

## RULES FOR THE DEMARCATION OF FORESTS

(Sanctioned by His Highness the Maharaja Sahib Bahadur under Chief Minister's No. 414 dated .13th March, 19[4].

### I GENERAL

**1. Demarcation will be carried out by the Revenue and Settlement (in areas under settlement) Departments working in conjunction with the Forest Department.**

**2. Forests can be demarcated anywhere on land not assessed for cultivation, or not given to any other private person or public body.**

**3. Demarcation consists of. -**

(a) The laying down of the line. -By means of a series of pillars with a straight line, or natural features, between them, i.e. the boundary line between any two pillars should either be straight or should follow some natural feature.

(b) The numbering of the pillars.-In this case each forest will, so far as is convenient, be treated as a whole, irrespective of the local names. Where a natural feature is the boundary, the pillars need only be numbered at the places where the boundary joins and leaves the natural features, such as a nala, ridge, roads etc. in between, smaller pillars may be erected to point out the line, but such need not be numbered. Pillars defining straight lines should each be numbered and they should be with in sight of each other.

The pillar will consist of a stout wooden post embedded in a pile of stones built up in the shape of a truncated cone having a round base whose height is about three feet and whose basal diameter is about 4 feet. Round chaks the pillars will be 2<sup>1</sup>/<sub>2</sub> feet by 2<sup>1</sup>/<sub>2</sub> feet with a square base.

Note: \_The larger pillars will be numbered in one series for the whole of the outer boundary of a forest. The smaller series will also be numbered but in a separate series

for each interior chak

(c) The written description of the boundary.

(d) The survey of the forest. -*The* survey should show the position of the nalas, etc. where such cross the boundary, and the names of (he villages, forests, etc. surrounding the forest.

(e) The preparation of a file for each forest consisting of  
(1) Preliminary Robkar, (II) Shajra and Khasra, (III) Statements of Zamindars, (IV) Joint report of Naib Tehsildar and Rangier<sup>1</sup> [x x x], (V) Joint report of Divisional Forest Officer and Assistant Settlement Officer, (VI) Statements in the Farms attached (VII) Order of the Settlement Officer or Revenue Commissioner

## **II For demarcation and revision of previously demarcated Forests in areas Under settlement.**

**4. Opportunity should be taken by the Divisional forest Officer to arrange for the demarcation of all forests in a Tehsil when under settlement.**

**5. The procedure will be as follows.** -On the commencement of Settlement operations the Divisional Forest Officer will submit a statement to the <sup>2</sup> [Chief Conservator of Forests] of all Forest areas that should be demarcated in the following form: -

<b>S. No.</b>	<b>Range Name of Remarks by Forest</b>	<b>Centents as to predominant Species</b>	<b>Approximate area in acres</b>	<b>Divisional Forest Officer</b>
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On sanction being obtained, the Divisional forest Officer will submit copy of the statement to the Settlement officer and arrange to depute a Special officer <sup>3</sup> [not below the rank of Forest Department to represent the Forest Department <sup>4</sup>[x x x].

**6. Car The Settlement officer through the Assistant Settlement officer and Divisional Forest officer will then arrange as to the time and order in which the operations are to take place. The settlement officer deputing an. officer not lower than that of Naib Tehsildar <sup>3</sup> [xxx]**

(a) When once an appointment is fixed, the officer who first arrives on the spot, -or is already on the spot, need not wait for the other representative but should commence at once. The line laid down by only one officer in the absence of the other should be inspected with special care by the Divisional Forest Officer and Assistant Settlement Officer at their inspection.

. (b) The Preliminary party consisting or these two officers (or one of them if the other fails to attend) will lay down the Boundary by means of pillars with stakes in the centres, according to the shapes and dimensions given in rule 3 above. A description of the boundary will be drawn up and the pillar numbered. In the absence of instructions to the contrary, the preliminary party may record statements and complaints.

(c) Far the boundary, natural features will be chosen So far as possible. When skirting cultivation the line should be taken some 15 to 25 Karams from its edge; straight boundaries are preferable and .the twisting of the line to' include a few trees here and there is to be avoided. In Deodar Forest the line should be taken as near the cultivation as is conveniently possible.

Further, on slopes away from cultivation the line should be laid down so as to include a strip of waste, not at present covered with trees growth; and ordinarily the boundary line should not be twisted So as to exclude pieces of bare land, but should be taken as straight as possible across such; provided always that strips of waste not less than 15 to 25 Karams wide are left between the line and cultivation.

7. On completion of the work detailed in rule 6 the Assistant Settlement Officer and Divisional Forest Officer will arrange to visit the forest together and hear end record complaints of villagers and others as to the demarcation. They will settle such complaints amicably and record in writing their decisions an each complaint. If necessary, the line originally laid dawn may, be altered. Any differences of opinion should be stated. and submitted to the Settlement officer for disposal, with the proviso that reference may be <sup>1</sup>[made by the Chief Conservator to the Settlement

Commissioner whose decision shall be final] .

In the event of complaints being heard and recorded by the preliminary party, the Assistant Settlement Officer and Divisional Forest Officer will check and verify the same at their joint enquiry before they can be entered in the Misil.

8. The survey -includes. --(i) plotting the positions of the forest boundary pillars on to the Settlement maps; and (ii) the preparation of a map for the Misil on the scale of 6 inches or 4 inches to a mile. (i) should be done when the preliminary party is at work and should as a rule keep up with the work of that party; (ii) should be done before the Misils are submitted by the Assistant Settlement Officer and Divisional Forest Officer.

9. The Divisional Forest Officer on completion of his and the Assistant Settlement Officer's enquiry will arrange to have the pillars made of the size mentioned in rule 3(b) above, if such have not been erected by the preliminary party.

10. A period of appeal of three months is allowed to any person after the date of the conclusion of the enquiry mentioned in rule 7 above. Such appeal shall be submitted to the Settlement officer whose decision shall be final, with this proviso that if the Settlement Officer disagrees with the Divisional Forest Officer and Assistant Settlement Officer, a further appeal shall be to the settlement Commissioner whose decision shall be final.

Appeals to the Settlement officer by persons interested will be accompanied by a copy of the order passed by the Assistant Settlement Officer and Divisional Forest officer on the Uzerdari form attached; for which the usual rates for copying will be charged.

11. In the case of a revision of a previously demarcated forest the procedure will be the Same as mentioned above; provided that no alteration is to be made without good reason.

12. On completion of the work detailed above the Chief Conservator of Forests

will cause the results to be published' in the Government Gazette in the' form of, the Schedule attached.

### **III For Demarcation of Forests in Tehsils not under settlement.**

13. From time to time the Divisional Forest Officer will submit to the Chief Conservator of Forests a list of the forests he wishes to be demarcated in the form mentioned in rule 5. Similarly the Deputy Commissioner may submit to the Commissioner of the Province concerned a list of the forests as he may think should be demarcated.

14. The Chief Conservator of Forests, on approval, will submit this list to the Commissioner of the Province concerned who will make any enquiries necessary as to the advisability of the proposed demarcation. If he agrees he will inform the Chief Conservator of the fact and at the same time direct the Deputy Commissioner concerned to give every assistance possible in the demarcation contemplated.

15. The Chief Conservator of Forests will, on receiving the Commissioner approval, at once inform the Divisional Forest officer<sup>1</sup> and the procedure to be followed be that mentioned in rules 5 to 9 above, except that the Deputy Commissioner will arrange to depute a Naib- Tehsildar for the preliminary work and that the Deputy Commissioner will perform the duties given to the Assistant Settlement officer.

Note: -When a Deputy Commissioner is unavoidably prevented from performing his duties under this rule, they may be entrusted under the orders of the Commissioner to the <sup>1</sup> [Assistant Commissioner of the District or the Tehsildar of the Tehsil.

The results of demarcation done under Part III will not be considered final until the next Settlement when revisions may be carried out as provided for under Part II of these rules. But the Misils should be prepared and a record of concession drawn upon the lines mentioned in these rules, both to have a provisional effect until the said next Land Revenue Settlement takes place. These Misils will be passed by the Chief Conservator of Forests and Commissioner of the Province, and will be kept in the Revenue and Forest offices until required. Allowing for the above, the difference referred to in rule 7 shall be submitted to the Commissioner of the Province concerned

whose decision may be appealed' against by the Conservator to Revenue Minister..

16. A period of appeal of three months is allowed to any person against the decisions come to by the Divisional Forest Officer and the Deputy Commissioner or Tehsildar under rule 7. Such appeal shall be submitted to the Commissioner of the Province concerned whose decision shall be final.

#### **IV Forest Settlement Record.**

17. For forests demarcated under Part II of these rules a Forest Settlement Record and a tabular report shall be submitted by the Settlement Officer to the Conservator in the forms hereunder prescribed.

This shall be prepared by the Assistant Settlement Officer and Divisional Forest Officer jointly during the course of demarcation and shall be submitted to the Settlement officer. At the time of the enquiry under rule 7 the details mentioned in the record shall be read out to all the Lambardars concerned, appeals against them being allowed in accordance with the provisions of rules 10 and 11.

1 [After the lapse of the period of appeal, other if an appeal has been lodged within the period specified for appeal, after the decision of the appeal; necessary entries should be made in the patwari's paper's].

18. Concessions may be granted to villages whose nearest boundary line.. is within five miles to the nearest part of the forest concerned provided that the two are not separated by an un fordable stream at its winter level.

19. All claims to the ownership or occupancy of land within the boundary of the forests should be carefully investigated and reported on. Such claims, if not made to the Divisional Forest Officer and Assistant Settlement Officer during these proceedings, will not be entertained subsequently.

Statement of Uzardari on the Forest Demarcation work and laying down the Forest Boundary.

This shall be prepared by the Assistant Settlement Officer and Divisional Forest

Officer jointly during the course of demarcation and shall be submitted to the Settlement officer. At the time of the enquiry under rule 7 the details mentioned in the record shall be read out to all the Lambardars concerned, appeals against them being allowed in accordance with the provisions of rules 10 and 11.

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Statement of Uzardari on the Forest Demarcation work and laying down the Forest Boundary.

## **THE JAMMU AND KASHMIR FOREST ACT, 1987 (1930 A. D.)**

### **ACT No. II OF 1987**

Date of commencement of the Act.

1 [Development Department Notification.-In exercise of the powers conferred under section 1 (ii) of the Jammu & Kashmir Forest Act of 1987 (sanctioned by His Highness the Maharaja Bahadur vide State Secretary's endorsement No.5306 dated 19th August, 1930) the Minister for Development - has been pleased to notify for the information of all concerned that the said act shall come into force with effect from 1st katik,) 1987.

**EXCISE AND TAXATION OFFICER INCHARGE OCTROI POSTS,  
APPOINTMENT FOR THE PURPOSE OF SECTION 26 OF THE ACT].**

Agriculture Department (Forests 1[Notification SRO-86 dated 11th February, 1972.In exercise of the powers conferred by section 2 of the Jammu & Kashmir Forest Act, 1987 (II of 1987), the Government hereby appoint the Excise and Taxation Officers. Incharge Octroi Posts also for the purpose of doing anything required by section 26 of the said Act to be done by a Forest Officer].

**GOVERNMENT OF JAMMU AND KASHMIR.  
CIVIL SECTT. FQRESTS DEPARTMENT.**

**NOTIFICATION**

**PROVISIONS OF SECTION 48-A, TO APPLY TO THE  
WHOLE OF THE STATE**

1 [Forest Department Notification SRO-778 dated 1st November, 1972.In exercise of the powers. conferred by sub-section (4) of section, 48. (A) of the Jammu and Kashmir Forest Act, Samvat, 1987 (11 of 1987), the Government hereby direct that the provisions of section- 48-A of the Said act Shall apply to whole of .the Jammu and. Kashmir State, with effect. from the date of publication of this Notification in the Govt. Gazette].

**THE JAMMU AND KASHMIR (EJECTMENT) APPEAL RULES; 1972.**

Forest Department Notification SRO-776 dated Ist Nov., 1972.In the exercise of the powers conferred by Sub-section (3) of Section 48-A of Jammu and Kashmir Forest Act, Samvat, 1987 (11 of 1987). The Government hereby makes the following rules namely:

1. Short title and commencement.-These rules may be called the Jammu and



## **Kashmir (Ejectment) Appeal rules, 1972.**

(2) These shall come into force from the date these are published in the Government Gazette.

2. Definition-In these rules orders unless there is thing repugnant in the subject or context:-

(a) Act means Samvat, 1987 the Jammu and Kashmir, Forest Act,

(b) (Section' means a section of the Act and (c) all other words and expressions used therein and not defined shall have the meaning respectively assigned to them under the Act.

Appeal. -(1) Any person aggrieved by an order made under, sub-section (1) of Section 48-A of the Act may within sixty days from the date of such order prefer an appeal by petition in writing to the Chief Conservator of Forests in person or through a duly authorised agent and such petition shall be accompanied by a certified copy of the order appealed against.

(2) On receipt, of the appeal and after summoning the parties and perusing the record' of the proceedings, the Chief Conservator of Forests shall fix a day and a convenient place for hearing the appeal and shall give notice thereof to the parties, and shall hear such appeal accordingly.

(3) The order passed on the appeal by the Chief Conservator of Forests shall be final.

### **THE KASHMIR FOREST NOTICE**

Concerning concessions of Forest produce to villagers and other from the demarcated Forests in the Province of Kashmir; as well as the regulation of the exercise of the same.

(Sanctioned by His Highness the Maharaja Sahib Bahadur of Jammu and Kashmir under Chief Minister's letter No. 6327/H -61/12 of 28th November, 1912.)

## **PART 1.**

1. General- (a) The concessions herein granted -are for the bona fide domestic and agricultural use of Zamindars, i.e. those who hold and cultivate land as assamis or tenants, in the Province of Kashmir, and are not for .sale, barter, or transfer in any way whatsoever.

1. General- (a) The concessions herein granted -are for the bona fide domestic and agricultural use of Zamindars, i.e. those who hold and cultivate land as assamis or tenants, in the Province of Kashmir, and are not for .sale, barter, or transfer in any way whatsoever.

In addition. the following necessary, and usual artisans, permanently resident and employed in Villages, are classed as Zamindars for the purpose of these rules :

1. Blacksmith (Khar).
2. Carpenter (Chhan).
3. Chamar (Watal).
4. Potter (Kral)
5. Barber (Nai).

6. Telt (Teli).
7. Bard (Mirasi).
8. S\Veep (Chura).
9. Water Carrier (Jhiwar).
10. Weaver (Jhulaha).
11. Dasali (Dasali).
12. Mullah and Prohit.

#### **SECTION A.**

Concessions to Villagers, whose village boundary lies within three miles of the demarcated forest boundary; provided that the forest is not separated from the village by an unfordable stream at its winter level; and provided that the forests are capable of meeting the demand.

2. Grazing and grass cutting. -Grazing of cattle and flocks and, the cutting of grass in areas not specially closed for these purposes; subject to the provisions of the closure rules.

3. Rights of way. -Cattle and other livestock may pass freely through forests which are not closed to grazing, and if any forest is closed by a special order, rights of way and access to water will be provided for. In forests for which a settlement record has been prepared under the Demarcation Rules the concessions of rules 2 and 3 will be regulated in accordance with such records and in forests for which. no record, has been prepared the' concessions of rules 2 and 3 will be permitted. irrespective of the distance of the village from the forest and of the village forest being situated in the same village.

4. Major Forest produce. -Standing trees Timber, except Deodar, required for' house

building and house repairing purposes may be obtained from the Divisional Forest officer at 1 [6<sup>1/4</sup>] percent of the standard rates for the time being in force.

Note :-(1) For exceptions to this rate see rule 8 below.

(2) For rules governing the exercise of concessions see schedule attached to, these rules.

<sup>2</sup> [Zamindars residing between 3 and 5 miles of Demarcated Forests shall get timber at 1/4 th of the standard rates (excepting Deodar)].

Residents of towns will be, supplied from the depots under the conditions and rates prevailing at the depots. .

5. The selling rates for coniferous trees may be revised every five years.

6. Fallen trees and timber. -1 [The following dead fallen trees and timber may be removed by the concessionists from the Forests free through out the year; provided the trees have not been felled, girdled, scooped, or otherwise killed or cut artificially for the purpose of classing them as fallen trees and timber :-

(a) Kail, Chir, Fir, Spruce and Banerji of any size;

(b) Deodar: -

i) Poles under 3 in girth at the base and of any length;

ii) Naturally broken piece. under <sup>2</sup> [6'] in length any of any girth.

In addition, in forest in which fellings, have been made, Concessionists may remove such felling refuse after the work has been completed, as may be ordered by the Chief Conservator of Forests.

For this purpose the village concession limit will be 5 miles, instead of the 3 miles;

provided that between the villages and the forests there is no unfordable stream.

No permit for the removal of the above is required.

No timber may be removed under this rule from, a coupe under working].

7. Standing dead trees except deodar, will be given on permit at half the ordinary concession rate to villages within the three mile limit, after being marked by the Forest Department and in accordance with the rules given in the Schedule attached.

A standing dead tree is one which is completely dead to the roots.

8. In the following Illaqs the following rates for trees will be charged: -

(a) Karnah: - Drawa, half the rates mentioned in rules 4 and 7 ; provided such is not less than Re. 1 and fifty paise for Kairu and Budlu respectively.

(b) Gurez, Machel, Tilel, Sharda, Sindh Valley down to and including Razen, Lidder Valley down to but excluding Pahalgam, and generally all areas where trumba and grim are the staple crops grown, at the following rates: -

1 [Kairu is subject to a maximum of Rs.2 and for Spruce to a maximum of Re. 1].

9. Timber for Kothas etc.- Kohtas for grazing purposes away from the main village may only be erected on Dhars and on Margs inside and outside the demarcated forests; provided that the same are not less than 60 Karams, or 120 paces, from the edge of the nearest adjoining forest growth.

For these, concessions at ordinary rates and according to the rules herein prescribed, will be granted; provided that suitable dead timber is first utilized.

Dharas (structures completely open on, at least one side) and Jhomperies may be erected within forests for grazing purposes.

For these dry wood only may be utilised, in accordance with the provisions of rules 6 and 7 above.

10. Free grants. -When a house is destroyed by fire or by any natural calamity, a free grant of timber may be made for rebuilding it, either by the Divisional Forest officer on direction application to rum or on the certificate of an officer of the Revenue or settlement Departments of not lower in rank than - Tehsildar.

11. Agricultural implements.-Timber for agricultural implements may be cut free of charge from trees not prohibited to lopping, ,except in those areas that may from time to time be set apart by the Conservator for the Srinagar fuel supply. In these latter areas the Conservator is empowered to make such arrangements as many seems to him fit."

For the present the Conservative directs that the cutting of the following species is prohibited in these areas, in addition to those prohibited to lopping: -

<b>Briari</b>	<b>(Ulmus Wallichiana)\</b>
Findak	(Corylus Colurna)
Hari	(Prunus armenica)
Tilpatra, Kilu Kanzal	(Acer Sp.)
Pohu	(Parrotia Jacquemontiana)

{i) Areas closed to grazing are also closed to lie cutting of timber for agricultural implements except when the trees are marked before hand by the Forest Department on application

(ii) The following species cannot be cut, under this rule unless marked therefore, hand for this purpose: -

Bankhor Handun	Kai-Kain-Mannu, Briari
Barachar	Kanzal, Tilpatra; Kilu Traikhana
Batangi; Keinth	Kharik, Batkari

Bharath, Zum	Kan
Chinar	Roin
Chitarin	Sarol
Chelai	Thali
Findak, Urni	Barmi Postil

Hari

(iii) Green wood for implements may only be cut and removed between the Ist Assuj and the end of Chet.

12. Timber for public use:- [Subject to the general control of the Conservator, timber required for the construction and repairs to aqueducts, bridges and repairs to Dharamasalas; temples and mosques, except those under the Dharmarth Department, shall be granted free of charge or on payment by book transfer in the books as noted below by the Divisional Forest officer on a certificate from the Deputy Commissioner or Assistant Settlement Officer (in areas under Settlement) or higher officers of the Revenue and Settlement Departments (in areas under settlement) that such timber is required for, public and not private purposes; provided that:-

(i) in the opinion of the Divisional Forest Officer, the Forest can silviculturally afford the timber;

(ii) the Conservator sanctions all applications for Deodar;

(iii) no timber shall be given free for private temples or mosques. The principle governing the payment, by book transfer by the Revenue Department for aqueducts and bridges is that when either causes increased land revenue or is used by the public for thorough traffic, the value at Standard rates should- be charged]

1 [Note:-Applications for free grant of timber for repairs to mosques, temples and dharamsalas which are meant solely *for* the public use should not be referred to the Revenue Department].

13. Firewood.-Firewood for village domestic use, or for the use *of* camps of State Officers, may be removed free of charge from dry and fallen wood not fit for building purposes, with the use of *an axe* or other cutting instrument; provided that the use of *an axe* and other cutting instrument under this rule may be prohibited, as regards particular forests, by order of the Conservator.

Firewood as above described may be removed free of charge from the forest for charcoal burning without the use of an axe or other cutting instrument, but charcoal burning within the forest is prohibited Without the special permission in writing by the Divisional Forest officer, in each case

14. Torchwood.-Torchwood may be cut with an axe free of charge from dry stumps of trees; provided that departmental marks and numbers on the stumps are not injured thereby.

15. Lopping:- *The* lopping with a cutting instrument of trees other than those mentioned below is permitted, but no branch thicker than a man's wrist may be cut and no branches may be cut above of the height of the tree from the ground.

The following trees cannot be lopped without the permission of the Conservator:

1. Deodar, Paludar or Diar.
2. Kairu or Biar.
3. Chil
4. Budlu or Rewar.
5. Tun or Tuni.
6. Kachlu, Tung orKachhal.
7. Burj or Bojpatha
8. Hum or Sum.
9. Akor, Akhrot or Dun.
10. Shisham or Tali.

6. Other Forest products: -All .minor forest products not :excepted by any special order; and' for the collection of which no contract has been given by the Forest Department, shall be allowed free.

[Note1:-The recommendation made by the Committee for the abolition of the fee levied for clay and fuel taken from forests for use in the preparation of pottery is accepted so far as .concessionists are concerned]

[Note 2 :-Government agree with the Committee. that the Production of a certificate of the Industries Department testifying to a particular Zamindar being a recognised tanner should be dispensed with and tanners belonging to the concessionists class should be allowed to remove free bark for tanning from Deodar tree after they have been felled by the timber lessees but the removal by such tanners of bark for fuel should be prohibited] .



Note 3:- (Government accept recommendation of the Committee to the extent that stones may be taken from forest areas by concessionists for domestic and agricultural purposes; provide that no damage is done to forest vegetation).

Note 4 :- (Government accept the recommendation of the committee that timber other than Deodar may be allowed to concessionists at the usual concession rates when available and Deodar at twenty-five paise per eft for being used in village oil presses. but such timber can only be removed from fallen trees).

Note 5 :- (Government accept the recommendation of the Committee that Zamindars may be allowed to cut dry branches of all broad leaved green trees except those which, come within the special class).

Note 6:- (Government accept the recommendation of the Committee that trees which are to be given free for he purpose of making agricultural implements should be marked twice a year at least and pohu etc.should be allowed free for making kangaries for personal use but only those Zamindars should be allowed to cut the trees and use the pohu who live within three miles of the demarcated forests).

Note 7:-Deleted

## **SECTION B**

Concession to villagers whose village boundary coincides with the boundary of a demarcated forest, or to such villages as the Conservator may Sanction.

17. Brushwood:- The removal free of charge of thorns and brushwood (including pohu) for fencing Purposes is permitted from areas not closed to grazing except in those areas specially set part by the Conservator of Forests for the Srinagar fuels supply, where the removal of only thorns for fencing purposes is permitted.

[Note:- The recommendation of the Committee that Drag for roofs of Kothas should be allowed free to Zamindars is accepted. Government also accept the recommendation that where no contractor is available for the extraction of bricks bark, the Zamindars of the locality should be allowed to extract it for their own bonafide requirements at the reduced royalty of fifty paise per kharwar as against Rs. 2 per kharwar. As a safeguard against damage to the trees by such extraction particular coupes should be reserved for the purpose and extraction allowed in these coupes only].

18. Thatching grass: -Thatching grass may be removed free of charge from forests not closed to grazing.

19. All concessions are granted .at the pleasure of the [Government] and may be withdrawn or be altered as they may deem expedient.

## **PART II**

20. Responsibility of Concessionists. -All State Officials all land holders, Lambardars and others who receive emoluments from the State, or who exercise or are allowed to exercise any concessions in a State forest are required to prevent offences against the said forests and to report such offences at once, if committed, to the nearest Forest or Police officer, and also to render such assistance to those officers as they may require:-

- (i) in extinguishing fires in State Forests;
- (ii) In extinguishing fires in the neighborhood of state forest, in order to prevent their extending to such forests;
- (iii) In preventing offences against State forests;
- (iv) In arresting and tracing offenders committing offences against State forests.

Such persons failing to render such assistance are liable, on conviction by a Magistrate, to fine or imprisonment, or both.

12 [None :-Agreeing with the recommendation of the Committee; Government direct that at the time of a fire in a forest the attendance of Zamindars who assemble to put it out should be marked on the spot and a certificate of attendance given to those present. A list of absentees should also be prepared then and there, old persons, females and invalids being however, exempted from attendance and help in existing the fire. Government also agree that cases of persons who fail to render help in extinguishing a forest fire should be heard, wherever possible, by Magistrates on the spot while on tour in the locality to which the defaulters belong. A circular order to this effect should - be issued by the District Magistrate].

## **SCHEDULE**

### **Regulations governing the exercise of concessions.**

1. All concessions are for, the bona fide agricultural and domestic use of

Zamindars i.e. those who hold and cultivate lands as assamis or tenants, and are not for sale, barter, or transfer in any way whatsoever.

2. The Lambardar will be held responsible in, the event of timber granted at concession rates, being sold or disposed of in any way that is not" permitted by the rules and regulations.
3. Applicants for timber, both for building and agricultural purposes, will submit their indents to' the, Divisional Forest Officer either direct or through the Range officer twice a year in the months of Baisakh and Assuj. The Divisional Forest Officer after checking will, within the powers allotted to them by the Conservator, sanction them, in whole or in, part or reject them and will cause the trees sanctioned to be marked and handed over, with a permit, to the applicant as soon as possible.

Note :-When required for agricultural implements no application are necessary to cut and remove trees and shrubs not mentioned in rule XI of the Kashmir notice.

The Forest Department does not hold itself responsible for any delay in connection with the granting of trees on applications submitted in Assuj. ' ' ' .

Trees and fashioned timber not removed from the forests before the 1st of Phagan following will lapse to the State and the forest Department will at once remove all marks therefrom;

provided that if the delay in removal has been caused by the Forest Department (except in the case of indents submitted in Assuj ) the Divisional Forest Officer may extend the period up to 6 months more; and provided that trees granted under rules 10 and 12 may be marked and felled at any time within the period authorised on the permit.

4 Fallen dead timber removable under the concession conveyed in rule 6 and timber for agricultural implements allowed in rule 11, will be removed within. the periods prescribed in the said rules.

Nothing may be removed under this clause and under clause 3 from areas clause by the Conservator for purposes for reproduction.

5. The trees will be marked according to silvicultural rules, and in no case may concessionists select his awn trees.

As a guide, and pending provision to; be laid down in the working plans, the following possibilities are given for conifers.

Trees below 3' in girth, 1 one out of every 100 on the ground, may be marked every year if silviculturally possible.

. Trees above 3' in girth, 1 out of every 75 trees on the ground may be marked every year if silviculturally possible.

Trees above 7<sup>1/2</sup> in girth, 1 out of every 50 trees on the ground may be marked every year if silviculturally possible.

On no account may Deodar be granted to villagers except in Illaqa that may from time to time be opened by the Conservator.

6. In the event of the possibilities of a forest not allowing the removal of the timber that may be otherwise permissible, each indent shall be reduced proportionately by the Divisional Forest Officer Oil under his orders, for that forest.

7. Concessionists will be allowed to float their timber an rivers and streams: provided they first register a private mark under the River rules, far which registration 50 paise are charged for a period of three months. If desired, a single mark may be registered jointly in the name of the Lambardars by a whole village.

8. For the regulation of lopping, the removal of firewood and fencing material and other forest produce, see the concession rules themselves.

9. The Government reserves to themselves the right of altering or cancelling these Regulations as may seem to them fit.

#### **RULES FOR ACQUISITION AND DEMARCATION OF SMALL PLOTS HELD BY ZAMINDARS WITHIN FORESTS.**

(Sanctioned by His Highness the Maharaja Sahib Bahadur under Chief Minister's

No. 6694 dated 1st January, 1977)

1. The following instructions relate to the expropriation during demarcation proceedings or small plot of land within forests, which are held by Zamindars and which have been recorded at settlement as part of their holdings. The instructions will be applicable in all cases in which Demarcation (original or revised) is being carried out by the Forest Department. and Settlement Department. jointly.

2. Proposals for expropriation should originate with. the Assistant Settlement Officer and Divisional Forest Officer; the Demarcating officers of lower rank (Settlement Naib-Tehsildar and Range officer) are not empowered to suggest or make such proposals.

3. Expropriation should be proposed only in the case of land, which is Banjar Qadim, that is, land which has not been cultivated within the last four years.

4. Where it is possible to do so, the holder of the plot to be expropriated should be compensated by the grant of other land in exchange rather than by compensation in cash, but land shall not be given in exchange from State Rakhs, nor shall other state waste land be given which appears to be required as grazing ground by adjoining villages. Where an exchange can be arranged, with the consent of all concerned, the Assistant Settlement Officer is empowered to give effect to it by mutation or order no sanction of superior authority is required. . If, however, the holder of the land does not agree to the exchange proposed, the case shall be reported for orders in accordance with the following rules.

5. Proposals far compulsory expropriation will be submitted by the Assistant Settlement officer & Divisional Forest Officer Jointly, if they agree, to the Settlement Officer who will forward them with his respective to the Settlement Commissioner.

6. If the Divisional Forrest officer prrop6s6s expropriation but the Assistant Settlement officer does not consider it necessary, the file shall be forwarded to the Settlement officer who may pass order rejecting the proposal or may submit the file for the orders of the settlement Commissioner.

7 The Settlement Commissioner, in consultation with the Conservator, is

empowered to pass final orders sanctioning or rejecting proposals submitted to him under rules 5 and 6; provided that if either the Settlement Commissioner or Conservator considered expropriation unnecessary, the proposal shall be rejected.

8. In all cases the statement of holders shall be recorded by the Assistant Settlement Officer and, Divisional Forest Officer and holders of Plots which it is proposed to exchange or expropriate shall be entitled to submit to the Settlement Commissioner, within 2 months of receipt by them of notice of the proposal, any objection which they may wish to urge against it, When submitting such proposals, the Settlement Officer shall

duly notify the fact to the land holders, in order to enable them, to submit their objections, if any; to the Settlement Commissioner who shall not pass final orders until the period of 3 months notice has expired.

9. The Assistant Settlement Officer will be primarily responsible for making proposals regarding the assessment of the compensation due, in accordance with the rules in force for land acquisition by the State and will do so in consultation with the Divisional Forest officer representing the interests of the Forest Department. Final orders as to the amount of the compensation will be passed by the Settlement Commissioner.

10. In tracts where demarcation work is not being carried out by the Settlement and Forest Department jointly, expropriation under these rules will, be deferred until the next settlement; urgent cases may, however, be taken up meanwhile and will be dealt with under the ordinary rules for Land Acquisition by the State.

## **RULES REGARDING PERMISSION TO ZAMINDARS TO BRING KHULS THROUGH DEMARCATED FOREST AREAS.**

### NOTIFICATION No. 22

His Highness the Maharaja Bahadur has been pleased to accord sanction (vide the Hon'ble Prime Minister's endorsement No. G. B. 724 dated 1st May, 1933) to the introduction of the following rules regarding permission to Zamindars to bring, Khuls through demarcated forest areas: -

1. Application for construction of Khuls through demarcated forests should be

forwarded to the Divisional Forest Officer either through Revenue authorities or with a certificate from the Revenue authorities that the use of water that the applicants intend to make will not interfere with any existing arrangement of water supply of other villagers who may have a prior right and that they have no objection to the use of the water by the applicants.

2. The Divisional Forest officer will inspect the site and see that no trees are required to be felled in constructing the Khul or no damage is likely to occur to forest land or forest growth by construction of Khul and submit his recommendations to the Conservator of Forests.

3. The Conservator of Forests will be the authority to grant or refuse the permission to construct the Khul. Permission will usually be subject to the condition that it can be withdrawn when there is reason to believe that any damage has been done to forest soil or forest growth by the Khul or by the villagers who construct the Khul.

4. In case permission has been given to construct the Khul, a written agreement will be taken from villagers that they will be responsible for any damage they may do to the growth in the Forest and that permission will be withdrawn in case any damage is done to the Forest soil or Forest growth either by the Khul or by the villagers using the Khul.

## THE JAMMU FOREST NOTICE.

Concerning concessions of forest produce to villagers and others from the demarcated forests in the province of Jammu; as well as the regulation of the exercise of the same.

(Sanctioned by His Highness the Maharaja Sahib Bahadur under Chief Minister's letter NO.6327/H-61/12 of 28th November, 1912).

### PART I

**1. General-** (a) The concessions herein granted are for the bona fide domestic and agricultural use of Zamindars i.e. those who hold and cultivate land as land-owners, assamis or tenants, in the provision of Jammu; and are not for sale, barter or transfer in any way whatsoever.

In addition, the following necessary and usual artisans permanently resident and employed in villages are classed as Zamindars for the purposes of these rules: -

1. Blacksmiths (Lohar).
2. Carpenters (Tarkhan).
3. Chamam.
4. Potters (Kumhar).
5. Teli.
6. Barbers (Nai)
7. Bard (Mirasi).
8. Sweeper Doom [Chura].
9. Water-carrier (Jhiwar).
10. Weaver (Julaha).
- 11 Darzi and Dasali.
12. Mullah and Prohit-

(b) All timber concessions are subject to the provision that trees are available, having due regard to the forest conservancy concessions cannot be used so as to destroy the forests to which they relate. Concessions to villagers whose village boundary lies within three miles of the demarcated forest boundary; provided that the forest is not separated from the village by an unfordable stream at its winter



level and provided that the forests are capable of meeting the demand.

**2. Grazing and grass cutting.**-Grazing of Cattle and flocks and, cutting of grass in areas not specially closed for these purposes; subject to the provisions of the Closure Rules.

**3.Right of way.** -Cattle and other livestock may pass freely through the forests which are not closed, to grazing and, if any forest is closed by a special order, rights of way and access to water will be provided. In forests for which a settlement record has been prepared under the Demarcation Rules the concessions of rules 2 and 3 will be regulated in accordance with such record and in forests, for which no record has been prepared the concessions of village 2 and 3 will be permitted irrespective of the distance of the village from the forest.

**4. Major forest products, Standing trees.** -Timber, except deodar, required for house building and house repairing purposes, may be, obtained from the Divisional Forest officer at the rates mentioned in rule 5 below, and in accordance with the clauses governing the exercise of concessions (see schedule attached to this notice); provided always that the forests are capable of meeting the demand.

**5. The price of trees to be paid by concessionists shall be as follows: -**

1 [(a) A concession rate of 6\* per cent standard rates, except deodar and except for the following fixed rates :

(i) Throughout the province the rate 6 ¼ % of Chil is subject to maximum of [ Rs 4/].

(ii) In Barfani illaqa Chil and Kail are subject to a maximum of 3[Rs. 2] and fir and spruce to a maximum of 4 [Re. 1 only].

(b) Broad-leaved trees. -At the rates prescribed in the schedule Rates.

Note: 5 [Zamindars residing between 3p.nd 5 miles of demarcated forests shall get timber @ ¼ th of the standard rates (excepting deodar)].

**6. Fallen trees and timber.** - [The following dead fallen trees and timber may be removed by the concessionists from the forest free through out the year provided the trees have not been felled, girdled, scooped, or otherwise killed or cut artificially for the purpose of classing them as fallen trees and timber;

(a) Kail, Chir, Fir, Spruce and Banesri of any size;

(b) Deodar: -

(i) Poles under 3' in girth at the base and of any length.

(ii) Naturally broken pieces under [6'] in length and of any girth.

In addition, in forest in which fellings have been made, concessionists may remove such felling refuse after the work has been completed, as may be ordered by the Chief Conservator of Forests.

For this purpose the village concession limit will be 5 miles, instead of the 3 miles, provided that between the village and the Forests there is no unfordable-stream. No permit for the removal of the above is required. No timber may be removed under this rule from a coupe under working].

7. Standing dead trees (except Deodar) and fallen Kairu trees and logs over 6' in girth will be given on permit at half the ordinary concession rates to villagers resident within the 5 miles limit as explained in Rule 6 above, after being marked by the Forest Department.

A standing dead tree is one which is completely dead to the roots.

**8. Timber for Kothas etc.-** Kothas, for grazing purposes away from the main villages, may only be erected on Dhars and on Margs inside and outside the demarcated forest; provided that the same are not less than 60 Karams or 120 paces from the edge of the nearest adjoining forest growth.

For these, concessions at ordinary rates and according to the rules herein prescribed will be granted; provided that suitable dead timber is first utilised.

Dharas i.e. structures completely open on one side Jhompherics i.e. rough temporary structures, may be erected with all the forests for grazing purposes. For these dry wood only may be utilised in accordance with the provisions of Rules 6 & 7 above.

**9. Free grants.-**When a house is destroyed by fire or by any natural calamity, a

free grant of timber may be made for rebuilding it either by means of an application direct to the Divisional Forest Officer or by the Divisional Forest Officer on the certificate of an officer of the Revenue and the Settlement Departments, of not lower in rank than Tehsildar.

**10. Agricultural implements.** -Timber for agricultural implements may be cut free of charge from those trees not prohibited to lopping, under Rule 14 below, except in those areas that may...from time to time be set apart by the Conservator for any specially named purpose, and except in those areas closed to grazing.

The following trees should not be felled under this rule unless marked for the purpose:

Ambli	Dredtha, Batrin, Chelel
Behera	Hari
Barachar, Moru	Jamun
Barmi	Kam
Batang, Keint, Katani	Kamlan
Bani, Rin	Karik
Bankhor, Gugu	Kirshu, Heru, Kru.
Bhata	Krangal, Kinjal, Kial, Amaltas.
Bran, Bren, Mannu	Marna, Kanzal
Chikri	Salali, Saral, Champ
Chinar	Sanan
Daruni	Siri
Dhaman	Zum

**11. Timber for public use.** - [subject to the general control of the Conservator, timber required for the construction and repairs to aqueducts, bridges and repairs to Dharamsals

temples and mosques, except those, under the Dharmarth Department shall be granted free of charge or on payment by book transfer in the cases noted below by the Divisional Forest officer on a certificate from the Deputy Commissioner or Assistant Settlement Officer (in areas under Settlement) or higher officers of the Revenue and Settlement Departments (in areas under Settlement) that such timber is required for public and not for private purposes provided that :

- (i) in the opinion of the Divisional Forest Officer the forest can silviculturally afford the timber;
- (ii) the Conservator sanctions all the applications Deodar :
- (iii) no timber shall be given free to private temples or mosques.

The principle governing the payment by book transfer by the Revenue Department for aqueducts and bridges is, that when either causes increased land revenue or is used by the public for through traffic, the value at Standard rates should be charged].

Note: -2[Applications for free grant of timber for repairs to mosques, temples and dharamslas which are meant solely for the public should not be referred to the Revenue Department].

**12. Firewood.** -Firewood for village domestic use, or for the use of camps of State officers on tour may be removed free of charge from dry and fallen wood not fit for building purposes with the use of an axe or other cutting instrument; provided that the use of an axe or other cutting instrument, under this rule may be prohibited as regards particular forests by order of the Conservator. Dry and fallen wood may be removed from State Forests without the use of an axe or other cutting instrument for charcoal burning, but charcoal burning; within the forests is prohibited.

**13. Torchwood:-**The cutting with an axe of torchwood from stumps of trees is permitted; provided that in case of stumps marked by the Forest Department the marks must not be injured.

**14. Lopping-**The lopping with a cutting instrument of trees with the exception of those mentioned below, is permitted, but no branch thicker than a man's wrist may be cut and no branches may be cut above [three fourths] of the height of any trees.

The lopping of the following tree is prohibited:-

Deodar	Diar
Silver Fir, Spruce	Re, Tos, Rewar, Tung
Blue Pine	Biar, Kail

Chil	Chil, Chir
Chilgoza	Chilgoza
Birch	Burj, Bhujpatra
Ash	Hum or sum
Walnut	Akhor
Tun	Tuni, Tun
Shisham	Thali
Bamboo	Bans
[Kamila and Chikri]	

In addition, except in the following Tehsils, viz. Kishtwar [Bhaderwah, Ramban, Gool (sub -Tehsil) and Rampur Rajouri, the lopping of the following species is also prohibited:

Khair	Acacia catechu
Phulai	Acacia modesta
Kikar	A eburnea and arabica
Kau	Olea cuspidata
Kakkar Kangar	Pistacea integerrima

**15. Brushwood.** -The cutting and of thorns and brushwood for fencing specially closed to this use by order permitted.

[The recommendations of the Committee that Drag for roofs of Kothas should be allowed free to Zamindars is accepted. Government also accept the recommendation that, where no contractor is available for the extraction of birch bark, the Zamindars of the locality should be allowed to extract it for their own bona fide requirements at the reduced royalty of fifty paise per Kharwar as against Rs. 2/- per Kharwar. As a safeguard against damage to the trees by such extraction, particular coupes should be reserved for the purpose and extraction allowed in these coupes only].

**16. Other Forest Produce.** -All minor forest products, not excepted by an

special order, and for the collection of which no contract has been granted by the Forest Department, shall be allowed free to Zamindars. removal free of charge purposes in areas not of the Conservator is

Note 1:- [The recommendations made by the Committee for the abolition of the fee levied for clay and fuel-taken from forests for use in the preparation of pottery is accepted so far as concessionists are concerned].

Note 2 :-[Government agree with the Committee that the production. of a certificate of the Industries Department testifying to a particular Zamindar being a recognized tanner should be dispensed with and tanners belonging to the concessionists class Should be allowed to remove free bark for tanning from Deodar trees after they have been felled by the timber lessees but the removal by such tanners of bark for fuel should be prohibited].

Note 3: -[Government accept the recommendation of the Committee to the extent that stones may be taken from forest areas by concessionists for domestic and agricultural purposes; provided that no damage is done to forest vegetation].

Note 4 :-[Government accept the recommendation of the Committee that timber other than Deodar may be allowed to concessionists at the usual concession rates ,when available and Deodar at twenty-five paise per cft. for being used in village oil presses, but such timber can only be removed from fallen trees].

Note 5:- [Government accept the recommendation of the Committee that Zamindars may be allowed to cut dry branches of all broad leaved green trees except those which come within the special class].

Note 6:- [Government accept the recommendation of the Committee that trees which are to be given free for the purpose of making agricultural implements should be marked twice a year at least and Pohu etc. should be allowed free for making Kangaries for personal use but only those Zamindars should be allowed to cut the trees and. use the pohu who live within three miles of the demarcated forests].

Note 7: -[Deleted].

17. All concessions are granted at the pleasure of [the Government] and may be withdrawn or be altered as they may deem expedient.

## **PART II.**

**18. Responsibility of concessionists.** - All State officials, all landholders, Lambardars and others, who receive emoluments from the State or who exercise or are allowed to exercise any concession in a State Forest are required to prevent offences against the said forests and to report such offence at once, if committed, to the nearest Forest or Police officer, and also to render such assistance to those officers as they may require:-

- (i) in extinguishing fires in State Forests.
- (ii) in extinguishing fires in the neighborhood of State forests in order to prevent their extending to such forests;
- (iii) in preventing offences against State forests ;
- (iv) in arresting and tracing offenders committing against State Forests.

Such persons failing to render such assistance are liable, on conviction by a Magistrate to fine, or imprisonment, or both

Note:-[Agreeing with the recommendation of the Committee, Government direct that at the time of a fire in a forest, the attendance of Zamindars who assemble to put it out should be marked on the spot and a certificate of attendance given to those present. A list of absentees should also be prepared then and there, old persons, females and invalids being, however, exempted from attendance and help in extinguishing the fire. Government also agree that cases of persons who fail to render help in extinguishing a forest fire should be heard, wherever possible, by Magistrate on the spot while on tour in the locality to which the defaulters belong. A circular order to this effect should be issued by the District Magistrates.

## **SCHEDULE**

### **Regulations governing the exercise of concessions.**

1. All concessions are for the bona fide agricultural and domestic use of Zamindars. i.e. those who hold and cultivate land as land owners, assamis ; or tenants; and are not for sale, barter or transfer in any way whatsoever.

2. The Lambardars will be held responsible in the event of timber granted at concession rates being sold disposed of in any way that is not permitted, by the rules and regulations.

3 Applicants for timber both for building and agricultural purposes will submit their indents to the Divisional Forest Officer either direct or through the Range Officer, twice a year in the months of Assuj and Chet except in the case of employees of the Military Department who may submit their indents at any time. . The Divisional Forest Officer will after checking with in the powers allotted to them by the Conservator, sanction them in whole in part or reject them and will cause the trees sanctioned to be marked and banded over with a permit to the applicant as soon as possible the Forest Department does not hold itself responsible for any delay in connection with the granting of trees on applications submitted in Assuj.

Trees and fashioned timber not removed from the forests before 1st of Phagan following will lapse to the State, and the Forest Department will at once remove all marks therefrom; provided that if the delay in removal has been caused by the Forest Department (except in the case of indents submitted in Assuj) the Divisional Forest Officer may extend the period up to six months more; and provided that trees granted under rules 9 and 11 may be marked and felled at any time within the period authorised on the permit.

Note:-When required for agricultural implements no applications are necessary to cut and remove trees and shrubs not mentioned in rule 10 of the Jammu Notice.

4. Fallen dead timber removable under the concession conveyed in rule 6 and timber for agricultural implements allowed in rule 10 will be removed within the periods prescribed in the said rules.

Nothing may be removed under this clause or under clause 3 from areas closed by the Conservator for purposes of reproduction.

5. The trees will be marked according to silvicultural rules and in no case may concessionists select hisown trees.



As a guide and pending provisions to be laid down; in working place the following possibilities are given for conifers:-

Trees below 3' in girth, 1 out of every 100 on the ground, may be marked every year if silviculturally possible.

Trees above, 3' in girth, 1 out of every 75 trees on the ground, may be marked every year if silviculturally possible

Trees above 7 ½ ' in girth, 1 out of every, 50 trees on the ground, may be marked every year if silviculturally possible.

On no account may Deodar be granted to villagers except in Illaqs that may from time to time be opened by the Conservator.

.6. In the event of the possibility of a forest not allowing the removal of the timber that may be otherwise permissible, each indent shall be reduced proportionately by the Divisional Forest Officer or under his orders. .

7. Concessionists will be allowed to float their timber on rivers and streams; provided they first register a private mark under the River Rules, for which registration, fifty paise are charged for a period of 3 months. If desired a single mark may be registered in the name to the Lambardar by a whole village jointly.

8. For the regulation of lopping, the removal of firewood and fencing material and other forest produce see the concession rules themselves.

9. [The Government] reserve to themselves the right of altering or cancelling these regulations as may seem to them fit.

### **THE PLAINS AND PABBI TRACT RULES.**

Applicable to the demarcated forests in the Kathua, Jasmirgarh, Samba, Jammu, Akhnoor, Bhimber and Mirpur Tehsils.

(Sanctioned by His Highness the Maharaja Sahib Bahadur under Chief

Minister's letter No. 4981 dated the 26th July, 1921).

1. The object of the demarcation of the waste lands to which these rules apply is to bring them under Forest conservator with a view of :-

(a) protecting the country against excessive erosion;

(b) providing permanent supplies of forest produce for the use of the local villagers

(c) providing permanent supplies of firewood for the towns.

2. These rules apply to all areas in above Tehsils demarcated subsequently to the passing of His Highness the Maharaja Sahib Bahadur's order in Chief Minister's letter No. 391 dated 25th April, 1917 or such areas as may be notified in the Government Gazette, except the Pine forests, or such areas as may be brought under working schemes sanctioned by the Government for the apply of firewood for Jammu, Mirpur or other towns.

3. The forests to which these rules apply will be divided into grazing units. A grazing unit will be the area allotted to a village, Mohra or group of villages or Mohras for grazing purposes,

4. Each grazing unit will be divided into 5 compartments, and each compartment will be closed in rotation for a period of eight years. Not more than one-fifth (1. e. one compartment) of the total area of a grazing unit will be closed at any time. After one compartment has been closed for 8 years, it will be opened and another compartment closed and so on, each compartment thus coming closure for a period of eight years in rotation.

5. In the closed compartments the following acts are prohibited:-

(i) Setting fire to the forests.

(ii) Grazing and browsing by all kinds of animals. (iii) Breaking up land for cultivation.

(iii) Felling of trees, shrubs and bushes.

(iv) Lopping.

(v) Removal of timber, firewood or any other kind of forest produce except the cutting of grass, which shall be permitted free of charge without permit during the months of October- November] only, provided that this concession may only be exercised by the permanent residents of villages whose village boundary is situated within three miles of the forest boundary.

**Note :-** To allow access to the open compartments, cattle will be permitted to pass through the closed compartment along a path defined by special marks for the purpose whenever this is necessary to avoid inconvenience in reaching the open compartments.

6. In the open compartments the following rules apply :

(a) The following acts are prohibited:

(i) Setting fire to the forests.

(ii) Breaking up land for cultivation.

(iii) Felling and removal, lopping, or otherwise damaging of chir pine trees and bamboos.

(b) The following acts are permitted free of charge and without permit for bonafide domestic requirements, but not for sale or barter:

(i) Grazing and browsing by animals belonging to the village or villages to which the forests have been allotted as a grazing ground by the Settlement record.

Outsiders may only graze their animals in the forests with the permission (If the villagers having grazing concessions in the forests).

(ii) Grass cutting and removal of grass.

(iii) Cutting, collection and removal of timber, wood for agricultural implements, firewood and other forest produce of all kinds (except chir trees and bamboos).

(iv) Lopping (except chir and bamboos) to the extent of one third of the trees height from the ground except in the Case of simbal trees, which may be lopped to the extent of one-third of the leafy branches.

(v) Quarrying and removal of stones, burning of lime and charcoal.

(vi) Free access to khuls, gharats, bowlis, tanks.

(c). The removal of firewood (green and dry) for sale for use with the limits of the Jammu Province, is permitted but not for export outside the Jammu Province, except from such forests as may be ordered by the Conservator.

(d) The collection and removal of minor forest products of all such kinds such as fruits, leaves, flowers, roots, honey etc. for sale is permitted, except such products as may be prohibited from sale by the Conservator.

7. The above concessions may only be exercised by residents of the villages whose village boundary is within three miles of the forest boundary.

8. Any infringement of rules 5 and 6 will be punishable under section 4 of the Forest Act.

9. These rules may be cancelled or altered at any time with the previous sanction of the [Government].

10. Special arrangements have provisionally been made with regard- to the Jagirs Jandra, Sariosar and Rajpur which will be exempt from these rules, and similar arrangements may be made with regard to other [Jagirs].

[Annexure I of Council order no. 784-c of 1942 dated 28th July, 1942.

## **GULMARG FOREST RULES**

In supersession of the Gulmarg Forest Rules (issued under His Highness the Maharaja Sahib Bahadur's Order No. 1966 dated 21st October, 1913 and amended under Chief Minister's No. 89-CL dated 9<sup>th</sup> April, 1917 and His Highness the Maharaja Bahadur's Order No. 710 dated 18th May, 1927 and Prime Minister's No. 1977 dated 8th March, 1932) and in exercise of the powers conferred by section 5 of the Jammu & Kashmir Forest Act, 1987, Government are hereby pleased to make the following rules: -

1. Short title and extent.-(1) These rules may be cited as the Gulmarg Forest Rules, 1999.

2. These rules shall apply to the management of the forests in and around Gulmarg.

2: Definitions.-(1) All words and expressions used in these rules and defined in the Jammu and Kashmir forest Act, 1987 shall be deemed to have the meanings respectively attributed to them by the said Act. .

(2) The term Divisional Forest Officer and the Range Officer mean the Divisional Forest Officer of Jhelum Valley and the Range officer, Gulmarg Range respectively.

(3) The expression Deputy Commissioner means the Deputy Commissioner of Baramulla District.

(4) "Town Area Committee" means the Town Area Committee of Gulmarg.

3. All trees and shrubs etc. being property of Government: -All trees and shrub whether live or dead, and all forest produce growing upon or lying in the demarcated forest area or the Gulmarg Town Area as demarcated by means of pillars on the ground are the property of Government of Jammu & Kashmir and for the purposes of these rules come under the provisions of the Forest Act, 1987 and under all regulations for the time being in force for the management and control of the forests of Government of Jammu and Kashmir.

4. Supply of timber to Gulmarg Town.-For, the supply of timber to the Gulmarg Town a certain number of trees will be marked yearly. These will be numbered and will be sold in sequences at the rates specified under rule 15.

All applications for purchase of trees or timber should be made to the Range Officer.

5. Bar to felling of trees without permission.-.For the clearing of sites, for the opening of vistas, or for any other purpose, no trees may be felled without the permission of the Divisional Forest Officer. Any person desiring to fell trees for any of the above purpose shall apply to the Divisional Forest Officer who will proceed to the spot with the Range Officer and may order as many trees to be

felled as may be necessary provided that:-

(a) no tree or trees shall be felled on any site already granted to any other person without the consent of that person;

(b) not more than two vistas may be opened for any one site and nor more than six trees may be felled for we said vistas :

Provided further, that an appeal against the order of the Divisional Forest Officer under this rule shall lie to the Conservator of Forests Kashmir, who may in his discretion extend the application of this rule in any manner as he may deem necessary or proper according to the circumstances of the case.

6. Trees dangerous to buildings.-Any owner or occupant of a hut who considers a trees dangerous to his hut or out houses may apply to the Divisional Forest Officer or the Range Officer, as the case may be for permission to fell or lop it. The Divisional, Forest Officer will mark the same far, felling or lopping with out any charge.

7. Trees felled under rules 5 and 6 to remain property of Government.-Trees felled under rules 5 and 6 shall remain the property of the Forest Department to dispose of as it may deem fit. The owner to occupant of the hut Will, how ever be given the first refusal of them at the rates given in rule 15.

8. Prohibition of lopping of trees on Government Land: The lopping of trees of Government land in the town area and of coniferous trees, walnut,ash, birch maple , bird cheery in the demarcated area is prohibited. The lopping of trees of other species is permitted in the demarcated forests only; provided that no branches thicker than a man's wrist and above 3/4 of the height of the trees from the ground level shall be cut.

9. Torchwood.-The cutting of torchwood from the standing and fallen green trees and dead standing trees is prohibited. Torchwood may, however be cut with an axe, free of charge, from stumps of trees; provided the Departmental marks and. numbers on stumps are not injured thereby.

10. Firewood and fodder grass.-(a) Firewood may be, moved from dead fallen trees or bushes, except pine (Kail) and fit for building purposes and fodder grass may be cut Without ,permission from all forest that has not been specially closed for the purpose. If, however a depot for supply of firewood or grass is opened, persons residing within the bazars areas defined by the Conservator shall not be entitled to this concession.

(b) All firewood coolies shall be registered in the office of the Range officer, A collection permit shall be granted to all such coolies free of charges by the Range officer.

(c) In demarcated forests kilns may be burnt with the permission of the Range officer in. such, places as the Divisional Forest officer, may set aside for the purpose at the commencement of each year. A fee of Re. 1 shall be charged for burning of a klin once only

11. Grazing.-Grazing is permitted in all forests not specially closed for the purpose. The Conservator of Forests may, by order in writing, close up to one-fifth the area of any forest and intimate such order to the Deputy Commissioner

12. Removal of turf.-Applications for permission to remove turf from the Gulmarg Town Area or the demarcated forest should be made in writing to the Town Area Committee or the, Divisional Forest officer respectively and permission in writing must be obtained before work is commenced.

13.Uprooting of ferns or wild flowers-No ferns or wild flowers shall be uprooted and no one shall be permitted to trade in or to offer for sale any ferns or wild flowers.

14.Fixing of advertisements, notice boards etc. Without permission prohibited. Fixing of advertisements, notice boards or placards on trees or any where in the demarcated forests by anyone without the permission in writing of the Divisional Forest officer is prohibited.

15. The Schedule of rates is attached.

16. Penalty.-Any person who contravenes any of the provision of these rules shall be on conviction by a Magistrate be punished with imprisonment of either description for a term which may extend to one month, or with fine not exceeding one hundred rupees, or with both, in addition to such compensation for damage to the forest as the convicting court may direct to be paid.

17. Nothing in these rules shall be deemed to prohibit any act done by permission in writing of any competent authority, or under any rule made by the Government in exercise of the powers under any enactment for the time being in force.

## ANNEXURE II.

### **Pahalgam Forest Rules, 1999.**

In exercise of the powers conferred by for section 5 of the Jammu and Kashmir Forest Act, 1987, Government are hereby pleased to make the following rule : \_

**1. *Short title and extent.*-(1)** These rules may be cited as that Pahalgam Forest Rules, 1999.

(2) These rules shall apply to the management of the Forests in and around Pahalgam.

**2. *Definitions.*-(i)** All words and expressions used in these rules and defined in the 'Jammu & Kashmir Forest Act, 1987, shall be deemed to have the meanings respectively attributed to them by the said Act.

(ii) The term "Divisional' Forest Officer" and 'Range Officer' means the Divisional Forest - Officer Kashmir Division and the Range Officer of Lidder Range respectively.

(iii) The expression "Deputy Commissioner" means the Deputy Commissioner of District Anantnag.

(iv) Town Area Committee means the Town Area Committee of Pahlagam.

**3. *All trees and shrubs etc. being property of Government.*** All trees and shrubs, whether live or dead, and all forest produce growing upon or lying in the



demarcated forests or area not So demarcated or lands at Pahalgam over which government has propriety rights are the property of Government of Jammu & Kashmir and for the purpose of these rules come under the provisions of Forest Act, 1987 and under all regulations for the time being in force for the management and control of forests of Government of Jammu and Kashmir.

**4. Rules not to apply to land assessed to land revenue.** Trees and shrubs growing on land assessed to land revenue and granted to Zamindars under His Highness the Maharaja Bahadur's command dated 26th February, 1926 shall be the property of the Zamindars and shall not fall within the purview of these rules.

**5. Supply of timber to Pahalgam Town.-**For the supply of timber to the Pahalgam Town a certain number of trees shall be marked yearly according to the working plan in force. These shall be numbered and shall be sold in sequence at the rates specified in rule 17. All applications for the purchase of trees or timber should be made to the Range officer.

**6 Zamindars who are to -enjoy concessions.-**All Zamindars whose lands are situate within the limits of the Town Area Pahalgam and who have been granted concessions under the Kashmir Notice from the demarcated forests prior to the issue of notification declaring Pahalgam a Town Area shall continue to enjoy these concessions

**7. Bar on felling of trees without permission:** For the clearing of sites for the opening of vistas, or for any other purpose no tree may be felled without the permission of the Divisional Forest officer. Any person desiring to fell trees for any of the above purposes shall apply to the Divisional Forest officer who will proceed to the spot with the Range officer or direct the Range officer to inspect the spot and order marking of as many

trees as may be necessary; provided that:

(a) no tree or trees shall be felled on any site already granted to any other person without the consent of that person;

(b) not more than two vistas may be opened for anyone site and not more than six trees may be felled for the said vistas:

Provided further, that an appeal against orders of the Divisional Forest Officer under this rule will lie to the Conservator of Forests Kashmir, who may in his discretion extend the application of this rule in any manner as he may deem necessary or proper according to the circumstances of the case.

**8. Trees dangerous to buildings.**-Any owner or occupant of a hut who considers a tree dangerous to his hut or out houses may apply to the Divisional Forest officer or Range officer for permission to fell or lop it. The Divisional Forest Officer or Range officer will mark the same for felling or lopping without any charge.

**9. Trees felled 'Under rules 7 and 8 to remain property of Department.**-Trees felled under rules 7 and 8 shall remain the property of the Forest Department and it may dispose of the same in any manner it may deem fit. The" owner or occupant of the hut will, however, be given the first refusal of them at the rates given in rule 17.

**10 Prohibition of lopping of trees on Government lands.** The lopping of all trees on Government land and of all conifers walnut, tun , ash, birch, maple and birdcherry in the demarcated forests is prohibited. The lopping of trees of other species is permitted in the demarcated forests only; provided that no branches thicker than a man's wrist and above  $\frac{3}{4}$  th of the height of the tree from the ground revel shall be cut.

**11. Torchwood.**-The cutting of torch wood from standing and fallen green trees and dead standing trees is prohibited. Torchwood may, however, be cut with an axe, free of charge, from stumps of trees; provided that the departmental marks and numbers on the stumps are not injured thereby

**12. Firewood and fodder grass.**-(a) Firewood may be removed from dead fallen trees or bushes except pine (Kail) and fir fit for building purposes, and fodder grass may be cut without permission from any forest that has not been specially closed for the purpose. If, however, a depot for supply of firewood or grass is opened, persons residing within the bazar areas, as defined by the Conservator of Forests, shall not be entitled to this concession.

(b) All firewood coolies shall be registered in the office of the Range officer. A collection permit shall be granted to all such coolies free of charge by the Range officer.

(c) In demarcated forests kilns may be burnt with the permission of the Range Officer in such places as the Divisional Forest Officer may set aside for the purpose at the commencement of each year: A fee of Re. 1 shall be charged for burning a kiln' once only.

**13. Grazing.**-Grazing is permitted in all forests not specially closed for this purpose. The Conservator of Forests may, by an order in writing, close up to one-fifth the area of any Forest and intimate such order to the Deputy Commissioner.

**14. Removal of turf.**-Applications for permission to remove turf from the Pahalgam Town Area or the demarcated forests should be made in writing to the Town Area Committee or the Divisional Forest Officer respectively and permission in writing must be obtained before work is commenced.

**15. Uprooting or sale of ferns or wild flowers.**-No ferns or wild flowers shall be uprooted and no one shall be permitted to trade in, or to offer for sale, any ferns or wild flowers.

**16. Fixing of advertisements, notice boards without permission prohibited.**-Fixing of advertisements, notice boards or placards on trees or anywhere in the demarcated forests by any one without the permission in writing of the Divisional Forest officer is prohibited.

**17. The Schedule of rates is attached**

**18. Penalty.**-Any person who contravenes any of the provisions of these rules shall upon conviction by a Magistrate be punished with imprisonment of either description for a term which may extend to one month, or with fine not exceeding one hundred rupees, or, with- both, in addition to, such compensation for damage done to the tree, growth on government land as the convicting Court may direct to be paid.

**19. Saving:**-Nothing in these rules shall be deemed to prohibit any act done by permission in writing of any competent authority or under any rule made by the Government in the exercise of their power under any enactment for title time being in force.

### **Additional concession granted to zamindars**

*(By command of His Highness the Maharaja Bahadur the following proclamation of boons and privileges was read out in the Raj Tilak Durbar held at Jammu on the 25th of February, 1926).*

**1. Forest trees growing on cultivated areas.**-All royal coniferous trees growing on areas assessed to land revenue may hence forward be cut down by the landholders concerned and may be made use of by them free of charge; provided

that the timber is not disposed of by sale. This concession cannot be append to standing trees which have already been auctioned and marked for removal by the Forest Department but in such cases the trees must be removed by the contractor concerned within the time allowed to him with his agreement.

**2. Dead and fallen timber.**-Such timber may in future be removed by villagers concerned throughout the year instead of during three months of the year only as at present allowed.

**3. Primary Education.**-In order to assist villagers in providing buildings for use as primary schools, timber required for this purpose will in future be granted from the State Forest Department free of charge.

1 [Construction of Basic School.-The Director of Education informs me that the Basic Schools outside Jammu & Srinagar at present impart education up to Primary standard and have the same status as that of Primary Schools. As such item 6th of the Raj Tilak Boon and privileges granted shall apply for issue of timber free of cost in the case of Basic Schools as well. The Divisional Forest Officers may kindly be directed to deal with such cases accordingly].

## **RULES FOR GRANT OF TIMBER AT CONCESSION RATES TO STATE SERVANTS.**

*(Sanctioned by His Highness the Maharaja Sahib Bahadur in his Order No. 516 dated 29th June, and Chief Minister's No. 6234/55-75 dated 11th November, 1918).*

1. All State employees drawing a salary of less than Rs. 500 per mensem and

Government pensioners who may be desirous to build a house for their residential purposes shall be entitled to buy timber, from the State Forest Department at 10 percent, less than the last auction sale rates and when such are not available at such general rates as the Conservator may direct, provided that :

(a:) the State employees have not served. for less than. For years in State service

(b) the house to be built is in State territory and is for bonafide personal use and not for sale or hire;

(c) the Head of the Department concerned is fully satisfied that the applicant has made arrangements to finish the house within a reasonable time after the timber is granted.

2. The quantity of timber which can thus be granted on concession, rates shall not exceed 4,000 cft. or up to a limit of 20 trees, at the discretion of the Conservator the kinds of timber or trees as well as the girth of trees and the forest from which such can be granted should be fixed by the Conservator.

3 It will be the duty of every Head of Department who recommends grant of concessions to see that the timber so granted is used for building a house for bonafide, residential purposes by the applicant and not for any other purpose. In case it is proved that the concessions so given are in any way abused, the grant shall be liable to be cancelled and the grantee shall be liable to pay to the forest Department the full price of the timber at the market rate and shall forfeit all claims to any such future concessions.

4. The Conservator of Forests are empowered to demand a certificate in the following form from the Head of the Department concerned within a year of the grant of timber:-

"Certified that... .. Cft. of timber/trees granted to.....(name) in..... (month)at concession rates have been used on the house built at.....(town) for bonafide person use and not for sale or hire".

5. The Government of Jammu and Kashmir reserve to themselves the power to grant on special grounds timber free or on concession rates to such State Subject employees whose houses may be burnt down by fire, fallen by flood or damaged by other unavoidable cases and who may not have means to rebuild the houses and for repairs or reconstruction of charitable buildings owned by the Government other than those controlled by Dharamarth Department.

**RULES FOR GRANT OF TREES AND TIMBER TO PERSONS WHOSE HOUSES ARE DESTROYED BY FIRE OR OTHER CALAMITY.**

### **A. To Concessionists.**

1. When buildings belonging to concessionists, as defined in the Jammu and Kashmir Forest Notices, are destroyed by fire or other calamity, the owner shall apply to the Range Officer for the trees required for rebuilding, and on receipt of such application the Range officer will report at once to the Divisional Forest officer stating the number of trees actually required and the forest from which the trees may be given.

2. The Divisional Forest officer in passing orders, will specify the number of trees to be given free and at concession rates, the general rule being that on these occasions trees should be given free, but that the number so given should not be greater than are necessary to rebuild a house of the same standard as that which was destroyed.

3. On receipt of orders sanctioning the grant of trees, the Range Officer will immediately issue the permit and cause the trees to be marked. The period allowed for removal of the produce from the forest will be four months from the date the trees are marked which will be entered by the marking officer \_ the back of the permit.

If the circumstances so warrant the permit may be extended by the Range Officer by a further period of two months without payment.

4. In the event of standing \_trees being unavailable, the Divisional Forest Officer may sanction the sale, from the nearest depot, of timber not exceeding 200 Cft. of budlu or Kail, at one half the ordinary depot rates. .

### **B. To Non-Concessionists, other than residents of towns.**

1. Following the same procedure as in A, the Divisional Forest Officer may grant such trees as are required from the nearest forest in which they are available at full standard rates, or if the trees are not available, will supply timber from the nearest depot at ordinary depot rates.

2. If, however, it appears to the Divisional Forest Officer that the applicant is without the means to pay the full purchase price either of the trees or timber required he may at his discretion, sanction the sale at rates not less than one half the standard or depot rates; provided that in the case of trees, the value of the concession shall not exceed 1 [Rs. 200] and in the case of timber, the quantity shall be limited to 200 Cft. of budlu or Kail.

3. In deciding whether an applicant is capable to pay in full rates or not the Divisional Forest Officer may, if he considers it necessary, call upon the applicant to produce a certificate from the Deputy Commissioner or the Settlement Officer in Tehsils under Settlement to the effect that his circumstances are such that a concession is necessary.

In case of real disaster [x x ] the Chief Conservator .may 3 [x:, x] after satisfying himself as to the actual circumstances of the case, direct that the timber or trees 4 [not exceeding Rs. 500 in value] shall be issued as a free grant.

### **C. Residents of Towns.**

1. On application to the Divisional Forest Officer timber will be supplied at ordinary depot rates from the nearest sale depot.

2.If, however, the applicant can produce a certificate from the Deputy Commissioner or from the Settlement officer in Tehsils under settlement or from the President of the Municipality in the case of Srinagar town to the effect that he is an indigent person unable to pay rates, the Divisional Forest Officer will grant timber not exceeding 200 Cft. of Budlu or kail for each house qt half the ordinary rates.

### **D. State Employees.**

State employees other than those who can obtain concessions under A, B or C whose houses are destroyed by fire or other calamity may be given timber from sale depots under the 10 per cent concession rules. Further concessions or free grants either of trees or timber will be given only in very exceptional cases, and will require the sanction of the Government.

### **Order relating to removal of felling refuse.**

1. The question has recently been raised as to whether villagers should be permitted to remove felling refuse after the royalty contractors have vacated their coupes, and the following orders are, therefore, issued for the guidance of all Divisional Forest Officers and their subordinate officers.
2. The removal of refuse after felling operations have been completed forms one of the main prescriptions of all modern working plans and in many cases the department has to incur considerable expense in collecting and burning this. All Divisional Forest Officers should, therefore, make every endeavour to induce the local villagers to remove freely and without charge as much of the refuse left behind by the contractors as possible and to utilize it either as timber or firewood. The more they remove the better it is for the forests and for the department. No restriction whatsoever should be placed on this and at the same time they should be encouraged in P.B.I. areas, to remove as much refuse as they require for fencing purposes.
3. Please instruct Divisional Forest Officers to see that this order is communicated to all subordinates, with the instruction that severe action will be taken against any subordinate who is found hindering the villagers from exercising this concession.

***Orders relating to the removal of timber brought down by avalanches.***

The question has recently arisen whether villages are allowed to remove wood brought down by avalanches, particularly pieces of walnut and birch which are required for agricultural implements.

Such timber is usually quite useless for State purposes and I, therefore, direct that in future the villagers should be allowed to utilize, with the exception of deodar all such material, without restriction, for their own domestic use.]

**RULES FOR GRANT OF FRUIT PLANTS.  
ANEXURE TO COUNCIL ORDER NO. 724-C OF 1942  
DATED 25TH JULY, 1942**



*[Notification No. F. 6/A/42 – In exercise of the power conferred by sections 5 and 12 of the Jammu and Kashmir Forest Act, 1987 Government are hereby pleased to make the following rules:-*

1. Fruit plants except of walnut may be granted free to those who are concessionists within the terms of the Jammu and Kashmir forest No articles from forest are as under the control of the Forest Department: provided that the plants are available and that the area is not closed for regeneration purposes.
2. Fruit plants granted shall not be more than 1 ½ “ diameter at the base.
3. Applications for the grant of plants Shall be received by the Divisional Forest officer at any time, two months before the planting seasons which will be fixed and notified by the Divisional Forest Officer according to locality. The Divisional Forest Officer after scrutiny will sanction the free grant in whole or in part or will reject it as he considers necessary. In case the free grant is sanctioned he will direct the Range Officer. to issue Plants and a permit during, the planting seasons:-
  4. A maximum of One hundred plants can be granted each case.
  5. Plants not removed within the Planting season shall lapse to the Forest Department.
  6. Plants granted under the these rules shall not be sold bartered or transferred in any way whatsoever.
    4. The Lambardar shall report an cases of neglect, sale, barter or transfer of these plants to the nearest Forest Officer.
    5. Any neglect of these plants shall debar the concessionists concerned from further free grant of these plants and any infringement to these rules shall be punishable under section 46 of the forest Act.

#### **MISCELENEOUS AILANS AND RULES**

**CONCESSION TIMBER NOT TO BE USED FOR ANY PURPOSE  
OTHER THAN THAT FOR WHICH IT WAS GRANTED.**

(Ailan No. 266 dated 24<sup>th</sup> Bhadun 1955, sanctioned under Resolution, No. 28 dated 12th August, 1998).

To put a stop to the practice of the people selling or using for other purposes the timber granted to them on concession rates from the State forest,>, the following orders are issued:-

Any timber that is given to a person from State forests free or on concession rates, whether for bona fide agricultural purposes or for building houses required for Zamindars own living or for cattle, for mosques, temples, dharmsalas or for any other purposes, should not be sold, bought, exchanged and used for any other purpose or work other than that for which it was granted or obtained except with the permission in writing of the Divisional Forest Officer. The use of timber granted. or obtained for the above purposes shall be confined to the requirements of that person only or of his residential house or cattle sheds. Residential houses and sheds for cattle, generally, will be taken to be of the size now in Use by ordinary Zamindars. Any one infringing or trying to infringe this Resolution shall liable to a punishment of one month imprisonment or to a fine of rupees One hundred, or to both. All timber concerned in any case under the Resolution shall, in addition to the above punishments, be confiscated or charged for full price. Hence this is notified for the information of all.

1 [Note:-Zamindar can use the concession timber on the construction of a village shop; provided he resides himself in the san1e building]

**Ailan No. 208 dated 18th Jeth 1957.**

**ZAMINDARS GRAIN BOXES NOT TO BE AUCTIONED IN  
SATISFACTION OF DECREES**

On a reference made by the Conservator of Forests pointing out that in the event of wooden boxes of Zamindars (for which timber has been given from the State forests) being put to auction in satisfaction of decrees given by the Courts, it will be a loss to the State, for after auction, they will again apply for timber for re-constructing wooden boxes to store grain etc. It has been resolved by the State Council, vide Resolution , No.5 dated 7th May, 1900, that wooden boxes of the Zamindars for storing grain shall be exempted from auction and confiscation in satisfaction of decrees. Hence the civil Courts of the Kashmir Province are

hereby warned that such boxes should not be auctioned or confiscated in satisfaction of decrees.

**JUDICIAL MINISTER'S ORDER DATED 6TH SEPTEMBER, 1937.**-It has been brought to the notice of the Government that in a certain execution proceedings in a Civil Court the Court has ordered the attachment of one or more coniferous trees standing on a land paying land revenue, the trees having been cut by the landlord for his own use.

Attention is drawn by the Judicial Minister of all Courts subordinate to High Court that all royal coniferous trees growing on areas assessed to land revenue may be out down by the landlords for their own use; provided the timber is not disposed of by sale.

Further, where trees are given to a particular landlord on concession rates by the Forest Department, the timber may be brought into use by the persons to whom the concession has been granted but he has no right to sell the timber. It follows that such timber may not be attached and sold in execution of a decree against the person to whom the concession has been granted.

The Courts will remember that only such movable or immovable property belonging to judgment-debtor may be attached and sold in execution of a decree over which the judgment debtor has a disposing power which may be exercised for its own benefit (vide section 60 of the Civil Procedure Code.)

The Judicial Minister expects that the sub-ordinate courts will not allow an evasion of the law.

### **THE CLOSURE RULES**

#### **RULES PRESCRIBING THE ORDINARY PROCEDURE FOR EFFECTING CLOSURES**

(Sanctioned under His Highness the Maharaja Bahadur's Order , No. 1121 dated the 10<sup>th</sup> August, 1909, and amended under State Council Resolution No. X of 5th June, 1924).

1. The Conservator of Forests is empowered to close up to one half of the area of any individual forest, subject to a maximum of quarter of the total area or a forest range being closed at a time provided that access to water and passage through the forest is suitably arranged for, and subject to the following procedure being observed.
2. The Conservator may, after personal inspection, order that the closure of any such area be carried out after a period of two months from the date of his informing the villagers concerned of his intention to close it.
3. The Conservator will then forward the file to the Commissioner of the Province (or the Settlement officer in districts under Settlement) for information and formal concurrence. If the Commissioner (or Settlement Officer in districts under Settlement) does not concur, the Procedure will be that prescribed in rule 9 below the area remaining closed mean while.
4. When, it is desired to close any such area, otherwise than after personal inspection of the Conservator, a Forest Officer not below the rank of Divisional Forest Officer shall after personal inspection mark out on the ground by means of temporary pillars, as far as necessary, the area which it is proposed to close. He shall then notify the villages concerned that it is intended to close the area thus demarcated and that any objections to the closure should be presented to the conservator or to the officer of the Revenue settlement Departments specified in rule 5 within a period of three months from the date of the intimation
5. The Forest Officer shall then forward the whole file, including a map, to the Deputy Commissioner of Assistant Commissioner for in district under settlement to the assistant settlement Officer or Settlement Officer) 14. Removal of turf.-Applications for permission to remove turf from the Gulmarg Town Area or the demarcated forests should be made in writing to the Town Area Committee or the provisional Forest officer respectively and permission in writing must be obtained before work is commenced.
6. The Divisional Forest Officer will then forward the file including map, particular of the villages concerned and note on any objections made to the

Conservator with his report.

7. The Conservator, if he agrees to the proposal, may then order the closure to be effected ;provided that the Deputy Commissioner (or other referred to in rule5) has also concurred. The Conservator will then, forward the file to the Commissioner (or Settlement Officers in districts under Settlement) for information and formal concurrence.”

8.If however, the deputy Commissioner (or other officer referred to in. rule 5) has not agreed to the proposal made by the division forest officer ,the commissioner (Or settlement office , as the case may be) shall be the conservator before he orders he orders the closure to be effected.

9. In case the Commissioner (or Settlement Officer) does not agree With the Conservator the file shall be forwarded to the Revenue Minister. If he also disagrees with the Conservator the file shall be forwarded to the Chief Minister whose order shall be final.

[10. (a) Notwithstanding anything contained to the contrary in rules 2to 9 of the rules and in the interest of the forest conservancy, the Conservator may Order after his personal inspection or on the recommendation of the Divisional Forest Officer, the closure to grazing and grass cutting of all areas of the Demarcated forests burnt by fire ,whatever the cause of the fire may be for a period of not exceeding five years after a period of two months from the date of his informing the villages concerned of his intentions to close it.

(b) The closure will be notified by the Conservator in the Government Gazette after which the areas desired to be closed will be considered as closed for grazing and grass cutting.

Provided that an appeal shall lie against the orders passed Under rule 10 (a) and 10 (b) to the Minister in charge of Forests.

[Note.- (l) The Government agree with the C0mmtitte that the existing rule regarding Closures should stand with the modified that the Divisional Forest

Officer may be permitted to grazing any closed area during the rainy months of Sawan and Bhadon ;provided that such areas are not opened to goats and camels, nor to buffalo if the Divisional Forest Officer consider it necessary to exclude them].

[Note.-(2) Government accept the recommendation of the committee that a belt 100 feet should be left open along cultivated areas wherever a closure is effected, but the right to close one-fourth at the buffer adjacent to each village in small patches for regeneration imposes must be retained by the Forest Department otherwise the buffer will gradually become denuded and no longer serve its chief Purpose for providing shady standing room for village cattle].

### **RULES FOR THE CLOSURE OF DEODAR FORESTS TO NOMAD GOATS AND GOATS ON THE MARCH.**

*(Sanctioned under His Highness the Maharaja Sahib Bahadur's Order No, 2040 dated the 20th January, 1912).*

The Government have been pleased to declare that all deodar forests are closed to the grazing of goats belonging to farmers and generally to flocks on the march ;provided that when main road pass through the deodar forests and when there is no alternative route, the forests an each side of the road to a height of 600 feet i.e 300 feet on either side of the road be left open to the passage of such flocks.

### **RULES FOR THE CLOSURE OF REGENERATION AREAS.**

*(Sanction of under High Highness the Maharaja Bahadur's Order no 2040 dated the 20<sup>th</sup> January, 1929).*

The Minister in charge of the Forest Department is competent to sanction the closure of target areas after a first 3 [xx] felling has been made according to the prescription, of working plan.

### **RULES FOR THE CLOSURES OF KUTH FIELDS**

*(Sanctioned under His Highness the Maharaja Bahadur's Order conveyed, in the*

Chief Minister's No.6417 dated the 27th November, 1914).

1. The Forest Department is authorized [to close any high level forest level forest areas lying above 8,000 feet for protection of kuth under the ordinary closure rules] without reference to the Revenue Department, on the understanding that goats and sheep only are excluded but that buffaloes, cows, bullocks, ponies being to the villagers bordering the forest concerned are allowed to graze up to a maximum of one cow, bullock or pony two each two acres of closed area, the ratio being one buffalo equal to two cows, bullocks or ponies.
2. The Divisional Forest Officer will allot the animals allowed to graze in the closed areas in proportion to the number of animals owned in the villages bordering the forest concerned.
3. The closure will be sanctioned and notified by the Chief Conservator for the recommendation of the Conservator.

### **CLOSURE OF CERTAIN FORESTS IN KISHTWAR DIVISION**

Under his Order No. 2040 dated. 20th January, 1912 "His Highness the Maharaja Bahadur's has been pleased to declare that the of following Deodar Forests are closed to the grazing of Goats and Sheep belonging to Nomads and generally to flocks

In the Kishtwar Forests Divisional the march from winter to summer quarterly and vice-versa :-

Name of forests	Area (acres)
-----	
KISHTWAR RANGE	
1. Pochhal Mental	-208
2. Janwas	-3,167
3. Tdgam	-2,991

5. Gamra

6. Kankoot

7. Surur Pain

8. Surur Bala

9. Goru Charos

The following table shows the routes by which goats on the march may pass through the Doedar Forests:-

1. The main Dachhan and Marwa Road –from Bhandarkot to Warwan.
2. The Margon pass road –fom Inshan to Margon,
3. The Renai Nalla Road ,
4. Bajathri Road,
5. The Kibar Nalla Forest Road,
6. The Anant Nalla Forests Road,
7. Kair Nalla Road,
8. Sarkandu Uriwan Path.

#### PADAR RANGE.

1. Kishtwar Padar Road.
2. Atholi..... Andrun Nalla.
3. Atholi Batwas Path.

#### KISHTWAR

1. Kishtwar Bonjwah Forest Road, leading to Padar via Pangi Pass.
2. Road passing through Bangar Dhar pass.

#### **Period of closure to grazing of Bamboo Forest in Jammu Province.**

(Office of Prime Minister) order No. 71 of 1935.- As recommended by the Revenue Minister, the period of closure to grazing in the case of all Bamboo



Forests in the Jammu Forest Circle is hereby reduced from six months to four months and in future these forests may closed only from the 10<sup>th</sup> Har to 10<sup>th</sup> Kartik of each Hindi Year.

Kindly keeping and carrying of fire in the demarcated forests id soils conservators Division , Jammu prohibited during certain period of the year.

[Forest Department Notification.- In pursuance of section 6 (b) of the forests act, 1987 it is here by notified for the information of general public that kindling, keeping and carrying of fire in the demarcated forests of soil conservation Division, Jammu is prohibited except during the period given below:-

### **CHERI FORESTS.**

(a) From beginning of Sawan to end of Bhadon;

(b) From 15<sup>th</sup> Poh to end of March.

### **THE CAMEL GRAZING RULES**

(Sanctioned under His Highness Order No. 4329/L 36-12 dated the 24<sup>th</sup> September 1915).

1. camel are forbidden to pass above Kohala and Ramkote Custom Posts on the Jhelum Valley Road befor the 1<sup>st</sup> of Har and they must pass Koala and Ramkote posts in their return journey before the end of Assuj.
2. (a) The Banihal road shall be open for camel transport up to Anantnag between the months of Jeth and Kartik (inclusive) of each year.  
(c) All such camles must return by the same route and are not permitted to browse except in areas set aside by the DFO for that purpose.
3. The Revenue Minister may, from time to time , fix a maximum number of camels of all sexes and ages that may be allowed to pass beyond Kohala and Ramkote Custom posts or Verinag in the course of a year. This number shall be duly notified one season before it is to take effect.
4. When on the march, not more than five men and twenty camels shall travel in one group or halt at one parav.

The grazing fee for each camel entering Kashmir shall be Rs. 2 exclusive of

the Road Toll and shall be paid to the customs official at Kohals for camels entering by the Murree road and at Ramkote for camels entering by the Abbotabad road, and credited to Kahcharal tax:

Provided that camels entering by the Banihal route shall be exempted from this fee in respect of the animals for which they produce a browsing permit issued in the Jammu Province.

6. On payment of the grazing fee each camelman shall be given a permit detailing his name, father's name place of residence, destination, number of camels, the period the permit is to cover, and the amount of fee recovered.

All camelmen shall keep their permits with the camel and shall be bound to produce them when called upon to do so by any official of the Revenue, Forest or the Customs Department.

1. The camelman shall, at the same time, enter into a bond giving his animals as security, for a sum of Rs. 100 that he shall forfeit the same, in addition to any other punishment that he may render himself liable to under laws and rules of the State. If convicted before a Magistrate, or departmental officer having jurisdiction of having contravened any of these rules, or if found guilty of any serious offence against the State laws. It shall be at the discretion of the officer to order forfeiture in whole or in part.

This bond shall determine on the exit of the camels from Kashmir Province.

2. All camelmen are bound to afford every facility to the Customs officials in the examination of the contents of their loads at the posts of import and exit to satisfy promptly all demands made in respect of any tax or duty due from them under the rules.
3. The Divisional Forest Officers are empowered to locate central camps, as well as persons or stages on the Gilgit Road for camels and define the areas around them in which the camels can browse. Due notice of these

places shall be issued by them. No browsing shall be permitted outside the limits of these areas.

For stages beyond the Burzil Pass, the Deputy Commissioner Gilgit shall take action under this rule.

4. Halts at central camp shall not be limited but at the paravs halts shall not exceed 48 hours, except at Bandipore, where a maximum of 3 days may be permitted.
5. At each central camp the Divisional Forest Officer may, after consulting the camelman, appoint a headman from amongst them to assist in carrying out these rules.
6. (a) The lopping of the following species is prohibited:-  
All conifers (Deodars, Kairu, Budlu, Kachlu, Barmil) Tut, Sum, Akhort, Bhojpatar, Kanzal or Trikhana, Zum and Brari and such other special as the Conservator may, from time to time direct.  
(b) When lopping
  - (i) no branch thicker than a man's wrist may be cut, and
  - (ii) no branch in the upper third of the height of a tree may be cut.
7. Export of rice and Kuth from the province without permit is absolutely prohibited.
8. any officer of the Revenue, Forest, Customs or Police Department may arrest any camelamn who is found to contravene any of these rules and detain his animals until his case is decided.
9. The person so arrested shall be taken forthwith to the nearest Magistrate or Departmental Officer who may have jurisdiction to try the case, and such Magistrate or officer shall with as little delay as practicable, decide the case under section 188 Ranbir Penal Code or section II of the Octrol Act, or section 29 of the Customs Act, as the case may be.
10. An officer having jurisdiction to try a case under rule 15 may, after recording the evidence, declare a bond to be forfeited when the amount of the same may be recovered by distraint and sale by public auction of the security furnished under rule 7.
11. These rules shall come in force from the Ist of Baisakh 1971.

***Notification under section 10 of the Forest Act (II of 1987) concerning Rakh Salal.***

As the Rakh Salal Forest in the Reasi Division of which the boundaries are as below:-

North – Mohra Himnan

East – Mohra As and Kotli

South – Mohra Paunthli and boundary Ualal Forest.

West – Mohra Curab, Mohra Khad & Mohra Sarwan, was transferred to the Forest Department from the Military Department by Council Order No. CXXXV, it is hereby notified that the management thereof is vested in the Forest Department.

The D.F.O. Reasi Division, subject to the General Control of the C.C.F. and the Conservator of Forests Jammu Circle, is hereby vested with all the powers of a Forest Officer under the Forest Act in respect of offences committed in this Forest and mentioned in section 13 of the said Act.

**RESERVED TREES IN RAKH SALAL FOREST**

**[Notification Under Section 11.**

The following class of trees will be considered as reserved under section 11 (a) of the Jammu and Kashmir Forest Act, 1987 in the Rakh Salal Forest in the Reasi Division:-

- (a) All trees classed as conifers.
- (b) All broad leaved trees classed as Special, A, B, and C, published as appendix to the Jammu Forest Notice vide pages 32 and 33 of the Forest Law Manual, 1932.

2. All acts mentioned in section 11 (b) of this Act are prohibited in the said Forest from the date of publication.

3. Matters mentioned in clauses (a), (b) and (c) of section 12 of the said Act will be regulated under the same rules as are applicable to Demarcated Forests under the said Act and the Jammu Forest Notice.]

*[Shankaracharya Hill declared as reserved forest.*

In exercise of the powers conferred by section 11 of the Forest Act, 1987, the Government are pleased to declare all trees on the Shankaracharya Hill (an undemarcated forest) to be reserved with effect from the date of publication of this notification in the Government Gazette.

Government are further pleased to prohibit from the aforesaid date, the quarrying of stones or the burning of lime or charcoal, or the collection or subjection to any manufacturing process, or removal of any forest produce, in the area known as the Shankaracharya Hill, and the breaking up or clearing for cultivation, for building for herding cattle, or for any other purpose, any land in the said hill].

## THE RULES FOR THE MANAGEMENT OF UNDEMARCATED FORESTS

*Undemarcated Forest Rules, 2003.*

*Annexure to council Order No. 630-C of 1947 dated 19th July, 1947* – In exercise of the powers conferred by section 11 and 12 of the Jammu and Kashmir Forest Act, 1987, the Government are pleased to make the following Rules for the Management of undemarcated forests, namely:-

- 1) These Rules may be called the Undemarcated Forest Rules, 2003.
- 2) [They shall come into force from the date of this publication in the Government Gazette.]
- 3) The rules shall apply to all undemarcated forests in the Jammu and Kashmir Provinces, except those forests in Illaqa areas, which are subject to separated rules sanctioned by the Government vide Order NO. 1191-C of 1941.

2. For the Purpose of these rules –

- 1) “Concessionists” mean and include persons who have been granted concession under J&K Forests Notice;
- 2) ‘Zamindars’ mean and include persons who hold and cultivate land as land owners, assamis or tenants and also include the following artisans ; provided they are permanently residing in villages within five miles of the undemarcated forests –
  - i) Blacksmiths,
  - ii) Carpenters,
  - iii) Chamars,
  - iv) Potters,
  - v) Telis,
  - vi) Dhobis,
  - vii) Barbers,
  - viii) Bards,
  - ix) Sweepers,
  - x) Water Carriers,
  - xi) Weavers,
  - xii) Darzi and Dosalis,
  - xiii) Mullahs, Prohits and granthis and Bhats.

3) Trees are divided in the following classes:-

- A. Deodar, Walnut, Hum, Chinar, Birdcherry, Pipal, Maple Bohar, Mulberry and Chikari;
- B. All other conifers;
- C. All other broad-leaved trees.

3. The following trees are declared to be reserved trees:-

- A. All conifers.
- B. Chinar, Walnut, Hum, Chikari, Mulberry Maple, Pipal and Bohar.

4. Subject to the restrictions laid down in these rules trees of class C and dead fallen timber of all classes except Chinar and Mulberry may be utilized by Zamindars of the Villages situated within 5 miles of the undemarcated forests, free of charge, for their bona fide agricultural and domestic requirements only;

Provided that the Conservator of Forests in consultation with the Commissioner of the Province concerned may stop this concession by a

notification in the Government Gazette in any area within his jurisdiction that requires protection on silvicultural grounds.

5. The lopping with a cutting instrument of trees of class C is permitted but no branch thicker than a man's wrist shall be cut and no branches shall be cut have three-fourth the height of the trees from the ground.

6 (a) Except as provided under rules 4 and 5 above, no tree shall be cut, felled, barked, girdled, lopped or otherwise interfered with or without the permission in writing of the Divisional Forest Officer Incharge of the Forest Division concerned.

(b) The quarrying of stones, burning of lime or charcoal, collecting and removing of any unauthorized forest produce, breaking up or clearing for cultivation or any other purpose any land, setting fire to these forests, kindling any fire or leaving any fire burning in a manner so as to endanger these forests or removing or damaging the utensils, lips, nails, or other articles fixed to trees for collection of resin in undemarcated forests is also prohibited.

1. No. sale for commercial purposes of any class of trees shall be permitted unless the conservator of Forests and the Provincial Commissioner are satisfied that no interference with the normal requirements of the concessionists is apprehended. Such sales will be allowed by the Chief Conservator of Forests on such sales will be allowed by the Chief Conservator of Forests on such terms and conditions as he considers necessary.
2. Free grant of tree of class B may be made by the Divisional Forest Officer of the Forest Division concerned for the following purposes :-
  - (a) for the construction and repairs of Zamindari Khuls and water courses irrigating any assessed land ;
  - (b) for the construction and repairs of residential houses and agricultural buildings of Zamindars which have been destroyed by fire, flood or any other natural calamity ;
  - (c) for the construction of residential and agricultural buildings of Zamindars in newly broken up Khalsa areas :

- (d) for the construction and repair of buildings used for public worship such as Temples, Mosques, Ziarats, Dharamsalas and Matamsarals or for private buildings of a charitable nature ;
- (e) for the construction and repairs of buildings for Government Primary Schools ;
- (f) for the construction and repair of Zamindari bridges, roads and village paths other than those on the Roadcess list of the Revenue Department.

3. (i) All applications for the grant of trees shall be made in writing to the Range Officer of the Forest Area concerned in the first instance. The Rangs Officer shall satisfy himself that: -

- (a) the applicant has not received a tree grant of timber under these rules or under the J&K Forest Notices within one year of the application except in cases of necessity caused by any natural calamity or cases covered under rules 8 (a).
- (b) the applicant is in need of timber for the purpose named in the application and that purpose is covered by rules 8.
- (c) the applicant has no means of satisfying his requirements from trees on his own lands.
- (d) the trees applied for are available with due regard to the protection of country side from erosion.

(2) The Range Officer shall after satisfying himself forward the application with his recommendations to the DFO who shall with or without further enquiry pass his final orders.

(3) The Divisional Forest Officer after entertaining the application will sanction the free grant and direct the Range Officer to mark the trees and issue permit accordingly.

11. For ordinary requirements trees may be granted in timber distribution also. The Divisional Forest Officer shall have the trees marked beforehand, if available, and grant the trees applied for to the applicant at the time of timber Distribution. If, however, the trees applied for are not available trees may be granted to the applicant from the demarcated forests : provided the applicant is a concessionist.



12. The Range Officer shall mark suitable trees subject to the following conditions: -

(a) If the grant is under rule 8(a) or (f) the trees may be situated in any undemarcated forests in the Range.

(b) If the grant is under rule 8(b) or 8 (c) the trees must be situated in the undemarcated forest adjacent to the village.

(c) If the grant is under rule 8 (d) the concurrence of the Zamindars of the village in which trees are marked must be obtained.

13. The applicant shall cut and remove trees marked under rule 12 within six months of the date on which they are handed over to the Zamindar concerned and if he fails to do so, the grant shall become void ; provided that the months of Poh, Magh and Phagan in the Barfani Illaqas and Jeth and Har in the Kandi Illaqas shall not be taken into accounts in calculating this period of six months.

14. Any person who contravenes the provisions of rule 6 of these rules shall be liable to punishment under section 6 of the Forest Act, 1987.

15. All concessions under these rules shall be for the bonafide agricultural and domestic use of Zamindars and are not for sale, barter, or transfer in any way whatsoever.

#### **[RULES FOR FORMATION OF VILLAGE FORESTS]**

His Highness the Maharaja Bahadur (vide the Hon'ble Prime Minister's endorsement No. GB. 656 dated the 5th March 1934) has been pleased to accord sanction to the following rules for the formation and also to a new clause 14-A to be inserted in the Forest Act as Chapter No. 3-A.

Whereas it is necessary to protect and afforest undemarcated forests areas and waste Khalsa lands not under cultivations, for the benefit of agriculture and the agriculturist and to prevent denudation and soil erosion of soil in such areas the following rules are enacted for the protection of such forests under Chapter III-A of the Forest Act, No.2 of 1987.

1. Local Committee will be formed in each Forest Range to consider the question of protection of such waste undemarcated forests and Khalsa lands as are not included in demarcated forests.

2. The Committee will consist of the following officials:-

- (i) Tehsildar or Naib-Tehsildar ;
- (ii) Range Officer ;
- (iii) One representative of villagers, a local man Zaildar, Lamberdar, Sapedposh or other respectable person selected by Deputy Commissioner of the District ;
- (iv) One representative of the village concerned in which the land to be so constituted is situated co-opted in the committee for such village.

3. The Committee will be presided over by the Revenue Officer.

4. The Committee will meet at such place as may be convenient to members or in such villages where such forests are to be constituted on the dates that may be notified by the President.

5. The Committee will in consultation with local lamberdars and respectable people of the villages concerned select such areas as require protection for the benefit of the villagers, their cattle and agriculture for prevention of denudation and erosion or for improving the water supply of the locality.

A file will be opened in which be recorded the statements of the villagers on the points they agree upon and the decision of the Committee in the form of resolutions on the following points:-

- (a) Rough description of the boundaries of the area to be protected .
- (b) What produce is allowed to be removed by the villagers
- (c) Acts that are to be prohibited.
- (d) How closure to grazing is to be regulated.

N. B. : - All points of disagreement between villagers, objections, claims and rights will be heard, discussed and eliminated by the Committee before a final decisions is recorded, which should be signed by all the members.

6. The rules for protecting the Forests will usually be the same as provided for in the Forest Act. Similarly the same concessions as granted in the Jammu and

Kashmir Forest Notices will be availed of by the villagers. Any deviations, from the Rules and concessions should be specially mentioned in the file.

7. The file then be handed over to the Revenue official who will get the area demarcated through villagers by means of boundary pillars of the same type as forest boundary pillars. The revenue official will then get a map of the area prepared by the Patwari.

8. The file having been completed will then be submitted in duplicate through proper channel to the Revenue Minister for sanction. The Revenue Minister will be the sanctioning authority.

9. The file having been sanctioned, a Notification will be issued by the Revenue Minister under Chapter II of the Forest Act. The file will then be returned to the Tehsildar through the [Governor].

10. On receipt of the file the forest area so constituted will be placed in charge of a village committee or Panchayat which will be constituted by the local committee by selecting suitable members out of village community concerned.

11. The village committee or Panchayat will then enforce the rules framed for the protection of the area and regulation of concessions and grazing rules as sanctioned in the file.

12. Any offence committed in such forests so far as it is for the character mentioned in the Forest Act will be considered to have been committed under that act and will be punished under the same Act.

13. The D.C. and the DFO's of the district, in which these rules are made applicable will discuss and explain the advantages of the scheme to the villagers in their respective jurisdictions and watch the work of the Local Committee and report their progress to the Revenue Commissioner and Conservator of the Province respectively.

14. The area should usually be closed to grazing or restricted to a very limited number of cattle. When closure of the whole area is not possible as much of the area as can conveniently be closed for a number of years should be closed.

15. If the villagers undertake to carry out “a programme of sowing a planting, it will be drawn up by the Range Officer and carried out under his advice.

16. Usually only labour will be required to carry out any improvements on the area. This will be arranged by the Panchayat. Should any funds be required the Panchayats may arrange for such funds by sale of folder, other minor forest products, as may be available in the area.

**RULES REGARDING FREE GRANT OF TREES TO  
ZAMINDARS FROM UNDEMARCATED FORESTS AND  
PRIVATE LANDS IN THE JAMMU AND KASHMIR STATE.**

*(Sanctioned by His Highness the Maharaja Bahadur vide Minister-in-charge waiting's No.2456 dated the 29<sup>th</sup> July, 1929 and published in Government Gazette dated 7<sup>th</sup> Bhadon, 1986).*

The following rules are framed under [sections 46 and 47 of the Land Revenue Regulation. 1980] and shall come into force from the date of final publication in the Jammu and Kashmir Government Gazette. They shall remain in force during the pleasure of the Government and confer no right which cannot be withdrawn by the issue of the revised rules: -

**PART I  
GENERAL**

1. Sum (hum), Pipal and Bohar are hereby declared to be reserved trees under [sectin 47 of Land Revenue Regulation, 1980].
2. Un-Demarcated Forests : Include all areas except the following –
  - (a) Demarcated forests
  - (b) State lands under the control of Departments other than the Revenue and Forest Departments.
  - (c) Private lands.

*Private lands.* – Include all land assessed to land revenue held by land-owners. Assamies, malguzars and occupancy tenants holding directly under State and also all land recorded tenants holding directly under State and also all land recorded in the Revenue Records as “Shamilat-I-Deh” and Abadi-I-Deh”.

3. The Reserved trees, Mulberry (Tut) and Walnut (Akhrot) are subject to separate rules and are excluded from the operation of these rules.

For the purposes of these rules trees are divided into the following classes: -

- (a) [Chinar], Pipal and Bohar
- (b) Deodar (Diar or Palunder).
- (c) All other Royal trees as specified in [section 46 of the land Revenue Regulation, 1980] and also Sum (Hum),
- (d) All other trees except [Mulberry and Walnut].

4. For the purposes of these rules Zamindars are those who hold or cultivate land owners, assamies, malguzars or tenants and also include the following artisans ; provided they are permanently residing in villages :

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- A. Blacksmiths,
- B. Carpenters,
- C. Chamars,
- D. Potters,
- E. Telis,
- F. Dhobis,
- G. Barbers,
- H. Bards,
- I. Sweepers,
- J . Water Carriers,
- K. Weavers,
- L. Darzi and Dosalis,
- M. Mullahs, Prohiths and granthis and Bhats

## **PART II**

**The following rules apply to trees on private lands only : -**

5. Living trees of Class A shall not be cut, felled, barked, killed, lopped or otherwise interfered with by any person.

6. Living trees of classes B and C may be made use of by the right-holder without interference of any kind but may not be sold or bartered.
7. Trees of Class D and Dead trees or fallen timber of all classes except (Chinar) may be utilized by the right-holder without interference of any kind.

### **PART III**

The following rules apply to trees in un-demarcated forests only:-

8. [Trees of Class D] and fallen timber of all classes, except [chinar], may be utilized by Zamindars of the village in which they are situated without interference of any kind.
9. Except as provided by rule 8 no tree shall be cut, felled barked, killed, lopped or otherwise interfered with or without permission granted under the following rules:-
10. Free grants of the following classes of trees:-
  1. All Royal trees as specified in [section 46 of the Land Revenue Regulation No. 1 of 1980].
  2. All other trees except [Pipal, Bohar, Mulberry and Walnut] may be made for the following purposes only –
    - a. for construction and repair of Zamindari Khuls and water courses irrigating assessed land :
    - b. for construction and repair of State buildings in charge of the Revenue Department and of roads and village paths in charge of the Revenue or forest Deptt.
    - c. for construction and repair of residential houses and agricultural buildings of Zamindars which have been destroyed by fire, flood or other natural calamity ;
    - d. for construction of residential houses and agricultural buildings of zamindars in newly broken up Khalsa areas:
    - e. for construction and repairs of buildings used for public worship such as temples, mosques, dharmsalas and matamsarals or for private schools, private saraties and other private buildings of a charitable nature;
    - f. for construction and repairs of buildings required for Government Primary School.

[10-A (1) All Royal Coniferous trees standing on areas assessed to land revenue may, however, be cut down by the land-holders concerned themselves and converted to their own use free of charge for their bonafide personal requirements ; Provided that : -

- (i) (a) the timber of such trees is utilized in the case of residents of the village in the village in which the land from which the trees are removed is situated ;  
(b) in the case of non-residents of the village belonging to rural areas, within the concession zone ;  
and
- (ii) in the case of persons residing in towns, such timber shall not be removed beyond the aforesaid limits without the previous approval of the Divisional Forest officer within whose jurisdiction the village from which the timber is to be removed is situated.

Explanation : - (1) Concession shall be enjoyable within the concession Zone –  
(2) The timber collected in the manner specified above, shall not be alienated, transferred or exchanged or given for any purpose other than that specified above, free of charge or bartered.]

11. The officials authorised to make grants under rule 10 and the maximum numbers of trees which can be granted by them are as follows:-

Provided that no Frontier Deputy Commissioner can grant more than five Blue pine trees at one time.

12. All applications for grant except those under rule 10 (f) shall be made in writing on paper bearing fifty paise stamp and shall be presented in the first instance to the Tehsildar. The Tehsildar shall satisfy himself that :-

- (a) the applicant has not received a free grant of timber under these rules or the Forest rules within one year of the application except in cases of necessity caused by natural calamity ; provided that nothing in this clause shall apply to applications under rule 10 (f).
- (b) the applicant is in need of the timber for the purpose named in the application and that purpose is covered by rule 10 ;

(c) the applicant has no means of satisfying his requirements from trees on his own private land ; provided that nothing in this clause shall apply to applicants under rule 10(f) ;

(d) the trees applied for are available.

He shall then record final orders if within his powers under rule 11 or shall forward it by the usual channels to the officer empowered under rule 11, who with or without further enquiry as he thinks fit, shall record findings as to points (a), (b) and (c) and pass final orders. If however, the trees applied for are not available, and Tehsildar shall forward the application to the Range officer concerned for Disposal under the Forest Rules.

13. The Officer Sanctioning a grant under these rules shall issue an order in duplicate specifying the following details : -

(a) Name, Father's name, casts and residence of applicant ;

(b) Purpose of grant and sub-section of rule 10 under which made ;

(c) Number and kind of trees granted and shall send one copy to the Tehsildar and give the other to the applicant.

14. On the applicant's presenting this order to the Tehsildar he shall have suitable trees marked subject to the following conditions : -

(i) If the grant is under rule 10 (a) or (b) the trees may be situated in any un-demarcated forest in the Tehsil;

(ii) If the grant is under rule 10 (c) or (d) the trees may be situated in the applicant's own village. Deodar must not be granted ;

(iii) If the grant is under rule 10 (e), the permission of the Zamindars of the villages in which trees are marked must first be obtained.

15. on the trees being marked, one copy of the order will be cancelled and returned to the applicant and the other will be endorsed and returned to the granting officer.

16. the applicant shall be entitled to cut and remove trees marked under rule 14 within six month of the date on which they are marked and if he fails to do so the grant shall become

#### **PART IV**

#### **Offences and extent.**



17. In Tehsils under Settlement the power vested in Revenue Officials under these rules shall be exercised by them and also by settlement official of equivalent rank.
18. all persons who contravene the provisions of these rule shall be liable to punishment under [section 48 of the Land Revenue Regulation, 1980].
19. These rules shall apply to all parts of the Jammu and Kashmir State except such Tehsils as may be excepted by the Government on the recommendations of the Chief Conservator of Forests. These Tehsils shall be those in which demarcation is as yet so incomplete as to render the definition of un-demarcated forests unsuitable. Such Tehsils shall come under the rules upon completion of demarcation.

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### **THE RIVER RULES**

*Sanctioned by His Highness the Maharaja Sahib Bahadur under order dated 16<sup>th</sup> December, 1907, quoted in endorsement No. 8996 dated 11<sup>th</sup> January, 1908, from the Chief Minister to the Foreign Minister of the Jammu and Kashmir Government and amended under. His Highness the Maharaja Bahadur's sanctions conveyed under the Revenue Minister's Nos. F/983 dated 23rd April, 1928, F/1183 dated the 5th June, 1929 and F/678 dated the 6th February, 1930 and Secretary to the Minister for Development's Nos. FST/1010 dated the 6th June, 1931.*

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1. *Commencement and repeal of previous rules* – These rules shall come into force in the territories of the Jammu and Kashmir Government from Ist Har, 1965, and from this date the River Rules passed by the State Council on 29th Poh, 1956, and the Chenab River Rules passed on 31<sup>st</sup> January, 1891, shall be repealed. But all orders and procedure in force under those previous rules shall, so far as they are consistent with these rules, be deemed to have been made hereunder.
  2. *Scope of the rules* – These rules shall apply to all rivers in the Jammu and Kashmir State –
  3. *Definitions* – In these rules unless there be something in the Jammu and

Kashmir State.

“Forest Officer” means any person whom [the Government or any officer empowered by the Government] in this behalf may, from time to time, appoint by name, or as holding an office to carry out all or any of the purposes of these rules, to do anything required by these rules to be done by a Forest Officer;

“Timber” includes trees when they have fallen or have been felled and all wood, whether cut up or fashioned or hollowed out for any purpose or not ;

“River Offence” means an offence punishable under these rules :

“River” includes streams, canals, creeks and other channels natural or artificals.

## **REGISTRATION OF TIMBER PROPERTY MARKS**

4. *Registration of timber property marks* – All persons wishing to float raft or otherwise convey timber by any river, shall register [at the office of the concerned Conservator of Forests to which the control of the river pertains, the mark or marks which indicate their property rights in such timber. A registration fee of five rupees shall be payable for each such mark : provided that if the marks registered by any one owner or firm of owners exceed one, the said fee said be ten rupees for each mark ; provided that no person or firm may register more than one mark on either of the Jhelum, Chenab and Ravi river systems without the sanction of the Conservator of Forests within whose jurisdiction the river lies.]
5. *Timber property marks must be distinctive* – No person shall be allowed to register a mark already registered in favour of another person in the Jammu and Kashmir Government territory or known to be registered in favour of another person in [Indian territory] nor any mark used by the Jammu and Kashmir Forest Department or [Government of a State within the Indian Union] and the Forest Officer in charge of the Division is authorized to refuse registration of any mark which in his judgement so closely resembles a mark already registered in favour of any such other

person or used by the Jammu and Kashmir Forest Department or by [Government of a State within the Indian Union] as to be easily altered into such mark or vice versa.

Reciprocal and prompt interchange of copies of entries in their property mark register between the [Jammu and Kashmir Divisional Officers and the District officers of the State within the Indian Union] is necessary.

6. *Registration to hold good for three years.* – Every registration under these rules shall hold good for three years from the date of registration. A certificate showing the mark or marks registered, the date of registration, the period for which it holds good and the fees charged shall be given to every person registering his mark or marks.]
7. *Temporary timber property marks* – (i) Notwithstanding anything contained in the foregoing rules:-
  - (a) temporary property marks, for special consignments of timber to be transported by water, may be registered by the Forest Officer in charge of the Division to which the control of the river pertains, or with the written permission of such Forest Officer, by the river Range Officer.
  - (b) Such registration shall be made under such conditions as the Conservator of Forests may from time to time direct ;
  - (c) A fee of eight annas shall be payable for every separate mark so registered ; and
  - (d) Every such registration shall hold good for three months only from the date of the registration.

Rule 5 of the foregoing rules shall have effect in the case of every registration made under this rule.

8. *Exemptions from payment of registration fee* – No fees shall be levied for registering the property marks used on its timber by the [Government of a State within the Indian Union) so long as that Government levies no fees for registering the timber property marks used by the Jammu and Kashmir

Government nor for registering the property marks used on their timber by other departments of the Jammu and Kashmir Government.

### **ON TIMBER IN TRANSIT BY WATER**

9. *Permission to collect timber necessary* – It shall be incumbent on all persons, who having once launched their timber in any river, may be desirous to collect the same in Kashmir territory, to apply to the Forest Officer in charge of the Division to which the control of the river pertains, for permission in writing to collect the timber in those depots in which collection is permitted.

Timber belonging to the [Forest Department of the Government of a State within the Indian Union] shall be exempted from this rule.

10. The Forest officer in charge of the Division shall publicly notify the names of the Depots on each river under his charge at which the collection of timber shall be permitted.

11. *Rafting of timber without a pass prohibited* – No person shall raft or otherwise convey by river any timber which has been collected at any of the depots referred to above, without first obtaining a pass from the Forest Officer in charge of the Division or a Forest Officer empowered by the former in this behalf. Such pass shall show the following particulars:-

1. Name of owner and raftsman in charge.
2. Description and number of logs and pieces.
3. Measurements in cubic feet, and estimated value of the timber.
4. Timber property marks borne on the timber.
5. Place of destination.
6. Time for which the pass shall remain in force.
7. Names of places where the timber may be stopped for examination.
8. Amount of rafting fee and the place where it shall be collected.

No pass shall be issued for any unmarked timber with the exception of small pieces of firewood in boats or loads of bamboos.

*12. Scale of rafting fees to be notified* – The Forest Officer issuing a pass shall levy fees according to the scale in force at the time under the order of the Chief Conservator of Forest who shall from time to time publicly notify a reasonable scale of fees according to the local circumstances of each river or place but no such scale shall, without previous sanction of the Government of Jammu and Kashmir exceed one anna per piece.

*13. (a)* Such fees shall not be levied on timber rafted by public Departments of the Jammu and Kashmir Government for Jammu and Kashmir Government purposes, nor on timber belonging to the Punjab Government, so long as the latter levies no rafting fees on the timber owned by the Jammu and Kashmir Government. Nor shall they be levied for the first time on timber released from a drift timber depot under rules 28, 29 nor on any timber sold from Jammu and Kashmir Government sale depot; provided it is conveyed by water within three months from the date of release or sale without alteration of shape.

[(b) Forest Lessees of the State [xx] shall also be exempt from payment of rafting fees.]

*14. Production of rafting passes for inspection* – It shall be incumbent on every person to whom such pass has been granted to produce it without demur for inspection by any duly authorized Forest Officer who may wish to see it any no person shall be entitled to raft or convey by water any timber by virtue of a pass which he does not himself hold, but which is or is stated to be in the hands of some other persons. In the event of the pass not being produced on demand, the Forest Officer may detain the timber, pending orders from the Conservator of Forests, within whose jurisdiction the river lies.

*15. Extension of time expired passes* – In the event of the time mentioned in the pass as that for which it shall remain in force having expired before the arrival of timber covered thereby at its destination, the forest Officer

in charge of the Division may extend the period for which the pass shall be valid for such time as he may think proper at a charge not exceeding one-fourth of the fees chargeable under rule 12.

*16. Deposit of loose timber near the river prohibited* – All raft and timber lying in the river or on its banks shall be securely fastened to the bank in such a manner as the Forest Officer to whom the application for a pass is made may direct, until a pass is issued, for their removal.

*17. Interference with timber in transit prohibited* – [(1) No person shall without the writing permission of the Forest Officer in charge of the Division –

- (a) cut up, move, conceal mark or alter or efface any mark or any timber while in transit or a drift on any river or while stranded on any bank or island of any river ; or
- (b) saw or cut up timber or burn timber for the manufacture of charcoal, bricks, lime or surkhi on any river used for floating purposes, or on any island of such river which is within a distance of 3 miles from such bank at its cold season level ; provided that the permission required shall be assumed to have been given if a man applies by a registered letter (acknowledgement due) addressed to the Divisional Forest Officer concerned and receives no order within one calendar months from the date of the receipt of the acknowledgment certificate of the registered letter.

Note:- This rule shall not apply to such areas as are within the limits of any Municipality or Cantonment or Town Area nor to any pieces of unmarked unsawn timber which are less than 2 feet in girth, 4 feet in length : provided that no person shall cut up timber in order to reduce it below this size.

(2) Every written permission granted under sub-rule (1) shall specify the place at which alone it may be asked upon and may contain such conditions as to the previous inspection of the timber and as to other matters as the Forest Officer may consider necessary.

(3) Once a building has been constructed or is so far constructed that the wood cannot be examined without dismantling, then no inspection

of the wood shall be made except by order of a Magistrate duly empowered nor shall any house be searched except on the authority of a search warrant duly signed by a Magistrate.]

18. *Return of rafting passes* – When the timber arrives at its destination, the pass shall be returned to the Forest Officer stationed at the place where the timber was last examined. If the place of destination be situated beyond the lowest post down to which the Jammu and Kashmir Government timber operations on the river are in force, the pass must be given up before leaving the post after such examination.

### **COLLECTION OF “DRIFT” TIMBER**

19. *Interpretation of “Drift” timber* – By the term “drift” timber is meant all timber of the following descriptions:-

- (i) the collection of which has not been authorized under rule 9 ;
- (ii) in transit below the highest transit depot without being covered by the pass prescribed in rule 11 ;
- (iii) bearing marks not registered in the [Jammu and Kashmir or Punjab or Himachal Pradesh Government Forest Offices];
- (iv) bearing indecipherable or diverse marks ;
- (v) bearing marks that have been tampered with ;
- (vi) all unmarked timber on the following, so far as such flow through, or border Jammu and Kashmir territory :-
  - (a) the main stream and banks of the Jhelum River below its junction with the Kunhar river below Domel;
  - (b) the main stream and banks of the Chenab River throughout its course.
  - (c) the main stream and banks of the Ravi River, throughout its course.

Note :- Banks include the bed of a river up to its highest flood level.

20. *Drift timber property of Jammu and Kashmir Government until established* – All drift timber found floating, stranded or sunk in the territory of [the State] within a direct distance of the five miles from the bank of the cold weather main channel of the river shall be considered the property of [the State], until any other claim is established thereto. Such timber shall be secured and collected by the Jammu and Kashmir Forest Department and stored at the depots appointed for the collection of drift timber.
21. *Drift timber to be distinctly marked* :- Drift timber as defined in rule 19(i) and (iii) to (vi) wherever found in Jammu and Kashmir territory shall be impressed with a mark which should show that it is drift timber under the meaning of rule 19, and also where it has been marked as such.
22. *Notification of drift timber depots* – The Forest Officer in charge of the Division shall publicly notify the names of the depots at which drift timber referred to in rule (20) shall be stored on the river under his charge. Copies of such notification will be sent to the Punjab Forest Officers concerned.
23. *Periodical notification of drift timber collected* – The Forest Officer in charge of the Division shall from time to time publicly notify the drift timber collected at each such depot showing marks, quantity and description of timber and the salvage due thereon.
24. *Calculation of salvage fees* – The amounts payable for the salvage of drift timber at any drift timber depot shall be the same as the amounts payable according to the contract for the salvage of the Jammu and Kashmir Government timber in force at the time of the delivery of the salvaged timber at such depot, or in the absence of any such contract and in any case not provided for by such contract, the Conservator shall fix a rate for salvaging with due regard to the circumstances of each case.
25. *Exemption of super-marked Indian timber from salvage fees* – Any timber so collected and found to be marked with the property mark of [Punjab or Himachal Pradesh Government] and super-marked with the Jammu and Kashmir Government drift timber mark shall be made over to the [Punjab or Himachal Pradesh Forest Officials] without charge of any salvage fees;



provided reciprocal action is taken by the latter.

26. *Lodging of claims to ownership of drift timber* – Any person desiring to claim any such drift timber should within two months of the date of the notice, file in the office of the Forest Officer in charge of the Division a petition in writing setting forth his reasons in support of his claim.
27. *Enquiry into claims* – On receipt of any such claim within the term prescribed, the Forest Officer in charge of the Division shall make enquiry into the validity of the claim, and record his order thereon within one month after the expiry of the period laid down in the notice issued under rule 23.
28. *Settlement of claims* – The Forest Officer in charge of the Division may release the timber in favour of any claimant who establishes his claim or he may reject any claim, recording the reasons for his decision in his order. If such timber is claimed by more than one person, the Forest Officer in charge of the Division may either deliver the same to any of such claimants whom he deems entitled thereto, recording his reasons in his order or may refer the claimants to the Civil Court, retaining possession of the timber pending the receipt of an order from such Court for its disposal.
29. *Appeal against order of settlement* – Any person whose claim has been rejected by the Forest Officer in charge of the Division may appeal against the said order in the Civil Court within three months of the date of the order and until a decision has been communicated to the Forest Officer in charge of the Division on such appeal the timber in question, if not already released in favour of another claimant under rule 28, shall remain in the custody of the Jammu and Kashmir Forest Department.
30. *Claim for damage not admissible* – No person shall have any right to claim damages on account of any delay or loss arising in consequence of the orders issued by the Forest Officer in charge of the Division under rule 27, 28 & 29 unless he causes such loss or damage [xxxx] maliciously or fraudulently.
31. *Disposal of unclaimed timber* – All timber (i) for which no claim has been preferred under rule 26 or (ii) the claim for which having been

instituted has been rejected under rule 28 and no appeal has been filed within the period specified under rule 29 shall be considered the property of the Jammu and Kashmir Government without further room for dispute. Similarly if any timber has been released in favour of any person under rule 28 or 29, it shall be considered his property.

32. *Drift timber not attachable until released in favour of a claimant.* – No department of the Jammu and Kashmir Government, no Civil or Criminal Courts, shall pass any orders attaching any drift timber, no person under rule 28 or 29 or until a decision has been recorded in favour of some person in Civil Court under the same rules.

33. *Payment of all dues necessary before release* – Irrespective of any orders passed under rule 28 or 29 relative to the release of any drift timber, no person shall be permitted to remove any such timber, no person shall be permitted to remove any such timber until he has paid to the Forest Officer in charge of the Division all the sums due thereon on account of salvage and other expenses incurred on collection of the said timber by the Jammu and Kashmir Forest Department or depot rent in accordance with the rules sanctioned by the Government.

34. *Penalties* – Whoever infringes any provision of these rules shall be punished for every such offence with imprisonment which may extend up to six months, or with fine which may extend to five hundred rupees, or with both.

35. *Power to compound offence* – The Government may from time to time by notification in the Jammu and Kashmir Government Gazette, empower [Forest Officer not inferior to that of probationary Assistant Conservator of Forests].

- (a) to accept from any person against whom a reasonable suspicion exists that he has committed any river offence, a sum of money by way of compensation for the offence which such person is suspected to have committed any river offence, a sum of money by way of compensation for the offence which such person is suspected to have committed up to a maximum of [Rs. 500 (rupees five hundred) for each such offence] ;

- (b) when any timber in respect to which a river offence has been committed has been seized, to release the same on payment of the value thereof as estimated by such officer.

36. *CCF may issue orders for details of working* – The Chief Conservator of Forests may issue from time to time the necessary orders to regulate working in accordance with the foregoing rules.

37. [omitted].

***ALL OFFICERS OF FOREST DEPARTMENT INVESTED WITH POWERS  
UNDER RULE 35 OF THE RIVER RULES.***

**Revenue Department [Notification No.1 dated 8<sup>th</sup> October, 1935]** under Council Order No. 784 dated 2nd October, 1935, all officers of the Forest Department of the rank not inferior to that of Probationary Assistant Conservator of Forests are invested with the powers described in rule 35 of the River Rules.

*Timber purchased from Forest lessees from Purani Chawni and Batwara depots by buyers and imported within Municipal units of Srinagar exempted from registration of property mark.*

***NOTIFICATION NO. F-158 OF 1995-96 DATED 2ND JUNE, 1929*** – In order to encourage timber trade in Srinagar the Government have been pleased to exempt timber purchased from Forest lessees from the Purani Chawni and Batwara Depots by buyers and imported by them within municipal limits of Srinagar from registration of property mark under rule 7 and payment of rafting fee under rule 12 of the Rive Rules.

The buyer shall, however, have to obtain Rawana F. 25 under rule 11 of the River Rules as usual.

**THE LAND TRANSPORT RULES**

ORDER No. 448 OF 1935

*(Revenue Minister's Memo No. 1132, dated 1-6-1935 regarding Draft Rules for the Transport of Timber by land under section 15 of the Forest Act No. 11 of 1987).*

Sanction is hereby accorded to the rules for the transport of timber by land under section 15 of the Forest Act, 1987, as proposed by the Chief Conservator of Forests:-

1. All words used in these rules and defined in Forest Act No. 2 of 1987 shall be deemed to have the meaning respectively attributed to them by the said Act.

The 'Revenue Officer' means an officer of the Revenue Department not below the rank of a Naib-Tehsildar.

2. The Conservator of Forests may establish depots or Check Posts for the examination of timber and other forest produce in transit and for the collection of dues on such timber or forest produce.

[The Conservator of Forests may also establish barrier or gates for aforesaid purposes at such routes (including Public Works Department roads) and places as he may deem necessary].

3. The name and situation of each depot or check post and the route on which it is situated shall be notified in the towns and villages in the neighbourhood of such depot or check post and also in the Government Gazette.
4. No timber or other forest produce shall be moved on any route on which a depot or check post has been established unless covered by a pass issued by the Forest Officer or the Revenue Officer or by the owner of a private forest or his agent.
5. Such pass shall be in the form as may be prescribed by the Chief Conservator of Forests and shall specify kind and quantity of timber, the mark it bears and the place it came from and shall be legibly signed or stamped by the Forest Officer, or when such timber or forest produce

comes from the forests under the administrative control of the Revenue Department or a private forest by Revenue Officer or by the owner of such forest or his agent respectively.

6. All passes issued by the Revenue Officer or the owner of a private forest or his agent, shall be exchanged for a pass issued by the Forest Officer at the forest depot or check post to which the timber or other forest produce covered by the pass is brought.

[In order to ensure that the provisions of this rule are being observed, the person in charge of any vehicle, whether conveying any timber or forest produce or not, shall stop his vehicle for inspection at any check posts if required to do so by the officer in charge of such post.]

7. The Forest Officer issuing a pass shall levy fees according to the scale in force at the time under the orders of the Chief Conservator of Forests who shall from time to time publicly notify a reasonable scale of fees according to the local circumstances of each place but no such scale shall, without the previous sanction of the Government, exceed one anna per piece.
8. The moving of any timber or other forest produce through or out of any demarcated or undemarcated forest or from any sale depot except by routes on which check posts have been established under rule 2 is prohibited.
9. The following persons are exempted from the operation of rules 4 to 8 : -
  - (a) All concessionists under the Jammu and Kashmir Forest Notices when moving their timber on land within their respective concession limits ;
  - (b) Lessees of Government Forest when moving their timber from the forest to the launching ghat.
10. Within the limits of their charges the Conservator of Forests and when in charge of Divisions, Deputy Conservators and Assistant Conservators may exempt the inhabitants of any locality or any class of timber or other forest produce from the operation of rules 4 to 8.
11. Any person carrying timber outside the concession limits of a forest and

every lessee of a Government forest or other purchaser of timber from the lessee or Government shall register his property mark with D. F. O. of the Division from which the timber is removed. Rules for the registration of property marks will be the same as those provided in rule 11 of the River rules, except that transport by land will be understood where transport by water is mentioned.

12. Any person who disobeys a requisition under rule 11 shall be liable to fine which may extend to one hundred rupees, and any person who infringes any other of these rules shall be liable to imprisonment of either description for a term which may extend to six months, or fine which may extend to five hundred rupees, or both.

**FORM No. 25**

**FOREST DEPARTMENT JAMMU AND KASHMIR**

**Land Transport Pass No.**

Dated

Issued from

Depot.

1. Name of timber owner
2. Name of transporter
3. Number and description of timber
4. Cubical contents and estimated value.
5. Property mark on timber.
6. Destination of timber.
7. Name of Depot where timber will be examined and fee collected.
8. Date up to which pass will hold good.
9. Amount of fees.
10. Signature of officer examining the timber and receiving fees.
11. Date of receiving fees.
12. Depot where Pass will be taken back and timber

passed.

Issuing Officer Depot.

[*Conservator of Forests Jammu Circle Notification* – In exercise of powers conferred upon me vide Cabinet Order No. the rules for transport of timber by land (section `5 of Jammu and Kashmir Forest Act, 1987) sanctioned vide Cabinet Order No. 448 of 1935, it is hereby notified for the information of all concerned that a check post is created at Thanna Mandi for checking up of timber and other Forest produce. The check post will start functioning w.e.f. 15th July, 1972].

***FOREST CHECK POSTS FOR CONTROL OVER THE TIMBER AND  
OTHER FOREST PRODUCE.***

[*Conservator of Forests, Jammu Forest Circle, Jammu's Notification*] – In exercise of powers conferred upon me vide Cabinet Order No. 304/C of 1952 dated 23-3-1952 and in pursuance of rule 2 of the Rules for Transport of Timber by Land (section 15 of J&K Forest Act, 1987) sanctioned vide Cabinet Order No. 448 of 1935 and as also decided in the meeting, minutes of which conveyed vide CCF's No. 4401-09/BVII 51 dated 20-10-1971, it is notified for the information of all concerned that the following Octroi Check Posts will also act as Forest Check Posts to have an effective control over the timber and other Forests produce entering into the cities and towns : -

1. New Canal Octroi Post, Jammu.
2. Talab Tillo Octroi Post, Jammu
3. Gole Octroi Post, Jammu
4. Bhagwati Nagar Octroi Post, Jammu
5. Qesab Khana Octroi Post, Jammu
6. Peer Khoh Octroi Post, Jammu
7. Dhonthli Octroi Post, Jammu
8. Janipur Octroi Post, Jammu
9. Top Sher-Khania Octroi Post, Jammu
10. Sarwal Octroi Post, Jammu

11. Ramnagar Octroi Post, Jammu
12. Tawi Octroi House.
13. Tawi 'B' Octroi Post.
14. Tawi Bridge Octroi Post, Jammu

**OFFICE OF THE CONSERVATOR OF FORESTS,  
JAMMU FOREST CIRCLE JAMMU.**

[Notification]

In exercise of the powers conferred upon me vide Government Order No. 304-C of 1952 dated 23<sup>rd</sup> March, 1952 and in pursuance to rule 2 of the rules for transport of timber by lands section 15 of Jammu and Kashmir Forest Act, 1987) sanctioned vide Cabinet Order No. 413 of 1935, it is hereby notified for the information of all concerned that Check Post at Snokra Chappar, Dhaleri Range Rajouri Division is hereby created for checking of Forest Produce (timber and other M. F. P.) The Check Post will start functioning with immediate effect.

**OFFICE OF THE CONSERVATOR OF FORESTS,  
KASHMIR NORTH CIRCLE, SRINAGAR.**

[Notification]

In exercise of the powers conferred by rule 2 of land Transport rules framed under Government Order No. 448 of 1935, the following Octroi Posts under the control of Excise and Taxation Department are declared as check posts for the examination of timber and other Forest produce in transit and for the collection of dues on such timber or forest produce :-

S.No	Name of the Octroi Post	Route and situation
1.	Dalgate	Dalgate Srinagar.
2.	Kohnakhan	Kohnakhan, Srinagar.
3.	Nowpora	Nowpora, Srinagar.



4.	Jogi Lanker	Jogi Lanker, Rainawari, Sgr.
5.	Chowdri Bagh	Chowdri Bagh, (Nishat Pacdanda road)
6.	Naidyar	Naidyar, Rainawari, Srinagar.
7.	Kh. Yarbal	Kh. Yarbal, Srinagar
8.	Vichernagh	Vichernagh, Srinagar.
9.	Anchar	Anchar, Srinagar
10.	Rathpora	Rathpora, Srinagar
11.	Waniyar	Waniyar, Srinagar.
12.	Shamshan Ghat	Shamshan Ghat, Srinagar,
13.	Batmaloo	Batmaloo, Srinagar
14.	Bonapora	Bonapora, Srinagar
15.	Saidtar	Saidtar, Srinagar
16.	Ikhrajpora	Jawahar Nagar site, Srinagar
17.	Kursoo	Kursoo, Srinagar.]

## **FEES FOR CARRIAGE OF TIMBER BY LAND**

### **ORDER**

Under the powers vested in the chief Conservator of Forests vide rule 7 of the Land Transport Rules, I hereby sanction the following rates of fees for transport of timber by land in both the Jammu and Kashmir Provinces –

1. Timber in the round            6 P. per piece exceeding 5ft in length
2. Sawn timber                      2 P. per piece exceeding 5ft in length.
3. Pieces below 5 ft. in length may continue to be re-exempted from the payment of fees].

## **AMENDMENT TO LAND TRANSPORT RULES**

## **ORDER**

In partial modification of para 6 of instructions previously issued under this office No. C. XII 292/AB dated 11-2-1936 it is ordered that for purpose of the transport of timber by land, timber from the following species will henceforth be included for the operation of the rules: -

(a) All conifers.

(b) All broad leaved trees of the special class.

(c) The following A class trees:-

- |                     |                   |
|---------------------|-------------------|
| 1. Dalbergia Sissoo | (Tali)            |
| 2. Cedrela Serrata  | (Drave, Dadri)    |
| 3. Olea Cuspidata   | (Kan)             |
| 4. Aesculus Indica  | (Bunkhor, Wandum) |
| 5. Prunus armenica  | (Hari, Sari)      |

(d) And the following B class trees :-

- |                      |                  |
|----------------------|------------------|
| 1. Morus alba        | (Tut)            |
| 2. Celtis (Austalis) | (Kharakm Brimji) |

### **POWERS OF FOREST OFFICERS**

*(a) Power to compound offences.*

Notification No. F/16 dated the 23rd November, 1931 – (1) Under State Council Resolution No. X of 5<sup>th</sup> June, 1924, all officers of the Forest Department of rank not inferior to that of Probationary Assistant Conservator of Forests and such Forest Rangers as may from time to time be notified by name are invested with the powers described in section 38 of the Forest Act, 1987.

2. This Notification supersedes Notification No. F/12 dated the 19<sup>th</sup> July, 1926.

*(b) Other powers.*

(State council Resolution No. 10 dated the 27<sup>th</sup> January, 1900).

The following powers are exercisable by officer in charge of a division where specially authorized in that behalf by the Conservator of Forests :-

1. To notify seasons during which the kindling etc. of fire is not prohibited section 6 (b) ;
2. To direct the release of property seized (section 34);
3. To permit acts otherwise prohibited in State Forests.

The Conservators (Chief and Circle) are also empowered to exercise all or any of the above powers.

## **RULES FOR GRANT OF REWARDS TO FOREST OFFICIALS AND OTHERS IN CONNECTION WITH FOREST CASES.**

*(Sanctioned by His Highness the Maharaja Sahib Bahadur vide Chief Minister's No. 100-89 dated the 16-2-1918).*

1. All Forest Officers below the rank of Assistant Conservator of Forests and all other State Servants [of the non-Gazetted rank] as well as persons who are not public servants are eligible for rewards under these rules.
2. One conviction of an offender, or on directing the confiscation of property under section 28 of the Jammu and Kashmir Forest Act No. 2 of 1987, the Magistrate by whom the case has been decided is authorized to grant such reward, and in such proportions as he may think fit, to any person or persons who have contributed to the seizure of the property confiscated or the conviction of the offender ; provided that the total amount of the reward shall not exceed the estimated value of the property confiscated plus the amount of any fine imposed.
3. If in any case the fine and the proceeds of the property confiscated cannot be immediately realized, the Magistrate deciding the case shall at once pay the reward (provided that it does not exceed Rs. 50). If in any case, the Magistrate considers that more than Rs. 50 should be distributed as rewards he shall distribute Rs. 50 at once and shall submit his

recommendation for large reward to the [Chief Conservator of Forests] who shall have power to sanction rewards not exceeding Rs. 100. If the [Chief Conservator of Forests] considers a higher reward than Rs. 100 called for, he shall refer the case to the Minister-in-charge who may sanction distribution of a sum not exceeding Rs. 150 and may refer the case for the orders of the Government for larger amounts.

4. In case the Magistrate has not at his disposal a fund out of which the reward can be paid, or in the case of an order of confiscation whereby the Forest Officer takes charge of the property the Forest Officer in charge of the Division shall on requisition furnish the Magistrate with necessary funds.
  5. In any case the rewards shall be paid within the limit and under the sanction provided in rules 2 and 3 respectively even though the fine may not have been realized. In cases in which the Forest Officer has furnished the funds under the rule, the fine on recovery shall be paid over to him.
  6. If after payment of the reward the conviction is reversed in appeal, the amount paid away in reward shall not be recovered from the persons to whom it has been paid unless it shall appear that they have acted fraudulently in the case.
  7. In case where under section 38 of the Jammu and Kashmir Forest Act No. 2 of 1987, a Forest Officer has accepted a sum of money as compensation for any damage which may have been committed, the Conservator of Forests may authorize the payment of a portion of the amount realized not exceeding three-fourths up to a maximum of Rs. 100 as a reward to any person or persons who may have contributed to the discovery of the offender.
  8. If in any case the Chief Conservator of Forests considers that more than Rs. 100 should be distributed as rewards, he shall distribute Rs. 100 at once and shall submit his recommendations for a larger reward, with his reasons for the same, to the Minister-in-charge who shall have power to sanction rewards not exceeding Rs. 150 and may refer the case for orders of Government for larger amounts.
-

# THE SAW MILLS (REGISTRATION AND CONTROL) RULES, 1968.

*Forest Department [Notification SRO-434 dated 28<sup>th</sup> October, 1968]* – In exercise of the powers conferred by clause (cc) of section 45 of the Jammu and Kashmir Forest Act, Samvat, 1987 (II of 1987), the government hereby make the following rules, namely : -

1. **Short title and commencement** – (1) These rules may be called the Saw Mills (Registration and Control) Rules, 1968.
2. They shall come into force at once.
2. **Definitions** – In these rules, unless the context otherwise requires : -
  - (a) “Form” means a Form set out in the schedule to these rules.
  - (b) “Licensing Authority” means an officer appointed as such by the Government to exercise the powers and perform the duties of licensing authority under these rules.
  - (c) “Owner” in relation to a saw mill, means the person who or the authority which has the ultimate control over the affairs of the saw mill and includes the managing agent to whom the said affairs and entrusted.
  - (d) Concession Zone means the village boundary lying within five miles of the demarcated forest boundary ; provided that the forest is not separated from the village by an unfordable stream at its winter level.]
3. **Restrictions** – No owner of a Saw Mill shall carry on the business of a Saw Milling except under and in accordance with the terms and conditions of a licence issued under these rules:

Provided that:-

- (i) no new permission in the concession zone shall be given for installation of a Saw Mill ;

(ii) any person having a Saw Mill within the concession zone shall shift it outside

the said zone before 1st day of April 1980 ;

(iii) sawing before the date specified above shall be subject to such conditions as

may be prescribed by the licensing authorities in regard to : -

- a) the determination of quantities to be sawn ;
- b) the working hours during a day ; and
- c) the species to which the sawing be restricted provided further that nothing contained in rule 3 shall apply to : -
  - a) forest lessees ;
  - b) Government Lumbering undertaking;
  - c) All Government departments subject to the condition that

Saw Mill installed with the prior approval of the licensing

authority and shall be subject to such restrictions as the

licensing authority may impose ; and

d) Saw Mills in Notified Areas/Town Areas/Municipalities

subject to the conditions that no private sawing shall be

undertaken.

4. **Issue of licence** - (1) Every application for a licence under these rules shall be made to the licensing authority in Form I.

(2) Licences issued under these rules shall be in Form II].

5. ***Period of validity of licence*** – A licence issued under these rules shall be valid until the 31<sup>st</sup> December of the year for which it is used.
6. ***Fee for licence*** – The fee payable for a licence shall be rupees five thousand [ rs. 5000/ ] [and thereafter it shall remain valid for every succeeding years only if the licensee deposits an amount of rupees one thousand into the Treasury and files a receipt thereof with [Licensing Authority before the commencement of each year for which the licence is desired to be valid.]

The renewal of the licence shall be deemed to be valid if the licensee

deposits the fee into the treasury.

“Provided that the licensee shall have to submit an application along with cash receipt of the fee to the licensing authority not less than a fortnight before the date on which the license expires for previous records of the licensing authority after verifying the document and the previous records of establishment shall issue the license duly renewed within the next fortnight.

7. ***Duplicate licence*** – If a licence issued under these rules is defaced, lost, destroyed or otherwise rendered useless, the licensing authority may, on application made in that behalf and on payment of a fee of rupees five hundred, issue a duplicate licence.
8. ***Directions by licensing authority*** – The licensing authority may, from time to time, issue such directions as it thinks necessary to the licensee in regard to any matter directly connected with the business of the licensee and the licensee shall abide by such directions.
9. ***Maintenance of Accounts*** – Every licensee shall maintain correct and true accounts in respect of his business in such form and manner as may be prescribed by the licensing authority.
10. [Omitted].
11. ***Suspension or cancellation of licences*** – If any licensee contravenes any of the provisions of these rules or any of the conditions of the licence, then, without prejudice to any other action that may be taken as against

him, the licensing authority may, after giving him an opportunity of making a representation, suspend or cancel the licence. A copy of the order suspending or canceling the licence shall be communicated to the licensee.

12. **Appeal** – Any person aggrieved by an order of the licensing authority under rule 11 may, within two months from the date of receipt by him of the order, appeal to the Chief Conservator of Forests.

13. **Powers to inspect etc** – (1) The licensing authority or an officer authorized by him in this behalf may with a view to securing compliance with these rules : -

(a) require the licensee to furnish such return, information or statistics or produce for inspection such accounts, book and documents relating to his business as may be specified ; and

(b) enter and search or authorize any person to enter and search any Saw Mill and seize or authorize the seizure of any stock of timber in respect of which he has reason to believe that a contravention of these rules or of a licence issued thereunder has been/is being or is about to be committed.

(2) Any person occupying the saw mill referred to in sub-rule (1) shall afford all reasonable facilities for entry and search.

GOVERNMENT OF JAMMU AND KASHMIR. ORDER NO. 322  
FST OF 2001. DATED 8-8-2001.

In supercession of all previous orders on the sujet sanction is hereby accorded to appointment of the following officers of the forest department as licensing authorities in charge of their territorial circle under the saw mill ( registration and control ) rules 1968.

1. Conservator of forest, Kashmir north circle
2. conservators of forest, Kashmir south circle
3. conservator of forest, chenab forest circle
4. conservator of forest, jammu west



5. conservator of forest , jammu east

6. conservator of forest, shrinagar.

By order of the GOVERNMENT OF JAMMU AND  
KASHMIR. .

AMENDMENT in rule 6 and 7 made vide SRO. 268 dated 16<sup>th</sup> sep.  
2005

**FORM I**

**[See rule 4 ((1) ]**

To

The Licensing Authority

Sir,

[I/We .....request that I/We may be granted a licence].

1. Applicant's name and address .....
2. Place where the saw mill is situated (and names of the Mill, if any)  
.....
3. Quantity of timber ..... during the previous  
year .....
4. Details of godown accommodations owned by mill which are or would be  
used for storing timber .....
5. Name and address of selling agent .....
6. Name of Bank ..... I/We  
..... declare that I/We/am/are the

proprietor/proprietors/Manager of the Saw Mill covered by this application.

I/We have carefully read the Saw Mills (Registration and Control) Rules, 1968, and the conditions of the licence in Form II to the said rules and I/We agree to abide by them.

[I/We enclose a treasury receipt for Rs. 5000/ ..... being the fee for licence].

Signature of the applicant.

Dated .....

Place .....

**FORM II**

**[See rule 4 (1)]**

**Licences under the Saw Mills (Registration and Control) Rules, 1968.**

Licence No.....  
.....

Dated

Subject to the provisions of the Saw Mill (Registration and Control) Rules, 1968 and the terms and condition of this licence ..... is/are hereby authorized to carry on the business of .....

1. Name and address of the licensee .....
2. Place of business .....
3. This licence is valid up to .....

Place .....

Dated .....

Signature of the Licensing authority

### **Condition of Licence**

1. The licensee shall maintain correct and true accounts in respect of sawing of timber in such form and manner as may, from time to time be prescribed by the licensing authority.
2. [Omitted].
3. The licensee shall furnish correctly such information relating to the business as may be demanded from him and shall carry out such instructions as may from time to time be given by the licensing authority or by any officer authorized by him in his behalf relating to such business.
4. The licensee shall render all necessary facilities to the licensing authority or such persons as may be authorized by such authority for the inspection of the Mill, godown, or any other place used for storage and sale of timber including new dust.
5. The licensee shall abide by any directions issued by the licensing authority in regard to the purchase, use or consumption of timber for sawing.
6. Contravention of any of the conditions of this licence either by the licensee or his agent or servant or any other persons who can reasonable be presumed to have acted on his behalf will render this license liable to cancellation or suspension without prejudice to any other action that may be taken against the licensee.

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[-Omitted]

**THE JAMMU AND KASHMIR PUBLIC PREMISES  
(EVICTION OF UNAUTHORISED OCCUPANTS)  
RULES, 1962.**

*SRO-408 Dated 17<sup>th</sup> December 1962* – In exercise of the powers conferred by sub-section (2) of section 13 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959 (XIII of 1959), the Government hereby make the following rules, the same having previously been published vide Government Gazette No. 29-B dated 21<sup>st</sup> October, 1961 as required by sub-section (3) of the said section, namely –

1. ***Short title and commencement*** – (1) These rules may be called the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Rules, 1962.

2. ***Definitions*** – (1) In these rules :-

(i) Act means the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959.

(ii) Form means form appended to these rules.

(2) Words and expressions used but not defined in these rules shall have the meanings if any assigned to them in the Act.

3. ***Form of notice and orders*** – A notice or an order under the Act shall be in one of the appropriate Forms appended to these rules.

4. ***Manner of service of notices and orders*** – (1) Where the person on whom a notice under sub-section (1) of section 4 or sub-section (1) of section 6 of the Act is to be served cannot be found, a copy of such notice shall, in addition to any other manner of service specified in the Act, be affixed in a conspicuous part of the first known place of business of such person or be delivered to some adult member of his family.

2. The Estate Officer may also proclaim the contents of any notice in the locality by beat of drum.

5. ***Holding of Inquiries*** – (1) Where any person on whom a notice or order under the Act has been served, desires to be heard through his representative, he should authorise such representative in writing –

(2) The Estate Officer shall record the summary of the evidence tendered before him. The summary of such evidence and any relevant documents filed before him shall form part of the records of the proceedings.

6. ***Manner of taking possession of public premises*** – (1) If any obstruction is offered, or in the opinion of the Estate Officer is likely to be officer, to the taking possession of any public premises under the Act, the Estate Officer or any other Officer authorized by him in this behalf may obtain necessary police assistance.

(2) Where any public premises of which possession is to be taken under the Act is found locked, the Estate Officer or any other officer authorized by him in this Behalf may either seal the premises or in the presence of two witnesses break open the locks or open or cause to be opened any door, gate or other barrier and enter the premises ;

Provided that:-

- (i) no entry shall be made into, or possession taken of, a public premises before sunrise or after sunset ;
- (ii) where public premises is forced open, an inventory of the articles found in the premises shall be taken in the presence of two witnesses.

7. ***Assessment of damages*** – In assessing damages for unauthorized use and occupation of any public premises, the Estate officer shall take into consideration the following matters, namely :-

- a) the purpose and the period for which the public premises were in unauthorised occupation:
- b) the nature, size and standard of the accommodation

available in such premises ;

- c) the rent that would have been realised if the premises had been let on rent for the period of unauthorised occupation to a private person ;
- d) any damage done to the premises during the period of unauthorised occupation ;
- e) any other matter relevant for the purpose of assessing the damage.

8. **Procedure in appeals** – (1) An appeal preferred under section 9 of the Act shall be in writing, shall set forth concisely the grounds of objection to the order appealed against, and shall be accompanied by a copy of such order.

(2) On receipt of the appeal and after calling for and perusing the record of the proceedings before the estate officer, the appellate officer shall appoint a time and place for the hearing of the appeal and shall give notice thereof to the estate officer against whose orders the appeal is preferred and to the applicant.

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FORM 'A'

Form of notice under sub-section (1) of section 4 of Jammu and Kashmir public premises (Eviction of Unauthorised Occupants) Act, 1959.

To

Shri/Shrimati/Kumari.....

Whereas the undersigned is of opinion, on the grounds specified below, that you are in unauthorised occupation of the public premises mentioned in the Schedule below and that you should be evicted from the said premises.

**GROUNDNS**

Now, therefore, in pursuance of sub-section (1) of section A of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959, I hereby call upon you to show cause on or before the ..... why such an order of eviction, should not be made.

**SCHEDULE**

Date..... Signature and Seal of the  
Estate officer.

“This date should be a date not earlier than ten days from the date of issue of the notice.

**FORM ‘B’**

Order under sub-section (1) of section 5 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959.

Whereas, I, the undersigned, am satisfied for the reasons recorded below that Shri/Shrimati/Kumari..... is/are in unauthorised

Occupation of the public premises specified in the Schedule below : -

**REASONS**

Now, therefore, in exercise of the powers conferred on me under sub-section (1) of section 5 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959 I hereby order the said Shri/Shrimati/Kumari ..... and all persons who may be in occupation of the said premises or any part thereof to vacate the said premises within forty five days of the date of

publication of this order. In the event of refusal or failure to comply with this order within the period specified above, the said Shri/Shrimati/Kumari..... and all other persons concerned are liable to be evicted from the said premises, if need be, by the use of such force as may be necessary.

### SCHEDULE

Date.....  
Estate

Signature and Seal of the  
  
Officer.

### FORM C

Form of notice under sub-section (1) of section 6 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959.

To

Shri/Shrimati/Kumari .....

Whereas on the ..... you were evicted from the public premises described in the Schedule below which was unauthorisedly occupied by you.

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of section 6 of the Act, I hereby give you notice that after fourteen days of the service of this notice on you, any property remaining on the said premises will be liable to be removed or disposed of by public auction. In case you desire to take possession of your property and to remove the same from the said premises, you will be permitted to do so on written authority from the undersigned provided



any arrears of rent/damages due from you are paid within the said period of fourteen days.

**SCHEDULE**

Date.....

Signature and Seal of the Estate

Officer

Order under sub-section (1) of section 7 of the Jammu and Kashmir Public Promises (Eviction of Unauthorised Occupants) Act, 1959.

To

Shri/Shrimati/Kumari .....

Whereas you are were in occupation of the public premises described in the Schedule below.

And whereas a sum of Rs ..... being the arrears of rent from the ..... day of ..... 19 ..... up to the ..... day of .....19.....in respect of the said premises is due and payable by you to the Government.

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of section 7 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959, I hereby require you to pay the said sum within ..... Months in equal instalments of Rs...../\* within one month of the date of service of this notice. In case the said sum is not paid within the said period or in the said manner, it will be recovered as an arrear of the land revenue.

**SCHEDULE**

Date .....

Signature and Seal of the

Estate

Officer

---

**FORM 'E'**

Notice under sub-section (2) of section 7 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959.

To

Shri/Shrimati/Kumari.....

Whereas, I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in the Schedule below.

And, whereas, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959, I consider the damages amounting to Rs..... are due for the period(s) and at the rate(s) shown in Schedule II below, on or before the ..... why an order requiring you to pay the said damages should not be made.

Schedule I

Schedule II

Schedule III

Dated.....

Signature and Seal of the

Estate

Officer

**FORM 'F'**

Form of order under sub-section (2) of section 7 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959.

To

Shri/Shrimati/Kumari.....

Whereas, I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in the Schedule below.

And, whereas, by a written notice dated ..... you were called upon to show cause on or before the ..... why an order requiring you to pay damages of Rs..... for anauthorised use and occupation of the said premises, should not be made.

And whereas I have considered your objections and/or the evidence produced by you.

And whereas you have not made any objections or produced any avidence before the said date.

Now, therefore, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Jammu and Kashmir Public Premises (Eviction of Unauthorised Occupants) Act, 1959, I hereby order you to pay the sum of Rs..... assessed by me as damages on account of your unauthorised occupation of the said premises within ..... months in equal instalments of Rs.....

In the event of your refusal or failure to pay the damages or any instalment thereof within the said period or in the manner aforesaid, the amount will be recovered as an arrear of land revenue.

#### **SCHEDULE**

Dated.....

Estate

Signature and Seal of the

[Notification SRO-403 dated 12<sup>th</sup> December, 1962] – In exercise of the powers conferred by section 3 of the J & K Public Premises (Eviction of Unauthorised Occupants) Act, 1959 (XIII of 1959), the Government hereby appoint every Divisional Forest Officer to be an Estate Officer for the purposes of the said Act, who shall exercise the powers conferred and perform the duties imposed on an Estate Officer by or under the said Act in respect of the Forest lands within the local limits of his jurisdiction.

## **RULES FOR THE REGISTRATION OF FUEL DEPOTS**

In exercise of the powers conferred by sub-section (2) (a) section 65 of the Jammu and Kashmir defence rules, government are pleased to make the following rules; namely:-

1. **short title extent and commencement** – (1) These rules may be called the Registration of Fuel depot Rules.  
(2) They shall extend to the city of Srinagar only, and may be extended to any town area in the Districts of Anantnag and Baramulla at the discretion of the Revenue Minister by Notification in the Government Gazette.  
(3) They shall come into force at once.
2. **Definitions** – (1) “Fuel” means all kinds of wood used as firewood and includes conifer and broad leaved wood of all sizes excepting that converted or fashioned out or meant to be utilized for construction work, furniture making, shooks and sport goods.  
(2) “Depot” means any building, place, boat, or river ghat where fuel is stored for sale.  
*No sale of fuel permissible except in a registered depot.*
3. No person shall sell or offer for sale fuel within Anantnag and Baramulla Districts (Excepting Gurez Niabat) for use in the city of Srinagar unless his fuel depot is registered under these Rules ; provided

that villagers bringing in the willow, poplar and bagati wood obtained from their lands in head loads for sale will be exempt from the operation of these rules;

Provided further that villagers selling willow, poplar and bagati wood in villages obtained from their lands will be exempt from these rules.

4. **Registration of fuel depot** – (1) No person shall set up a fuel depot unless he has got it registered in the office of the DFO of the Forest Division in which the depot is registered :

Provided that when a person has got a depot at the commencement of these Rules he shall within one week of the date of this Notification have his depot registered.

Provided further that in consultation with the Commissioner Kashmir the Conservator of Forests, Kashmir Circle may exempt any specified person of locality of kind or class of fuel from the operation of this rule.

2. Each depot registered under this rule shall be assigned a number by the Registering office.

## **ORDER REFUSING O REGISTER AND APPEAL FROM THAT ORDER.**

5. (1) The DFO may refuse or cancel registration of a fuel depot for reasons to be recorded in writing :

Provided that registration shall not be refused to any person who has got a depot at the commencement of these rules.

(2) An appeal against an order refusing or canceling registration shall lie to the Commissioner Kashmir.

6. **Maximum price of fuel** – No person shall sell fuel at rates exceeding those that may from time to time be fixed by the Government by notification in the Government Gazette.
7. **Period of Registration** – The Registration of a fuel depot shall hold good for a period of one year from the date of such Registration.
8. **Inspection of Depot** – For the purpose of checking registration, every fuel depot shall be open to inspection at any time by the following officers : -
  - (a) Forest Officer of or above the rank of a Forest Ranger.
  - (b) Revenue Officer of or above the rank of a Naib Tehsildar.
  - (c) Police Officer of or above the rank of a Sub-Inspector.
  - (d) The president of the Srinagar Municipality.
  - (e) Any member of the Advisory Committee that may be appointed by the Commissioner to assist him.
9. **Maintenance of registers** – The person or persons incharge of a fuel depot shall maintain correctly their respective registers, as required by the DFO concerned.
10. **No sale without a receipt in an approved form** – No person in charge of a fuel depot shall sell any fuel from his depot without issuing a receipt in respect of the transaction in the form approved by the Conservator of Forest, Kashmir Circle.
11. Sales at the depots within the Srinagar Municipal limits shall be made only to holders of shall ration tickets or on special tickets issued by the Governor Kashmir or the Conservator of Forest, Kashmir Circle or by any other officer authorized, by them to do so. The maximum quantity to be sold to the holders of the shall ration ticket shall be regulated by the Conservator and the Governor from time to time according to the stocks available for disposal at any particular depot.
12. Any person contravening the provisions of any of these rules shall be

punishable with imprisonment for a term which may extend to six months or with fine which may extend to Rs. 500/- or with both Double penalties may be inflicted where the offence is committed after sunset and before sunrise or after preparation for resistance to lawful authority or if the offender has previously been convicted under these rules :

Provided that case of infringement of these rules may be tried summarily.

Extract of Government Order No. 1227-C of 1943.

(4) For the purposes of this order all firewood including unsound Kundas and Hakries coming from Government sources including Forest Rakhs and other State lands whether extracted through lease holders or Royalty contractors or Departmental Agencies shall be deemed as "Controlled Firewood".

**Cabinet Decision No. 267 dated 15<sup>th</sup> June, 1981**

**Govt. Order No. 99-FST of 1981**

**Dated 16<sup>th</sup> June, 1981.**

It is ordered that the sale rate of firewood, sold through the firewood depot holders in Srinagar city be revised as under w.e.f. Ist July, 1981.

Species	Rate per maund
1. Willow/Conifer	Rs. 4.25 per maund (Rupees four and paise twenty five per maund) including twenty five paise per maund as splitting charges. Splitting will be done in the firewood depots before the firewood is lifted by the consumers.
2. Hatab and Zangloo	Landed cost.

It is further ordered that the rate of commission presently paid to the Depot Holders of Firewood in Srinagar city is raised from Forty five paise per maund to seventy two paise per maund.

By order of the Govt. of Jammu and Kashmir.

Sub:- Supply of firewood to Srinagar city. Increase of Muffusil rates of firewood supply and commission to the Depot Holders.

Ref. :- Cabinet decision No. 262 dated 28-6-1973

Govt. Order No. 238-FST of 1973

Dated: - 3-7-1973.

In supersession of all previous orders on the subject sanction is accorded to the increase of the Muffasil rates of the supply of different species of firewood by the contractors, as under:-

	(Per maund)
Hatab	Rs. 2.62
Zangloo	Rs. 2.27
Conifer	Rs. 1.65
Willow	Rs. 1.65
Charcoal	Rs. 9.40

The above rates will apply to new contracts. In respect of the existing contracts of firewood the increased rates will apply w.e.f. 1-8-1973, to the balance quantity of firewood to be supplied subject to the condition that the proportionate royalty chargeable on the said Balance quantity will also be increased to the extent of 40% for Hatab and Zangloo and 50% for Conifer and Willow.

Further the existing rate of commission i.e., 30 and 31 paise per maund to the Depot Holders is increased to 40 paise per maund.

By order of the Govt. of Jammu and Kashmir.

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**THE JAMMU AND KASHMIR FOREST LABOUR WELFARE AND  
COMMON FACILITIES FUND RULES, 1974.**

Forest Department, Govt. Order No. 690-FST of 1974, dated 12-12-1974.

Sanction is accorded to the rules styled as the Forest Labour welfare and Common Facilities Fund Rules forming Annexure to this Govt. Order.



## ANNEXURE

### *[I. Short title and commencement.-*

- a) These rules will be called “The Jammu and Kashmir Forest Labour Welfare and Common Facilities Fund Rules 1974”.
- b) These rules shall come into force on their publication in the Government Gazette].

*II. Definition.-* Unless otherwise specified in the context the following terms shall have the meaning assigned to them here under:-

1. *Fund* – Shall mean the J & K Forest Labour Welfare and common Facilities Fund ;
2. *Labour and Labourer* – Shall mean the persons engaged on any operation undertaken in connection with the work of the Forest Deptt. Whether engaged by the lessees or the Govt. Lumbering Undertaking or the Deptt. Itself.
3. *Deptt.* – Shall mean the Forest Deptt. Of the Government.
4. *Work* – Shall include extraction of the forest produce and construction of roads and buildings.
5. *Compensation* – Shall mean the compensation determined and payable under the provisions of the Workmen’s compensation Act.
6. *Committee.* – Shall mean the Committee appointed under these rules.

*III. Objects the Purpose of the Fund.* – The fund shall be expended for the following objects and purposes –

1. Payment of relief to the labour in the event of an accident, in addition to the compensation payable by the employer.
2. Provision of medical aid to he labour.
3. Construction of residential accommodation for the labour at or near the site of the work.
4. Payment of subsistence allowance to the family of a labour during his illness.

5. Payment of relief to the dependants of a deceased labour.
6. Grant of relief to labour for the construction or repairs of their residential houses which might have collapsed or been damaged as a result of fire or a natural calamity.
7. Provision of facilities to the labour for communicating from the work site their families.
8. Grant of educational scholarship and stipend to the dependants of the labour.
9. Provision of facilities of recreation and entertainment to the labour.
10. Any other facility, which in the opinion of the committee should be provided to the labour from time to time.
11. Development of roads and communications.
12. Purchase and maintenance of logging tools and machines.
13. Training of labour in logging and other forestry operations.
14. Construction of rest houses and inspection bungalows near the Forest areas.

*IV. Accruals to the Fund* – The fund shall consist of –

- a) Proceeds of the levy on forest lessees to be fixed as a percentage of royalty in each lease by the Government from time to time.
- b) Contributions by the Government as may be determined by the Government from time to time.
- c) Income from the proceeds of (a) and (b).

*V. Authorisation of Expenditure* – (a) Any expenditure from the fund shall be incurred only under the authority of a committee consisting of the following:-

- |                                 |          |
|---------------------------------|----------|
| 1. Chief conservator of Forests | Chairman |
| 2. CF I/c Jammu Circle          | Member   |
| 3. CF I/c Chenab Circle         | Member   |
| 4. CF I/c K. South Circle       | Member   |
| 5. CF I/c K. North Circle       | Member   |

6. General Manager G.L. Undertaking Member

7. Two registered lessees to be nominated  
by the Minister I/c Forests for a term of  
two years each

Member

(b) The Committee shall not be competent to authorize expenditure exceeding 50% of the annual accruals to the fund for the objects and purposes mentioned at Serial NO. II to 14 of Rule III.

(c) The Committee shall be competent to invest the surplus amounts in the fund in any Government security or any form of investment approved by the Government in the Forest Department.

(d) The Committee will evolve its own rules of procedure.

VI. Accounting Procedure – (a) Each Conservator of Forests will be responsible for realizing the levy from the lessees in his Jurisdiction.

(b) Each Conservator of Forest will arrange to maintain ledger accounts of each lessee in Form No. LWF – 1 showing therein the amount due from him and the amount recovered from time to time.

(c) The received from the lessees shall be acknowledged on a printed Government receipt and the amount shall be remitted into the Treasury by credit to T-Deposits to Advances – Advances not bearing interest – Deposits to Forest Labour Welfare and Common Facilities Funds.

(d) Drawal from the fund shall be made by any Conservator of Forests but only on the written authority of the Committee in case.

(e) Each CF will maintain a personal ledger account in the Treasury at his

headquarters for the purpose of remittances into the drawals from the funds.

(f) Monthly account of receipts and payments out of the fund fully supported by the schedules and vouchers shall be submitted in Form No. LWF-2 to the local fund Cell of the Finance Deptt. With a copy to the Chief Conservator of Forest by the 5<sup>th</sup> of every month.

(g) The Chief Conservator of Forests shall maintain a consolidated register in Form No. LWF-3 showing the opening balance, total receipts and payments during the month in respect of all Conservators of Forests. Chief Conservator of Forests shall submit an abstract of his register to the Director Accounts and Treasuries quarterly.

(h) The conservator of Forest shall maintain separate cheque books for the drawals of he fund.

(i) The accounts of the fund shall be open to audit by the Accountant General in the same manner as any Government accounts.

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## REVISED STANDARD RATES

Council Decision No. 481 Dated 30-3-1966

*Government Order No. FST/32/66 of 1966*

*Dated 12-4-1966*

In supersession of Cabine Order No. 455 of 1956 dated 20-3-1956, dated 20-3-1956, sanction is accorded to the revision of standard rates of coniferous and

broad leaved species as detailed in the annexures A, B, C and D to this order subject to the following-

1. The standard rates in 3” diameter class shall apply to the retail sale of trees direct from the Forests. The retail sale will be subject to rules and regulations as well as orders of the C.C.F. issued from time to time.
2. The trees may be sanctioned in favour of :-
  - (i) “A” Class concessionist Zamindars residing within three miles of the demarcated forests as per schedule of concessionist villages by the D.F.O. at 2½% of the standard rates in 3” diameter class.
  - (ii) Throughout the Jammu Province the rate for Chir is subject to a maximum of Rs. 4/- per tree.
  - (iii) In Barfani illaqa kail is subject to a maximum of Rs. 5/- per tree and Fir/Spruce o a maximum of Rs. 3/- per tree.
  - (iv) In Kashmir Province half ordinary concession rates shall be charged in Karnah – Drawah.
  - (v) In the illaqa mentioned in para VIII/b of the Kashmir Notice, viz. Gurez, Matchal, Tilale, Sharda, Sindh Valley down to and including Resin, Lidder Valley down to but excluding Pahalgam and generally all crops grown, kail be subject to a maximum of Rs. 5/- and Fir/Spruce to a maximum of Rs. 3/- per tree.
3. Deodar shall not be given concession rates.
4. Persons residing within three to five miles from demarcated forests, where timber for construction or repairs of houses cannot be procured from any source other than forests by the Conservator of Forests concerned at 30% of the standard rates in 3” diameter class. For commercial purposes full standard rate will be charged.
5. Persons residing in rule areas beyond concession zones towns, State Department MES and the like Departments of the Central Government or for similar other purposes where timber cannot be procured from any

source other than forests by the Chief Conservator of Forests at standard rates in 3" diameter class.

6. Tree may be sanctioned in favour of Charitable institutions including mosques, temples and the like at 30% of the Standard rates by the C.C.F.
7. Dry standing trees or dry fallen trees wherever sold shall be charged at half rates except dry deodar which shall be sold at three fourth of the rates. Green fallen trees will be charged at full rates.
8. Special class broad leaved trees shall not be given on concession rates but on full standard rates.
9. For the illicit damages pertaining to the concessionists residing within three miles of the demarcated forests the price of trees will be assessed at 60% of the standard rates in 3" diameter class and in all other cases at full rates.
10. The standard rate in 6" diameter class shall apply to the supplementary markings when conducted in the timber leases in both the provinces where such a provision exists in the relevant agreement.
11. The standard rates in 10 C. M. diameter class shall apply to the local sales as well as for the lessees in the case of forests where the yields in the working plans are available in the metric system.

### **ANNEXURE TO COUNCIL ORDER NO. 215-C OF 1943**

Statement showing revised classification of Broad leaved species.

S.No.	Botanical names	Local names
	Special class	
1.	Juglans regia	Akhur, Akhrut
2.	Fraxinus excelsior	Sum, Sinno, Hum
3.	Buxus Sempervirens	Chikri
4.	Acer spp.	Trikana, Kanzal.
5.	Prunus padus	Tarani zum, Bharat, Jammu

- |    |                          |                    |
|----|--------------------------|--------------------|
| 6. | <i>Cedrela</i> spp.      | Tun, Tooni.        |
| 7. | <i>Ulmus Wallichiana</i> | Bran, Bari, Mannu. |

#### A Class

- |     |  |                           |
|-----|--|---------------------------|
| 1.  | <i>Dalbergia sisoo</i>                 | Tahli, Shisham, Guzzu.    |
| 2.  | <i>Aesculus indica</i>                 | Bankhor Bankhor, Coo.     |
| 3.  | <i>Ougeinia Dalbergioides</i>          | Sandan.                   |
| 4.  | <i>Mangifera Indica</i>                | Am.                       |
| 5.  | <i>Olea cuspidate</i>                  | Kau.                      |
| 6.  | <i>Terminalia chebula</i>              | Har, Harrir, Harmor       |
| 7.  | <i>Prunus armeniaca</i>                | Hari.                     |
| 8.  | <i>Betula utilis</i>                   | Bhojpatra Burj.           |
| 9.  | <i>Celtis australis</i>                | Kharok, Kharik.           |
| 10. | <i>Eugenia Jambolana</i>               | Jaman.                    |
| 11. | <i>Bambax Malabaricum</i>              | Simbal.                   |
| 12. | <i>Salix Alba</i> Var, <i>Caerulea</i> | Bed Angrizi.              |
| 13. | <i>Corylus Colurna</i>                 | Thangi, Findak Pinakooni. |
| 14. | <i>Terminalia Belarica</i>             | Bahera.                   |
| 15. | <i>Phyllanthus emblica</i>             | Amla Ambli                |

#### B Class

- |    |                            |                          |
|----|----------------------------|--------------------------|
| 1. | <i>Morus Spp</i>           | Tut Krun.                |
| 2. | <i>Rhus succedanea</i>     | Arkhun, Arkhar.          |
| 3. | <i>Populus alba</i>        | Sufeda Fraste            |
| 4. | <i>Populus Ciliata</i>     | Sifeda Sakki             |
| 5. | <i>Pisacia integerrima</i> | Makarsingi, Kakar, Kakro |
| 6. | <i>Quercus Spp.</i>        | Hir                      |

		Bang Moru, Burj, Rhim, Karsu
		Morn Ksu Ken, Batrin.
7.	<i>Acacia modesta</i>	Phulai
8.	<i>Acacia catechu</i>	Khair
9.	<i>Acacia Arabica</i>	Kikar.
10.	<i>Alnus nitida</i>	Sarol, Champ, Kunis, Rajan
11.	<i>Parrotia Jacquemontiana</i>	Hatab
12.	<i>Cassia fistula</i>	Amaltas, Kirangal
13.	<i>Grewia oppositifolia</i>	Pahari
14.	<i>Stephegyne parvifolia</i>	Kam
15.	<i>Ilex dipyrena</i>	Dratha.
16.	<i>Bassia latifolia</i>	Mohwo
17.	<i>Aegle marmelos</i>	Bel, Billan.
18.	<i>Ficus religiosa</i>	Pipal.
19.	<i>Pyrus pashia</i>	Kaintha.
20.	<i>Ficus indica</i>	Bar, Bor.
21.	<i>Pyrus lanata</i>	Batta
22.	<i>Punica granatum</i>	Druni.
23.	<i>Lannaea grandis</i>	Khaimbal Khemal.
24.	<i>Albizzia Spp.</i>	Sarin.

C Class

All other broad leaved trees.

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**GOVERNMENT OF JAMMU AND KASHMIR**  
**CIVIL SECTT. FOREST DEPARTMENT**



Sub: - REVISION OF STANDARD RATES.

Ref ;- i) Cabinet decision No. 206 dated 11-4-75.

ii) Forest Minister's order dated 27-9-75.

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Government Order No. 396-FST of 1975

Dated: - 18-10-1975

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In supersession of Annexure "A, B and C" to Govt. Order No. FST/32/66 of 1966 dated 12-4-1966 sanction is accorded to the fixation of the standard rates as shown in annexure to this Govt. Order. These rates will come into force Ist, January, 1976.

It is, further, ordered that these standard rates will be renewed after the expiry of one year.

This issues with concurrence of the Finance Department received vide their U.O. No. FA/18/1005/74 FST dated 8-1-75.

By order of the Government of Jammu and Kashmir.

**Page 134(b) – 135 Scan**

**GOVERNMENT OF JAMMU & KASHMIR**

**CIVIL SECTT. FOREST DEPARTMENT**

Sub :- Revision of standard rates with effect from 1st April, 1978.

Ref : - Cabinet Decision No. 220 dated 31-7-1979.

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Government Order No, 139-FST of 1979 dated 20-8-1979

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Sanction is accorded to the :-

- (i) Continuation of the standard rates sanctioned vide Government Order No. 396-FST of 1975 dated 18-10-1975 read with Government Order No. FST-32 of 1976 dated 30-1-1976 up to 31<sup>st</sup> of March 1978 ; and
- (ii) revision of standard rates towards by twenty percent as shown in the Annexure to tills order from 1st of April, 1979 onwards till these are revised.

Further it is ordered that:-

- (i) the trees to be issued in favour of contractors appointed by various departments for execution of their works shall be charged at the revised standard rates (viz. rates fixed from 1-4-1978) plus additional 50% price as surcharge ;
- (ii) timber in standing form in inaccessible areas shall be issued to the 'A' zone Forest concessionists at Rs. 25/- Rs. 20/- and Rs. 15/- for Kail, Fir and Chir per tree respectively.

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*Explanation :-* For the Purposes of para 2 (ii)

- (a) Barfani areas means the areas as defined in the Jammu Forest Notice and the Kashmir Forest Notice sanctioned by His Highness the Maharaja Sahib Bahadur vide Chief Minister's letter No. 3627/H-61/12 of 28<sup>th</sup> November, 1912.
- (b) Other inaccessible areas mean the areas as may be identified the Government from time to time : -
  - (i) A zone concession area will comprise the villages situated within the demarcated Forest and within 3 Kms. Of such demarcated forest Boundary.
  - (ii) In 'B' zone concession area which shall comprise the villages situated beyond 3 Kms. But within 5 Kms. of the demarcated Forest Boundary, the Forest Department shall establish Timber Sale Depot at suitable/Centrally located places for issue of timber for bona fide residential purposes at pre-determined rates.

This issue with the concurrence of the Finance Deptt. Conveyed  
vide their No. 40 FE-1/-567/78-FST –18/74 dated 19-1-1979.

By order of the Government Jammu and Kashmir No. FST/10/63/KL-1 dated  
20-8-1979.

(Sd.)

.....

Secretary to  
Government  
Forest Department.

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**GOVERNMENT OF JAMMU AND KASHMIR CIVIL SECTT. FOREST  
DEPARTMENT**

Sub: - The Jammu and Kashmir Forest Benevolent Fund Rules, 1981.

Ref: - Chief Conservator of Forest's letter No. 4405/Bix. Ben-Fund dated 16-9-  
1980.

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Government Order No. 15 of 1981 Dated 17-1-1981  
No. FST/304/80-12 dated 17-1-1981.

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Sanction is hereby accorded to the adoption of the Jammu and Kashmir, Forest  
Benevolent Fund Rules, 1981 indicated in the Annexure appended to this  
Government Order.

By order of the Govt. of Jammu and Kashmir.

**THE JAMMU AND KASHMIR FOREST BENEVOLENT  
FUND  
RULES, 1981**

1. **Short Title** – These rules shall be called the Jammu and Kashmir Forest Benevolent Fund Rules, 1981.
2. **Aims and objects of the Fund** – The object of the Fund is to introduce measures for the welfare of all ranks of Jammu and Kashmir Forest Department. This is a Benevolent Fund contributed by, and intended for the benefit of the subscribers and their families/dependents. The resources of the Fund shall comprise of contribution by members and voluntary donations.
3. **Objects** – The objects of the Fund shall, inter-alia include:-
  - (a) Immediate relief up to Rs. 1,000/- in each case in the event of death of a subscriber while in service for granting immediate relief to the dependents. This shall be paid immediately out of the Central Forest Benevolent Fund. The Chairman, Circle Benevolent Fund Committee and Chairman, Divisional Benevolent Fund Committee may, however, pay immediate relief in such case up to Rs. 500/- to be adjusted in the immediate relief of Rs. 1,000/- to be paid out of the Central Forest Benevolent Fund.
  - (b) Grant of suitable financial assistance up to Rs. 1,500/- where a subscriber has incurred medical expenses beyond his means for himself or for his depended members of the family, and for which he has not been granted any assistance or reimbursement by the Govt. under the Employees Medical Assistance Scheme.
  - (c) A grant up to Rs. one thousand shall be paid as immediate relief to the subscribers in case of acute hardship, distress or loss caused to him or his dependent (non-earning family members) by unforeseen calamities such as fires, accidents, floods, earthquakes and encounter with wild animals and to those who receive injuries while representing the Department in any game.
  - (d) Award of scholarships/loans to the extent of meeting his requirements to deserving children of non-gazetted ranks for higher studies in or outside

the State; provided that they are not getting any loan or scholarship from the State or Central Government or any other sources.

- (e) Grant of interest - free loans for marriage of daughters of the subscriber not exceeding six months pay in case of class IV employees and other employees whose basic pay does not exceed Rs. 400/- per month recoverable in 48 instalments;
- (f) grant of interest –free loans for construction repairs and purchase of house or land not exceeding one years pay in case, of Class IV employees and other employees whose basic pay does not exceed Rs. 400/- per month to be recovered in 48 instalments.

*Financial Powers.*-The various Committees shall have the authority to sanction amounts to the extent shown below:-

- (a) Central Forest Benevolent Fund Committee. Full powers
- (b) Circle Forest Benevolent Fund Committee up to Rs. 1,000/-
- (c) Divisional Forest Benevolent Fund Committee up to Rs. 500/-

4. **Membership.**-All Forest officials and officers who are subscribes to the Fund shall be entitled to the benefits of the Forest Benevolent Fund. A member of the Benevolent Fund on leave or on deputation or under suspension shall continue to be member so long as he continues *to* contribute to the Benevolent Fund. The subscriptions in the case of deputationists shall, be realized by the borrowing units/organization and remitted to their parent organizations under intimation to the Central Welfare Fund Committee.

5. **Subscriptions** -Monthly subscriptions shall be payable towards the Forest Benevolent fund by the members at the minimum rater indicated below:-

- |  |           |
|--|-----------|
| (2) Head quarter A C F/F R   | Secretary |
| (3) All the FRs and Accountant, and Head Clerk of the Division.                                      | Members   |
| (4) One Forester and one Forest Guard to be nominated by rotation 'by the Secretary of the Committee | Member    |

(g) Quorum . - The quorum shall be complete if the meeting is attended by the DFO (Chairman) HQ *ACF/FB*. (Secretary) and one of the FR of the Division.

8. **Financial Resources.**- The Financial Resources of the various committees shall comprise the following :-

(1) *Central Forest Benevolent Fund Committee* - Subscriptions by Direction office staff and all units attached to Direction office and game preservation department contribution and realizations from fetes, funfairs, etc. which may be arranged by the Central Benevolent Fund Committee shall also go to this Fund. The Circle Committee shall remit 70% of their monthly realization including receipts from Divisional Committee to the Central Forest Benevolent Fund Committee.

(2) *Circle Forest Benevolent Fund Committee* :- The contributions/subscriptions received from the Circle office *staff* shall be remitted to the Circle Benevolent Fund Committee. The Divisional Committees shall remit 60% of their monthly realization to the Circle Forest Benevolent Fund Committee.

(3) *Divisional Forest Benevolent Fund Committee*. - 40% of the subscriptions and contribution by the Executive, and Ministerial staff of the Division. The remaining 60% shall be remitted to Circle Forest Benevolent Fund Committee.

9. **Accounts.**- The Accounts of the fund shall be kept with Jammu and Kashmir Bank Ltd. under saving Bank A/c or Post Office Savings Bank at places where a Branch of the J&K Bank is not existing. The account shall be opened in the designation of the Chairman of the Central Committee (CCF) The Bank accounts shall be operated upon by the concerned chairman of the Committee. The

procedure for the withdrawn of money from the Bank Shall be the same as laid down by the J&K Bank Ltd. or post office concerned.

At Central and respective Circle/Division Head quarters the Accountants concerned shall maintain one register showing names and the amount of subscriptions due from each subscriber every month. This shall be on the lines of the Acquittance roll which will be capable of admitting any changes due to fresh arrivals, transfers etc.

The Subscript towards the fund shall be collected by various disbursing agencies every month at the time of disbursement of monthly pay and remitted to the Central Committee/circle/Divisional Committees, as the case may be.

A separate cash book shall be maintained by the Central Circle/Divisional Offices/ Accountant/Clerk for recording amounts received as subscriptions donations or otherwise from the members. Details of all expenditures shall be recorded in the' cash books. Separate ledger accounts shall be maintained for loans sanctioned from the Central/Circle/Divisional Benevolent Fund. Proper receipts in form. FCI appended hereo shall be issued for all amount received for the Fund.

The personnel loan accounts shall be maintained in a small slip book to be provided to each member of the department Staff.

10. ***Audit of accounts.***-The Accounts Officer of the Direction office shall annually conduct audit of the account of Benevolent fund and submit a report to the concerned committee.

11. ***Amendment to the Rules.***-Amendments to these rules may be made by the Central Committee consistent with the welfare of the staff of the Deptt. and keeping in' view the expanding concept of such welfare.

12. Commencement of the rules – These rules shall come into force with effect from 1st. March, 1981. That advance: action is initiated on this account so as to introduce the rules smoothly. The officers will therefore examine the rules, in detail and fully acquaint themselves with the same and also guide all the

disbursers, under their control, who will be required to effect recovery of monthly subscriptions, at the prescribed rates, from the subscribers.

The following accounting procedure shall be observed :-

1. The printed receipt books on the pattern of F.C.I will be issued separately through the concerned Conservators/controlling officers and all payments received should be duly accounted for and 1 receipt issued to each subscriber.

2. A register shall be opened at each committee level in which the particulars of the officers/officials working shall be entered in the same order as shown in the acquittance Rolls. The register shall show monthly the basic pay, amount of subscription due and the amount of subscription recovered; In the event the amount of subscription is recovered through the disburser other than the holder of the fund, these particulars shall be obtained monthly and the register posted accordingly. The amount due and recovered shall be checked monthly and signed by the officer in token by check. The amount so collected shall be monthly remitted into the nearest Bank Branch of Jammu and Kashmir Bank Ltd to the credit of the Fund.

3. The subscriber/donator shall be granted a receipt for the amount subscribed/donated in the manner provided in the rules.

4. A Saving Bank Account shall be opened by the administrators of the Fund in the manner provided in the rules. At the close of each quarter i.e. March, June, September and December, the Divisional, Committee shall draw a cheque in the name of Chairman Circle Committee representing 60% of the amount of subscription, donation, collecting during the preceding quarter and pass it on to the Chairman to enable the latter to collect the proceeds and credit the same to the Fund at the circle level. The Circle level committees shall also in turn draw a cheque representing 70% of the total realizations including the shares from Divisional Committees, in the name of Chairman Central Committee and remit the amount accordingly. The cheques in both the cases shall be accompanied with the statements indicating the details with regard to receipts/subscriptions during the quarter under report.

5. Quarterly reconciliation shall be conducted at each committee level with the



Bank Branch/Post Office and the variations, if any, got settled.

6. The Cheque Books of the Fund shall remain under the custody of the concerned Chairman.

7. The Administration of the Fund shall be regulated in accordance with the rules strictly. Proper ledger Accounts shall be opened at each level in which complete details with regard to the amount recoverable from each loanee shall be indicated, No. of instalments due and the monthly recovery and other details shall also be depicted. The recovery shall be closely watched at each level and the accounts closed on recovery of full amounts. In the event of transfer of employees from one Division/Circle to other Circle/Division, the details shall be recorded/forwarded alongwith L.P.C. and the recovery of balance amount watched in the officer to which transferred. The recovery of instalment of loans shall be fixed judiciously and should not last beyond the date of superannuation in any case. In the case of transfer of official/officer from the Forest Department, as a permanent measure, the amount outstanding at the time of transfer shall be recovered in lumpsum before issue of L.P.C.

8. A separate Cash Book shall be maintained and full particulars depicted on each Cash voucher. These vouchers shall be preserved for a period of 3 years from the date of payment of until the liquidation of load, in the latter case.

9. The financial powers of each committee are distinctly specified in the rules. In the event grant of relief/assistance/grant/scholarship/loan as the case may be is not within the power of the respective Chairman at Divisional/Circle level., the case shall be forwarded to the Committee empowered to sanction, with proper and full details. The requisite shall be forwarded with the recommendations of the respective committee initiating the same.

10. At the close of each financial year, a summary statement of activities relating to the year thus ended shall be prepared so as to have an idea about the total availability of fund, for the entire department.

11. The account should be maintained with the nearest branch of J &K Bank Ltd. In exceptional cases, however, where the branch of J & K Bank is not located, account may be opened with the local Post Office.

(Sd.) A. R. KHAN, I. F. S  
Chief Conservator of Forests,  
And Chief Wildlife Warden.  
Jammu and Kashmir State.

## THE JAMMU AND KASHMIR KHAIR TREES( REGENERATION AND UTILIZATION) RULES 1995

Government of Jammu and Kashmir  
Civil Sectt. Revenue Department

### Notification

Srinagar, the 3<sup>rd</sup> Aug 1995.

**SRO 194** :- In pursuance of section 137 read with sub-section (2) of section 37 of Jammu and Kashmir. Land Revenue Act, Samvat 1996 (XII of 1996) the Government hereby the following rules namely:-

1. **Title commencement and application.** (1) These rules may be called “the Jammu and Kashnir Khair Trees ‘Acacia catechu’ (Regeneration and Utilization) Rules, 1995.
2. These rules shall come into force after a period of fifteen days and the date of publication in the Government Gazetted.
3. These rules shall apply to the Khair trees standing on state land or private land, but does not include such trees standing on Demarcated forests.
2. **Definitions:** In these rule, unless the context otherwise requires:-

a) ‘Demarcated Forests’ shall have the same meaning as assigned to it the Jammu and Kashmir forest Act, 1987 (A.D.1930).

‘Form’ means the form appended to these rules.

- b) ‘Felling block; means khair trees bearing area to be notified as such by an Officer empowered for this purpose.
- c) ‘Growing stock’ means the sum by number or volume of all the trees growing in a unit area.
- d) ‘Khair Tree’ means a tree specie with the botanical name “Acacia

Catachu” and shall include its roots, stump, stem and branches whether standing or fallen and shall also include seedlings, saplings and pole of the species.

- e) ‘Officer Empowered’ means an Officer empowered as such under section 37 of the J&K Land Revenue Act, Samvat, 1996.
- f) ‘Out turn’ means a quantity of produce obtained from any unit of an area.
- g) Words and expressions used but not defined in these rules shall have the same meaning as assigned to them in the Jammu & Kashmir Land revenue Act, Samvat 1996, and in the Jammu and Kashmir rest Act, 1987 (A.D.1930).

4. **Restrictions on felling, conversion and utilization of the trees:-** (1) No Khair tree shall be felled or converted for commercial purpose rept in accordance with the permission granted under the rule.

(2) The Khair tree wood shall not be used for any commcerical purpose except in accordance with the permission to be granted by the Industries and Commerce Department who may grant such permission after obtaining no objection certificate from the Forest Department.

**4. Identification of khair tree bearing areas, assessment of growing stock and working out silviculture availability.**

(1). The identification of khair tree bearing areas assessment of growing stocks including the working out of the silviculture availability of khair trees shall be made by the officer empowered through working plan circle or any other agency within the department, as may be deemed proper, at an interval of not more than five years.

(2). The assessment of the growing stock shall be made on the basis of total enumeration/(count) in accordance with the procedure laid down in the Working Plan Code and the guidelines prescribed by the officer empowered from the time to time. The assessment shall be made village-wise and for that purpose each village will be a basic unit for a felling block.

5.**Constitute of the felling blocks:-** On the basis of the assessment of the growing stock and silviculture availability made in term of rule 4 above, the concerned (territorial) Divisional Forest Officer will identify the following blocks in respect of the area and the growing stocks within his divisional territory.

6. **Accord of sanction to the felling programme:-** (1) The Divisional Forest Officer will submit the eleven year felling programme as drawn by him under rule 5 for sanction by the officer empowered. The details of felling programme during the said period should be drawn accordingly and given in Form.

(2) The Officer empowered will accord sanction to the adoption of the felling programme after the rough check and verification of the proposals received by him in accordance with rule 5 and publish the same for information of all concerned witin a period of three months from the date of receipt of such proposals.

7. **Changes in the following programme** :-Any change or deviation required to be brought about in the felling programme. After its publication, shall be made with the previous approval of the Government.

8. **Notification of a felling block the invitation of application for**

**granting felling permissions:-**(1) The Concerned Divisional Forest Officer, on receipt of the same sanction to the adoption of the eleven year felling programme, will notify the village (s) where trees sanctioned for being felled during a particular year, one year in advance and shall invite applications from the owners of khair trees in Form 'B

These application shall be supported by relevant documents including proof of the ownership and the details of the co-shares, if any alongwith their consent in favour of any of the applicant/ co-shares to represent him/them for purposes of these rules and such a consent in this behalf shall be final and irrevocable.

(2) The applications received in this behalf shall be referred to the concerned Range Officer for verification and enumeration of the silviculturally available trees. The identification will be done by the Patwari of the Halqa concerned with reference to the relevant revenue records as per directions of the Range Officer who will submit his report to the concerned Divisional Forest Officer on Form 'C' within a period of the month.

(3) On receipt of the report from the concerned Range Officer, the Divisional Forest Officer may invite objections if he deems necessary from the residents of the 'felling block' which shall be submitted to him within a period of 15 days. Such objections, if any, received shall be disposed of by the concerned Divisional Forest Officer in such a manner as he may deem of receipt. Thereafter he may accord permission for marking, felling and conversion of particular tree (s) in favour of the applicant (owner) in Form 'D'.

9. Pre-requisites for felling:- (1) The owner of the khair tree shall be required to pay a fee of Rs.3/- per tree or such amount as may be fixed by the Forest Department from time to time, for grant of permission to the felling of the tree.

(2) The applicant (owner) shall be required to plant protect and maintain at least five khair seedlings in lieu of each tree to be felled by him. These seedlings shall be provided to him by the Social Forestry Department or the territorial Forest Department at the rates to be fixed by the Principal Conservator of Forest from year to year.

(3). The tree shall be cut and felled at 6" height above the ground level on uphill-side in a slanting manner in order to ensure emergence of coppice and preservation of marking the number and hammer facsimile for future verification.

(4) The grubbing of the standing stumps is strictly prohibited except where it is permitted by the Officer empowered who shall grant such permission only after

being satisfied himself that such stump (s) has or have lost the regenerative capability to produce coppice in future, if any violation is committed, it shall constitute an offence alike as provided for felling of a green tree unauthorisedly under the relevant section of the Jammu and Kashmir Land Revenue Act and shall be dealt with accordingly.

**10. Making, Felling, conversion and transportation of trees.**

(1) The range Officer, on receipt of the permission for following of the trees from the officer empowered, shall marks the trees and allow their felling and conversion simultaneously. After receipt of the compliance report from Range Officer, the Divisional Forest Officer may accord transportation permission for the said wood in terms of the 'Land Transport Rules' and the instructions issued there under from time to time. However, are shall, be taken that apart from meeting all the conditions prescribed under these rules and regulations, the quantities to be transported and the time allowed for such transportation is specifically indicated in Form 25.

(2) The transportation permission may for industrial use within the state in its own manufacturing unit registered with the industries and Commerce Department and certified to have established its unit on the date of purchase of the material by the said agency by the Department.

(3) The purchasing agency of the khair wood and khair fore wood shall pay a transportation permission fee of Rs.5/- per quintal or such sum as may be fixed by the Government from time to time.

**11. Validity of the felling permission and tree frame for various operation:-**

The permissions granted for felling of khair trees shall remain operative only for a period of five months starting form October 1<sup>st</sup> to end of February of every year. The time schedule for marking, felling, conversion, sale and transportation shall be as follows:-

<u>Operation</u>	<u>Time Schedule</u>
i. Marking	April to August every year.
ii. Felling/Conversion	October to February every year.
iii. Sale & transportation	October to March every year.

**12. Disposal of the trees died as a result of disease or fallen due to natural calamity.** The au7thority for disposal of the trees died as a result of some diseases or fallen due to natural calamities but do not include the trees mentioned on the sanctioned felling programme, shall vest with the officer empowered. The out-turn of such trees shall count towards the yield realiable from a felling block as and when taken up for felling on its own turn.

**13. Control Over Katha manufacturing units:-** (1) The Divisional Forest Officer in whose territory the Khair wood is being converted into the finished products, will exercise his control over the receipt and disposal of the khair wood in the manufacturing unit. For this purpose, he may inspect the unit and call for any records as he may deem necessary for examination. He will also nominate an Officer for every Katha manufacturing unit in his jurisdiction for maintaining records and watching over the Khair wood receipts and its conversion into the finished products thereof. The officer, so nominated shall submit monthly report to the Divisional Forest Officer, in Form "E" who will, in turn, send a copy thereof to the officer empowered.

(2) For the purposes of the above rule, every Katha manufacturing unit shall maintain such records of receipt, consumption of Khair wood and disposal of its end products. In case of any default or discrepancies, the Katha manufacturing unit-holder shall be liable for such penalties including cancellation of his industrial registration, as may be determined by the Officer empowered.

**14. Submission of returns:-** The Divisional Forest Officer, shall submit a monthly return with regard to the felling, conversion, transportation and sale of Khair trees and wood in his Division on the Form "F" to the Principal Chief Conservator of Forests by: 20th of the Following month who will in turn submit a consolidated abstract of the various reports, received by him immediately after close of a financial year, to the Forest Department in Form 'G' for such action as may be deemed proper.

**15. Remittances of the Fees:** The receipts generated as a result of felling permission fee and transportation permission fee shall be remitted into the state treasuries immediately on its being realized as revenue receipts of Forest Deptt. These charges shall be realized by the authorities who are empowered to grant such permissions.

**16. Appeal:** - Any person or agency aggrieved by any order of the principal Chief Conservator of Forests may prefer appeal before the forest Minister within a period of 30 days from the date of issue of such order.

By order of the Government of Jammu and Kashmir.

Sd/-  
(G.M. Parra)  
Secretary to Government),  
Revenue Department.

FORM 'A'  
(Eleven year felling programme Rule 6 refers)

S.No.	Year of Felling	Name(s) of the villager(s)	Area of the Felling Block	Gross growing stock	Sivicultural available stock	Remarks if any
1	2	3	4	5	6	7

\_\_\_\_\_ **FORM 'B'**

Application for grant of permission for felling khair tree Ref: Sub-rule (1) of rule 8.

To,  
The D.F.O,  
\_\_\_\_\_ Forest Division,  
\_\_\_\_\_.

Sir,

Kindly grant permission for felling of khar tree in my favour as per following details:-

- i. Name with parentage
- ii. Address
- iii. Number of Khair trees intended to be felled converted and sold.
- iv. Location of the tree;
  - a) Village
  - b) Khasra No.
- v. Purpose of felling
- vi. Name/Names of the Co-sharers with parentage and complete address (s).

2. The Following documents are enclosed”

h) Affidavit of the applicant to the effect that above particulars are correct.

ii) Khasra Girdhawari signed by the Patwari of the Halqa.

iii) Attorney of Co-Shares if any.

3. Certificated that khair saplings have been planted by me in lieu of the intended fellings which are alive as on date.

#### **FORM ‘C’**

##### **Verification Report of the R.O. (Ref sub-rule (2) of rule 8.**

- i. Reference of DFO’s letter No.
- ii. Name/Names of the tree growers.
- iii. Khasra No. /Nos.
- iv. Areas of the Khasra No/Nos.
- v. Enumeration list of the silviculturally available trees.

Tree Number	Girth of the tree At breast High (CM)	Remarks
_____	_____	_____

Total

Under Remarks column the details regarding fit, unit, candle candlebra, dry, green etc; should be shown.

Certificated that:-

1. The enumeration of silviculturally available trees have been carried out the identification of land by the land owner and the Patwari of the Halqa with reference to the relevant revenue records who have signed this statement in authentication of this fact.
2. The felling of the trees enumerated above will not cause any soil erosion.
3. The land owner has already planted \_\_\_\_\_ Khair saplings in \_\_\_\_\_ of the proposed fellings.
4. The enumerations have been made on private lands only and does not include any forest and state land. Nautor or Village common lands.

#### **FORM ‘D’**

**(Formate for felling permission)**

**Ref: Sub-rule (3) of rule 8.**

1. Reference to the PCCE's sanction to the adoption of the felling Block:-
2. Name of the felling Block with full description.
3. Khasra No. where from felling has to be made.
4. Reference to the ROs proposal for felling.
5. Details of the trees allowed to be felled.
6. Amount of Recovered on account of felling permission with reference TR No. & dates.

S.No	Tree number as per	Girth (CM)	Remarks
_____	_____	_____	
	_____		
Total	_____	_____	

The above permission for felling as per column 5 is subject to the following conditions:-

- (i) The applicant (tree grower) will plant, protect and maintain at least five khair seedlings in lieu of each tree permitted to be felled.
- (ii) The tree is cut and felled at 6" high above the ground level in a slanting manner so as to ensure emergence of coppice and preservation of marking number and hammer facimile for future verifications.
- (iii) No grubbing of stumps is made except where specifically permitted by the competent authority.
- (iv) Felling permission fee is deposited with the DFO concer .
- (v) Marking in the trees sanctioned to be felled is done by the concerned RO only.
- (vi) RO will maintain a felling diary as per the prescribed procedure.
- (vii) The khair wood is converted into billete of standard sir of one moter length and the mid girth of each billet is measured under bark and recordes.
- (viii) Any other condition is considered to be necessary by the Department.

### FORM 'E'

**(Monthly return of Khair felling, conversion sales and transportation ref  
sub rule (1) or rule – 13)**

1. Name of the Division/Range/Block/Beat.
2. Name of the felling block (village)
3. Name of the owner/owners
4. Number of trees marked with volume  
In \_\_\_\_\_ Cms.
5. Number of trees felled.
6. Out turn obtained (M3)



- a. Khair wood
- b. Khair Firewood
7. Name(s) of the agency in whose favour transportation permission has issued.
8. Details of transportation permission
  - a. Form 25 No. and date.
  - b. Quantity for which Form 25 Issued.
  - c. Destination.
9. Count recovered on account of Transportation fees with reference to TR No. and Date.

#### **FORM 'F'**

**(Return of conversion of Khair wood units finished products Ref: Rule 15.**

1. Name of the Katha manufacturing Unit.
2. Quantity of the Khair wood and Khair Fire wood Received in the above unit as under:
  - a) Total quantity received: -  
(giving name of the Division, Range, Beat and village where from the material has been received).
  - b) Form 25 No. with date.
3. Name (s) of sellers.

#### **FORM 'G'**

**(Pr. Chief Conservator of Forests, Report on availability extraction etc; of the khair tree to the Government Reference Rule 15).**

1. Year of Report.
2. Total area of the felling Blocks operated during the year with names.
3. Aggregate gross growing stock available in the felling block as
4. Aggregate silviculturally available stocks in the felling blocks as at (2) above (in cms)
5. Aggregate volume marked for felling during the year (in cums)
6. Aggregate volume of the khair wood actually felled during the year (in cms)
7. Aggregate volume of the khair wood purchased by the katha manufacturing units during the year (in cums)
8. Aggregate value of the khair wood purchased by the katha manufacturing units during a year (in Rs. Per Cum)
9. Average sale rate of the Khair wood purchased by the katha manufacturing units (Rs. Per Cm)
10. Felling charges recovered from the Tree Owners (in Rs.)
11. Permission charges recovered from the katha manufacturing units (in Rs.)