due to various constrains, this could not be attained. Rather, extensive diversion of forest land has taken place for non-forest use. The genetic diversity has also been considerably affected by the destruction of flora and fauna. The Government have increasingly realised the great importance of forests in contributing to the ecological stability of the country. This has necessitated a re-examination of the Forest Policy and giving emphasis to the conservation and ecological aspects.

The sailent features of the new Forest Policy are:

1. Maintenance of environmental stability through preservation and restoration of ecological balance.

2. Conservation of the natural heritage of the country by preserving remaining natural forests and protecting the vast genetic resources for the benefit of the posterity.
3. Meeting the basic needs of the people, especially fuelwood, fodder and small timber for the rural and the tribal people.

4. Maintaining the intrinsic relationship between forests and the tribal and other poor people living in and around forests by protecting their customary rights.

The main approach outlined is as follows:

1. Existing forest land and forests will be fully protected and their productivity will be improved. Emphasis will be given to enhance forest cover on hill slopes and catchment areas of rivers.

2. In order to conserve biological diversity, a network of sanctuaries, national parks, biosphere reserves and other protected areas will be extended and better managed.

3. The people will be actively involved in programmes of protection, conservation and management of the forests.

We believe that the New Forest Policy will be able to achieve nature conservation and ecological balance and at the same time meeting the essential requirements of the people."
Text of the National Forest Policy Resolution

1. **PREAMBLE**

1.1 In Resolution No. 13/52-F, dated the 12th May 1952, the Government of India in the erstwhile of Food and Agriculture enunciated a Forest Policy to be followed in the management of State forests in the country. However, over the years, forests in the country have suffered serious depletion. This is attributable to relentless pressures arising from ever-increasing demand for fuelwood, fodder and timber; inadequacy of protection measures; diversion of forest lands to non-forest uses without ensuring compensatory afforestation and essential environmental safeguards; and the tendency to look upon forests as revenue earning resources. The need to review the situation and to evolve, for the future, a new strategy of forest conservation has become imperative. Conservation includes preservation, maintenance, sustainable utilisation, restoration, and enhancement of the natural environment. It has thus become necessary to review and revise the National Forest Policy.

2. **BASIC OBJECTIVES**

2.1 The basic objectives that should govern the National Forest Policy are the following:

- 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 substantially 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 fuelwood, 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 utilisation of forest produce and maximising 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.

2.2 The principal aim of Forest Policy must be to ensure environmental stability and maintenance of ecological balance including atmospheric equilibrium which are vital for sustenance of all lifeforms, human, animal and plant. The derivation of direct economic benefit must be subordinated to this principal aim.
3. ESSENTIALS OF FOREST MANAGEMENT

3.1 Existing forests and forest lands should be fully protected and their productivity improved. Forest and vegetal cover should be increased rapidly on hill slopes, in catchment areas of rivers, lakes and reservoirs and ocean shores and on semi-arid, arid and desert tracts.

3.2 Diversion of good and productive agricultural lands to forestry should be discouraged in view of the need for increased food production.

3.3 For the conservation of total biological diversity, the network of national parks, sanctuaries, biosphere reserves and other protected areas should be strengthened and extended adequately.

3.4 Provision of sufficient fodder, fuel and pasture, specially in areas adjoining forest, is necessary in order to prevent depletion of forest beyond the sustainable limit. Since fuelwood continues to be the predominant source of energy in rural areas, the programme of afforestation should be intensified with special emphasis on augmenting fuelwood production to meet the requirement of the rural people.

3.5 Minor forest produce provides sustenance to tribal population and to other communities residing in and around the forests. Such produce should be protected, improved and their production enhanced with due regard to generation of employment and income.

4. STRATEGY

4.1 Area Under Forest

The National goal should be to have a minimum of one-third of the total land area of the country under forest of tree cover. In the hills and in
mountainous regions, the aim should be to maintain two-thirds of the area under such cover in order to prevent erosion and land degradation and to ensure the stability of the fragile eco-system.

4.2 Afforestation, Social Forestry & Farm Forestry

4.2.1 A massive need-based and timebound 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, is a national imperative.

4.2.2 It is necessary to encourage the planting of trees alongside of roads, railway lines, rivers and streams and canals, and on other unutilised lands under State/corporate, institutional or private ownership. Green belts should be raised in urban/industrial areas as well as arid tracts. Such a programme will help to check erosion and desertification as well as improve the micro-climate.

4.2.3 Village and community lands, including those on foreshore and environs of tanks, not required for other productive uses, should be taken up for the development of tree crops and fodder resources. Technical assistance and other inputs necessary for initiating such programmes should be provide by the Government. The revenues generated through such programmes should belong to the Panchayats where the lands are vested in them; in all other cases, such revenues should be shared with the local communities in order to provide an incentive to them. 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.

4.2.4 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 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.

4.3 Management of State Forests

4.3.1 Schemes and projects which interfere with forests that clothe steep slopes, catchments of rivers, lakes, and reservoirs, geologically unstable terrain and such other ecologically sensitive areas should be severely restricted. Tropical rain/moist forests, particularly in areas like Arunachal Pradesh, Kerala, Andaman & Nicobar Islands should be totally safeguarded.

4.3.2 No forest should be permitted to be worked without the Government having approved the management plan, which should be in a prescribed format and in keeping with the National Forest Policy. The Central Government should issue necessary guidelines to the State Governments in this regard and monitor compliance.

4.3.2 In order to meet the growing needs for essential goods and services which 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 fuelwood. No such programme, however, should entail clear-felling of adequately stocked natural forests. Nor should exotic species be introduced, through public or private sources, unless long term scientific trials undertaken by specialists in ecology, forestry and agriculture have established that they are suitable and have no adverse impact on native vegetation and environment.

4.3.4 Rights and Concessions

4.3.4.1 The rights and concessions, including grazing, should always remain related to the carrying capacity of forests. The capacity itself should be optimised by increased investment, silvicultural research and development of the area. Stall-feeding of cattle should be encouraged. The requirements of the community, which cannot be met by the rights and concessions so determined, should be met by developed of social forestry outside the reserved forests.

4.3.4.2 The holders of customary rights and concessions in forest areas should be motivated to identify themselves with the protection and development of forests from which they derive benefits. The rights and concessions from forests should primarily be for the bonafide use of the communities living within and around forest areas, specially the tribals.
The life of tribals and other poor living within and near forests revolves around forests. The rights and concessions enjoyed by them should be fully protected. Their domestic requirements of fuelwood, fodder, minor forest produce and construction timber should be the first charge on forest produce. These and substitute materials should be made available through conveniently located depots at reasonable prices.

Similar consideration should be given to schedule castes and other poor living near forests. However, the area, which such consideration should cover, would be determined by the carrying capacity of the forests.

Wood is in short supply. The long-term solution for meeting the existing gap lies in increasing the productivity of forests, but to relieve the existing pressure on forests for the demands of railway sleepers, construction industry (particularly in the public sector), furniture and panelling, mine-pit propos, paper and paper board etc. substitution of wood needs to be taken recourse to. Similarly, on the front of domestic energy, fuelwood needs to be substituted as far as practicable with alternative sources like biogas, LPG and solar energy. Fuel-efficient "Chulhas" as a measure of conservation of fuelwood need to be popularised in rural areas.
4.4 Diversion of Forests Land for Non-Forest Purposes

4.4.(1) Forest land or land with tree cover should not be treated merely as a resource readily available to be utilised for various projects and programmes, but as a national asset which requires to be properly safeguarded for providing sustained benefits to the entire community. Diversion of forest land for any non-forest purpose should be subject to the most careful examinations by specialists from the standpoint of social and environmental costs and benefits. Construction of dams and reservoirs, mining and industrial development and expansion of agriculture should be consistent with the needs for conservation of trees and forests. Projects which involve such diversion should at least provide in their investment budget, funds for regeneration/compensatory afforestation.

4.4.(2) Beneficiaries who are allowed mining and quarrying in forest land and in land covered by trees should be required to repair and re-vegetate the area in accordance with established forestry practices. No mining lease should be granted to any party, private or public, without a proper mine management plan appraised from the environmental angle and enforced by adequate machinery.

4.5 Wildlife Conservation

Forest Management should take special care of the needs of wildlife conservation, and forest management plans should include prescriptions for this purpose. It is specially essential to provide for "corridors" linking the protected areas in order to maintain genetic continuity between artificially separated sub-sections of migrant wildlife.
4.6 Tribal People and Forests

Having regard to the symbolic relationship between the tribal people and forests, a primary task of all agencies responsible for forest management, including the forest development corporations should be to associate the tribal people closely in the protection, regeneration and development of forests as well as to provide gainful employment to people living in and around the forest. While safeguarding the customary rights and interests of such people, forestry programs should pay special attention to the following:

- One of the major causes for degradation of forests is illegal cutting and removal by contractors and their labour. In order to put an end to this practice, contractors should be replaced by institutions such as tribal cooperatives, labour cooperatives, government corporations, etc. as early as possible;
- Protection, regeneration and opinion collection of minor forest produce along with institutional arrangements for the marketing of such produce;
- Development of forest villages on par with revenue villages;
- Family-oriented schemes for improving the status of the tribal beneficiaries; and,
- Undertaking integrated area development programmes to meet the needs of the tribal economy in and around the forest area, including the provision of alternative sources of domestic energy on a subsidised basis, to reduce pressure on the existing forest areas.

4.7 Shifting Cultivation

Shifting cultivation is affecting the environment and productivity of land
adversely. Alternative avenues of income, suitably harmonised with the right landuse practices, should be devised to discourage shifting cultivation. Efforts should be made to contain such cultivation within the area already affected, by propagating improved agricultural practices. Area already damaged by such cultivation should be rehabilitated through social forestry and energy plantations.

4.8 Damage to Forests from Encroachments, Fires and Grazing

4.8.1 Encroachment on forest lands has been on the increase. This trend has to be arrested and effective action taken to prevent its continuance. There should be no regularisation of existing encroachments.

4.8.2 The incidence of forest fires in the country is high. Standing trees and fodder are destroyed on a large scale and natural regeneration annihilated by such fires. Special precautions should be taken during the fire season. Improved and modern management practices should be adopted to deal with forest fires.

4.8.3 Grazing in forest areas should be regulated with the involvement of the community. Special conservation areas, young plantations and regeneration areas should be fully protected. Grazing and browsing in forest areas need to be controlled. Adequate grazing fees should be levied to discourage people in forest areas from maintaining large herds of non-essential livestock.

4.0 Forest-based Industries

The main considerations governing the establishment of forest-based industries and supply of raw material to them should be as follows:

- As far as possible, a forest-based industry should raise the raw
material needed for meeting its own requirements, preferably by establishment of 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.

No forest-based enterprise, except that at the village or cottage level, should be permitted in the future unless it has been first cleared after a careful scrutiny with regard to assured availability of raw material. In any case, the fuel, fodder and timber requirements of local population should not be sacrificed for this purpose.

Forest-based industries must not only provide employment to local people on priority but also involve them fully in raising trees and raw-material.

Natural forests serve as a gene pool resource and help to maintain ecological balance. Such forests will not, therefore, be made available to industries for undertaking plantation and for any other activities.

Farmers, particularly small and marginal farmers would be encouraged to grow, on marginal/degraded lands available with them, would species required for industries. These may also be grown along with fuel and fodder species on community lands no required for pasture purpose, and by forest department/corporations on degraded forests, not earmarked for natural regeneration.
The practice of supply of forest produce to industry at concessional prices should cease. Industry should be encouraged to use alternative raw materials. Import of wood and wood products should be liberalised.

The above consideration will, however, be subject to the current policy relating to land ceiling and land-laws.

4.10 Forest Extension
Forest conservation programme cannot succeed without the willing support and cooperation of the people. It is essential, therefore, 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, right from the primary stage. Farmers and interested people should be provided opportunities through institutions like Krishi Vigyan Kendras, 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 organised in order to educate farmers. For this purpose it is essential that suitable programmes are propagated through mass media, audio-visual aids and the extension machinery.

4.11 Forestry Education
Forestry should be recognised both as a scientific discipline as well as a profession. Agriculture universities and institutions dedicated to the development of forestry education should formulate curricula and courses for imparting academic education and promoting post-graduate research
and professional excellence, keeping in view the manpower needs of the country. Academic and professional qualifications in forestry should be kept in view for recruitment to the Indian Forest Service and the State Forest Service. Specialised and orientation courses for developing better management skills by inservice training need to be encouraged taking into account the latest development in forestry and related disciplines.

4.12 Forestry Research

With the increasing recognition of the importance of forests for environmental health, energy and employment, emphasis may be laid on scientific forestry research, necessitating adequate strengthening of the research base as well as new priorities formulation. Some broad priority areas of research and development needing special attention are:

i) Increasing the productivity of wood and other forest produce per unit area per unit time by the application of modern scientific and technological method.

ii) Revegetation of barren/marginal/waste/mined lands and watershed areas.

iii) Effective conservation and management of existing forest resources (mainly natural forest eco-systems).

iv) Research related to social forestry for rural/tribal development.

v) Development of substitutes to replace wood and wood products.

vi) Research related to wildlife and management of national parks and sanctuaries.

4.13 Personnel Management

Government policies is personnel management for professional foresters
and forest scientists should aim at enhancing the professional competence and status and attracting and retaining qualified and motivated personnel, keeping in view particularly the arduous nature of duties they have to perform, often in remote and inhospitable places.

4.14 Forest Survey and Date Base
Inadequacy of data regarding forest resources is a matter of concern because this creates a false sense of complacency. Priority needs to be accorded to completing the survey of forest resources in the country on scientific lines and to updating information. For this purpose, periodical collection, collation and publication of reliable data on relevant aspects of forest management need to be improved with recourse to modern technology and equipment.

4.15 Legal Support and Infrastructure Development
Appropriate legislation should be undertaken, supported by adequate infrastructure, at the Centre and State levels in order to implement the Policy effectively.

4.16 Financial Support for Forestry
The objective of this revised Policy cannot be achieved without the investment of financial and other resources on a substantial scale. Such investment is needed fully justified considering the contribution of forests in maintaining essential ecological processes and life-support systems and in preserving genetic diversity. Forest should not be looked upon as a source of revenue. Forests are a renewable natural resource. They are a national asset to be protected and enhanced for the well-being of the people and the Nation.
Appendix IV

Government of West Bengal
Forests Department
Forest Branch


RESOLUTION

In partial modification of this Department's Resolution No. 4461-For.D/15-16/88, dated the 12th July, 1989 the Governor has been pleased to direct that the composition duties and functions, the usufructuary benefits and restrictive measure pertaining to Forest Protection Committees shall be as follows:-

COMPOSITION:

(i) The Divisional Forest Officer in consultation with "Bon-O-Bhumi Sanskar Sthayee Samiti" of the concerned Panchayat Samiti shall select beneficiaries for constitution of the Forest Protection Committee(s), within their jurisdictions, and within the framework of this Resolution;

(ii) The beneficiaries ordinarily shall be economically backward people living in the vicinity of the forests concerned. Every family living in the vicinity of the forests shall, however, have the option of becoming a member of the Forest Protection Committee, in such family including the female members is interested in the work of protection;

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(iii) The concerned Gram Panchayat(s) shall extend necessary support and help to such Committee(s) to ensure their smooth and proper functioning;

(iv) Each Forest Protection Committee shall have an Executive Committee to carry out the various activities assigned to the Committee;

(v) The composition of the Executive Committee shall be as follows:-
   a) Sabhapati or any member of the Bon-o-Bhumi Sanskar Sthayee Samiti of the local panchayat Samiti as may be nominated by the Sabhapati - Member
   b) Gram Pradhan or any member of Local Gram Panchayat(s), as may be nominated by the Pradhan(s); - Member
   c) Elected representatives of the beneficiaries (not exceeding 6); - Member
   d) Concerned Beat Officer - Member Secretary

The Member of the Executive Committee shall elect the President in each meeting.

(vi) Constitution of the Forest Protection Committee including Executive Committee will be approved by the Divisional Forest Officer concerned on recommendation of the "Bon-O-Bhumi Sankar Sthayee Samiti" of the concerned Panchayat Samiti;

(vii) The "Bon-O-Bhumi Sanskar Sthayee Samiti" of the respective Zilla Parishad will monitor, supervise and review functions of the Forest Protection Committee;

(viii) If any inclusion or change in the Committee/Executive Committee is necessiated, after initial constitution, the Executive Committee

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shall make suitable recommendation to the Divisional Forest Officer concerned, duly endorsed by the "Bon-O-Bhumi Sanskar Sthayee Samiti" local Panchayat Samiti, for approval;

(ix) The Beat Officer, as Member-Secretary shall convene the meetings of the Executive Committee as well as Forest Protection Committee, as per Scheduled Procedure;

(x) The representatives of the beneficiaries to the Executive Committee shall be elected in each year in Annual General Meeting of the Committee, where the concerned Range Officer shall be the observer.

DUTIES:

2. (i) The Forest Protection Committee shall maintain a Register showing necessary particulars of beneficiaries who are Members of the Committee, e.g. name, father's name, address, age, number of family members, name of nominee, etc. The nomination forms duly filled in and approved by the Executive Committee should be pasted in the Register. Such Registers are also to be maintained in the concerned Range Officers of the Forest Department for permanent record;

(ii) The Forest Protection Committee shall maintain a "Minutes Book" wherein proceedings of the meetings of the Executive Committee held from time to time as well as the proceedings of the Annual General Meeting of the Forest Protection Committee will be recorded under the signature of the President of the Committee.
and such Minutes attested shall be sent to the concerned Range Officer for record

(iii) The forest Protection Committee shall hold an Annual General Meeting once in every year where activities of the Committee as well as details of distribution usufructory benefits are to be discussed, besides electing representatives of the beneficiaries to the Executive Committee.

FUNCTIONS:

3(a) (i) To ensure protection of forest(s)/plantation(s) through members of the Committee;

(ii) To protect the said forest(s)/plantation(s) with the members of the Committee;

(iii) To inform forest personnel of any person or persons attempting tresspass and willfully or maliciously damaging the said forest(s)/plantation(s) or commit theft thereon;

(iv) To prevent such tresspass, encroachment, grazing, fire, theft or damage;

(v) To apprehend or assist the forest personnel in apprehension of such person or persons committing any of the offences mentioned above.

(b) (i) To ensure smooth and timely execution of all forestry works taken up in the area under protection by the Committee;

(ii) To involve every member of the Committee in the matter of protection of forest(s)/plantation(s) as well as other duties assigned to the Committee;
To assist the concerned Forest Officials in the matter of selection/engaging of labourers required for forestry works.

To ensure smooth harvesting of the forest produce by the Forest Department;

To assist the concerned Forest Official in proper distribution of the earmarked portion (i.e. 25% of net sale proceeds) among the members of the Committee (as per list maintained by "Sthayee Samiti").

To ensure that usufructory rights allowed by the Government is not in any way misused by any of the members and forest/plantation sites are kept free from any encroachment whatsoever.

To prevent any activities in contravention of the provisions of Indian Forest Act of 1927 and any Acts and Rules made thereunder and the Wild Life (Protection) Act, 1972;

To report about activities of a particular member which are found prejudicial and detrimental to the interest of particular planation and/or forest to the concerned Beat Officer/Range Officer, which may result in cancellation of membership of the erring member;

To assist the Forest Officials to take action or proceed under Indian forest Act of 1927 and the Wild Life (Protection) Act, 1972 and any Acts and Rules made thereunder, against the offenders, including any erring member of the Committee found to be violating the Act or damaging the forest/plantation.
USUFRUCTORY BENEFITS:

4. (i) The members will have to protect the forest/plantation for at least 5 years, to be eligible for sharing of usufructs under this programme;

(ii) The Forest Official in consultation with the Executive Committee and with the approval of the "Bon-O-Bhumi Sanskar Sthayee Samiti" of the concerned Panchayat Samiti will distribute the eligible members his proportionate share of usufructs from the final harvesting, not before the crop attaining the age of 10 years, upon satisfactory performance of functions detailed hereoin before;

(iii) The Members shall be entitled to collect following items free of royalty without causing any damage to forest/plantations:

   a) fallen twigs, grass, fruits, flowers, seeds (excluding cashew) and leaves;

   b) one fourth of the produce obtained as intermediate yield from H.D.F. coppicing, multiple shoot cutting, thinning etc. and also 25% of the net sale proceeds of cashew where available to be shared proportionately.

This will not in any manner, extinguish the rights and privileges already granted to the members of the Scheduled Tribes by the State Government in their Order No. 2001-For., dated 20.4.81 and/or may be granted in future.

(iv) Entire sale goods and kendu leaves so collected shall have to be deposited with the West Bengal Tribal Development Cooperative
Corporation Ltd. through the local LAMPS and LAMPS will pay the members, in approved tariff, against their individual collection;

(v) The concerned Forest Official shall set apart 25% of the not sale proceeds at every final harvesting of the concerned plantation/forests (i.e. timber, pole, etc.) and shall pay to all eligible members or his nominee their proportionate share out of the said earmarked funds, as per para 4 (ii) of the Resolution.

TERMINATION OF MEMBERSHIP

DISSOLUTION OF COMMITTEE, APPEAL, ETC.

5. (i) Failure to comply with any of the conditions laid down herein before as well as contravention of provisions of the Indian Forest Act of 1927, or Acts and/or Rules made thereunder, may entail cancellation of individual membership and/or dissolution of the Executive/Forest Protection Committee, as the case may be, by the Officers of the Forest Department as stated below:

(ii) The concerned Divisional Forest Officer, shall be entitled to take appropriate action, over dissolution of any Executive/Forest Protection Committee on the grounds stated above, on the recommendation of the "Bon-O-Bhumi Sanskar Sthayee Samiti" of the concerned Panchayat Samiti;

(iii) The concerned Range Officer may be authorised by the Divisional Forest Officer to take proper action, even termination of an individual membership, on the above mentioned grounds, on the recommendation of the Executive Committee of Forest Protection Committee;

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(iv) Appeal against any such penal section by the Range Officer may be preferred to the concerned Divisional Forest Officers through local Panchayat Samiti;

(v) Appeal against any such penal action by the Divisional Forest Officer may be preferred to the concerned Circle Conservator of Forests, through the concerned Panchayat Samiti and the Zilla Parishad, whose decision shall be final.

ORDER

Ordered that the Resolution be published in the Calcutta Gazette and copy sent to all concerned.

By order of the Governor

Sd/- A.K. Mitra,

Jt. Secy. to the Govt. of W.B.

No. 5962/1(2)-For.

Copy forwarded to the:-

1) Finance Department of this Government;

2) Accountant General, West Bengal; for information.

Calcutta,

the 27th July, 1990.

Sd/- A.K. Mitra,

Jt. Secy. to the Govt. of W.B.
No. 5962/2-For
Copy forwarded for information to the Secretary to the Govt. of India, Ministry of Environment & Forests, National Wasteland Development Board, 4th Floor, Block-B, Paryavaran Bhawan, C.G.O. Complex Lodhi Road, New Delhi-110003.
Calcutta, Sd/- A.K. Mitra,
the 27th July, 1990. Jt. Secy. to the Govt. of W.B.

No. 5962/3(100)-For.
Copy forwarded for information and necessary action to the:-
1) Principal Chief Conservator of Forests and Ex-officio Secy. Forest Deptt., Government of West Bengal.
Calcutta, Sd/- A.K. Mitra,
the 27th July, 1990. Jt. Secy. to the Govt. of W.B.
No. 15053/CS/2M-915. Dated: Calcutta the 11-12-1990.
Copy forwarded for information and necessary action, to:-
1. All Conservator of Forests, West Bengal;
2. All Divisional Forest Officers, West Bengal;
3. The Managing Director, West Bengal Forest Dev. Corpn. Ltd.;
4. The Special Officer, Parks & Garden Wing.

For Principal Chief Conservator of Forests,
West Bengal